

Friday, 6th June, 1924

THE
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(Official Report)

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FOURTH SESSION
OF THE
COUNCIL OF STATE, 1924.



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COUNCIL OF STATE.

Friday, the 6th June, 1924.

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

QUESTIONS AND ANSWERS.

REVENUE AND EXPENDITURE OF PROVINCES ON THE 3RD OF JANUARY 1921.

265. THE HONOURABLE DR. DWARKANATH MITTER: What was the revenue available to each province on the 3rd of January 1921 on the basis of the Parliamentary rules framed under the Meston Award and what was the sanctioned scale of expenditure for each province on that date?

THE HONOURABLE MR. A. C. MCWATTERS: I place on the table a statement showing the standard figures on the basis of the Devolution Rules of the revenue and expenditure of each Province at the time of introduction of the new financial arrangements.

In lakhs of Rs.

	Madras.	Bombay.	Bengal.	U. P.	Punjab.	Burma.	B. & O.	C. P.	Assam.
Revenue . . .	14.98	12.10	8.55	12.30	9.74	8.24	4.31	4.36	1.81
Expenditure . . .	14.07	11.55	8.16	11.07	9.11	7.85	4.21	4.39	1.78

IMPROVEMENT OF FINANCIAL POSITION OF PROVINCES BY TAXATION OR BY RETRENCHMENT UP TO END OF DECEMBER 1923.

266. THE HONOURABLE DR. DWARKANATH MITTER: To what extent each province has improved its financial position by taxation or by retrenchment up to end of December 1923?

THE HONOURABLE MR. A. C. MCWATTERS: I propose to take questions Nos. 266, 268 and 269 together. The new financial arrangements came into force with effect from 1st April 1921, and I would refer the Honourable Member to the Finance and Revenue Accounts for 1921-22 and 1922-23 and the Civil Estimates of Provincial Governments for 1923-24 copies of which will be found in the Library. If the Honourable Member wishes to have any information which he cannot obtain from these volumes, I shall be glad to obtain it for him, if I can and if he will speak to me on the matter.

RESOURCES AND SANCTIONED SCALE OF EXPENDITURE OF THE GOVERNMENT OF INDIA ON THE 3RD JANUARY 1921.

267. THE HONOURABLE DR. DWARKANATH MITTER: What were the resources of the Government of India and what was their sanctioned scale of expenditure on the 3rd of January 1921?

THE HONOURABLE MR. A. C. McWATTERS: When the total of Provincial contributions was fixed at Rs. 9·83 crores, the resources of the Government of India including these contributions were estimated at Rs. 1,07 crores according to the Reforms classification and their expenditure was also taken at the same figure.

EXPANSION OF PROVINCIAL EXPENDITURE BETWEEN THE 3RD JANUARY 1921 AND THE 31ST DECEMBER 1923.

*268. THE HONOURABLE DR. DWARKANATH MITTER: To what extent each province has expanded its expenditure between the 3rd January 1921 and the 31st December 1923?

PROVINCIAL LOANS BETWEEN THE 3RD JANUARY 1921 AND THE 31ST DECEMBER 1923.

*269. THE HONOURABLE DR. DWARKANATH MITTER: What are the amounts of loans raised by each of these provinces between 3rd January 1921 and the 31st December 1923, and what is the annual sum necessary for the service of these loans?

MUHAMMADAN INCOME-TAX OFFICERS IN BENGAL.

270. THE HONOURABLE MAULVI ABDUL KARIM: Will the Government, be pleased to state why only one Musalman was taken in as an Assistant Income-tax Officer out of nine such officers appointed in Bengal in March last.

MUHAMMADAN CANDIDATES FOR POSTS OF INCOME-TAX OFFICERS IN BENGAL.

271. THE HONOURABLE MAULVI ABDUL KARIM: Is it not a fact that there were among the Musalman candidates for the above-mentioned posts B. A.s and M. A.s of Calcutta and Patna Universities with very good references?

THE HONOURABLE MR. A. C. McWATTERS: The information has been called for and will be furnished to the Honourable Member as soon as it is received.

MUHAMMADAN CASHIERS IN DEPARTMENTS UNDER THE GOVERNMENT OF INDIA.

272. THE HONOURABLE MAULVI ABDUL KARIM: Is it a fact that there is no Musalman cashier in any of the Departments under the Government of India?

THE HONOURABLE MR. J. CRERAR: The answer is in the affirmative.

THE HONOURABLE SAHYID RAZA ALI: Do Government propose to take any steps to remove this state of affairs?

* See answer to Question No. 266.

THE HONOURABLE MR. J. CRERAR : I can only say this, that if sufficiently qualified Muhammadan candidates can be found, every possible consideration will be given to their claims in accordance with the announcement of general policy made by the late Home Member, to which I shall refer in reply to a subsequent question.

