

Wednesday, 23rd March 1932

THE  
**LEGISLATIVE ASSEMBLY DEBATES**

(OFFICIAL REPORT)

**VOLUME III, 1932**

*(14th March to 6th April, 1932)*

**THIRD SESSION**

OF THE

**FOURTH LEGISLATIVE ASSEMBLY,  
1932**



CALCUTTA: GOVERNMENT OF INDIA  
CENTRAL PUBLICATION BRANCH  
1982

# Legislative Assembly

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# CONTENTS.

VOLUME III.—14th March to 6th April, 1932.

	PAGE.
<b>Monday, 14th March, 1932—</b>	
Members Sworn . . . . .	1923
Questions and Answers . . . . .	1923—1948
Unstarred Questions and Answers . . . . .	1948—1950
Motion for Adjournment <i>re</i> Excesses of the Police in Delhi and Desecration of the Mosque in Kucha Rahman—Negatived . . . . .	1951, 1985—2008
Election to the Standing Committee for the Department of Educa- tion, Health and Lands . . . . .	1951
The General Budget—List of Demands— . . . . .	1951—1985
Demand No. 28—Executive Council— . . . . .	1952—1985
The Constitutional Issue . . . . .	1952—1985
<b>Tuesday, 15th March, 1932—</b>	
Questions and Answers . . . . .	2009—2018
Unstarred Questions and Answers . . . . .	2018—2025
Bill passed by the Council of State laid on the Table . . . . .	2025
The General Budget—List of Demands— <i>contd.</i> . . . . .	2025—2083
Demand No. 28—Executive Council— <i>contd.</i> . . . . .	2025—2083
Retrenchment . . . . .	2025—2083
<b>Wednesday, 16th March, 1932—</b>	
Questions and Answers . . . . .	2085—2095
Unstarred Questions and Answers . . . . .	2095—2096
The General Budget—List of Demands— <i>contd.</i> . . . . .	2096—2144
Demand No. 28—Executive Council— <i>contd.</i> . . . . .	2096—2144
Avoidance of Income-tax . . . . .	2096—2118
Indianisation of the Army . . . . .	2118—2144
<b>Thursday, 17th March, 1932—</b>	
The General Budget—List of Demands— <i>contd.</i> . . . . .	2145—2199
Demand No. 28—Executive Council— <i>contd.</i> . . . . .	2145—2199
Royal Commission on Labour . . . . .	2145—2155
Lack of Supervision over the Coal Transactions of Railways . . . . .	2155—2172
Separation of Burma from India . . . . .	2173—2193
Improper Interference by the Secretary of State in the Financial Affairs of India . . . . .	2194—2199
<b>Friday, 18th March, 1932—</b>	
Questions and Answers . . . . .	2201—2217
Unstarred Questions and Answers . . . . .	2217—2224
Statement laid on the Table <i>re</i> Report on the Howard-Nixon Memo- randum regarding Financial Questions arising out of the Separation of Burma from India . . . . .	2224—2229

**Friday, 18th March, 1932—contd.**

Statement of Business . . . . .	2229—2231
Election of Members to the Public Accounts Committee . . . . .	2231
The General Budget—List of Demands— <i>contd.</i> . . . . .	2231—2281
Demand No. 28—Executive Council— <i>concl'd.</i> . . . . .	2231—2232
Demand No. 16—Customs— . . . . .	2232—2266
Insufficient Economy effected by Government under Customs . . . . .	2232—2266
Demand No. 17—Taxes on Income . . . . .	2267
Demand No. 18—Salt . . . . .	2267
Demand No. 19—Opium . . . . .	2268
Demand No. 20—Stamps . . . . .	2268
Demand No. 21—Forests . . . . .	2268
Demand No. 22—Irrigation (including Working Expenses), Navigation, Embankment and Drainage Works . . . . .	2268
Demand No. 23—Indian Posts and Telegraphs Department (including Working Expenses) . . . . .	2268—2281

**Saturday, 19th March, 1932—**

Motion for Adjournment <i>re</i> Alleged Maltreatment of Women Political Prisoners—Request for leave to be renewed on Wednesday . . . . .	2283
The General Budget—List of Demands— <i>concl'd.</i> . . . . .	2283—2345
Demand No. 23—Indian Posts and Telegraphs Department— <i>cont'd.</i> . . . . .	2283—2288
Demand No. 25—Interest on Ordinary Debt and Reduction or Avoidance of Debt . . . . .	2288
Demand No. 26—Interest on Miscellaneous Obligations . . . . .	2288
Demand No. 27—Staff, Household and Allowances of the Governor General . . . . .	2288
Demand No. 29—Council of State . . . . .	2288
Demand No. 30—Legislative Assembly and Legislative Assembly Department . . . . .	2289
Demand No. 31—Foreign and Political Department . . . . .	2290—2314
Demand No. 32—Home Department . . . . .	2314—2325
Demand No. 33—Public Service Commission . . . . .	2325—2334
Demand No. 34—Legislative Department . . . . .	2334
Demand No. 35—Department of Education, Health and Lands . . . . .	2334
Demand No. 36—Finance Department . . . . .	2335
Demand No. 38—Commerce Department . . . . .	2335
Demand No. 39—Army Department . . . . .	2335
Demand No. 40—Department of Industries and Labour . . . . .	2335
Demand No. 41—Central Board of Revenue . . . . .	2335
Demand No. 42—Payments to Provincial Governments on account of Administration of Agency Subjects . . . . .	2335
Demand No. 43—Audit . . . . .	2336
Demand No. 44—Administration of Justice . . . . .	2336
Demand No. 45—Police . . . . .	2336
Demand No. 46—Ports and Pilotage . . . . .	2336
Demand No. 47—Lighthouses and Lightships . . . . .	2336
Demand No. 48—Survey of India . . . . .	2336
Demand No. 49—Meteorology . . . . .	2337
Demand No. 50—Geological Survey . . . . .	2337
Demand No. 51—Botanical Survey . . . . .	2337
Demand No. 52—Zoological Survey . . . . .	2337

	PAGE.
<b>Saturday, 19th March, 1932—contd.</b>	
Demand No. 53—Archæology . . . . .	2337
Demand No. 54—Mines . . . . .	2337
Demand No. 55—Other Scientific Departments . . . . .	2338
Demand No. 56—Education . . . . .	2338
Demand No. 57—Medical Services . . . . .	2338
Demand No. 58—Public Health . . . . .	2338
Demand No. 59—Agriculture . . . . .	2338
Demand No. 60—Imperial Council of Agricultural Research Department . . . . .	2338
Demand No. 61—Civil Veterinary Services . . . . .	2339
Demand No. 62—Industries . . . . .	2339
Demand No. 63—Aviation . . . . .	2339
Demand No. 64—Commercial Intelligence and Statistics . . . . .	2339
Demand No. 65—Census . . . . .	2339
Demand No. 66—Emigration—Internal . . . . .	2339
Demand No. 67—Emigration—External . . . . .	2340
Demand No. 68—Joint Stock Companies . . . . .	2340
Demand No. 69—Miscellaneous Departments . . . . .	2340
Demand No. 70—Indian Stores Department . . . . .	2340
Demand No. 71—Currency . . . . .	2340
Demand No. 72—Mint . . . . .	2340
Demand No. 73—Civil Works . . . . .	2341
Demand No. 74—Superannuation Allowances and Pensions . . . . .	2341
Demand No. 75—Stationery and Printing . . . . .	2341
Demand No. 76—Miscellaneous . . . . .	2341
Demand No. 76-A—Expenditure on Retrenched Personnel Charged to Revenue . . . . .	2341
Demand No. 77—Refunds . . . . .	2341
Demand No. 78—North-West Frontier Province . . . . .	2342
Demand No. 79—Baluchistan . . . . .	2342
Demand No. 80—Delhi . . . . .	2342
Demand No. 81—Ajmer-Merwara . . . . .	2342
Demand No. 82—Andamans and Nicobar Islands . . . . .	2342
Demand No. 83—Rajputana . . . . .	2342
Demand No. 84—Central India . . . . .	2343
Demand No. 85—Hyderabad . . . . .	2343
Demand No. 85-A—Aden . . . . .	2343
Demand No. 86—Expenditure in England—Secretary of State . . . . .	2343
Demand No. 87—Expenditure in England—High Commissioner for India . . . . .	2343
Demand No. 88—Capital Outlay and Security Printing . . . . .	2343
Demand No. 89—Forest Capital Outlay . . . . .	2344
Demand No. 90—Irrigation . . . . .	2344
Demand No. 91—Indian Posts and Telegraphs . . . . .	2344
Demand No. 93—Capital Outlay on Currency Note Press . . . . .	2344
Demand No. 94—Capital Outlay on Vizagapatam Harbour . . . . .	2344
Demand No. 95—Capital Outlay on Lighthouses and Lightships . . . . .	2344
Demand No. 96—Commuted Value of Pensions . . . . .	2345
Demand No. 96-A—Expenditure on Retrenched Personnel Charged to Capital . . . . .	2345
Demand No. 98—Interest-free Advances . . . . .	2345
Demand No. 99—Loans and Advances bearing Interest . . . . .	2345

**Wednesday, 23rd March, 1932—**

Members Sworn . . . . .	2347
Questions and Answers . . . . .	2347—2385
Unstarred Questions and Answers . . . . .	2386—2408
Motion for Adjournment <i>re</i> Alleged maltreatment of women political Prisoners—Negatived . . . . .	2408—2409, 2442—2463
Statements laid on the Table . . . . .	2409—2414
The Hindu Marriages Dissolution Bill—Presentation of the Report of the Committee on Public Petitions . . . . .	2414
The Hindu Untouchable Castes (Removal of Disabilities) Bill— Presentation of the Report of the Committee on Public Petitions . . . . .	2415
Election of Members to the Standing Finance Committee . . . . .	2415
Election of Members to the Standing Committee on Emigration . . . . .	2415
The Ancient Monuments Preservation (Amendment) Bill—Appoint- ment of Sir Cowasji Jehangir to Select Committee . . . . .	2415
The Indian Medical Council Bill—Introduced . . . . .	2415—2416
The Salt Additional Import Duty (Extending) Bill—Passed . . . . .	2416—2438
The Bengal Criminal Law Amendment (Supplementary) Bill— <i>contd.</i>	2438—2442
Appendix . . . . .	2465—2466

**Thursday, 24th March, 1932—**

Questions and Answers . . . . .	2467—2489
Election to the Standing Finance Committee . . . . .	2490
Election to the Standing Committee on Emigration . . . . .	2490
Statements laid on the Table . . . . .	2490—2499
Election of Members to the Public Accounts Committee . . . . .	2500
Election of Members to the Standing Finance Committee for Railways . . . . .	2500
The Bengal Criminal Law Amendment (Supplementary) Bill— <i>contd.</i>	2500—2542

**Tuesday, 29th March, 1932—**

Members Sworn . . . . .	2543
Questions and Answers . . . . .	2543—2590
Short Notice Question and Answer . . . . .	2590—2591
Unstarred Questions and Answers . . . . .	2591—2608
Death of Mr. K. V Rangaswami Iyengar . . . . .	2608—2612
Election of Members to the Public Accounts Committee . . . . .	2612
Election of Members to the Standing Finance Committee for Rail- ways . . . . .	2612
Statements laid on the Table . . . . .	2612—2617
Draft Convention and Recommendations <i>re</i> Protection against accidents of workers employed in loading and unloading ships . . . . .	2618—2619
The Bengal Criminal Law Amendment (Supplementary) Bill— <i>contd.</i>	2619—2654

**Wednesday, 30th March, 1932—**

Questions and Answers . . . . .	2655—2664
Unstarred Questions and Answers . . . . .	2664—2667
Death of Mr. F. W. Allison . . . . .	2668—2670
Statements laid on the Table . . . . .	2670—2671
Election of Members to the Central Advisory Council for Railways . . . . .	2671
The Bengal Criminal Law Amendment (Supplementary) Bill— Passed as amended . . . . .	2672—2714

**Thursday, 31st March, 1932—**

Questions and Answers . . . . .	2715—2721
Short Notice Question and Answer . . . . .	2721—2728
Election to the Central Advisory Council for Railways . . . . .	2729
Message from the Council of State . . . . .	2729
Statements laid on the Table . . . . .	2729—2730
The Port Haj Committees Bill—Introduced . . . . .	2730
The Hedjaz Pilgrims ( <i>Muallims</i> ) Bill—Introduced . . . . .	2730
The Foreign Relations Bill— <i>contd.</i> . . . . .	2731—2776

**Friday, 1st April, 1932—**

Members Sworn . . . . .	2777
Questions and Answers . . . . .	2777—2784
Short Notice Question and Answer . . . . .	2784—2785
Motion for Adjournment <i>re</i> unsatisfactory reply of the Leader of the House in regard to the expediting of the Reforms with Mahatma Gandhi in Jail—Negatived . . . . .	2785—2788, 2820—2847
Statements laid on the Table . . . . .	2788—2794
The Foreign Relations Bill— <i>contd.</i> . . . . .	2794—2821
The Sugar Industry (Protection) Bill— <i>contd.</i> . . . . .	2821—2829
Appendix . . . . .	2849—2850

**Saturday, 2nd April, 1932—**

Statement of Business . . . . .	2851—2852
Statements laid on the Table . . . . .	2852—2854
The Sugar Industry (Protection) Bill—Passed . . . . .	2855—2879
The Foreign Relations Bill—Passed as amended . . . . .	2879—2902

**Monday, 4th April, 1932—**

Member Sworn . . . . .	2903
Questions and Answers . . . . .	2903—2908
Unstarred Questions and Answers . . . . .	2908—2909
Short Notice Question and Answer . . . . .	2910—2912
Statement laid on the Table . . . . .	2912
The Indian Air Force Bill—Passed . . . . .	2912—2925
The Indian Tariff (Wireless Broadcasting) Amendment Bill—Passed . . . . .	2925—2933
The Public Suits Validation Bill—Passed . . . . .	2933—2962

**Tuesday, 5th April, 1932—**

Member Sworn . . . . .	2963
Statement <i>re</i> South Africa . . . . .	2963—2966, 3012—3014
Statements laid on the Table . . . . .	2966—2969
The Ancient Monuments Preservation (Amendment) Bill—Presentation of the Report of Select Committee . . . . .	2969
The Code of Civil Procedure (Amendment) Bill—Passed . . . . .	2969—2970
The Indian Partnership Bill—Amendments made by the Council of State agreed to . . . . .	2970—2971
The Indian Merchant Shipping (Amendment) Bill—Referred to Select Committee . . . . .	2971—2978
The Tea Districts Emigrant Labour Bill—Referred to Select Committee . . . . .	2978—2998

**Tuesday, 5th April, 1932—contd.**

The Port Haj Committees Bill—Referred to Select Committee . . . . .	2998—3006
The Hedjaz Pilgrims ( <i>Muallims</i> ) Bill—Referred to Select Committee . . . . .	3006—3009
Resolution to amend the previous Resolution on Roads—Adopted . . . . .	3010—3012
Report on financial questions arising out of the proposed separation of Burma from India . . . . .	3014—3025

**Wednesday, 6th April, 1932—**

Question and Answer . . . . .	3027
Message from the Council of State . . . . .	3027
Death of Sir Bomanji Dalal . . . . .	3027—3029
Statement laid on the Table . . . . .	3029—3030
Report on financial questions arising out of the proposed separation of Burma from India—Consideration postponed till the next Simla Session . . . . .	3030—3050

# LEGISLATIVE ASSEMBLY.

Wednesday, 23rd March, 1932.

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

## MEMBERS SWORN:

Mr. Girja Shankar Bajpai, C.I.E., C.B.E., M.L.A. (Government of India: Nominated Official); and

Mr. Tin Tut, M.L.A. (Government of India: Nominated Official).

## QUESTIONS AND ANSWERS.

### AMOUNT OF CONTRIBUTIONS FROM DIFFERENT NATIONS TO THE LEAGUE OF NATIONS.

862. \*Mr. K. P. Thampan: Will Government be pleased to state:

- (a) the total amount contributed by India to the League of Nations every year ever since its inception;
- (b) the amount contributed by Great Britain and the several British Dominions;
- (c) what the principle is on which these contributions are made; whether it is on the basis of population or total revenue of the respective countries;
- (d) what was the amount contributed by China, Japan, France and Germany during the last three years?

Sir Lancelot Graham: (a), (b) and (d). A statement is laid on the table.

(c) On the basis explained in the Report of the 4th Committee to the 6th Assembly of the League which the Honourable Member will find in Appendix II, Annex. XIII to the Final Report of the Delegates of India to that Assembly.

### Statement showing amounts of India's contribution to the League of Nations.

	In pounds (sterling).
1921-22	54·916
1922-23	43·748
1923-24	77·799
1924-25	70·526
1925-26	53·288
1926-27	54·415
1927-28	50·034
1928-29	51·415
1929-30	56·710
1930-31	60·784
1931-32 (Revised Estimate)	67·725
1932-33 (Budget Estimate)	94·350

Statement (2) showing the amounts in Gold Francs contributed by Great Britain and the several British Dominions for the years 1919—1932 and (3) China, Japan, France and Germany for the years 1929, 1930 and 1931.

Year.	Country.	Amount in Gold Francs.
1932	South Africa	484,417·81
	Australia	879,075·92
	Canada	1,143,353·80
	Great Britain	3,466,499·54
	New Zealand	329,158·96
1931	South Africa	449,923·88
	Australia	816,986·86
	Canada	1,062,867·99
	Great Britain	3,225,042·12
	New Zealand	306,163·02
1930	South Africa	403,598·96
	Australia	733,601·99
	Canada	954,776·51
	Great Britain	2,900,767·72
	New Zealand	275,279·74
1929	South Africa	375,289·11
	Australia	682,644·26
	Canada	888,720·17
	Great Britain	2,702,598·57
	New Zealand	256,406·50
1928	South Africa	333,626·67
	Australia	614,775·74
	Canada	804,553·39
	Great Britain	2,486,536·50
	New Zealand	234,845·30
1927	South Africa	323,711·29
	Australia	596,928·09
	Canada	781,417·53
	Great Britain	2,417,128·95
	New Zealand	228,235·05
1926	South Africa	367,085·91
	Australia	660,754·64
	Canada	856,533·79
	Great Britain	2,569,601·33
	New Zealand	244,723·93
1925	South Africa	363,499·54
	Australia	630,065·87
	Canada	848,165·60
	Great Britain	2,132,530·53
	New Zealand	242,333·03
1924	South Africa	373,931·91
	Australia	648,148·64
	Canada	872,507·79
	Great Britain	2,193,733·82
	New Zealand	249,287·94
1923	South Africa	407,947·68
	Australia	707,109·31
	Canada	951,877·92
	Great Britain	2,583,668·64
	New Zealand	271,965·12

Year.	Country.	Amount in Gold Francs.
1922 . . .	South Africa . . . . .	1,011,335
	Australia . . . . .	1,011,335
	Canada . . . . .	1,011,335
	Great Britain . . . . .	1,011,335
	New Zealand . . . . .	121,360
1921 . . .	South Africa . . . . .	1,041,666
	Australia . . . . .	1,041,666
	Canada . . . . .	1,041,666
	Great Britain . . . . .	1,041,666
	New Zealand . . . . .	125,000
1920 . . .	South Africa . . . . .	523,000
	Australia . . . . .	523,000
	Canada . . . . .	523,000
	Great Britain . . . . .	523,000
	New Zealand . . . . .	62,760
1919 . . .	South Africa . . . . .	293,615
	Australia . . . . .	293,615
	Canada . . . . .	293,615
	Great Britain . . . . .	293,615
	New Zealand . . . . .	35,232

*Statement (3)—China, Japan, France and Germany.*

Year.	Country.	Amount in gold Francs.
1931 . . .	China . . . . .	1,438,861·32
	Japan . . . . .	1,629,278·06
	France . . . . .	2,418,361·57
	Germany . . . . .	2,471,087·93
1930 . . .	China . . . . .	1,296,798·23
	Japan . . . . .	1,643,978·37
	France . . . . .	2,174,383·65
	Germany . . . . .	2,227,110·01
1929 . . .	China . . . . .	1,209,981·33
	Japan . . . . .	1,530,738·90
	France . . . . .	2,025,284·98
	Germany . . . . .	2,078,011·34

**Mr. K. P. Thampan:** May I know whether India has derived any specific benefit by being a member of the League of Nations?

**Sir Lancelot Graham:** I should imagine that India has derived the benefit which the rest of the world has derived from the League of Nations.

**Mr. K. P. Thampan:** In view of the fact that the authority of the League Council has not been respected by Japan in regard to the Manchurian question, will the Government of India consider the desirability of stopping their contribution to and withdrawing from the membership of the League of Nations?

**Sir Lancelot Graham:** May I know if that arises out of the question?

**Mr. President:** I think it does.

**Sir Lancelot Graham:** In that case I must reserve my answer.

**Sardar Sant Singh:** May I know if India has ever voted independently of Great Britain in the League of Nations?

**Sir Lancelot Graham:** I would ask for notice of that question.

**Dr. Ziauddin Ahmad:** Will Government be pleased to consider as a measure of retrenchment the reduction of India's contribution to this pleasant club called the League of Nations?

**Sir Lancelot Graham:** The Honourable Member is asking the Government to consider what is quite impossible. We have either got to remain in the League of Nations or not: we cannot reduce our subscription as we please.

**Mr. K. P. Thampan:** Is it a fact that, constituted as at present, India only helps Great Britain to increase its number of votes in the League?

**Sir Lancelot Graham:** Certainly not.

**Dr. Ziauddin Ahmad:** Is it not a fact that other countries have as a matter of retrenchment reduced their contributions?

**Sir Lancelot Graham:** It is certainly not a fact.

#### REFUND TO EMPLOYEES OF THE POSTS AND TELEGRAPHS DEPARTMENT OF DEDUCTIONS FROM THEIR SALARIES.

863. **\*Mr. Bhuput Singh** (on behalf of Rai Bahadur Sukhraj Rai): Have Government decided to refund with interest the amount to the employees of the Posts and Telegraphs Department, that is being deducted from their salaries, if the Department makes profit in future?

**The Honourable Sir Joseph Bhore:** No, Sir.

#### CUTS IN LOW PAYS IN THE LOCAL GOVERNMENTS AND THE GOVERNMENT OF INDIA.

864. **\*Mr. Bhuput Singh** (on behalf of Rai Bahadur Sukhraj Rai): Is it a fact that the cut in the Local Governments affects those whose pay is above forty, while in the Imperial Government it affects even those whose wage is one rupee only? If so; why is this differential treatment?

**The Honourable Sir George Rainy:** I presume the Honourable Member refers to the distinction which has been made between the two great commercial departments—that is the Railways and the Posts and Telegraphs and the other Departments of the Central Government. In the latter the cut was at the uniform rate of 10 per cent., subject to the exemption of those drawing not more than Rs. 40 a month. In the Railways and the Posts and Telegraphs the rate is half an anna in the rupee up to Rs. 30 a month, one anna in the rupee from Rs. 30 to Rs. 83½ and 10 per cent. on pay in excess of that figure. It was found impossible to effect the necessary economies in the two commercial departments, if the limit of Rs. 40 a month was retained, owing to the fact that the wages bill of the lower paid employes is a very large proportion of the total pay of the staff.

CUT IN PAY OF TELEPHONE OPERATORS.

865. \***Mr. Bhuput Sing** (on behalf of Rai Bahadur Sukhraj Rai): (a) Is it a fact that Government have applied the cut scheme to the telephone operators, with a view to meet the loss incurred by the Postal and Telegraph Branch? Is it a fact that the telephone branch is not a losing concern?

(b) Will Government be pleased to state whether the privileges that are enjoyed by the Postal and Telegraph employees are equally enjoyed by the telephone operators? If not, what is the reason for such differential treatment?

**Mr. T. Ryan:** (a) The emergency cut in salaries has been applied to Government servants in general, and the question of the profit or loss of the Telephone Branch (though it is expected to work at a small profit in 1932-33) does not arise in this connexion.

(b) If by privilege the Honourable Member means all conditions of service the reply is in the negative. Conditions, differ in different branches of the service, according to the nature of, and other circumstances connected with, the duties performed. Any scheme of complete uniformity would be very extravagant.

EXPENDITURE ON THE ECCLESIASTICAL DEPARTMENT.

866. \***Mr. Gaya Prasad Singh:** (a) Is it a fact that about Rs. 32.46 lakhs is spent annually on the Ecclesiastical Department in India; and the whole of it is non-voted, and charged to civil estimates? If so, why?

(b) Is it a fact that the General Purposes Retrenchment Sub-Committee unanimously recommended that "the maintenance of the ecclesiastical establishments by the Government of India is inconsistent with the accepted and avowed policy of religious neutrality and non-discrimination in favour of any creed"?

(c) Do Government propose to put a stop to this expenditure? If not, why not?

**The Honourable Sir George Rainy:** (a) The Ecclesiastical Budget estimates for 1931-32, including provision in the various Area Demands, amounted to Rs. 32.46 lakhs, and the revised estimates to Rs. 30.47 lakhs. It has always been the practice to show the expenditure in question in the Civil estimates. Under section 67A (3) (v) of the Government of India Act, expenditure which is classified as Ecclesiastical is non-voted.

(b) Yes.

(c) I would refer the Honourable Member to page 119 of the "Summary of the Results of Retrenchment Operations in Civil Expenditure (including Posts and Telegraphs but excluding Railways) and in Military Estimates", copies of which were supplied to Members of the House.

**Mr. Lalchand Navalrai:** Will the Honourable Member be pleased to state if the report of the Retrenchment Committee has been considered in this respect by the Government and what is the result of it?

**The Honourable Sir George Rainy:** Certainly, the report was considered by the Government and the result of that consideration was the statement to which I have referred, which has been placed in the hands of Honourable Members.

**Mr. Lalchand Navalrai:** Is it not then for the Government of India to ask the Secretary of State to have the Government of India Act amended so that this expenditure may not be included in it?

**The Honourable Sir George Rainy:** No doubt the Government of India could do so, but they have not yet found sufficient reason for doing so.

**Mr. Lalchand Navalrai:** What are their reasons for not doing it?

**The Honourable Sir George Rainy:** I think that the reason for doing it first requires to be established.

**Sardar Sant Singh:** Is it not a racial discrimination?

**Mr. Lalchand Navalrai:** The Government say they are not going to move in this direction and for that they must have some very cogent reasons. I want the Honourable Member kindly to inform the House the reasons why the Honourable Member is not prepared to do it now; and if not now, will they lay the information on the table hereafter?

**The Honourable Sir George Rainy:** I am afraid I cannot add to the answer I have already given.

**Dr. Ziauddin Ahmad:** Is it not a fact that the Finance Member said in his reply very clearly that the question is one of policy and not of retrenchment?

**The Honourable Sir George Rainy:** I believe that is correct.

**Mr. Gaya Prasad Singh:** Is it a fact that a considerable part of this expenditure pertains to the Army Department and if so, why has the whole of this expenditure been put on to the civil estimates?

**The Honourable Sir George Rainy:** I have said in my answer that this has been the invariable practice for a long time, but the proper allocation of the expenditure is a different matter which Government would be quite prepared to consider and indeed we are considering it now.

**Mr. Lalchand Navalrai:** Is the Honourable Member aware that practices are changing nowadays and this should also change?

(No answer was given.)

#### INTERCEPTION OF A TELEGRAM SENT BY MISS MIRA BEN.

867. **\*Mr. Gaya Prasad Singh:** Will Government kindly state whether the following message from Miss Mira Ben was intercepted? If so, will Government please state their reason for such action?

"To

Tom Williams, M.P.,  
House of Commons,  
London.

Whole nation under rule of drastic ordinances. Indiawide response to national call despite wholesale arrests leaders. Seventy-nine Congress bodies declared unlawful Bombay, forty-five Calcutta. Editor, *Bombay Chronicle*, arrested strangulation press expected. Lathi charge and curfew order Cawnpore, lathi charges firing

Benares. Here Principal and two leading professors arrested dead of night National college and Mahadevbhai Desai Ashram as suspects. Mrs. Kamaladevi Chattopadhyaya and eight other ladies arrested Bombay. Secretary, Government of India, has issued long misleading statement in which he makes no mention Gandhiji's efforts to secure interview with Viceroy besides other serious misrepresentations. In view of developing situation would suggest Bertrand Russel joins deputation contemplated by Horace Alexander wire acknowledgment this cable—Mira,

Ahmedabad, 7-1-1932."

**The Honourable Sir James Crerar:** With your permission, Sir, I will reply to this question and questions Nos. 868 and 869 together.

The reply to the first part of the questions is in the affirmative. These messages were misleading and intended as mischievous propaganda against action which Government had been compelled to take, and at the time of their interception they were held, in my opinion rightly, to be objectionable and therefore intercepted under the provisions of section 5 of the Indian Telegraph Act.

**Mr. Gaya Prasad Singh:** May I know what are the particular passages which are incorrect or misleading?

**The Honourable Sir James Crerar:** I think my description of the messages applies to them as a whole.

INTERCEPTION OF A TELEGRAM SENT BY MISS MIRA BEN.

†868. **\*Mr. Gaya Prasad Singh:** Will Government kindly state whether the following message from Miss Mira Ben was intercepted? If so, will Government please state their reasons for doing so?

"To

Holmes,

12, Park Avenue,

New York (U. S. A.).

Fine response to national call despite wholesale arrests leaders and India-wide rule of drastic ordinances. Mahadevbhai Desai arrested Ashram during night and Principal with two leading professors National College as suspects. Lathi charges reported and from Benares firing, Editor, *Bombay Chronicle*, arrested strangulation of Press expected. News of Bapu good—Mira,

Ahmedabad, 7-1-1932."

INTERCEPTION OF A TELEGRAM SENT BY MISS MIRA BEN.

†869. **\*Mr. Gaya Prasad Singh:** Will Government kindly state whether the following message from Miss Mira Ben, was intercepted? If so, will Government please state their reasons for doing so?

"To

Rolland,

Villeneuve Vaud.

Mahadev arrested Ashram during night as suspect. Fine response national call despite wholesale arrests leaders and India-wide rule of drastic ordinances, news Bapu good, wire if this and previous cable have reached you—Mira,

Ahmedabad, 7-1-1932."

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† For answer to this question, see answer to question No. 867.

**RETRENCHMENT OF OFFICIALS ON STATE RAILWAYS NEARING THE AGE OF SUPERANNUATION.**

870. \***Lieut.-Colonel Sir Henry Gidney:** (a) Will Government please state whether the clause relating to "those nearing the superannuation age" has been applied to officials on State Railways as a measure of retrenchment?

(b) If the answer to part (a) be in the affirmative, how many officers have been retrenched for this reason alone?

(c) If the answer to part (a) be in the negative, how many officers are there on the various State Railways today whose ages are between 52 and 55 years, i.e., nearing superannuation?

**Mr. P. R. Rau:** (a) and (b). No superior officer has recently been discharged on State-managed Railways on the ground that he was nearing the age of superannuation.

(c) The number of officers in service on the State-managed Railways who were born prior to March, 1880 is 96. This number includes officers on leave preparatory to retirement.

**Lieut.-Colonel Sir Henry Gidney:** Will the Honourable Member please inform this House why is it that no officer nearing the age of superannuation has been discharged?

**Mr. P. R. Rau:** The procedure relating to the discharge of superior officers was fully explained to the House in the course of the Budget debate by Mr. Hayman, and I have nothing to add to that explanation.

**Lieut.-Colonel Sir Henry Gidney:** Will the Honourable Member please say whether it is a fact or not that in regard to discharging officers one set of rules is applied to officers and another set of rules is applied to subordinates?

**Mr. P. R. Rau:** No, Sir; it was explained by Mr. Hayman that the same rules applied both to officers as well as to subordinates, and I believe he gave certain figures to show that the number of subordinate staff retrenched as nearing superannuation was very small in proportion to the total number.

**Lieut.-Colonel Sir Henry Gidney:** In view of the Honourable Member's reply, will he kindly inform this House why, if that is the case, no officers have been retrenched when the same rules apply?

**Mr. P. R. Rau:** As I have already stated, the reasons were given fully by Mr. Hayman, and I do not think it is necessary for me to repeat them on the floor of the House.

**Lieut.-Colonel Sir Henry Gidney:** That is evasion, Sir.

**Dr. Ziauddin Ahmad:** What is the superannuation age, is it below 50?

**Mr. P. R. Rau:** It is 55.

**Dr. Ziauddin Ahmad:** Was not the rule applied in some cases to persons who had not even reached the age of 50, but were only 47 or 48?

**Mr. P. B. Rau:** The rule laid down by the Railway Board, I think, referred to persons nearing the age of superannuation.

**Dr. Ziauddin Ahmad:** Will the Honourable Member consider the cases of certain individuals where this superannuation rule was applied to persons who were below 50 years of age?

**Mr. P. B. Rau:** I am not aware of any particular cases, but as I have already stated, the total number was less than 700 out of a total of 40,000.

**Dr. Ziauddin Ahmad:** Will the Honourable Member kindly consider any individual cases if they are brought to his notice in which the superannuation rule was applied to people who were above 47 or 48 but below 50 years of age?

**Mr. P. B. Rau:** If the Honourable Member will supply me with a list of such cases, I will look into the matter.

**Dr. Ziauddin Ahmad:** Thank you.

#### APPOINTMENT OF DIRECTOR OF REGULATIONS AND FORMS.

871. \* **Mr. S. C. Mitra:** (a) Is it a fact that the appointment of Establishment Officer, Army Department, has been abolished and an appointment designated Director of Regulations and Forms created in its place? If so, has any saving resulted from this arrangement?

(b) Is it a fact that the present Director of Regulations and Forms is paid out of the Military Estimates, whereas the late establishment Officer, Army Department, used to be paid from the Civil Estimates? If so, what difference has it produced on the total expenditure of Government?