MUHAMMADANS IN THE OFFICE OF THE PRIVATE SECRETARY TO H. E. THE VICEROY.

273. THE HONOURABLE MAULVI ABDUL KARIM : Is it a fact that the Musalman community is wholly unrepresented on the staff of the office of the Private Secretary to His Excellency the Viceroy ?

THE HONOURABLE MR. J. CRERAR : The answer is in the negative, but if the Honourable Member desires further information, I shall be happy to communicate it to him in private.

MUHAMMADAN SUPERINTENDENTS, CLERKS AND STENOGRAPHERS EMPLOYED IN OFFICES UNDER THE GOVERNMENT OF INDIA.

274. THE HONOURABLE MAULVI ABDUL KARIM : Will the Government be pleased to place on the table a statement showing the total number and the number of Musalman Superintendents, Assistants, Clerks, Stenographers and shorthand-writers in the following offices under the Government of India :—

1. Home Department.
2. Finance Department.
3. Education, Health and Lands Department.
4. Foreign Office.
5. Railway Board.
6. Legislative Department.
7. Public Works Department.
8. Indian Stores Department.
9. Commerce Department.
10. Department of Industries and Labour.
11. Accountant General, Railways.
12. Army Headquarters and Army Secretariat.

THE HONOURABLE MR. J. CRERAR : The information is being obtained and will be supplied to the Honourable Member in due course.

PREVENTION OF THE PREPONDERANCE OF ANY CLASS OR COMMUNITY IN GOVERNMENT SERVICE.

275. THE HONOURABLE MAULVI ABDUL KARIM : Will the Government be pleased to state what measures have been taken and with what result, in order to “prevent a preponderance of any one class or community” in the services under the direct control of the Government of India, in pursuance of the policy announced by the Honourable Sir Malcolm Hailey in the course of the debate in the Legislative Assembly on the 10th March 1923 ?

THE HONOURABLE MR. J. CRERAR : The Honourable Member is referred to the answer given on the 24th March 1924 to his questions regarding the appointment of Muslim officers in the Imperial Secretariat. As stated therein the Departments of the Government of India have been instructed to bear in mind the policy announced by Sir Malcolm Hailey, when recruiting for posts under their control.

CONCESSIONS FOR WORKING IRON ORES IN INDIA.

276. THE HONOURABLE DR. SIR DEVA PRASAD SARVADHIKARY :
(a) Would the Government please state the nature, extent and terms of the concessions granted to companies, syndicates or individuals, from 1900 downwards in connection with working of iron ores in British India ?

(b) Would the Government also please state to what extent work has proceeded on the basis of such concessions ?

(c) Would Government please lay on the table a statement showing areas where such concessions remain to be and can be made ?

THE HONOURABLE MR. A. H. LEY : (a) Concessions for mining rights are granted by Local Governments. A statement of concessions granted during each year is published annually in the Records of the Geological Survey of India. The statement relating to the year 1922 will be found in Volume LV, Part 3 of the Records, and it will be seen that these occupy 39 pages in print. The Government of India do not propose to compile a statement of all concessions granted from the year 1900 downwards desired by the Honourable Member, as such compilation would involve inordinate expenditure of time and labour.

(b) and (c) The Government of India have not the information necessary for the preparation of the statement called for which would involve an immense amount of labour on the part of the Provincial Governments. It is open to any one interested in mineral development to apply for a concession over any piece of ground in which he is of opinion that a particular mineral is worth exploiting.

APPEAL FROM THE JAMSHEDPUR LABOUR ASSOCIATION.

277. THE HONOURABLE DR. SIR DEVA PRASAD SARVADHIKARY :
(a) Has the attention of the Government been called to a printed appeal to members of the Indian Legislature and the public of India from the Jamshedpur Labour Association ?

(b) Would the Government please state if it is a fact (as is mentioned in the appeal) that in many cases 2, 3 or 4 families have to live in quarters meant only for one family and that instances of 6 to 8 persons living in one small room of 10 ft. × 8 ft., are very common, and that there are undesirable facilities for the sale of liquor to labourers ?

(c) Would the Government please state to what extent these and other complaints, mentioned in the appeal, are well-founded and what steps have been taken and will be taken for remedying the same ?

THE HONOURABLE MR. A. H. LEY : (a) Yes.

(b) and (c) Government have no definite information on this point, but will inquire.

PROTECTION OF THE OIL-CLOTH AND IMITATION LEATHER CLOTH INDUSTRIES.

278. **THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS :** Do the Government intend to refer to the Indian Tariff Board, for inquiry and report, the question whether protection is necessary for the oil-cloth and imitation leather cloth industries ?