(c) Is the appointment of Director of Regulations and Forms a permanent or only a temporary measure?

**Mr. G. M. Young:** (a) The post now held by the Director, Regulations and Forms, was created as a temporary appointment two years ago, with practically no extra expense, as the ministerial establishment was found from Army Headquarters, and other officers' posts were reduced then or about that time. When the post was made permanent, it was found possible to dispense with the appointment of Establishment Officer also, and this resulted in a clear saving to Government of the whole of the Establishment Officer's pay.

(b) The answer to the first portion of this question is in the affirmative. I have explained in my answer to part (a) how the saving was effected.

(c) The appointment is now permanent. Its creation has already led to large economies, apart from the reduction of the post of Establishment Officer. The expenditure under the heads now controlled by the Director, Regulations and Forms, has diminished from Rs. 19,16,000 in 1930-31 to Rs. 15,88,000 in 1931-32, and is estimated at Rs. 15,07,000 in 1932-33.

**PAYMENT OF AN HONORARIUM TO MR. PAGE OF THE ARCHÆOLOGICAL DEPARTMENT FOR PREPARATION OF A BUDDHIST DESIGN.**

**872. \*Mr. Uppi Saheb Bahadur:** (a) Will Government please state if it is a fact that Mr. Page of the Archæological Department prepared a design of a Buddhist Vihara for one of the Indian States or a Buddhist Association a few years ago?

(b) If the reply to part (a) be in the affirmative, did Mr. Page receive any honorarium for the work? If so, did Government permit him to accept it?

(c) What was the total amount received by Mr. Page?

(d) Is such honorarium free from income-tax; if not, has the income-tax been recovered from Mr. Page; if not, why not?

**Mr. G. S. Bajpai:** (a), (b), (c) and (d). Mr. Page prepared a design for a Buddhist Vihara in Calcutta in 1917 at the request of the then Director General of Archæology in India. No honorarium was paid to him for this work. He was, however, paid an honorarium of Rs. 3,000 with the permission of Government for preparing the design for a temple in Mayurbhanj State. The question whether income-tax was paid on the amount is under investigation.

**REPORT OF THE ARCHÆOLOGICAL DEPARTMENT.**

**873. \*Mr. Uppi Saheb Bahadur:** (a) Will Government please state if any date has been fixed by them for the issue of the annual report of the Archæological Department? If so, has the report for 1931-32 issued? If not, when is it likely to be issued?

(b) What is the latest report issued by the Department? Is it a fact that the report, for 1927-28 has only recently been issued and others are still due? Will Government please state why reports are not annually issued?

(c) Will Government please state who is responsible for this delay and what action they propose to take to bring the reports up to date?

**Mr. G. S. Bajpai:** (a) Yes, the 1st January following the year to which the annual report relates. The report for the year 1931-32 has not yet been issued. It will appear some time in 1933.

(b) and (c). The latest report issued by the Archæological Department is that for the year 1927-28. It was published in 1931. Reports for the subsequent years are still due. The delay is regretted but appears to have been due to the complexity of the factors involved in the publication, *e.g.*, preparation of plates, careful editorial revision by the Director-General of Archæology in India, etc., which have to be regulated with the utmost care in order to ensure, so far as possible, the technical perfection and scholarly accuracy for which the publications of the Department are noted. The pressure of administrative work on the officers concerned is also a contributory factor. Government are, however, asking the Director-General of Archæology in India to examine the possibility of expediting the issue of these Departmental reports, and hope that it will be possible to shorten the time that has so far generally intervened between the appearance of a report and the period to which it relates.

**Dr. Ziauddin Ahmad:** The Honourable Member did not say anything about the Reports for the years 1928-29, 1929-30, and 1930-31?

**Mr. G. S. Bajpai:** I am afraid the Honourable Member did not follow what I did say on that point. I said that the Reports for the subsequent years are still due, that is to say, they have not yet been published.

**Sir Cowasji Jehangir:** Will the Honourable Member please inform this House how often Government have given the same explanation as the one contained in the last sentence of the Honourable Member?

**Mr. G. S. Bajpai:** That, Sir requires, I am afraid, a certain amount of historical research (Laughter), but I can assure him that within my experience of the Department, this is the first time that the answer has been given.

**Mr. S. C. Mitra:** Does the Honourable Member contend that technical perfection and scholarly accuracy are required only in respect of Reports of this particular Department or they are required in respect of all Reports in all the Departments?

**Mr. G. S. Bajpai:** I should say, Sir, that these are required in all Departments.

**Mr. S. C. Mitra:** Then why is this delay of four or five years in this particular Department?

**Mr. G. S. Bajpai:** I have already stated the reasons, *viz.*, that the Reports which this Department issues are very bulky Reports; they run to 300 to 400 pages, and what is more, they trench upon a field which seems to be particularly susceptible of live controversy whether a particular view is correct or not. It seems to be only right, therefore, that the Director-General of Archæology should make sure of the accuracy of the statements he makes.

**Dr. Ziauddin Ahmad:** In view of the fact that the Report does not deal explicitly with the results of research work, is it desirable to wait till the controversies upon the various theories are solved?

**Mr. G. S. Bajpai:** Well, Sir, I do not for a moment subscribe to the suggestion of the Honourable Member that these Reports do not contain points which are the results of historical research or careful reflection, and, as regards the suggestion that the Department might wait until the results of research have been carefully tested by other people, I would point out that it is only by publication that the world can have an opportunity of testing the results of the researches made by the Department of Archæology.

#### RETRENCHMENT IN THE ARCHÆOLOGICAL DEPARTMENT.

874. **Mr. Uppi Saheb Bahadur:** (a) Will Government please state if retrenchment has been made in the Archæological Department in accordance with the orders issued by the Home Department?

(b) Is it a fact that the Director General of Archæology made an arbitrary selection of personnel for retrenchment without consulting any of the Provincial Superintendents? If so, why?

(c) Did the Director General keep in view the question of maintaining communal proportion in each category and class of appointments? If not, why not?

(d) Is it a fact that the proportion of the Hindus as compared to Muslims has increased, so far as their proportion before retrenchment is concerned?

**Mr. G. S. Bajpai:** (a) Yes, so far as practicable.

(b) The Director-General of Archæology had to use his own discretion in the matter as the urgent need for economy did not permit of consultation with Circle Superintendents.

(c) The answer to the first part of the question is in the affirmative. The second part does not therefore arise.

(d) The proportion of the Hindus has increased by 1.3 per cent.

**ABOLITION OF THE POST OF ASSISTANT ENGINEER, ARCHÆOLOGICAL DEPARTMENT, AGRA.**

875. **\*Mr. Uppi Saheb Bahadur:** (a) Is it a fact that the United Provinces Government have refused to take over conservation in the United Provinces?

(b) If so, will Government please state reasons for their abolishing the post of Assistant Engineer attached to the office of the Archæological Superintendent, Agra?

(c) What is the total amount of money spent on conservation both in the Agra and Lahore Circles of the Department?

(d) Is it a fact that there is an Assistant Engineer at Lahore? If so, how do Government justify the abolition of the post of the Engineer at Agra leaving only the Superintendent to supervise the whole work? Is it a fact that the work is on the increase there in comparison with the Lahore Circle?

(e) Do Government propose to consider the question of the appointment of the engineer at Agra?

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

(b) The post has been abolished as a measure of retrenchment.

(c) A statement giving figures for the last three years is laid on the table.

(d) and (e). There is an Assistant Engineer at Lahore, but the question of retransferring the execution of Central archæological works to the Provincial Public Works Department in the Punjab is under consideration. There was more work in the Agra Circle before than in the Lahore Circle, but the drastic reduction in the future provision for conservation work makes it impossible to say how the requirements of the two circles in this respect will compare in future and whether it will be possible to employ an Engineer for Agra.

*Statement showing the figures of expenditure on conservation in the Lahore and Agra Circles for the years 1928-29, 1929-30 and 1930-31.*

Years.	Lahore Circle.	Agra Circle.
	Rs.	Rs.
1928-29 . . . . .	1,07,259	1,49,589
1929-30 . . . . .	1,02,668	1,28,586
1930-31 . . . . .	1,05,325	1,15,175

**PERCENTAGE OF HINDUS AND MUSLIMS IN THE ARCHÆOLOGICAL DEPARTMENT.**

876. **\*Mr. Uppi Saheb Bahadur:** (a) Will Government please state the number of (1) Epigraphical Assistants, Assistant Surveyors and Munshis, (2) Photographers, (3) Draftsmen Photographers, (4) Modellers,

and (5) Stenographers, in the Archæological Department, both Hindus and Muslims and their percentage before and after retrenchment?

(b) Is it a fact that all the Muslims in these categories have been retrenched? If so, what steps do Government propose to take to remove this inequality?

**Mr. G. S. Bajpai:** (a) and (b). I place on the table of the House a statement which shows the result of retrenchment in the clerical and other subordinate categories of the staff of the Archæological Survey of India in complete detail. Honourable Members will observe from this that while in some categories Muslims have suffered more than a strictly proportionate reduction, in others Hindus have been similarly dealt with, and that, taking the staff as a whole, the burden of sacrifice has been equitably distributed.

*Statement showing number of Hindus and Muslims in the Archaeological Department before and after retrenchment (excluding members of other communities.)*

Categories.	No. of Hindus		No. of Muslims	
	Before retrenchment.	After retrenchment.	Before retrenchment.	After retrenchment.
1. Superintendent (Rs. 350—25—600) .	1	1	..	..
2. Assistants (Rs. 120—350)	3	3	1	1
3. Clerks (including Head clerks in circle offices) on salaries varying from Rs. 40 to 125—5—175	31	24	15	14
4. Stenographers (varying from Rs. 70—5—100 to 150—400)	3	3	1	..
5. Photographers (varying from Rs. 65—5—130 to Rs. 150—5—250)	10	9	2	1
6. Draftsmen (varying from Rs. 60 to Rs. 250)	11	7	2	3
7. Excavation Assistants (Rs. 250—10—350)	5*	..	1	1
8. Conservation Assistants (Rs. 150—10—350)	4	3	3	3
9. Mechanics (Rs. 25)	1	1	..	..
10. Sub-overseers (Rs. 75—5—125)	3	3	3	2
11. Gallery Assistants, Custodians, Curators and Marksmen (varying from Rs. 30—5—50 to Rs. 200—10—350)	6	8†	3	3
12. Photoprinters (Rs. 30—1—50)	2	2	..	..
13. Modellers (varying from Rs. 75—5—150 to Rs. 100—10—200)	1	1	2‡	..
14. Reader, Munshi, Epigraphical Assistants, Assistant Surveyor (varying from Rs. 100—5—150 to Rs. 150—10—250)	7	6	2	1
15. Laboratory Assistants (Rs. 30—3—60 and 60—120)	2	1	..	..
16. Storekeeper and Head Mason (Rs. 40 and Rs. 51)	..	..	2	..
Total . . . . .	90	72	37	28

\* 3 re-employed after retrenchment as Custodians and included in category No. 11.

† Vide remarks against item 7.

‡ One re-employed (after retrenchment) as Draftsman and included in category

## RETRENCHMENT OF MUSLIM RAILWAY SERVANTS.

877. **\*Mr. Uppi Saheb Bahadur:** (a) Are Government aware that the operation of retrenchment in the Punjab has caused widespread complaint among Muslim employees, in that the principles governing discharge of Railway employees as laid down in rule (6) of the rules regarding the discharge and dismissal of State Railway servants have not been properly observed and that no serious attempt has been made to alleviate distress by absorbing the discharged servants in other branches of service?

(b) Are Government aware that there is a feeling among Muslims that in effecting retrenchment, subordinate officials belonging to other communities have been able to manoeuvre high officials into making discrimination against efficient Muslim employees thereby defeating the object of the repeated assurances given by the Honourable Sir George Rainy and other high authorities to the effect that special attention would be devoted to the equitable claim of the Muslims?

**Mr. P. E. Rau:** (a) Except for the fact pointed out in paragraph 11 of Mr. Hassan's report that two divisions of the North Western Railway overlooked the instructions of the Agent that the percentage of Muslims and minority communities must be maintained in the same proportion as before retrenchment. Government are not aware that the operation of retrenchment has caused widespread complaint among Muslim employees.

(b) No, Sir. Government consider there is no ground for such a feeling.

**Dr. Ziauddin Ahmad:** The Honourable Member has just stated that the retrenchment has not created widespread dissatisfaction. If the Honourable Member go into the country and ascertain the true facts, he will realise that that is not correct.

**Mr. P. E. Rau:** I said that it had not caused widespread complaint among Muslim employees in particular, but obviously any scheme of retrenchment must cause widespread discontent among employees in general.

## WATER SUPPLY OF AJMER.

878. **\*Maulvi Sayyid Murtuza Saheb Bahadur:** (a) Will Government please state whether it is a fact, (i) that no filtered water is supplied to the citizens of Ajmer by the Ajmer Municipal Board, (ii) that the water supplied by the said Board to its citizens is kept for several days in little tanks exposed to all sorts of nuisance and unprotected by barriers, and (iii) that a sufficient quantity of water is not supplied to the citizens of Ajmer?

(b) Will Government please state whether they are aware (i) that throughout the whole day refuse and night-soil carts ply in the main streets of Ajmer city, (ii) that night-soil mixed with foul water is carried in the said carts in contravention of the rules framed for their removal, (iii) that sweepers are allowed and directed to throw foul water in the streets and in the lanes even at the time when a few drops of water happen to fall from the sky in the Ajmer city, (iv) that the water supplied

to Ajmer citizens for drinking has been declared unfit for human consumption by the Health Officer in the past years several times, and (v) that no steps for purifying the water has been taken by the Municipal Board and people are obliged to use the same dirty water?

(c) Are Government aware that Mr. G. W. Disney, the Sanitary Engineer, Eastern Bengal and Assam, has passed the remark that efficient water works mean a large saving of human life and of much misery?

(d) If what are stated above are facts, what steps do Government propose to take to set matters right in interest of the public?

**Sir Evelyn Howell:** With your permission, Sir, I propose to answer questions Nos. 878 and 879 together. The information is being collected and will be given to the House in due course.

#### MANAGEMENT OF THE FINANCES OF THE MUNICIPAL BOARD, AJMER.

†879. \***Maulvi Sayyid Murtuza Saheb Bahadur:** (a) Will Government state whether (i) it is a fact that a sum of Rs. 5,388-1-8 was written off as no papers concerning the said sum were traceable by the Municipal Board, Ajmer, (ii) they are aware that no heed is being paid by the said Board to the Government auditor's objections that sanction of the General Committee to grant advances does not appear to have been obtained in any case and that grant of advances of big amounts to the members of the Committee and their non-adjustment for long periods is a serious irregularity, and that no advances be made to a member for the execution of work or for the purchase of articles, and (iii) it is a fact that, in 1931, the Ajmer Municipal Board spent Rs. 337-5-4 more than the amount sanctioned by the Chief Commissioner for the maintenance of suburban roads?

(b) If what are stated above are facts, what steps do Government propose to take to set right the management of pecuniary matters of the Municipal Board, Ajmer?

#### INCREASE OF SUPERIOR OFFICERS ON THE EASTERN BENGAL RAILWAY.

880. \***Mr. N. M. Joshi:** (a) Will Government be pleased to state whether it is a fact that since the formation of the Personnel Branch of the Eastern Bengal Railway the number of superior officers has been increased from one to three at an increased cost of Rs. 1,500 per mensem approximately?

(b) If the reply to part (a) is in the affirmative, will Government be pleased to state the justification of this increase in expenditure when thousands of subordinate employees have been retrenched and several thousands are under the retrenchment axe?

**Mr. P. B. Bau:** (a) I am informed that the reorganisation of the arrangements for Personnel work in the Headquarters Offices of the Eastern Bengal Railway has been effected without an increase in the number of superior officers who were formerly engaged on Establishment work in these offices.

(b) Does not arise.

**ALLEGED THREATENING OF MUSLIM CLERKS IN THE RAILWAY CLEARING  
ACCOUNTS OFFICE.**

881. \***Mr. M. Maswood Ahmad**: Are Government aware that R. E. Faqir Chand, Deputy Director, Railway Clearing Accounts Office, threatens Muslim clerks of this office that he would retrench them if they would form or join a Muslim Union?

**Mr. P. R. Rau**: I understand that there is no foundation for the allegation.

**PAYSHEETS OF THE RAILWAY CLEARING ACCOUNTS OFFICE.**

882. \***Mr. M. Maswood Ahmad**: Will Government be pleased to lay on the table a true copy of the paysheets of the Railway Clearing Accounts Office for the month of January, 1932?

**Mr. P. R. Rau**: If my Honourable friend had known that the pay sheets of the Clearing Accounts Office consist of 123 pages, 27" x 17" in size, exclusive of about 300 deduction lists, etc., I am sure he would not have made this request.

**SENIORITY LIST OF THE RAILWAY CLEARING ACCOUNTS OFFICE.**

883. \***Mr. M. Maswood Ahmad**: Will Government be pleased to lay on the table an up-to-date copy of the seniority list of the Railway Clearing Accounts Office?