THE HONOURABLE MR. D. T. CHADWICK : An application has been received from one firm asking that protection should be accorded to the manufacture of imitation leather and oil-cloth. No final orders were passed on it as no particulars were vouchsafed, and the application was so generally worded as not to justify a reference at that stage to the Tariff Board.

THE HONOURABLE DR. SIR DEVA PRASAD SARVADHIKARY : Are the Government in a position to make a statement as to whether applications in respect of other industries such as paper are before the Government ?

THE HONOURABLE MR. D. T. CHADWICK : They have been referred to the Tariff Board. Paper, cement and one or two other industries have already been referred to the Tariff Board.

RUNNING OF MILITARY DAIRIES AT A PROFIT.

279. **THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS :** Will the Government kindly state whether they have devised any scheme for the running of military dairies at a profit ? What stage has the consideration of this matter by the Government reached ?

HIS EXCELLENCY THE COMMANDER-IN-CHIEF : The attention of the Honourable Member is invited to the reply given on the 4th February last to question No. 50. Since that reply was given, a considerable reduction of staff has been carried out, and a two circle organisation has been introduced instead of a three circle organisation with effect from the 1st April 1924. Revised sale rates of dairy produce will come into force on the 1st July 1924 as an experimental measure.

The financial results of these changes cannot be gauged until the scheme has been in operation for some little time.

INDIAN RECRUITS FOR THE MILITARY DAIRY DEPARTMENT.

280. **THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS :** Is it a fact that some time back the Government were pleased to recruit Indian graduates in the officers' ranks of the Military Dairy Department ? If so, how many recruits were taken last year, and what is the total number of recruits now, and how far the experiment has progressed ?

HIS EXCELLENCY THE COMMANDER-IN-CHIEF : It is presumed the Honourable Member is referring to the scheme recently introduced in the Military Farms Department, details of which were described in the statement laid on the table of the Assembly on the 15th January 1923 in reply to starred question No. 9. If so, the replies to his questions are as follows :—

Indian graduates have not been recruited as gazetted officers in the Military Farms Department. The number of supervisors recruited under the scheme from the 1st April 1923 to the 31st March 1924 was 19. The number at present serving on probation is 57.

The experiment, which has been in operation since April 1922, is progressing satisfactorily and it has already been found possible to place a number of supervisors in charge of small dairy farms.

EUROPEANS, ANGLO-INDIANS AND INDIANS EMPLOYED IN THE TRAFFIC CONTROL SYSTEM OF THE NORTH WESTERN RAILWAY.

281. THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS : (a) Will the Government be pleased to state the number of Europeans, Anglo-Indians and Indians, who are holding permanent or temporary appointments in the Traffic Control system of the North Western Railway ?

(b) Is it a fact that no Indian is holding any permanent appointment in the above system of North Western Railway ?

(c) If the answer to the above question is in the affirmative, will the Government be pleased to state the reasons ?

(d) Is it a fact that there are many Indians qualified for the above system who are occasionally given chances to officiate in the above system, but are not given any permanent chance ?

(e) Do the Government contemplate to give, in the near future, any permanent appointment in the above system to any Indian who is qualified for it ?

THE HONOURABLE MR. D. T. CHADWICK : (a) and (b). There are 37 Europeans and Anglo-Indians and no Indians at present.

(c) The appointments have been made by selection of the men best qualified to hold them.

(d) No, there are only 4 Indians who are qualified and who have been put on the list of trained men ; one of them has been refused promotion to the list of Controllers.

(e) Yes.

RETRENCHMENTS ON THE NORTH WESTERN RAILWAY.

282. THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS : (a) Are the Government aware that during the last retrenchment on the North Western Railway, many qualified Indians who had rendered long years of service in the running staff in some Traffic districts were served with notices either to retire, or reduced from B to A grade, while in other districts persons equally qualified or less qualified and who were either junior or senior to the former were retained in their appointments ?

(b) Are the Government also aware that these employees had no other alternative but either to retire or accept less pay in the A grade after rendering such a long service in the A grade as to get the credit of being promoted to the B grade ?

(c) Is it a fact that some of these persons were confirmed in the B grade and had actually worked there for two or three years before they were degraded to A grade ?

(d) Are the Government also aware that the result of this retrenchment is that the present salary of these incumbents has become much less than their previous permanent pay in B grade ?

(e) Under what rules or section of the Civil Service Regulations are Government empowered to reduce the pay of an employee who has rendered service without any blot?

(f) Is it a fact that, in reply to the representation made by the Railway Union on behalf of these men, the railway authorities had replied that since these men had accepted less pay, they cannot reconsider their cases?

(g) Will the Government be pleased to state what other alternative was left for these men who were served with notices to accept the enforced terms?

(h) Do the Government intend to reconsider their case and promote them to the grades from which they were reduced or provide them on their previous pay in some other lines?