**Mr. P. R. Rau**: Government regret that they are unable to place on the table documents of purely departmental interest.

**ALLEGED INJUSTICES TO MUSLIM EMPLOYEES ON THE EAST INDIAN RAILWAY.**

884. \***Sir Abdullah Suhrawardy**: (a) Is it a fact that the Railway Board was requested to appoint a special committee to redress the injustice done to the Muslim employees under the Crew System in the East Indian Railway?

(b) If so, what action, if any, was taken by the Railway Board?

(c) Is it a fact that the posts of two Passenger Superintendents who held the ranks of Subedar and Jemadar were retrenched?

(d) Were the two retrenched officers provided in the T. T. E. staff?

(e) Is it a fact that the senior officer was given lower rank and pay? What are their names?

**Mr. P. R. Rau**: (a) Government are unable to trace that any such request was made.

(b) Does not arise.

(c), (d) and (e). Information is being obtained from the Agent, East Indian Railway, and a reply laid on the table in due course.

TERMS FOR DISCHARGE OF RAILWAY EMPLOYEES.

885. \***Sir Abdullah Suhrawardy**: (a) Is it a fact that clause V, sub-clause 2, of the circular issued by the Railway Board to the Agents on 3rd March, 1931, directed that, "Employees discharged from the services on reduction of establishment should be granted all leave on full or average pay at their credit subject to a maximum of four months, provided if such leave at their credit is less than one month, they should in lieu of it be allowed one month's pay in lieu of notice. When under these orders leave of not less than one month is granted it should be made clear to the employee that his service will not be required on the termination of his leave and that he will not be entitled to a further notice of discharge or pay in lieu of such notice"?

(b) Was the benefit of the above rule given to the persons acting in the Crew Department of the East Indian Railway? If not, why not?

**Mr. P. R. Rau**: (a) Yes.

(b) I have called for information from the Agent, East Indian Railway, and will lay a reply on the table in due course.

LACK OF A WAITING ROOM AT KOSMA.

886. \***Khan Bahadur Haji Wajihuddin**: (a) Are Government aware that there is no waiting room at Kosma, a station on the Shikohabad-Farrukhabad Branch of the East Indian Railway?

(b) Do Government propose to include the cost of its construction in the next year's Budget?

**Mr. P. R. Rau**: Government are not aware of the arrangements at this particular station. I am sending a copy of the Honourable Member's question to the Agent of the East Indian Railway, but it is unlikely that he will be able to find funds for any alteration in the station buildings next year.

**Dr. Ziauddin Ahmad**: The cost of providing a shed at a small station hardly exceeds a couple of hundred rupees.

**Mr. P. R. Rau**: I am afraid I am unable to reply to that question without notice.

ALLOWANCES PERMITTED FOR CERTAIN PRISONERS DETAINED UNDER REGULATION III OF 1818.

887. \***Mr. K. C. Neogy**: (a) Will Government be pleased to state what allowances have been fixed in the cases of Mr. J. M. Sen Gupta, Mr. Subhas Chandra Bose and Mr. Sarat Chandra Bose who are now detained under Bengal State Prisoners Regulation III of 1818?

(b) What circumstances have been taken into consideration by Government in fixing the said allowances and determining their adequacy "to the supply" of the detenu's "own wants and those of his family, according to their rank in life"?

(c) Will Government be pleased to lay on the table the reports received under section 6 of the said Regulation as regards these State prisoners?

**The Honourable Sir James Crerar:** (a) Allowances totalling Rs. 167 a month *plus* a sum of Rs. 294 for the purchase of clothes, furniture and other necessaries have been sanctioned for Mr. Sen Gupta himself and Rs. 1,000 a month for the support of his family.

As regards Mr. Subash Chandra Bose, I would refer the Honourable Member to the answer I gave on the 2nd March to Mr. Nabakumar Sing Dudhoria's question No. 600.

No allowances have yet been fixed for Mr. Sarat Chandra Bose whose case is still under the consideration of the Government of Bengal.

(b) The status in life of the State Prisoner and his own wants and those of his family.

(c) I am not prepared to lay the reports which have been submitted for the information of the Governor General in Council on the table. I may say, however, that the reports show that the degree of confinement to which these State Prisoners are subjected to is not liable to injure their health.

**Mr. K. C. Neogy:** Has the Honourable Member's attention been drawn to certain Press reports regarding the state of health of Mr. Subash Chandra Bose, particularly to the complaint that he is not allowed to go out, except within the limited space of a small courtyard, for taking his walking exercise?

**The Honourable Sir James Crerar:** I have not seen the Press report to which the Honourable Member has referred.

**Mr. K. C. Neogy:** May I take it that the reports that the Honourable Member has received under section 6 of the Regulation do not mention anything about the health of these prisoners?

**The Honourable Sir James Crerar:** Yes. I understand that their health is satisfactory.

**Mr. K. C. Neogy:** Is the Honourable Member in a position to give us the date of the latest report received on the subject?

**The Honourable Sir James Crerar:** I do not remember the precise date. I must ask for notice of that.

#### REPORTS ON THE HEALTH AND TREATMENT OF CERTAIN PRISONERS.

888. **\*Mr. K. C. Neogy:** (a) What authorities have been instructed by Government to visit Mr. J. M. Sen Gupta, Mr. Subhas Chandra Bose and Mr. Sarat Chandra Bose, and what instructions have been given to such authorities under section 4 of Bengal State Prisoners Regulation III of 1918?

(b) Will Government be pleased to lay on the table such reports, as may have been received under section 4 of the said Regulation, regarding the health and treatment of each of the said prisoners?

**The Honourable Sir James Crerar:** (a) The Deputy Commissioner, Jalpaiguri, in the case of Mr. J. M. Sen Gupta and the Resident Sub-Divisional Magistrate, Seoni, in the cases of the two latter. The instructions issued require the officers appointed to visit and report on the State Prisoners once a month.

(b) I am not prepared to lay copies of reports on the table. I may state however for the Honourable Member's information that the latest reports show that Mr. J. M. Sen Gupta, who before his detention was in indifferent health, is doing as well as can be expected. The present state of health of both the other prisoners is reported to be fair.

**ALLOWANCES OF TRAVELLING TICKET EXAMINERS.**

889. **\*Bhai Parma Nand:** (a) Is it a fact that the running train checking staff was from its very start getting mileage allowance, like guards as part of their pay?

(b) Is it a fact that at the time of introducing the crew system, the Travelling Ticket Examiners were getting average allowance and ticket collectors under them were getting mileage allowance?

(c) Is it a fact that from time to time special modes of checking were introduced, but ultimately the work of Travelling Ticket Examiners only was appreciated and maintained?

(d) Is it a fact that the work of the former Special Ticket Examiners was recently condemned by the Agent of the North Western Railway?

(e) Will Government please state whether by changing the cadre of Travelling Ticket Examiners to Special Ticket Examiners and by reducing their mileage allowance (daily allowance), the authorities have lightened their duties also; if not, what was the reason for this reduction?

(f) Is it a fact that the emoluments of other running staff like guards, etc., have also been reduced? If not, why not?

(g) Is it not a fact that while the train is running, the checkers are busy at their work, while the guards sit in the brake and do nothing?

(h) Is it not a fact that the majority of the former Travelling Ticket Examiners were recruited from among the guards and are Government aware that the present reduction of allowance affects them very injuriously?

(i) Will Government lay on the table a comparative statement of income earned by Travelling Ticket Examiners and by other modes of checking?

(j) Are Government contemplating the reduction of a guard's mileage allowance, if not, what is the reason for differential treatment?

**Mr. P. B. Rau:** (a) Yes, as part of their pay and subject to a maximum of 75 per cent. of pay.

(b) and (h). Information will be obtained and a reply will be laid on the table in due course.

(c) Special modes of checking have been introduced from time to time. Travelling Ticket Examiners were under the control of the Chief Auditor prior to 1928 when the organization for ticket checking was transferred to the control of the Commercial Branch. After further investigation, the present system was introduced in the year 1931 in order to secure permanent economy without detriment to efficiency.

(d) No.

(e) By abolishing the cadre of Travelling Ticket Examiners and absorbing them in the cadre of Special Ticket Examiners the work of Special Ticket Examiners who were formerly Travelling Ticket Examiners has been

lightened, in that previously their duties were entirely connected with the checking of passengers' tickets in running trains, whereas under the new organization they are not exclusively employed on running trains but are employed for station duties also.

(f) and (j). The rates of pay and allowances of other running staff, e.g., Guards, etc., have not been reduced as their duties remain the same.

(g) No.

(i) The information is not readily available. I may add that the so-called earnings of Ticket Examining staff do not furnish a true measure of the efficiency of any particular system.

**Mr. Lalchand Navalrai:** Will the Honourable Member be pleased to say whether the grievances of these Ticket Examiners were brought to the notice of and were considered by the Railway Court of Enquiry?

**Mr. P. B. Rau:** I believe it was considered by them.

**Mr. Lalchand Navalrai:** Can the Honourable Member say how it was disposed of?

**Mr. P. B. Rau:** To the best of my recollection, there are no special recommendations made on this subject, as they thought it was outside the scope of their enquiry.

**Dr. Ziauddin Ahmad:** If this was considered by the Court of Enquiry, then it would have been mentioned somewhere in the report. Is any reference made in the report of the Court of Enquiry?

**Mr. P. B. Rau:** I cannot at this moment lay my hand on any particular passage, but to the best of my recollection, as I said, they did not go into it in detail as they considered that it was outside the scope of their enquiry.

**Dr. Ziauddin Ahmad:** You may take it from me that it was not considered by them. Has the Honourable Member noticed the number of questions that have been asked about T. T. I.'s and T. T. E.'s in this Assembly?

**Mr. P. B. Rau:** I can claim to be excused from replying to further questions on that subject on that very ground.

**Mr. Gaya Prasad Singh:** Is it not a fact that some of these T. T. I.'s visit the houses of M. L. A.'s and get these questions put in the Assembly?

**Dr. Ziauddin Ahmad:** The very fact that these things are asked clearly shows that they have been wronged.

**Mr. P. B. Rau:** I know that there is a considerable amount of feeling on the subject.

#### ALLOWANCES OF TRAVELLING TICKET EXAMINERS.

890. **\*Bhai Parma Nand:** (a) Is it not a fact that in June, 1912, the matter of reduction of allowances of Travelling Ticket Examiners was thoroughly considered and it was decided that the Travelling Ticket Examiners were entitled to mileage allowances?

(b) Is it a fact that while the daily allowance is given, the checking staff is required to work at night? Is this permissible under the rules?

(c) Is it not a fact that the mileage allowance of the Travelling Ticket Examiners was a part of the terms and conditions of their service?

(d) Is it not a fact that while reducing the allowance of the Travelling Ticket Examiners the authority gave them one day's notice only requiring them either to accept the reduction or consider themselves dismissed; if so, was this permissible under the Fundamental Rules or any other rules?

(e) Will Government please state whether the reduction made is permissible under Fundamental Rule No. 15?

(f) Is it a fact that Travelling Ticket Examiners were also put to work at stations on certain occasions and what allowances were they paid for that period?

(g) If the answer to part (f) of the preceding question is in the negative and the duties of the Special Ticket Examiners, formerly Travelling Ticket Examiners, are not lightened and their work is the same, will Government please state the reasons why their allowances have been reduced, when those of other running staff are maintained intact?

**Mr. P. R. Rau:** (a) Information is not available as to what happened in this respect during 1912.

(b) The reply to both questions is in the affirmative.

(c) Yes, so long as the posts of Travelling Ticket Examiners existed.

(d) I understand that the staff were not advised that they would be dismissed in the alternative.

(e) Fundamental Rule No. 15 does not apply to cases of this nature.

(f) Information is not available.

(g) Does not arise, as the duties are different.

**Lieut.-Colonel Sir Henry Gidney:** Arising out of the Honourable Member's reply, to part (c) of this question, is it or is it not a fact that the travelling allowance these men are now receiving is not 1/10th of what they were receiving before?

**Mr. P. E. Rau:** Possibly, Sir, but I cannot say off hand that the figures are accurate.

**Lieut.-Colonel Sir Henry Gidney:** Is the Honourable Member aware of the fact that this is not honest retrenchment?

**Mr. P. E. Rau:** I did not hear the Honourable Member. Will he please repeat the question?

**Lieut.-Colonel Sir Henry Gidney:** What is the use, Sir?

**Dr. Ziauddin Ahmad:** Is it a fact, as was pointed out in one case, that an officer checked a bogie carriage and found 37 out of 42 passengers were without tickets?

**Mr. P. E. Rau:** The Honourable Member is giving me information.

**Lieut.-Colonel Sir Henry Gidney:** Is it a fact or not a fact that when the allowance of the T. T. E.'s was reduced by the Agents of the various railways, the T. T. E.'s were threatened that if they did not accept the reduction they would be dismissed from service?

**Mr. P. R. Rau:** I have just replied to that question. I understand from the Agent of the North Western Railway that it is not a fact.

**Lieut.-Colonel Sir Henry Gidney:** Does this apply to the Eastern Bengal Railway or not?

**Mr. P. R. Rau:** I want notice of that question.

**Lieut.-Colonel Sir Henry Gidney:** Will the Honourable Member make inquiries? I say it is a fact.

**Mr. P. R. Rau:** If the Honourable Member will give me notice of that question, I will make inquiries.

**Dr. Ziauddin Ahmad:** Does this not apply to the East Indian Railway as well?

(No reply was given.)

#### RECRUITMENT OF MUSLIMS IN GOVERNMENT OFFICES.

891. **\*Maulvi Sayyid Murtuza Saheb Bahadur:** (a) Is it a fact that the Home Department issued orders on 17th July, 1931, to the effect that Muslims employed temporarily who had not passed the examination of the Public Service Commission may be allowed to hold their appointments without being replaced by qualified non-Muslims until passed Muslim candidates became available?

(b) Is it a fact that the Army Department issued instructions to the Army and Royal Air Force Headquarters on 20th August, 1931, that the vacancies reserved for minority communities *must* be given to Hindus?

(c) Is it a fact that the Army Department communicated to the Army and Royal Air Force Headquarters a copy of the Home Department orders referred to in part (a) in September, 1931?

(d) Is it a fact that four Muslims were discharged from the Quartermaster General's Branch on the 5th October, 1931, and replaced by Hindus?

(e) Is it a fact that the Army Department cancelled their instructions referred to at part (b) on the 7th October, 1931?

(f) Is it a fact that the four Muslims referred to in part (d) were reinstated on the 8th October, 1931, and an equal number of Hindus were discharged instead?

(g) Is it a fact that three Muslims were discharged from the Medical Directorate on the 9th October, 1931?

(h) If the answers to the above be in the affirmative, will Government state the circumstances in which:

- (i) the Home Department orders mentioned in part (a) were issued,
- (ii) the Army Department instructions mentioned in part (b) were issued and subsequently cancelled,

(iii) the four Muslims mentioned in part (f) were discharged and reinstated,

(iv) the Army Department took full two months in communicating the Home Department orders mentioned in part (a) to the Army and Royal Air Force Headquarters,

(v) the three Muslims mentioned in part (g) were discharged?

(i) Is it a fact that three out of the four Muslims referred to at parts (d) and (f) were again discharged on the 1st March, 1932? If so, why?

**Mr. G. M. Young:** (a) No, Sir. The orders were to the effect that temporary appointments of unqualified Muslims and lady clerks might be made, or retained, in those posts only which were intended to be held permanently by Muslim or lady clerks as the case might be.

(b) The attention of the Honourable Member is invited to the reply given to part (a) of Maulvi Badi-uz-Zaman's starred question No. 943 on the 24th September, 1931. The instructions issued by the Army Department were shortly afterwards withdrawn. They would have involved the filling up of certain posts by the only qualified candidates then available, who were Hindus.

(c) The orders referred to in part (a) of the question were issued to the Public Service Commission, who communicated them to the Army Department on the 17th September. The Army Department communicated the orders to all Branches of Army Headquarters on the 18th September and cancelled their previous instructions on the 6th October.

(d) No, Sir. Notices of discharge were issued, and withdrawn before they took effect in the case of 3 out of 4 Muslim clerks. The fourth clerk was discharged about the 5th October, but was re-employed from the 13th October. No clerk was replaced by a Hindu.

(e) Yes.

(f) The Honourable Member is referred to the reply which I have just given to part (d).

(g) Yes, because these clerks were not employed in vacancies intended for members of their community.

(h) (i). The circumstances were the failure of Muslim candidates to qualify for vacancies which had been set apart for them.

(h) (ii), (iii), and (v). The answers have been given in my replies to previous parts.

(h) (iv). It is not the case that the Army Department took two months to act upon the orders.

(i) Yes. The ministerial establishment of the Quartermaster-General's Branch was subsequently reduced as part of the general retrenchment. As these clerks were temporary and unqualified, and considered the least efficient, there was no alternative but to select them for retrenchment before others.