THE HONOURABLE MR. D. T. CHADWICK : (a), (b), (c) and (d). I would refer the Honourable Member to the reply given in the Legislative Assembly on the 11th February 1924 to question No. 279 (a) and (d) by Mr. Harchandrai Vishindas.

(e) and (g). Under the terms of the service agreement, it is open to the Railway Administration to dispense with the services of such employees as are not required on a month's notice. It was optional with them to accept or refuse further service in another capacity if offered.

(f) Government have no information.

(h) No.

INDIAN STATION MASTERS ON THE NORTH WESTERN RAILWAY DRAWING ABOVE RS. 300 A MONTH.

283. THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS : Will the Government kindly state whether it is a fact that now there is no Indian Station Master on the North Western Railway in any of the grades above Rs. 300 a month, (the only Indian holding the grade having gone on leave preparatory to retirement)? If so, what steps do the Government propose to take to remedy this?

THE HONOURABLE MR. D. T. CHADWICK : The reply to the first part of the question is in the negative. There is one, a Parsi. With regard to the second part the proportion of Indians in these posts may be expected to increase as the scheme now being inaugurated for training the subordinate station staff on State Railways comes into effect.

FRUIT CULTIVATION IN THE NORTH-WEST FRONTIER PROVINCE.

284. THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS : (a) Will the Government be pleased to state whether it is a fact that in the Frontier Province there are in the valleys of the Kurram, the Tochi, and the Gomal rivers, and among the valleys of the Suleman Ranges this side of the Durand Line some tracts of land quite suitable for the cultivation and growth of fruit trees? If so, will the Government kindly state what such tracts are and what are the areas of such tracts?

(b) Have the Government done anything or propose to do anything to take steps for the development of the cultivation of fruit trees in these

tribal areas ? Can some areas in the vicinity of the newly-constructed military roads be utilized for this purpose ?

THE HONOURABLE MR. J. P. THOMPSON : (a) It is presumed that the reference is to the country lying beyond the boundary of British India. An area of approximately 30,000 acres in the Kurram Valley and 15,000 acres in the Tochi is already cultivated with fruit trees and food and fodder crops. There is also cultivation in the Gomal and other valleys of the Suleman Range, wherever possible, but it has never been surveyed.

(b) Fruit trees have been issued to tribesmen in the Kurram and Tochi. Fruit trees were also issued formerly to tribesmen in Wana and the Sherani country to encourage fruit growing, and it is proposed to continue and extend this practice. The possibility of extending cultivation in the neighbourhood of the new military roads is under consideration and schemes for irrigating two small areas are now under investigation.

DEVELOPMENT OF THE FRUIT INDUSTRY IN THE NORTH-WEST FRONTIER PROVINCE.

285. THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS : Will the Government consider the desirability of making investigations into the possibility of developing a fruit industry in the Frontier Province ?

THE HONOURABLE MR. J. P. THOMPSON : If the Honourable Member will refer to the reports of the Government experimental farms at Tarnah and Haripur he will see that great efforts have been and are being made in the North-West Frontier Province to develop a fruit industry and that considerable progress has been made.

PROSPECTING LICENSES FOR PETROLEUM IN MOGHALKOTE IN THE SHIRANI COUNTRY.

286. THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS : Will the Government kindly state what is the estimated quantity of petroleum in Moghalkote in the Shirani country on the borders of the Derajat ? Will they kindly give the name or names of the companies to whom prospecting license for petroleum in this tract has been given ? Will the Government kindly state the main provision and conditions mentioned in the license and lay a copy of the license on the table of this Council ? What are the arrangements made with the tribes living in the Shirani country in connection with this license ?

THE HONOURABLE MR. J. P. THOMPSON : Inquiry is being made of the local Administration and the information will be supplied to the Honourable Member in due course.

DATE OF COMPLETION OF THE KHYBER RAILWAY.

287. THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS : Will the Government be pleased to state when will the Khyber Railway be likely to be completed ? What has been the total cost up to 31st March 1924 ? Will it be open to public traffic or not ? Has the Military Department borne its total cost ?

THE HONOURABLE MR. D. T. CHADWICK : It is expected that the Khyber Railway will be completed in October 1925, but it is hoped it may be possible to open it for traffic earlier.

Information regarding the total cost up to 31st March 1924 is not yet available. The cost up to 30th September 1923 was Rs. 1,59,55,000.

The Railway will be open for public traffic.

The reply to the last part of the question is in the negative.

CONVERSION OF THE KOHAT-THAL AND KALABAGH-BANNU-TONK LINES INTO BROAD GAUGE RAILWAYS.

288. THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS : Will the Government kindly state whether there are any other projects for the early construction of Railways in the North West Frontier Province or in Baluchistan ? Is it intended to convert the Kohat-Thal and Kalabagh-Bannu-Tonk Railway lines into broad-gauge ? If so, what will be the cost of conversion and when such work is likely to be taken up ?