**Mr. Gaya Prasad Singh:** Is it a fact that unqualified clerks who failed at the examination two years ago are being retained in the office, and trained at the expense of the State, in order that they may be able to pass at the next examination, while candidates belonging to other communities who duly passed at the open competitive examination are not being offered employment?

**Mr. G. M. Young:** I cannot say about other clerks. The clerks to whom I have referred have not been retained.

**Mr. Gaya Prasad Singh:** Is it a fact that this concession of allowing failed candidates to continue in service until such time as they can pass the examination applies only to lady clerks and Muslims; and if so, are Government prepared to extend this concession to other minority communities also? If not, why not?

**Mr. G. M. Young:** I must ask for notice of that question.

#### RETRENCHMENTS IN THE ARMY DEPARTMENT.

892. **\*Maulvi Sayyid Murtuza Saheb Bahadur:** (a) Is it a fact that in November, 1931 about a dozen appointments were retrenched in the Army Department?

(b) If so, will Government state the age, length of service and salary at the time of retrenchment of the men concerned?

(c) Is it a fact that one of the men (an Indian) retrenched by the Army Secretary had less than 20 years' service at the time of retrenchment?

(d) Is it a fact that in the Army Department extensions of service have been granted to a man belonging to the European community for the last five years and another extension of service after the age of 60 has been granted?

(e) Will Government explain why the appointment mentioned in part (d) was not retrenched in preference to that mentioned in part (c)?

**Mr. G. M. Young:** (a) 12 appointments were retrenched; 9 men were discharged and 3 vacant posts were not filled up.

(b) A statement is laid on the table.

(c) and (d). Yes.

(e) The European clerk in question was recruited at the age of 43, and has, therefore, only 17 years' service. He is a clerk of outstanding ability and industry. He was retained at the time of retrenchment, and has been given his latest extension entirely in the interests of efficiency. Under Fundamental Rule 56, a ministerial servant should ordinarily be retained in the service, if he continues to be efficient, up to the age of 60 and may be retained thereafter in very special circumstances, which have to be recorded in writing. I lay on the table a copy of the order recorded at the time that the extension in question was granted. The selection of individuals for retrenchment was carried out, in conformity with the principles laid down by Government, by a Committee consisting of all the officers in the Department, whose conclusions in each case were unanimous. The clerk referred to in part (c) of the question was the only clerk with less than 20 years' service who was retrenched. He was discharged on the first of the grounds laid down for compulsory retirement, *vis.*, his work was considered to be so consistently unsatisfactory that to retain him on the cadre, while others were discharged from it, would have been unjustifiable.

Statement showing the age, length of service and salary of the personnel retrenched from the Army Department.

Serial No.	Name.	Age.	Length of service.	Salary per mensem.
		Y. M.	Y. M.	Rs.
1	Mr. A. P. Bates . . . . .	53 5	31 7	1,000
2	R. S., H. B. Ghosh . . . . .	50 9	27 5	800
3	R. S., S. Banerjee . . . . .	51 0	27 7	800
4	Mr. W. G. Macleod . . . . .	50 11	32 10	760
5	Mr. R. A. Pereira . . . . .	43 4	24 8	500
6	Mr. G. I. Cunliffe . . . . .	48 3	29 5	365
7	Mr. N. C. Banerjee . . . . .	50 1	26 2	260
8	Mr. D. N. Bose . . . . .	40 0	15 4	260
9	Mr. M. N. Banerjee . . . . .	49 4	24 9	196

*Fundamental Rule 56 (b).*

The grant of an extension to a ministerial servant after he attains the age of 60, can only be sanctioned for very exceptional reasons, which must be recorded in writing.

2. Mr. S.'s great handicap has been the fact that he entered Government service when he was 43 years old, and has thus got only 17 years' qualifying service to his credit. Had he started service at the normal age he would no doubt have been at least in the Superintendent's grade by now.\* Although 60 years of age, he is in full vigour and in the best of health and bodily condition. Perhaps it would not be out of place to mention that last winter he met with a serious motor accident, when he was knocked down senseless by a passing motor car; but this accident has not in the least affected his physical or mental condition. He is extremely useful; and it is contemplated, when another Upper Time scale assistant proceeds on long leave next March, to place him in charge of a Section. We have recently carried out heavy retrenchments in the office establishment, and have still to reduce three more First Division appointments gradually on the occurrence of vacancies. So that, if Mr. S. is made to retire, no replacement would be permissible in his place. With the retrenchments that have already been made, it would not be in the public interest to dispense with the services of this fully trained and very useful assistant at the present moment.

(Sd.) A. P. DUBE.

15th February 1932.

I agree, for the above reasons, that Mr. S. should be granted a year's extension from the date on which he attains the age of 60.

(Sd.) G. M. YOUNG.

16th February 1932.

\* I agree: his work and particularly his noting are of an unusually high standard.

(Sd.) G. M. YOUNG.

**Maulvi Sayyid Murtuza Saheb Bahadur:** May I know the special circumstances under which a man over 60 was entertained.

**Mr. G. M. Young:** I have just laid a copy of the order on the table.

**Maulvi Sayyid Murtuza Saheb Bahadur:** Will the Honourable Member kindly enlighten the House on the order?

**Mr. G. M. Young:** I have laid a copy of the order on the table of the House. That is the best way, I think, of enlightening the House.

**Maulvi Sayyid Murtuza Saheb Bahadur:** What were the special reasons?

**Mr. G. M. Young:** They are given in the orders I am placing on the table.

COMMUNAL COMPOSITION OF THE ESTABLISHMENT AND CASH SECTIONS  
OF THE ARMY DEPARTMENT.

893. **\*Maulvi Sayyid Murtuza Saheb Bahadur:** (a) Will Government be pleased to state whether the work relating to recruitment, discharge, promotion, etc., of clerks in the Army Department and offices subordinate to it is done in the Establishment or Cash Section?

(b) Will Government state the communal composition of the establishment of the sections mentioned above?

(c) Is it a fact that within the memory of the present generation the charge of any of the sections mentioned above was never held by a Muslim?

(d) Is it a fact that Muslims have been excluded from the Establishment or Cash sections of the Army Department, the Adjutant General's Branch, the Royal Air Force Headquarters, the Military Secretary's Branch, the office of the Judge Advocate General, the office of the Assistant Director of Ordnance Services (Provision), and the Contract Directorate?

(e) Is it a fact that there is only one Muslim clerk in the Cash sections of each of the General Staff Branch, the Quartermaster General's Branch and the Engineer-in-Chief's Branch?

(f) Is it a fact that amongst the 12 recipients of the Cashier's allowance under the Army Department there is only one Muslim?

(g) Have Government authorised the Army Department to follow a policy whereby Muslims should be excluded from establishment or Cash sections? If so, why?

(h) Are Government prepared to consider the desirability of instructing the Army Department so to arrange things by inter-sectional transfers that at least one-third of the appointments of the establishment and Cash sections under him are given to Muslims?

**Mr. G. M. Young:** (a) Yes.

(b) A statement is laid on the table.

(c) The reply is in the negative. One Muslim held such a post recently.

(d) No, Sir.

(e) The reply is in the affirmative so far as the Engineer-in-Chief's Branch is concerned. There is no separate cash section in either of the other Branches.

(f) Yes.

(g) Certainly not.

(h) No, Sir.

Statement showing the communal composition of the sections in the Army Department, Army and Royal Air Force Headquarters, dealing with establishments.

Office.	Hindus.	Mulisms	Sikhs.	Christians.	Anglo-Indians.	Others.	Total.
Army Department . . . .	8	1	..	..	..	..	9
General Staff Branch . . . .	8	2	..	1	..	..	11
Adjutant General's Branch . . . .	5	..	1	1	..	..	7
	(including 1 Short- hand- writer).						
*Quartermaster General's Branch	10	10	1	1	..	†3	25
Master General of Ordnance Branch . . . . .	6	..	..	..	1	..	7
Military Secretary's Branch . . . .	2	..	..	..	..	..	2
Engineer-in-Chief's Branch . . . .	1	1	..	..	1	..	3
Medical Directorate . . . . .	3	..	..	..	..	..	3
Judge Advocate General's Branch	1	..	..	..	..	..	1
Assistant Military Secretary (Personal) . . . . .	..	1	..	..	..	..	1
Director of Contracts . . . . .	3	..	..	..	..	..	3
Assistant Director of Ordnance Services (Provision) . . . . .	2	..	..	..	..	..	2
†Royal Air Force Headquarters	10	3	3	1	..	..	17

\* The work is done in one of the six sub-sections.

† 2 Europeans, 1 Jain.

‡ The section is known as the Central section.

DEFINITION OF "INEFFICIENCY" FOR PURPOSES OF RETRENCHMENT.

894. \* **Maulvi Sayyid Murtuza Saheb Bahadur:** (a) Have Government prescribed that one of the grounds on which permanent Government servants may be retrenched is inefficiency?

(b) Will Government state whether there have recently been any instances in which permanent Government servants have been retrenched for inefficiency? If so, will Government state the criteria by which the inefficiency of the retrenched men was determined?

(c) Do Government propose to consider the desirability of prescribing definitely what should constitute "inefficiency" for purposes of retrenching a permanent Government servant?

**The Honourable Sir George Schuster:** (a) Yes, it has been laid down that the first category of selection for discharge shall include those officers whose work is considered to be so consistently unsatisfactory that to retain them in service while others are discharged would be unjustifiable. It must, of course, be understood that Government servants are being retrenched on other grounds and no assumption of inefficiency attaches to retrenchment.

(b) The answer to the first part is that this criterion for selecting individuals for discharge has been applied. As regards the second part, no criterion beyond that already stated has been or can be laid down. The

decision as to what constitutes inefficiency must necessarily depend upon the past record of the officer concerned and the judgment and experience of those officers who are competent to select men for discharge in their departments.

(c) As I have already indicated, the course suggested by the Honourable Member is impracticable.

#### REDUCTION OF SIMLA HOUSE RENT ALLOWANCE.

895. \***Mr. N. R. Gunjal:** (a) Is it a fact that Government contemplate to reduce the Simla house rent allowance by ten per cent.?

(b) Are Government aware that most of the Government of India subordinates have leased their houses for a further period of one year at the same old rentals?

(c) Are Government aware that most of the landlords, when approached, have refused to curtail the rents charged?

(d) Is it a fact that Government do not contemplate to reimpose the House Accommodation Act and that the pay of their subordinates has been reduced by ten per cent.?

(e) If the replies to parts (a) to (d) above be in the affirmative, are Government prepared to leave the Simla house rent allowance untouched? If not, why not?

**The Honourable Sir James Crerar:** (a) No such action is at present under contemplation.

(b) and (c). Government have no information.

(d) Yes.

(e) Does not arise.

#### NOTICE UNDER THE EMERGENCY POWERS ORDINANCE SERVED ON MUFTI-KIFAYATULLAH.

896. \***Mr. Gaya Prasad Singh:** (a) Is it a fact that a notice under section 4 of the Emergency Powers Ordinance II of 1932, was served on Mufti Kifayatullah, in Delhi the other day? If so, why? Can a copy of it be laid on the table?

(b) Is Mufti Kifayatullah President of the All-India *Jamiat-ul-Ulema*? If he is guilty of any offence, why do not Government bring him to trial under ordinary law?

(c) Is it a fact that Government considered his visit to the North-West Frontier Province undesirable? Is it a fact that an invitation to visit the Frontier Province was extended only to those gentlemen, who were considered "safe" from the Government point of view?

**The Honourable Sir James Crerar:** (a) Yes. The reasons are stated in the order of which a copy is placed on the table.

(b) Yes. Mufti Kifayatullah, having acted in contravention of the order, was arrested on the 11th March, 1932, and has been prosecuted and convicted under section 21 of the Emergency Powers Ordinance.

(c) Yes. The reply to the latter part of the question is "no".

The following order by the Deputy Commissioner, Delhi, was served on Kifayat Ullah of Delhi on Wednesday the 9th of March, 1932 :

"Whereas the Chief Commissioner of Delhi has invested me with powers to issue orders under section 4 (1) of the Emergency Powers Ordinance II of 1932 and whereas, I am satisfied that there are reasonable grounds for me to take action against you, Kifayat Ullah, both because you have continually delivered bitter speeches against Government to influence members of your community and because it is learnt that you and your co-workers contemplate issuing a proclamation or statement attacking Government now therefore I direct that you shall abstain henceforward from acting in a manner prejudicial to public safety or peace or in furtherance of any movement prejudicial to public safety or peace and from any form of anti-Government action or propaganda whatever. Any contravention of these orders is punishable under section 21 of the Ordinance with imprisonment which may extend to two years or with fine or with both."

**Mr. Gaya Prasad Singh:** May I know why the intended visit of this gentleman was considered undesirable?

**The Honourable Sir James Orerar:** The visit was considered undesirable because it was believed that it would be prejudicial to law and order.

**Mr. Gaya Prasad Singh:** Is it a fact that the visit was considered undesirable because he is not in the good books of Government, as some others who were invited?

**The Honourable Sir James Orerar:** No.

**Sardar Sant Singh:** May I ask why Government put a ban on the visit of those gentlemen who give the other side of the picture?

**The Honourable Sir James Orerar:** I think the Honourable Member's question is rather in the nature of an argument than one calling for information.

#### VISIT OF MAULANA SHAUKAT ALI TO THE NORTH-WEST FRONTIER PROVINCE.

897. **\*Mr. Gaya Prasad Singh:** (a) Did Maulana Shaukat Ali apply for permission to visit the North-West Frontier Province recently? Was he allowed to visit the Frontier Province under any conditions? If so, what?

(b) Will Government kindly lay on the table the correspondence, if any, that might have passed between the authorities and Maulana Shaukat Ali, relating to his visit to the Frontier Province?

(c) Are Government aware that black flags were shown to Maulana Shaukat Ali, at some of the places, such as Charsadda and others, which were visited by him during his recent tour in the North-West Frontier Province? How many persons were arrested for carrying black flags; and under what law have they been dealt with? Is it an offence to carry black flags to greet an unwelcome visitor?

**Sir Evelyn Howell:** (a) No, Sir.

(b) There was no such correspondence.

(c) Government are not aware of black flags having been shown in any of the places visited by Maulana Shaukat Ali or of any arrests made on this account. The remainder of the question therefore does not arise.

**Maulvi Muhammad Shafee Daoodi:** Are the Government aware that the movements of Maulana Shaukat Ali have been brought to the notice of this House because he is opposed to the movement of non-co-operation at this stage and has the courage to proclaim it from the housetops and to act in accordance with his convictions?

**Sir Evelyn Howell:** Government have no information, Sir (Laughter).

**Mr. Abdul Matin Chaudhury:** Is the Government aware that a magnificent reception was accorded to Maulana Shaukat Ali when he arrived at the Peshawar station by all sections of the Muhammadan community?

**Sir Evelyn Howell:** I have seen a statement to that effect in the Press, Sir.

**Mr. Gaya Prasad Singh:** Will the Foreign and Political Department kindly ascertain the actual facts so that a proper certificate of good conduct may be accorded to Maulana Shaukat Ali?

**Dr. Ziauddin Ahmad:** Is it the business of the Foreign and Political Department to inquire whether a reception was or was not given to a particular individual at any railway station in British India?

**Sardar Sant Singh:** Is it a fact that Maulana Shaukat Ali was not allowed to address a Muslim meeting at Lahore?

**Mr. Gaya Prasad Singh:** May I ask why Maulana Shaukat Ali was allowed to go to the Frontier although he did not apply for permission whereas some other gentlemen who did apply for permission were refused such permission?

**Sir Evelyn Howell:** I have nothing to add to the information which has already been given to the House.

**Sir Cowasji Jehangir:** Will Government be pleased to state whether they will give permission to my Honourable friend, Mr. Gaya Prasad Singh, to visit the North-West Frontier Province?

**Sir Evelyn Howell:** Permission is not required, Sir.

SAVING ON ACCOUNT OF THE ABOLITION OF THE POST OF ASSISTANT DIRECTOR OF INTELLIGENCE, INDIAN STORES DEPARTMENT.

898. **\*Sardar Sant Singh:** Will Government please refer to page 4 of the Administration Report of the Indian Stores Department for the year 1930-31, where a saving of Rs. 2,000 has been shown on account of the abolition of the post of Assistant Director of Intelligence, and state how this saving has been arrived at?

**The Honourable Sir Joseph Bhore:** The saving referred to by the Honourable Member is the result of the re-organisation in the Indian Stores

Department explained in paragraph 10 of the Administration Report of that Department for 1930-31, which includes *inter alia* the abolition of the post of Assistant Director of Intelligence. A statement indicating how this saving has been arrived at is laid on the table.