THE HONOURABLE MR. D. T. CHADWICK : The question of the construction of a railway on the 2' 6" gauge from Hindubagh to Fort Sandeman is under consideration and a survey has already been sanctioned in order to allow of an estimate being prepared.

No final decision has yet been arrived at in regard to the conversion of the Kohat-Thal and Kalabagh-Bannu Railway lines to broad gauge. Estimates of cost for these projects have not yet been prepared and it is not possible to state at present when work will be taken up.

REFUSAL OF A KING'S COMMISSION OR A VICEROY'S COMMISSION TO MR. MOHAN SUNDER DAS.

289. THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS : Will the Government kindly state whether it is a fact that one Mohan Sunder Das, B.A., a Lieutenant in the Punjab University Corps, and a graduate of the Sanatan Dharma College, Lahore, applied for a King's Commission, and failing that for a Viceroy's Commission in the Indian Army, and has failed to get one ? Will Government kindly state the reason of refusal ?

HIS EXCELLENCY THE COMMANDER-IN-CHIEF : So far as the Government are aware, no application has been received on behalf of the gentleman mentioned either for the grant of (i) a King's commission, or (ii) a direct Viceroy's commission.

EXAMINATION FOR STATION MASTERS.

290. THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS : Will the Government kindly state whether there is any examination prescribed by the Railway for Station Masters in the Traffic Department, who wish to get in the grades of Station Masters above Rs. 250 per mensem ? What are the subjects fixed for this examination ? Is this examination held annually ? What are the conditions fixed for permission to appear in this examination ? If the reply be in the negative, how and on what merits is the selection made to these grades ?

THE HONOURABLE MR. D. T. CHADWICK : The Honourable Member does not mention to what particular Railway he refers. If he has in mind the North Western Railway there is no such examination. Promotion to the higher grade is made from qualified men in the service taking into consideration their experience, their general capability and their suitability for the positions to be filled.

EXAMINATION FOR STATION MASTERS.

291. THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS : (a) Will the Government kindly state whether there is any examination prescribed for the Station Masters or others in the Traffic Department, who wish to get in the grades of Station Masters lower than Rs. 250 per mensem? If so, what are the subjects fixed for these examinations? What are the conditions prescribed for permission to appear in these lower grade examinations?

(b) If there are no public examinations for these posts, will the Government consider the desirability of holding some public examination for this purpose?

THE HONOURABLE MR. D. T. CHADWICK : Assuming that the Honourable Member refers to the North Western Railway the replies to his questions are as follows :—

- (a) Yes, and a list of the subjects fixed for these examinations is laid on the table. The conditions governing admission to them are given in paragraph 1 of the list.
- (b) In view of the practical experience which it is essential candidates for this examination should possess, it is not possible to hold a public examination.

Station Masters.—Before qualifying as a Station Master, an employee shall have passed, and worked independently, as an Assistant Station Master for three years, and shall further qualify in a written examination in the following subjects :—

- (i) General Rules for Indian Railways, Parts I and II and Subsidiary Rules of the North Western Railway.
- (ii) State Railway Open Line Code, Volume I, Chapter I.
- (iii) Traffic Manual.
- (iv) Coaching Tariff.
- (v) Indian Railways Classification of Goods and General Rules and Goods Pamphlet.
- (vi) General Regulations accompanying Working Time Table.
- (vii) Current orders contained in Weekly Gazettes, circulars, etc.
- (viii) Technical Telegraphy.
- (ix) Pamphlet on Monthly System of Accounts.

Note.—The examination will be held by an Assistant Traffic Superintendent in two parts, namely :—

- (i) Train and Station Working.
- (ii) Coaching and Goods.

THE HONOURABLE SAIYID RAZA ALI: Will you allow me to put a question relating to an important matter of which I have given private notice to the Honourable Mr. Crerar?

THE HONOURABLE THE PRESIDENT: Is the Honourable Mr. Crerar, satisfied to accept notice?

THE HONOURABLE MR. J. CRERAR: I have accepted private notice.

THE HONOURABLE THE PRESIDENT: Will the Honourable Member please read the question?

THE HONOURABLE SAIYID RAZA ALI: (a) With reference to Lord Olivier's letter to Mr. Satyamurti, will Government be pleased to state whether any correspondence has taken place between the Secretary of State and the Government of India contemplating the abolition of communal representation?

(b) Are Government aware that the publication of the letter has created considerable alarm among the communities concerned, and what steps do Government propose to take to remove it?

THE HONOURABLE MR. J. CRERAR: (a) No, nor has the Government of India any reason to suppose that any proposal for the abolition of communal representation is in contemplation. The Honourable Member has doubtless seen the report in Reuter's telegrams of the statement made by His Majesty's Secretary of State for India in the House of Lords on the 3rd instant to the effect that His Majesty's Government have not hitherto taken into consideration for a moment the question of any modification of communal representation. I may add that the Government of India have no intention whatever of raising the question.

(b) No representations on the subject have been received by the Government of India, but they are aware that the publication of the letter referred to has given rise to comment and apprehension, which the statement I have now made should completely allay.

STEEL INDUSTRY (PROTECTION) BILL PASSED BY THE LEGISLATIVE ASSEMBLY LAID ON THE TABLE.

THE SECRETARY OF THE COUNCIL: Sir, in accordance with Rule 25 of the Indian Legislative Rules, I lay on the table a copy of the Bill to provide for the fostering and development of the steel industry in British India, which was passed by the Legislative Assembly at its meeting held on the 5th June, 1924.

THE HONOURABLE MR. D. T. CHADWICK (Commerce Secretary): Sir, I propose to hand in a notice of my intention to move:

"That the Bill to provide for the fostering and development of the steel industry in British India, as passed by the Legislative Assembly, be taken into consideration."

According to the rules of procedure I shall not be permitted to move that motion within three days of having given notice of it, the notice having just been given; but on behalf of Government I wish to say that if it is the wish of

[Mr. D. T. Chadwick.]

the Members of the House and of you, Sir, that this Bill be taken into consideration at an earlier date than three days hence, Government would take no objection but would be very glad to meet the desire of the House and of your instructions. We leave it entirely to the House.

THE HONOURABLE COLONEL NAWAB SIR UMAR HAYAT KHAN (West Punjab : Muhammadan) : Sir, we want full time to consider this Bill because some of the communities which are very badly hit by it are not properly represented here. You can see there are very few Members who represent agriculture ; and I was thinking of sending wires to them to come up and take part in this debate.

THE HONOURABLE THE PRESIDENT : I explained before, that, unless I was asked to fix a date earlier than that prescribed in the rules, I should not do so ; therefore the first speech should come from a Member who wishes an early date. Does any Honourable Member wish an early date fixed for the consideration of this Bill ?

THE HONOURABLE DR. DWARKANATH MITTER (West Bengal : Non-Muhammadan) : I move, Sir, that the Bill be taken into consideration to-morrow. The special circumstance which induces me to ask you, Sir, to take into consideration the Bill earlier than is provided by the Rules is that the Bill, as it has now emerged from the Legislative Assembly, differs only in three minor amendments from the Bill which was circulated to us some time ago, so that one day's time, I think, is sufficient for a consideration of the changes which have been made in the Bill as originally laid before the Legislative Assembly. I think, Sir, if you fix to-morrow as the day for the Bill to be taken into consideration, it will perhaps meet the wishes of many of the Members of this House.

THE HONOURABLE SIR ARTHUR FROOM (Bombay Chamber of Commerce) : Sir, might I ask whether the three days' rule would take us to Monday or Tuesday ?

THE HONOURABLE THE PRESIDENT : Monday.

THE HONOURABLE MR. R. P. KARANDIKAR (Bombay : Non-Muhammadan) : Sir, I support the motion for having the Bill discussed to-morrow.

THE HONOURABLE KHAN BAHADUR S. M. V. M. USMAN SAHIB BAHADUR (Madras : Muhammadan) : Sir, I also support the motion that the Bill may be discussed to-morrow.

THE HONOURABLE THE PRESIDENT : There is no question of any motion. There is merely an attempt on the part of the Chair to ascertain the wishes of Honourable Members before giving the necessary direction.

THE HONOURABLE COLONEL NAWAB SIR UMAR HAYAT KHAN (West Punjab : Muhammadan) : Sir, as it has now been brought before the House that the Bill should come on for discussion to-morrow, I only want to say this — that this is a House after which there is no other House for consideration. We are here so that if any mistake has been made in another place we should correct it. If we do not get sufficient time, I do not think we can do our duty. No doubt we have lots of work to do in our homes, but we have

taken up our appointments here simply in the interests of the public, and if we have taken up the appointment we ought to do justice to it. If we consider our private affairs are more urgent, we may just as well resign our seats here and go home. In my opinion, when we are here to do work for the public we ought to put that first, and that cannot be done unless we have sufficient time so as to consider the Bill and to be able to put forward amendments. The Bill was only passed last evening in the other House and we must see what they have done and what alterations have been made in the Bill. All these things being so important I am emphatically of opinion that we should give more time to it. Even Monday I think is much too early; but, if the House thinks that it will be sufficient, I agree to it.