*Statement showing the financial effect of the re-organisation in the Indian Stores Department referred to in paragraph 10 of the Administration Report of that Department for 1930-31.*

	Average cost per month.	
	Rs.	A. P.
<i>Abolition of the cost of :</i>		
(a) Assistant Chief Controller of Stores, Indian Stores Department on Rs. 1,000—50—1,250 . . . . .	1,168	4 0
(b) Assistant Director of Intelligence, Indian Stores Department on Rs. 1,000—50—1,200 . . . . .	1,169	0 0
(c) Chief Superintendent, Indian Stores Department on Rs. 600—40—800 . . . . .	750	6 5
	<hr/>	
	3,087	10 5
<hr/>		
<i>Creation of the posts of :</i>		
(a) Deputy Director of Administration and Intelligence Indian Stores Department on Rs. 1,500—75—1,800 . . . . .	1,741	8 0
(b) Assistant Director of Administration and Intelligence, Indian Stores Department on Rs. 1,000—50—1,200 . . . . .	1,169	0 0
	<hr/>	
	2,910	8 0
		177 2 5
		per mensem
		2,125 13 0
		per annum.

**DOMICILE OF MR. J. S. PITKEATHLY, CHIEF CONTROLLER OF STORES, INDIAN STORES DEPARTMENT.**

899. \*Sardar Sant Singh: (a) Are Government aware that the domicile of Mr. J. S. Pitkeathly, Chief Controller of Stores, Indian Stores Department, was accepted as European on his own statement, while in the case of other gazetted officers they had to prove this by documentary evidence?

(b) Are Government aware that Mr. Pitkeathly is domiciled in India? If so, what do they propose to do in this matter?

**The Honourable Sir Joseph Bhoré:** (a) No.

(b) Mr. Pitkeathly is not domiciled in India.

**TRAVELLING AND HOUSE RENT ALLOWANCES.**

900. \*Mr. S. O. Mitra: (a) Is it a fact that the Delhi moving allowance granted to Army Headquarters establishment is subject to 10 per cent. cut?

(b) Will Government please state whether the Simla house rent allowance stands on the same footing as the Delhi moving allowance?

**The Honourable Sir James Crerar:** (a) Yes.

(b) No.

## THE INDIAN NATIONAL CONGRESS.

**901. \*Mr. S. C. Mitra:** (a) Will Government please state whether they have declared the Indian National Congress as an unlawful organisation?

(b) Are Government aware that the creed of the Indian National Congress, viz., "the attainment of *Swaraj* by all peaceful and legitimate means" is alone mandatory?

(c) Are Government aware that the programme of the Indian National Congress has been changed from time to time at its annual session?

(d) Are not Government aware that the resolutions accepted in the Indian National Congress are recommendatory and not mandatory like its creed?

(e) Will Government please state if they intend to prevent the regular session of the Indian National Congress being held this year, as announced, at Puri? If so, why?

**The Honourable Sir James Crerar:** (a) The Indian National Congress has not been declared an unlawful association.

(b) If the Honourable Member has rightly stated the position, he will, I think, agree with me that the civil disobedience movement is inconsistent with the mandate.

(c) and (d). I note the Honourable Member's suggestions on these points.

(e) Until the question arises in a practical form, Government do not propose to come to any decision in regard to it.

**Mr. Lalchand Navalrai:** Will the Honourable Member be pleased to state if the Government have laid down any rules categorically showing which acts of the Indian National Congress would be considered illegal?

**The Honourable Sir James Crerar:** No, Sir.

**Mr. K. C. Neogy:** Is it a fact that the present Dictator of the Indian National Congress is at the present moment acting in the closest co-operation with Government and is a guest at the present moment of one of the Members of the Governor General's Executive Council at New Delhi?

Will Government be pleased to state as to whether it is not a fact that the Presidents of the Indian National Congress, almost all of them, have one after another been arrested and detained in custody, and if so, what is the reason for treating the present President differently?

**The Honourable Sir James Crerar:** I think, Sir, this question is more in the nature of an argument than one calling for information.

**Mr. Gaya Prasad Singh:** May I ask if it is contemplated to arrest the said President as soon as she leaves the precincts of the Honourable the Executive Councillor's residence?

**The Honourable Sir James Crerar:** I have not considered it.

**Sardar Sant Singh:** Has the present President been served with any notice yet under the Emergency Powers Ordinance?

**Mr. C. S. Ranga Iyer:** Will Government be pleased to consider the advisability of appointing Mrs. Sarojini Naidu—the acting President of the Congress—as a peace emissary to meet Mahatma Gandhi with a view to bringing about a happy settlement of the national situation?

**The Honourable Sir James Crerar:** The Honourable Member's suggestion is an interesting one.

**Mr. Lalchand Wavairai:** Will the Honourable Member be prepared to state whether when the Congress holds a meeting and there are bystanders who are only standing to see what is going on, the latter are also liable for arrest?

**The Honourable Sir James Crerar:** It depends a great deal, Sir, on the conduct of the bystanders.

**Mr. Amar Nath Dutt:** Is it a fact that the Chairman of the Reception Committee of the next Congress has been sent to Hazaribagh jail so that the Congress may not be held this year?

**The Honourable Sir James Crerar:** I did not quite catch the Honourable Member's question.

**Mr. Amar Nath Dutt:** Is it a fact that the Chairman of the Reception Committee of the Puri Congress is in Hazaribagh jail—namely, Pandit Nilakantha Das, a former Member of the Assembly—and are the Government going to release him in order to permit of the session of the Congress being held at Puri?

**The Honourable Sir James Crerar:** I must ask for notice of the question.

**Mr. Abdul Matin Chaudhury:** Is it not a fact that orders under the Emergency Powers Ordinance were never issued on any President immediately on the assumption of the duties of the Presidentship, but that there has been some interval between the issue of the order under the Emergency Powers Ordinance and the assumption of the duties of the office?

**The Honourable Sir James Crerar:** I am very sorry I could not follow the Honourable Member's question.

**Mr. Abdul Matin Chaudhury:** Is it not a fact that there has always been an interval between the assumption of the duties of the Congress President and the passing of an order under the Emergency Ordinance in the case of previous Presidents?

**The Honourable Sir James Crerar:** I must ask the Honourable Member to give me notice.

**Mr. H. P. Mody:** If the Indian National Congress is not an unlawful association, will Government be pleased to state whether there is any special reason for showing such marked hospitality to all the Presidents of the Congress? (*An Honourable Member:* "Hospitality" or "hostility"?)

**PROMOTION OF INDIAN PRINTERS TRAINED IN ENGLAND.**

902. **\*Mr. S. C. Mitra:** (a) Will Government be pleased to state how many apprentices sent to England for training as printers for employment in the Government of India Presses have returned after completing their course and how many are still under training in India and in England?

(b) Is it a fact that the posts of Assistant Managers in the Government of India Presses at Simla and Aligarh have been lying vacant for the last four or five years and none of the England-returned men have yet been provided for in those posts?

(c) Is it a fact that a Time-Checker and Section-Holder of the Simla Press have been officiating as Assistant Managers for the last several years in supersession of the England-returned men?

(d) Are Government aware that great discontent prevails among the qualified England-returned men owing to their not being given officiating chances as Assistant Managers in the Government of India Presses, Simla and Aligarh?

(e) Is it a fact that the Controller of Printing and Stationery has recently recommended very strongly for the confirmation of the present temporary Assistant Managers of the Government of India Presses, Simla and Aligarh, in preference to the highly educated and technically qualified staff specially trained for the purpose in England for filling the said posts?

(f) Is it a fact that the Government of India issued orders to the effect that both the officiating Assistant Managers should not be confirmed in their appointments? If so, will Government be pleased to lay the papers on the table?

(g) Is it a fact that the present Assistant Manager of the Aligarh Press was punished and transferred from the Simla Press? If so, for what reasons was the punishment awarded?

(h) If the reply to the preceding questions be in the affirmative, will Government be pleased to state whether they propose to revert the present officiating incumbents to their substantive appointments and fill the posts immediately by the England-returned staff? If so, what steps do they propose to take?

**The Honourable Sir Joseph Bore:** (a) Three apprentices sent to England for training have returned and three are still under training in England. I should, however, point out that no guarantee is given to apprentices under training in England that they will be appointed to Government of India Presses. Four apprentices are now under training in the Calcutta Press.

(b) and (c). Press employees whose permanent appointments are time-checker and section-holder have for some years been officiating as Assistant Managers in the Simla and Aligarh Presses. No apprentice returned

from England has been appointed to these posts, but no question of supersession arises as they have no prescriptive claim to such appointments and have been provided for elsewhere.

(d) Government have no information.

(e) and (f). Government are not prepared to disclose the nature of the recommendations made by the Controller or their orders thereupon.

(g) The present Assistant Manager of the Aligarh Press was transferred from the Simla Press on account of his connection, through his family, with a private press in Simla.

(h) Does not arise.

**QUALIFICATIONS OF THE OFFICIATING ASSISTANT MANAGERS OF THE SIMLA AND ALIGARH GOVERNMENT OF INDIA PRESSES.**

903. \*Mr. S. C. Mitra: What are the educational qualifications of the present officiating Assistant Managers of the Simla and Aligarh Presses and those of the England-trained staff?

**The Honourable Sir Joseph Bhore:** Of the three men who have been trained in England and who are now employed in the Government of India Presses two are graduates and one has passed the Intermediate examination in Arts. Government have no information regarding educational qualification of the officiating Assistant Managers of the Simla and Aligarh Presses.

**RENT-FREE QUARTERS OF THE OFFICIATING ASSISTANT MANAGER, GOVERNMENT OF INDIA PRESS, ALIGARH.**

904. \*Mr. S. C. Mitra: Is it a fact that the officiating Assistant Manager of the Aligarh Press is allowed a rent-free bungalow whereas the England-trained staff is deprived of this concession and not given any house-rent in lieu? If so, why?

**The Honourable Sir Joseph Bhore:** Assistant Managers in the Government of India Presses are not entitled to rent-free quarters. The Assistant Manager in the Aligarh Press has hitherto been allowed rent-free accommodation as he was required to live in the premises of the press in connection with his duties in the Postal Workshop. There is no question of discriminating in the matter of the grant of rent-free quarters between any officers who may be appointed as Assistant Managers. In view of the recent abolition of the Postal Workshop the question of withdrawing the concession of rent-free quarters from the Assistant Manager at Aligarh is under consideration.

**QUARTERS OF CERTAIN PRISONERS IN THE DELHI JAIL.**

905. \*Mr. S. C. Mitra: (a) Will Government please state the number of prisoners who are being detained in the Delhi Jail under the Emergency Powers Ordinance?

(b) Is it a fact that these prisoners, among whom are included Mr. Asaf Ali, Bar.-at-Law, L. Desh Bandhu, Director of the *Tej*, and Mr. Raghunandan\**Saran*, M.A. (Cantab.), are being kept in an ordinary mud-plastered barrack with a small courtyard and that the barrack is not even provided with cross ventilation and other facilities?

(c) Is it a fact that the above-mentioned prisoners have been segregated from all other political prisoners? If so, why?

**The Honourable Sir James Orerar:** (a) At the end of February the number was 8.

(b) No. The prisoners in question have ample and comfortable accommodation, with two courtyards. There is no want of ventilation.

(c) Yes, for purposes of discipline.

#### ALLOWANCES AND TREATMENT OF PRISONERS IN DELHI.

906. **\*Mr. S. C. Mitra:** (a) What allowance, if any, is being provided for the prisoners in Delhi under the Emergency Powers Ordinance and their families?

(b) What facilities are being provided to them for exercise, recreation and study?

**The Honourable Sir James Orerar:** (a) No such allowance is given.

(b) Two fairly spacious courtyards are at their disposal affording ample room for exercise. In addition, they have been permitted to walk on the jail lawn in front of their barrack for half to three quarters of an hour every evening after lock up time. They have been allowed to have all the books and reading material they desire subject to censorship by the jail authorities.

#### FACILITIES FOR PRISONERS DETAINED UNDER THE EMERGENCY POWERS ORDINANCE.

907. **\*Mr. S. C. Mitra:** (a) Will Government please state whether detention under the Emergency Powers Ordinance is mere detention or punishment?

(b) If the former, will Government please state whether all the facilities available to those ordinarily detained are given to the above prisoners? If not, why not?

(c) Do Government propose to issue instructions that all such facilities should be immediately provided to them?

**The Honourable Sir James Orerar:** (a) Detention under section 3 of the Emergency Powers Ordinance is not a judicial punishment.

(b) and (c). The treatment of such persons is a matter within the competence of Local Governments, which I have no doubt, is properly exercised.

#### RECALL OF A PROVISION PASS PREVIOUSLY IN POSSESSION OF THE SUB-DIVISIONAL OFFICER, NORTH WESTERN RAILWAY.

908. **\*Mr. S. C. Mitra:** (a) Will Government please state if it is a fact that the Sub-Divisional Officer, North Western Railway, Sargodha, has been in possession of a provision pass for importing provisions from Lahore?

(b) Is it a fact that this provision pass was taken away from Mr. Vasudevan, Sub-Divisional Officer, Sargodha, on the ground that as he was an Indian officer, his standard of living was lower than that of a European and he did not therefore require the use of a provision pass?

(c) Is it a fact that when Mr. Vasudevan represented his case he was warned by the Divisional Superintendent, Rawalpindi, for insubordination?

**Mr. P. R. Rau:** I am obtaining the information required from the Agent, North Western Railway, and will lay a reply on the table of the House in due course.

#### SUB-LETTING OF A RAILWAY BUNGALOW IN RAWALPINDI.

909. **\*Mr. S. C. Mitra:** (a) Will Government please state if it is a fact that Mr. V. O. Raynor took over charge of the office of Divisional Transportation, Rawalpindi, on or about the 3rd of November, 1931?

(b) Is it a fact that the Divisional Superintendent, Rawalpindi, recommended to the Agent, North Western Railway, that Mr. Raynor might be allowed to rent out the bungalow allotted to his post to an outsider and himself live elsewhere as he could not afford to pay the rent due to the Railway?

(c) Is it a fact that the Agent refused to comply with the Divisional Superintendent's request in his letter No. 10/5/A. C./O., dated 13th November, 1931, stating that this arrangement could not in any circumstances be countenanced?

(d) Is it a fact that inspite of such clear orders the Divisional Superintendent has allowed Mr. Raynor to let out his bungalow to two Military Officers, Lt. Neville and another?

(e) If the answer to the above be in the affirmative, will Government please state what action they are going to take against the Divisional Superintendent?

**Mr. P. R. Rau:** Information is being called for and will be placed on the table.

#### RECRUITMENT OF MUSLIMS TO GOVERNMENT DEPARTMENTS.

910. **\*Mr. Muhammad Anwar-ul-Azim:** (a) Has the attention of the Government of India been directed to certain articles which have appeared in the *Eastern Times*, a Muslim journal of Lahore, and which make certain allegations against the Public Service Commission in respect of examinations conducted by that body for recruitment to the ministerial establishment of the Government of India?

(b) Is it a fact that under the orders of the Government of India, a certain number of vacancies was reserved for Muslims in the 1931 examination for such recruitment?

(c) Is it a fact that the Commission were unable to obtain the requisite number of qualified Muslim candidates to fill these vacancies?

(d) Is it a fact that the Commission did not communicate to the Army Department (who were principally concerned) the orders of the Government of India issued in July, 1931 regarding the method of filling posts for which qualified Muslims were not available?

(e) Is it true that the Commission fixed a higher qualifying mark for the 1931 examination than for the preceding examination in 1926?

(f) Is it true that in 1926 the Commission reduced the qualifying marks for the benefit of the Muslim candidates but did not make a similar reduction in 1931?

**The Honourable Sir James Crerar:** (a) Yes.

(b) Yes.

(c) Yes. Orders were issued that unqualified Muslims should be allowed to continue to hold temporarily permanent vacancies reserved for members of that community until qualified Muslim candidates are available.

(d) It is not the business of the Commission to communicate or circulate the orders of departments of the Government of India. In this case the Home Department circulated the orders in the ordinary course.

(e) The qualifying mark in 1926 was 43 2/3 per cent. (160 out of 375) as against 40 per cent. (200 out of 500) in 1931. Consequently the qualifying mark in 1931 was proportionately lower.

(f) No. I would invite the attention of the Honourable Member to the reply I gave on the 16th instant to part (d) of question No. 826, asked by Maulvi Sayyid Murtuza Saheb Bahadur.

#### PROMOTION OF GUARDS ON THE NORTH WESTERN RAILWAY.

911. **\*Mr. Lalchand Navalrai:** (a) Will Government be pleased to state:

(i) the number of posts of Guards grades IV, III, and II on North Western Railway in the year 1926-27, and

(ii) the number of posts in the various grades at present?

(b) Is it proposed to reduce further the strength of higher classes, namely grades III and IV? If so, to what extent?

(c) What are the reasons for decrease in the strength, if any, in grades III and IV?

(d) How does the decrease compare with other classes of service on the North Western Railway?

(e) Is it a fact that grades III and IV guards posts are largely manned by Anglo-Indians and Europeans?

(f) Are Government aware that a large majority of guards grade II have been waiting at the maximum pay of the grade for several years, and that some of them have even been blocked for seven to eight years?

(g) What steps do Government propose to take to ensure proper chances for promotion of grade II guards to grade III and onwards?

**Mr. P. R. Rau:** I have called for information from the Agent, North Western Railway, and will lay a reply on the table on its receipt.