THE HONOURABLE SIR MANECKJI DADABHOY (Central Provinces : General) : Sir, I have not been quite able to follow my Honourable friend, Sir Umar Hayat Khan. He suspects that, if the Bill is taken up to-morrow for discussion, adequate justice will not be done to the Bill, and for some mysterious reason which he has not communicated to the Council the Bill will not be properly and fully discussed. I have been unable to follow his conclusions at all. I am quite sure that, if the Bill comes on to-morrow, this Council will bestow an adequate amount of care and attention on it, and the Bill will be passed after a full measure of discussion.

As regards the other statement he made about the landlord Members of this Council not being present here to-day, and my Honourable friend's request for time to send telegrams to them in order that they may attend the discussion, I say it is a request which is entirely out of court. Those Honourable Members who are not here are alive to their responsibilities and had sufficient notice that the measure was likely to be taken up this week, and, if they are still absent, it is perfectly clear that they do not propose to attend the meeting and take part in the deliberations.

THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS (Punjab : Non-Muhammadan) : Sir, I am sorry I have not been quite able to follow my Honourable friend Sir Maneckji Dadabhoy, because he has not put forward any special reason why we should ask the President to suspend the rule and allow the Bill to come up for consideration to-morrow. I think, Sir, there is no reason for haste. Delay for a day will not matter much. The Bill has only just been put before us on our entering the Council Chamber, and it is only fair that those Members who want to consider the Bill or to bring up amendments may be given at least a day. I shall therefore request that the Bill be taken up on Monday.

THE HONOURABLE MR. J. W. A. BELL (Bengal Chamber of Commerce) : Sir, I desire to support the views expressed by my Honourable and gallant friend, Sir Umar Hayat Khan. It is unfortunate, Sir, that there should be a difference of opinion among Honourable Members of this House as to the date most convenient for discussing the Tariff Bill and I have great sympathy with those Honourable Members who feel that the last ten days in Simla have not been so fully occupied with legislative work as they might have been (*The Honourable Mr. Lalubhai Samaldas* : "In this House") and who are desirous of returning home. On the other hand, there are other considerations

[Mr. J. W. A. Bell.]

to take into account. The rule is, as I understand it, that any Bill placed before this House should lie upon the table for three days.

I do not think it is consistent with the dignity of the House that this rule should be suspended unless for very serious reasons. I do not consider that in the present case those serious reasons exist. I also think that it is not consistent with the dignity of this House that the public should get the impression that Bills can be brought here and rushed through in a more or less informal way. My Honourable and gallant friend has mentioned other reasons and I do not think that it is unfair to sympathise with the Members to whom he has referred, who have been in some doubt as to the date on which this Bill was likely to be taken up in this House and who have deferred making arrangements to come to Simla until some definite indication was given of that date. For these reasons, Sir, I beg to support the recommendation made by my Honourable and gallant friend, and to suggest that the Bill be taken up on Monday.

THE HONOURABLE DR. MIAN SIR MUHAMMAD SHAFI (Law Member) : Sir, it is clear from the speeches to which we have just listened that there is a sharp division of opinion in the House with regard to the question under discussion. In these circumstances it seems to me that it is not desirable to depart from the ordinary rule applicable to such cases unless special ground is made out. The Government, therefore, Sir, would suggest to you that the best course would be to follow the ordinary rule.

THE HONOURABLE MR. PHIROZE C. SETHNA (Bombay : Non-Muhammadan) : Sir, I yield to none of my Honourable Colleagues in my desire to see that the dignity of this House is not by any means prejudiced. The Honourable Mr. Bell said that if we take the Bill for consideration to-morrow, it might be construed to mean that we were rushing it. Those of us who would like to have the Bill taken into consideration to-morrow have stated the reasons and I would like to refer to them again.

We have been called here to discuss one particular measure for which we have now been in Simla for the last 11 days. If the Bill originated in this House and if anyone asked for the suspension of the rule which requires three days' notice, I would entirely agree with my Honourable friend Mr. Bell that that would not be in conformity with the dignity of the House and it would be tantamount to rushing the Bill. As things are, the Bill has been discussed in the other place for the last ten days and as we had nothing particular to do, in the absence of other work in this Council, most of us have spent our time in the special gallery reserved for us in that place. We are therefore fully acquainted with all that has happened and, as my Honourable friend Dr. Dwarkanath Mitter observed, there are only three minor additions that have been made to the original Bill, so that it is quite possible for Honourable Members to consider them and send in amendments, should you decide to have the consideration of the Bill taken up to-morrow as we request.

My Honourable friend Colonel Sir Umar Hayat Khan has suggested that, if you put it off till Monday, it will give him time to bring up his friends who are away at present. The Honourable Sir Maneckji Dadabhoy has properly

observed that he is out of court in making such a suggestion. If that was ruled to be in order, I would make a similar suggestion that the consideration of the Bill be put off not to Monday but to Wednesday in order to enable me to send telegrams to people who are at a further distance than the friends of the Honourable Sir Umar Hayat Khan !

I hope, Sir, taking into consideration the long time we have spent here doing nothing and the fact that many of us have left our business to come here you, Sir, will decide that the Bill be taken into consideration to-morrow and not on Monday.

THE HONOURABLE SIR ARTHUR FROOM (Bombay Chamber of Commerce) : Sir, I am afraid I cannot altogether agree with the views put forward by my Honourable friend Mr. Sethna because it seems to me the point of discussion before the House is whether we should stick to the rules or whether we should not. It would not be adhering to the rules to ask for further delay than three days in order that he might send his telegrams. My Honourable friend Colonel Sir Umar Hayat Khan did not suggest bringing up all his friends to Simla although no doubt he would like to see them here. I think he suggested sending telegrams only.

The Honourable the Leader of the House has expressed his opinion on behalf of Government. As there is some difference of opinion among Members as to whether the rules should be suspended or should not, I agree with his view that, unless there is some all-sufficient reason, the rules of this Council should be adhered to. I think that is the way in which we should look at it. If the reason were sufficient, then I would agree to a suspension of the rules but I see no particular reason in this case.

THE HONOURABLE THE PRESIDENT : I think the Chair is now sufficiently informed of the sense of the House and can come to a conclusion. In view of the divergency of opinion that exists I am not prepared to dispense with the three days' interval required by the rules.

Before it is settled whether we take the Bill on Monday or not, perhaps the House could be informed of what is proposed with regard to the discussion of the Lee Commission's Report.

THE HONOURABLE MR. J. CRERAR (Home Secretary) : I received late last night notice of a motion dealing with the Lee Commission's Report. In view of the assurances which Government have given on this subject, they certainly will be prepared to allot a day for that discussion if the House so desires. But I do not suppose the Honourable gentleman who has given notice of that motion and other Honourable Members would desire that the debate on the important measure which is before the House should be interrupted for that purpose. Government therefore will be very pleased, if that is the desire of the House, to allot a date after the discussion of the Steel Industry (Protection) Bill.

THE HONOURABLE SAYYID RAZA ALI : May I know what are the terms of the Resolution of which notice has been given to Mr. Crerar ?

THE HONOURABLE MR. J. CRERAR: Perhaps I may add that my remarks are entirely subject to the Resolution being admitted by the President.

THE HONOURABLE THE PRESIDENT: Let the Resolution be read.

THE SECRETARY OF THE COUNCIL: The terms of the Resolution referred to are as follows:—

“This Council recommends to the Governor General in Council—

- (a) that the Council may be given an opportunity of discussing the recommendations of the Lee Commission;
- (b) that, owing to the shortness of time at the disposal of the Council, the discussion be allowed at the September-October session of the Council; and
- (c) that, pending such discussion, the Secretary of State for India be requested not to take any action on the recommendations of the Lee Commission.”

THE HONOURABLE SIR MANECKJI DADABHOY: Who is the author of the Resolution?

THE SECRETARY OF THE COUNCIL: Notice of the Resolution has been given by the Honourable Dr. Sir Deva Prasad Sarvadhikary.

THE HONOURABLE THE PRESIDENT: Do I understand that the Government will give a day subsequent to Monday for this Resolution?

THE HONOURABLE MR. J. CRERAR: Yes.

THE HONOURABLE MR. LALUBHAI SAMALDAS (Bombay: Non-Muhammadan): May I seek your ruling on clause 74 of the Manual of Business Procedure? Under that clause two clear days' notice has to be given for any amendments. Will the Honourable the Commerce Member accept amendments till Saturday afternoon, or will he insist on two clear days from Saturday at 11?

THE HONOURABLE MR. D. T. CHADWICK: We will accept amendments passed by the President up to Saturday night.

THE HONOURABLE THE PRESIDENT: Then I think, subject to anything the Leader of the House may say, our programme will be to meet on Monday to take into consideration the motion on the Steel Industry (Protection) Bill, and if that is disposed of on Monday, on Tuesday to take the Resolution with regard to the Lee Commission.

THE HONOURABLE DR. MIAN SIR MUHAMMAD SHAFI: That is conditional on the debate on this Bill being concluded on Monday.

THE HONOURABLE DR. SIR DEVA PRASAD SAVARDHIKARY: With regard to what the Honourable the Leader of the House says, as we have no business to-morrow, would it not be possible to have the Lee Commission's Report taken up to-morrow?

THE HONOURABLE DR. MIAN SIR MUHAMMAD SHAFI: I am sorry to say it is not possible.

THE HONOURABLE THE PRESIDENT: Members should understand that amendments to the Steel Industry (Protection) Bill should be lodged at the Notice Office by 3 P.M. at latest to-morrow in order to be in time for Monday.

The House now stands adjourned till 11 A. M. on Monday.

The Council then adjourned till Eleven of the Clock on Monday, the 9th June, 1924.