#### ALLOWANCES AND DUTIES OF GUARDS ON THE NORTH WESTERN RAILWAY.

912. **\*Mr. Lalchand Navalrai:** (a) Will Government be pleased to state if it is a fact that the rates of allowance per 100 miles paid to guards differ according to the pay of the employee?

(b) Is it a fact that the grades III and IV guards on the North Western Railway are able to earn more mileage than the guards in grade II?

(c) Do Government propose to suggest to the North Western Railway Administration so to arrange the duties of guards in various grades that they run nearly equal mileage in a month?

**Mr. P. R. Rau:** (a) Yes.

(b) and (c). Government have no information but will bring the Honourable Member's question to the notice of the Agent.

**BELATED CLAIMS OF EX-MILITARY MEN TO PAY, PENSION, ETC.**

913. \***Mr. Lalchand Navalrai:** (a) With reference to the answer given to parts (a), (b) and (f) of the unstarred question No. 91 on the 23rd February, 1932, will Government please state whether it is a fact that under the provisions of paragraph 44 of Financial Regulations for the Army in India, Part I, belated claims of ex-military officers, etc., in respect of arrears of their pay, pension, allowances, etc., are being entertained by the authorities concerned, if the cause of delay in submission of claim is satisfactory?

(b) Is it not a fact that under the provisions of para. 809 of Regulations for the Army in India (1930 Edition), service records of discharged soldiers are kept for a period of 25 years, from the date of their discharge? If so, why are the records pertaining to their accounts in respect of outstanding credit balances, etc., not kept for that period?

(c) Is it a fact that the names of officers who hold the records of disbanded units have been widely published in all vernacular papers of the different languages of India, and also by pasting posters at open public places, especially in towns and villages?

**Mr. G. M. Young:** (a) Yes.

(b) Yes. The accounts records are much bulkier than service records and it is not possible to retain them for the same period as the latter. Under the existing regulations, pay accounts records of soldiers are required to be retained for five years, but pay accounts for the months of June and December in each year are retained for 30 years for purposes of reference and verification.

(c) No such publication was undertaken by Army Headquarters. If there was any it must have been done by local authorities.

**CREDIT BALANCES DUE TO MEMBERS OF TRANSPORT UNITS, LABOUR CORPS ETC.**

914. \***Mr. Lalchand Navalrai:** (a) Will Government please refer to the answer to unstarred question No. 92 (a) of 23rd February 1932, and say if it is not a fact that while preparing the lists of outstanding credit balances due to persons of Animal Transport Units, Labour Corps and Mechanical Transport Units, the following dues are not included therein by the authorities concerned: (i) service gratuity, (ii) war gratuity and (iii) kran exchange compensation for the period of their service in Persia, if any?

(b) Do Government contemplate, in the case of persons so affected, to make the omission good by adding these dues in the lists of outstanding credit balances now?

**Mr. G. M. Young:** (a) No, Sir.

(b) Does not arise.

## UNSTARRED QUESTIONS AND ANSWERS.

### TRANSFER OF POSTAL OFFICIALS IN THE PUNJAB AND NORTH-WEST FRONTIER PROVINCE POSTAL CIRCLE.

202. **Mr. S. C. Mitra:** (a) Is it a fact that in the Punjab and the North-West Frontier Province Postal Circle transfers of post office officials of the selection grade have been suspended of late except in cases in which transfers are necessary in the interest of service?

(b) Are there any orders that transfers of officials of the selection grade to certain stations be made in communal proportion?

(c) If the reply to part (a) be in the affirmative, and to part (b) in the negative, will Government please state why the Muslim officials are still being transferred, namely, the transfers to Lahore (Head Office) of Messrs. Jan Mohammed, Mahbub Ali, Mohammed Azim, Mohammed Wazir and Khan Sahib Bashir Hussain? Is there any justification for these transfers?

**Mr. T. Ryan:** (a) It is a fact that owing to the present financial stringency, transfers from certain posts which normally are due to take place periodically have been restricted.

(b) No.

(c) The transfers in question were made by the Postmaster General in the interests of the service in two cases, and, at the request of those concerned without expense to the State, in the other cases.

### REVERSION TO SUBSTANTIVE APPOINTMENTS OF CERTAIN POSTAL OFFICIALS IN THE PUNJAB AND NORTH-WEST FRONTIER PROVINCE POSTAL CIRCLE.

203. **Mr. S. C. Mitra:** (a) Is it a fact that in the Punjab and North-West Frontier Province all Postal Circle officials of the time-scale of pay, who are officiating in the selection grades, were reverted to their substantive appointments a few months back in order to make room for permanent officials of the selection grade, whose posts were brought under reduction and also for Inspectors of Post Offices whose posts were held in abeyance?

(b) Is it a fact that some of the Inspectors, whose posts were held in abeyance, were posted in the selection grade posts in the general line in the Circle in leave vacancies?

(c) Is it a fact that there still remain many such Inspectors whose posts have been held in abeyance but who have not been provided for for want of vacancies?

(d) If the reply to part (c) be in the affirmative, will Government please state why a clerk of Wazirabad Post Office, officiating as Town Inspector at Lahore, has not been reverted to his post?

**Mr. T. Ryan:** Enquiries are being made and a reply will be placed on the table.

### TRAINING OF APPRENTICES IN THE RIFLE FACTORY AT ISHAPORE.

204. **Mr. S. C. Mitra:** (a) Has the attention of Government been drawn to the article with the heading "Apprenticeship in Engineering (English method)" published in the *Times of India*, of 8th December,

1927, on page 17, as also to that of the "Royal Ordnance Factories Scheme for training of Engineers", dated the 26th January, 1928? If not, will Government please refer to them?

(b) Are Government prepared to reconsider their decision for curtailing the theoretical training of apprentices in the Rifle Factory at Ishapore? If not, why not?

**Mr. G. M. Young:** A reply will be given when copies of the articles mentioned by the Honourable Member have been obtained.

**MINIMUM MARKS REQUIRED FOR PASSING INTO A HIGHER STANDARD IN SCHOOLS IN AJMER-MERWARA, RAJPUTANA, ETC.**

**205. Khan Bahadur Haji Wajihuddin:** (a) Will Government please state whether it is a fact:

- (i) that up to January, 1932, it was a general rule in Government-aided High Schools and other schools excepting the Government High School, Ajmer, in Ajmer-Merwara, to promote a boy to a higher class if he could secure only 33 per cent. of the marks allotted in each subject for his examination,
- (ii) that the passing marks in the Government High School were 33 per cent. for each subject,
- (iii) that the Board of Secondary Education for Ajmer-Merwara, Rajputana, Central India and Gwalior, has issued a circular with the consent of the Ajmer-Merwara, Education Department, requiring the Head Masters of all its affiliated High Schools to increase the minimum passing marks from 33 per cent. to 40 per cent. for the boys of classes V to IX and 50 per cent. for those of classes III and IV, and
- (iv) that the Head Masters of the said schools have asked the guardians of the students reading in their schools to sign the conditions of the said circular in the month of February, 1932?

(b) Are Government aware that the annual examination of the boys reading in the schools referred to in part (a) above will be held in the coming month of April, 1932?

(c) If what are stated in parts (a) and (b) above are facts, will Government please state what were the reasons which necessitated the said Board to issue such circulars before the commencement of the yearly examinations?

(d) Will Government please state whether it is a fact that the conditions of the circular referred to in part (a) above are to be applicable to the results of this year? In case it is applicable to the examination results of this year, do Government propose to take any action regarding the said circular? If so, what?

**Mr. Frank Noyce:** (a) (i) and (ii). Yes.

(iii) and (iv) of part (a) and parts (b), (c) and (d) can most conveniently be answered together. The Board of High School and Intermediate Education, Rajputana, Central India and Gwalior had nothing to do with

raising the minimum of pass marks for schools in Ajmer-Merwara. The facts of the case are as follows :

The Board has nothing to do with examinations of classes lower than the 10th (High School). Annual promotion examinations of other classes are held by Head Masters of individual institutions who have their own standards for promotions. The Head Masters of High Schools in Ajmer-Merwara recently formed an Association with a view to secure uniformity of standards in the work of all schools, and, at a meeting of the Association held sometime in February last, resolved among other things, that with a view to securing a uniform standard of class promotions, marks normally required for a pass in all subjects should be 50 per cent. in classes III to V, and 40 per cent. in classes VI to IX. They also laid down rules for promotions by grace. The resolution of the Association has been accepted by the Superintendent of Education, and is now being circulated to the heads of all recognised schools for guidance. It will evidently be brought into force with effect from the promotion examinations of 1933.

It is quite likely that Head Masters of individual schools who are all members of the Association may, on the strength of the Resolution referred to above, have issued circulars to the guardians of students intimating the rise in the minimum of pass marks, but not with the Superintendent of Education's permission. There is, however, nothing to prevent the Head Masters from raising the minimum pass marks without consulting the Department.

#### MINIMUM PASS MARKS IN SCHOOLS IN RAJPUTANA AND DELHI.

206. **Khan Bahadur Haji Wajihuddin:** (a) Are Government aware that Rajputana is the most backward Province as regards educational matters?

(b) Is it a fact that both the Chairman and Secretary of the Board of Secondary Education for Ajmer-Merwara, Rajputana, Central India and Gwalior are outsiders?

(c) Is it a fact that in Delhi the passing marks in each subject for the boys are 33 per cent. in their annual examinations for all classes? If it is not so, will Government please state the minimum passing percentage for Delhi Province in each subject, which is essential for promotion?

**Sir Frank Noyce:** (a) If the Honourable Member refers to Ajmer-Merwara, the reply is that it is not educationally the most backward province in India.

(b) Both the Chairman and Secretary of the Board are outsiders, but they have great experience of educational work, and in the case of the Chairman, local knowledge and experience of Rajputana.

(c) No. In the Delhi Province there is no uniform percentage of pass marks for each class or each subject. Usually in the higher classes of schools, 33 per cent. is the accepted pass percentage, but the pass percentage may vary in different schools and depends on the standard of work prevailing therein.

## EXPENDITURE OF THE AJMER MUNICIPAL BOARD.

207. **Khan Bahadur Haji Wajihuddin:** Will Government please state whether it is a fact:

- (i) that the Ajmer Municipal Board purchased grass at a higher rate than the market price and accepted an inferior quality of it in 1930;
- (ii) that the said Board spent no money on urinals and latrines in 1926-27 and 1927-28; and
- (iii) that in 1922-23 the infant mortality was 48·42 per cent., but it increased to 61·45 per cent. in 1927-28 in the said Board area?

**Mr. G. S. Bajpai:** The information asked for by the Honourable Member will be obtained and supplied to the House in due course.

## EXEMPTION OF MOTOR CARS FROM OCTROI DUTY IN AJMER-MERWARA.

208. **Khan Bahadur Haji Wajihuddin:** Will Government please place on the table of the House (1) a list (relating to the Municipal Board, Ajmer), showing the exemption of persons with their names from the payment of octroi for one year for their newly bought motor cars in 1930, and (2) the copies of the Resolutions Nos. iv, viii, ix, x and xi, dated the 14th January, 1930 of the said Board?

**Sir Evelyn Howell:** With your permission, Sir, I propose to answer questions Nos. 208, 209, 214, 215, 216 and 217 together. The information is being collected and will be given to the House in due course.

## MISCELLANEOUS EXPENDITURE OF THE AJMER MUNICIPAL BOARD.

†209. **Khan Bahadur Haji Wajihuddin:** (a) Will Government please state whether it is a fact that the miscellaneous expenditure in the Municipal Board, Ajmer, was Rs. 2,460 in 1922-23, Rs. 5,298 in 1923-24, Rs. 5,761 in 1924-25, Rs. 3,556 in 1925-26, Rs. 4,718 in 1926-27, and Rs. 36,660 in 1927-28?

(b) If what are stated at part (a) above are facts, will Government please state what were the reasons for the sudden increase in the said expenditure in 1927-28 to such a large extent?

## EXCISE REVENUE COLLECTED BY THE LOCAL ADMINISTRATION IN AJMER-MERWARA.

210. **Khan Bahadur Haji Wajihuddin:** Will Government please state whether it is a fact:

- (i) that the Local Government, Ajmer-Merwara, collects seven lakhs of rupees annually as excise revenue from the said area,
- (ii) that there are many big shops for selling the excise stuffs in the heart of the city of Ajmer,
- (iii) that excise stuffs coming into Ajmer city are exempted from octroi tax, and

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†For answer to this question, see answer to unstarred question No. 268.

- (iv) that the Local Government gives no grants to the Municipal Board, Ajmer, towards the health of the Ajmer citizens or for the drainage work of the said Board?

**The Honourable Sir George Schuster** (in reply to questions 210 and 211): The information is being collected and will be laid on the table in due course.

#### INCOME AND EXPENDITURE OF THE EXCISE DEPARTMENT, AJMER-MERWARA.

‡211. **Khan Bahadur Haji Wajihuddin**: (a) Will Government please state what was the total income and expenditure of the Excise Department Ajmer-Merwara in 1927-28, 1928-29, 1929-30 and 1930-31?

(b) Will Government please state what is the cause of the continual increase in the excise revenue in Ajmer-Merwara and do they propose to take steps in the interests of temperance in that province? If so, what?

#### BIRTH AND DEATH RATES IN AJMER-MERWARA.

212. **Khan Bahadur Haji Wajihuddin**: (a) Will Government please state whether it is a fact (1) that the total death rate in Ajmer-Merwara was 38·95 in 1913-14 against 32·70 in 1912-13 while the birth rate was 19·15 and 19·16 for the said years respectively, and (2) that the number of deaths exceeded the number of births by 1238 in the said province for the said period?

(b) Will Government please state whether it is a fact that on the 4th July, 1907, Major P. J. Lumsden, I.M.S., Civil Surgeon, Ajmer, passed the remark that so large an excess of deaths over births is due to the *bad sanitation* of the city?

(c) If what are stated at parts (a) and (b) above are facts, have Government taken any steps, so far, to set the matter right? If not, what steps do they propose to take in the matter and when?

**Sir Frank Noyce** (in reply to questions 212, 213 and 218): The information asked for by the Honourable Member is being collected and will be furnished to the House in due course.

#### BAD DRAINAGE OF AJMER CITY.

‡213. **Khan Bahadur Haji Wajihuddin**: (a) Will Government please place on the table of the House a copy of the report made by Dr. Mullen, M.D., Civil Surgeon, Ajmer, about the bad drainage of the Ajmer City in 1896-97?

(b) What steps have Government taken to bring into effect the plan suggested by the Civil Surgeon referred to above upto this time? If no steps have been taken, what steps do they propose to take to set things right in this respect?

#### ELECTION OF CHAIRMAN OF THE AJMER MUNICIPAL BOARD.

§214. **Khan Bahadur Haji Wajihuddin**: (a) Will Government please state whether it is a rule for the Ajmer Municipal Board to elect its Chairman from among the voters enlisted for the election of its membership? If

†For answer to this question, see answer to unstarred question No. 210.

‡For answer to this question, see answer to unstarred question No. 212.

§For answer to this question, see answer to unstarred question No. 206.

so, will Government please state whether it is a fact that the name of the present Chairman of the Municipal Board, Ajmer, Colonel Howson, was not on the list of voters on the day when he was elected its Chairman?

(b) If what are stated in part (a) above are facts, will Government please state how the said action of the Municipal Board, Ajmer, in electing Colonel Howson as Chairman is justified?

#### REPRESENTATION OF DARGAH AND PUSHKAR AND OF CLOTH AND SUGAR MERCHANTS ON THE AJMER MUNICIPAL BOARD.

†215. **Khan Bahadur Haji Wajihuddin:** (a) Will Government please state whether it is a fact (1) that the Ajmer Municipal Board annually realises Rs. 25,000 from the Bombay, Baroda and Central India Railway, as visitors' tax from the Dargah and Pushkar fair, Rs. 1,02,515 on account of octroi duty from the cloth merchants of Ajmer, and Rs. 23,491 on account of octroi duty from the sugar merchants of Ajmer, and (2) that the said Board has three representatives of the said Railway together with two nominated members of the Local Government as its members and (3) that the said sugar and cloth merchants and the Dargah and Pushkar people have no representatives of their own on the said Board?

(b) If what are stated in (a) above are facts, do Government propose to take steps to have representatives of sugar and cloth merchants and the Dargah and Pushkar people on the Board? If so, what?

#### OCTROI DUTIES IMPOSED BY THE AJMER MUNICIPAL BOARD.

†216. **Khan Bahadur Haji Wajihuddin:** (a) Will Government please state whether it is a fact that an octroi duty of only half an anna per rupee is being imposed, by the Municipal Board, Ajmer, on rich food-stuff used by rich men while that of 9 pies per rupee is imposed on simple food-stuffs such as carrots, etc., used by poor persons?

(b) If what are stated in (a) above are facts, what steps do Government propose to take to set the things right for the poor public of Ajmer?

#### OCTROI DUTY PAID BY THE WEAVING MILLS AT ANASAGAR.

†217. **Khan Bahadur Haji Wajihuddin:** (a) Will Government please state whether it is a fact (1) that the weaving mills at Anasagar, Ajmer (where about 125 hands work), annually pay Rs. 3,000 as octroi, while the Bombay, Baroda and Central India Railway (where about 12,000 hands are working) pays an annual octroi duty of Rs. 25,000; and (2) that the Bombay, Baroda and Central India Railway would be liable to pay the said duty to the extent of three lakhs of rupees annually, calculated at the rate of the said Anasagar Mill?

(b) If what are stated in (a) above are facts, what steps do Government propose to take to make the Bombay, Baroda and Central India Railway liable to pay the duty?

#### HIGH DEATH RATE AND INFANT MORTALITY IN AJMER.

†218. **Khan Bahadur Haji Wajihuddin:** (a) Will Government please state whether it is a fact (1) that the infant mortality is 34 per cent. of the

†For answer to this question, see answer to unstarred question No. 208.

‡For answer to this question, see answer to unstarred question No. 212.

total deaths in the Ajmer municipal area, and (2) that the death and birth rates in the said area are 36 and 23 per cent. respectively?

(b) If what are stated in (a) above are not facts, will Government please state the correct figures?

(c) What steps do Government propose to take in the matter referred to in (a) and (b) above, in case the death rate and infant mortality are higher in Ajmer than in other important towns of British India?

#### NUMBER OF MUHAMMADANS IN THE RAILWAY AUDIT SERVICE.

219. **Khan Bahadur Haji Wajihuddin:** Will Government please state:

(a) what is the number of men holding permanent appointments in the Railway Audit Service in each grade, *viz.*, officers in higher and lower grades, Auditors, Senior and Junior, and clerks in class I and class II; and

(b) what is the number of Muhammadans holding permanent appointments in each of the above grades?

**The Honourable Sir George Schuster:** With your permission, Sir, I will reply to questions Nos. 219 and 220 together.

Enquiry is being made and complete replies will be laid on the table in due course.

#### APPOINTMENT OF MUHAMMADANS IN THE RAILWAY AUDIT SERVICE.

†220. **Khan Bahadur Haji Wajihuddin:** (a) Is it a fact that the proportion of Muhammadans is very small in the Railway Audit service? If the answer is in the affirmative, will Government please state what steps they are taking to redress this grievance?

(b) Are Government prepared to select some suitable Muhammadan young men from among the present audit staff of each State-owned Railway and to appoint them as probationary auditors and officers on those Railways? If not, why not?

#### APPOINTMENT OF A GUARD AS JANITOR, HEADQUARTERS OFFICE, NORTH WESTERN RAILWAY.

221. **Lala Rameshwar Prasad Bagla:** (a) Will Government please state if it is a fact that Guard Hay on the North Western Railway was appointed as Janitor of Headquarters Office, North Western Railway after he was injured in an accident?

(b) Is it a fact that as Janitor he is drawing more salary than he would have drawn as a Guard?

(c) Is it a fact that he is also allowed free quarters?

(d) Is it a fact that he is allowed an assistant?

(e) Is it a fact that both of these officers only look after the work of 20 sweepers and 20 chowkidars of the Headquarters?

(f) During these days of retrenchment, have Government considered the possibility of bringing this post under retrenchment and appointing a Sanitary Inspector on lower wages?

**Mr. P. R. Rau:** Government have no information.

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†For answer to this question, see answer to unstarred question No. 219.

APPOINTMENT OF JANITOR, HEADQUARTERS OFFICE, NORTH WESTERN RAILWAY.

222. **Lala Rameshwar Prasad Bagla:** (a) Will Government please state if the post of Janitor of the North Western Railway Headquarters Office is reserved for Europeans and Anglo-Indians only? If not, have ever applications been invited for the said post from deserving and fit Indians? If not, why not?

**Mr. P. E. Bau:** I am obtaining information from the Agent, North Western Railway and will lay a reply on the table of the House in due course.

TRAFFIC MANAGER, NORTH WESTERN RAILWAY.

223. **Lala Rameshwar Prasad Bagla:** (a) Is it a fact that during the years 1916 and 1924 there used to be only one Traffic Manager on the North Western Railway drawing a salary of Rs. 2,500 managing the whole of the line?

(b) Is it a fact that the earning capacity has now gone down and the number of trains been reduced?

(c) Is it a fact that where one Traffic Manager used to look after the whole of the North Western Railway, now two principal officers have been appointed in his place drawing Rs. 2,700 and Rs. 2,500 *plus* the Lee concessions?

(d) Do Government propose to consider amalgamating the duties of both the officers into one and thus reduce expense?

**Mr. P. E. Bau:** (a) Yes; until the autumn of 1924 there was one post of Traffic Manager the incumbent of which was responsible under the order of the Agent of the Railway for dealing with all the business of the Railway in Transportation (Traffic) and Commercial matters; but even then it was recognized that the work was too heavy for one officer to handle efficiently.

(b) The earning capacity of the Railway has not gone down, but increased from year to year. The number of trains now run in greater than in 1916 or 1924.

(c) On the introduction of the Divisional System on the North Western Railway in 1924 one post of Chief Operating Superintendent on a salary of Rs. 2,750—125—3,000 and one of Chief Commercial Manager on Rs. 2,500 were created. The Chief Operating Superintendent is responsible for important classes of work not previously allotted to the Traffic Manager.

(d) No; Government do not consider that amalgamating the duties of both these officers would be conducive to economy.

LEAVE RULES ON THE NORTH WESTERN RAILWAY.

224. **Lala Rameshwar Prasad Bagla:** (a) Is it a fact that New Leave Rules were framed in 1930 on the State Railways?

(b) Is it a fact that they were applied from 1927 with retrospective effect on the North Western Railway?

(c) Is it a fact that the same rule was made applicable to the Audit Department of the North Western Railway in 1929?

(d) If the rules were made in 1930, will Government state why they were applied with retrospective effect?

(e) Was any undertaking in writing taken in this respect from the employees before the year 1930?

(f) Were these rules made applicable to the new comers joining between 1927 and 1930? If so, why?

**Mr. P. B. Rau:** New Leave Rules for Government servants employed in the Railway Department were issued in 1930. The new rules had been under discussion for some years and from 1927 subordinates appointed on the North Western Railway were required to sign a declaration to the effect that they understood that they would be liable to be brought under the revised rules when these were issued. The new rules have been applied to all who signed such declaration. In 1928 the Railway Board ordered that similar procedure should be followed by all the State-managed Railways. Certain offices did not actually introduce the practice until 1929.

#### NON-AVAILABILITY OF INTERMEDIATE CLASS PASSES BY MAIL TRAINS.

225. **Lala Rameshwar Prasad Bagla:** (a) Is it a fact that inter-class pass-holders are not allowed to travel in inter-class compartments in mail trains on foreign railways, while second class pass-holders can travel in any foreign line trains?

(b) Will Government please explain the policy underlying this discrimination, and do they propose to give the same facilities to inter-class pass-holders as are being given to second class pass-holders and to issue necessary instructions to all State Railways and Company-managed Railways to issue passes available by all mail trains, as is being done in the case of second class pass-holders? If not, why not?

**Mr. P. B. Rau:** (a) Over foreign railways, inter class passes are not available by mail, but second class passes are available when issued:

- (i) to staff drawing Rs. 400 per mensem or over;
- (ii) to staff drawing Rs. 126 per mensem but less than Rs. 400, when travelling 600 miles and over;
- (iii) on medical certificate.

(b) The restrictions in the availability of passes by certain trains are intended to prevent the limited accommodation available on these trains being taken up by pass-holders to the discomfort and inconvenience of the public. Government see no reason for interfering in the matter.

#### ENDORSEMENT OF PASSES OF OFFICERS AND CLERKS ON THE NORTH WESTERN RAILWAY.

226. **Lala Rameshwar Prasad Bagla:** (a) Is it a fact that the practice of endorsing the passes with ink by the officers on the North Western Railway has been stopped and for the clerical staff and outdoor-staff it still continues?

(b) If so, why has such a differential treatment been made?

(c) Are Government prepared to remove this differential treatment on the North Western Railway? If so, when? If not, why not?

**Mr. P. R. Rau:** (a), (b) and (c). The differentiation pointed out exists at present. The Agent, North Western Railway has been asked to consider the necessity for its retention.

#### REVISION OF THE SCALE OF PAY OF THE LOCAL ENGINEERING AND TRAFFIC SERVICE.

227. **Lala Rameshwar Prasad Bagla:** While revising the scale of pay of the Local Engineering and Traffic Service from Rs. 250—20—750 to Rs. 350—30—800 under the new Local Gazetted Service, will Government please state if they considered the present economy campaign? If not, why not?

**Mr. P. R. Rau:** The scale of pay for the Lower Gazetted Service was fixed before the need for retrenchment of expenditure on a large scale became apparent.

#### QUALIFICATIONS OF LADY STENOGRAPHERS AND TYPISTS ON THE NORTH-WESTERN RAILWAY.

228. **Lala Rameshwar Prasad Bagla:** Is it a fact that lady stenographers and lady typists are being recruited on the North Western Railway without any regard to their educational qualifications, while 3rd Division Matriculates are not entitled to the posts of stenographers and typists? If so, do Government propose to remove this racial discrimination or fix the same educational qualification for ladies as well as male candidates? If not, why not?

**Mr. P. R. Rau:** I have called for information from the Agent, North Western Railway and will lay a reply on the table in due course.

#### PAY OF LADY TYPISTS ON THE NORTH WESTERN RAILWAY.

229. **Lala Rameshwar Prasad Bagla:** Is it a fact that male typists on the North Western Railway are being appointed on Rs. 39 and lady typists on Rs. 68 per month? If so, do Government propose to bring lady typists also on the same scale as male typists? If so, when? If not, why not?

**Mr. P. R. Rau:** I have called for information from the Agent, North Western Railway and will lay a reply on the table in due course.

#### PROMOTION OF TYPISTS ON THE NORTH WESTERN RAILWAY.

230. **Lala Rameshwar Prasad Bagla:** (a) Is it a fact that on the North Western Railway orders have been issued that 3rd division matric and non-matric typists are not allowed to be transferred to other sections of the office?

(b) Is it a fact that a typist cannot rise to higher posts due to the number of posts being limited in lower grades?

(c) Is it a fact that non-matric and 3rd division men in other sections can rise and have risen to gazetted officers and Superintendents?

(d) If the facts mentioned in part (c) are correct, do Government propose to withdraw this order and remove the bar?

(e) Are Government prepared to increase the number of grades in the Copy Branch of the Headquarters Office, North Western Railway in the same proportion as in the other sections?

**Mr. P. R. Rau:** I have called for information from the Agent, North Western Railway and will lay a reply on the table in due course.

#### CASUAL LEAVE FOR OFFICERS AND CLERKS ON THE NORTH WESTERN RAILWAY.

231. **Lala Rameshwar Prasad Bagla:** (a) Will Government be pleased to state how many days casual leave an officer on the North Western Railway is entitled to take during the year?

(b) Is a member of the clerical staff also entitled to a similar privilege?

(c) How many days at a time can an officer take casual leave on the North Western Railway?

(d) Does a member of the clerical staff enjoy a similar privilege?

(e) Is any record kept of the casual leave taken by officers during a year? If no such record is kept in the case of officers will Government be pleased to state reasons for not doing so?

(f) Do Government propose to fix the casual leave for officers as is done in the case of clerks and other staff?

**Mr. P. R. Rau:** (a) to (d) and (f). Ordinarily casual leave is allowed on the North Western Railway up to 15 days in a calendar year and to 10 days at a time. These limits can, however, in exceptional cases be exceeded at the discretion of the authorities competent to grant casual leave. These principles apply to officers as well as to clerical staff.

(e) The answer is in the negative. The question whether a record should be maintained is under consideration.

#### RETRENCHMENT OF OFFICERS AND WORKMEN ON THE NORTH WESTERN RAILWAY.

232. **Lala Rameshwar Prasad Bagla:** (a) Is it a fact that heavy reduction in labour establishment, i.e., mistries, fitters and coolies and running trains has been made previously in Loco. Sheds on the North Western Railway?

(b) Is it a fact that due to this reduction the work has been much reduced?

(c) If the reply to (b) above is in the affirmative, will Government please place on the table a statement of Divisional Rolling Stock Officers, Assistant Rolling Stock Officers, Shed Foremen, Assistant Shed Foremen, Mechanical Boiler Inspectors, Loco. Inspectors, Fuel Inspectors, Divisional Boiler Makers, Boilermaker Chargemen, who have been brought under reduction due to the decrease in work in proportion to the reduction in the labour establishment, i.e., mistries, fitters and coolies and running trains? If not, why not?

(d) If the reply to the part (b) above is in the negative, has the work of men so retrenched been put on the shoulders of the other workmen at present employed? If so, why?

**Mr. P. B. Rau:** (a), (b) and (d). The strength of the classes of establishments referred to has been reduced owing to a reduction in the volume of work and to measures of reorganisation.

(c) I have called for information from the Agent, North Western Railway and will lay a statement on the table in due course.

#### RETRENCHMENT OF WORKS MANAGERS, ETC., OF THE LOCO. AND CARRIAGE SHOPS, NORTH WESTERN RAILWAY.

**233. Lala Rameshwar Prasad Bagla:** (a) Is it a fact that heavy reduction in the labour establishment, i.e., mistries, fitters and coolies, has been made previously in Loco. and Carriage Shops on the North Western Railway?

(b) Is it a fact that due to this reduction the work has been much reduced?

(c) If the reply to part (b) above is in the affirmative, will Government please place on the table a statement of Works Managers, Production Engineers, Assistant Production Engineers, Assistant Works Managers, Foremen, Assistant Foremen and Senior Chargemen who have been brought under reduction due to the decrease in work in proportion to the reduction in labour, work and hour? If not, why not?

(d) If the reply to part (b) above is in the negative, has the work of the men so retrenched been put on the shoulders of other workmen at present employed? If so, why?

**Mr. P. B. Rau:** (a), (b) and (d). The strength of the classes of establishments referred to has been reduced owing to a reduction in the volume of work and to measures of reorganisation.

(c) I have called for information from the Agent, North Western Railway and will lay a statement on the table in due course.

#### FAMILY PASS RULES ON THE NORTH WESTERN RAILWAY.

**234. Lala Rameshwar Prasad Bagla:** (a) Is it a fact that passes are being issued to North Western Railway employees for their widowed mothers also according to the definition of the "family" in the Pass Rules?

(b) Is it a fact that provision has already been made in the Pass Rules for the grant of passes to adopted sons on production of court certificates of their adoption and to step sons of the North Western Railway employees?

(c) Is it a fact that no passes are being issued to the adoptive widow-mothers of the North Western Railway employees?

(d) If the reply to parts (a), (b) and (c) is in the affirmative, will Government please state who is to be called the *mother*—the woman who has adopted one as her son or who has actually given birth to one—as far as the grant of passes on the North Western Railway is concerned? If the former, will Government please explain the reasons for refusing passes to them?

(e) Do Government propose to issue instructions to all concerned to issue passes for the adoptive widow-mothers of the Railway employees? If not, why not?

**Mr. P. E. Rau:** (a) and (b). Yes.

(c) Government have no information.

(d) and (e). The issue of passes to dependents of employees is governed by rules drawn up by each Railway Administration, and Government do not consider that their intervention in points of detail is called for.

#### PASS RULES ON RAILWAYS.

235. **Lala Rameshwar Prasad Bagla:** (a) Is it a fact that great difficulty is being experienced on all State and Company-managed Railways due to difference in Pass Rules?

(b) Is it a fact that a great many local rulings have been issued on the North Western Railway regarding issue of passes to its employees?

(c) If the reply to parts (a) and (b) above is in the affirmative, do Government propose to prepare uniform Pass Rules in concurrence with all State and Company-managed Railways like the New Universal Leave Rules and issue instructions to all concerned not to add their local rulings to the uniform Pass Rules? If not, why not?

**Mr. P. E. Rau:** (a) Government have no reason to think so.

(b) At present each railway has its own pass rules which it may alter or modify to suit local conditions.

(c) Government have under consideration the issue of uniform pass rules for State-managed Railways.

#### HEAD DRAFTSMAN, LOCO. HEADQUARTERS OFFICE, NORTH WESTERN RAILWAY.

236. **Lala Rameshwar Prasad Bagla:** (a) Is it a fact that the present Head Draftsman, Loco. Headquarters Office, North Western Railway, is a non-technical man?

(b) Is it a fact that he was previously a Tracer and then a Photographer in the Publicity Section of the Headquarters Office and has never worked on boards?

(c) If the reply to parts (a) and (b) above is in the affirmative, have Government considered the question of replacing him by one of the qualified A or B class Moghalpura College apprentices?

**Mr. P. E. Rau:** I am making enquiries from the Agent of the North Western Railway and will lay the information on the table of the House after his reply has been received.

#### PAUCITY OF HINDUS IN WORKSHOPS ON THE NORTH WESTERN RAILWAY.

237. **Lala Rameshwar Prasad Bagla:** (a) Will Government be pleased to place on the table a statement showing the total number of employees working in various Workshops, Loco Sheds and Train Examining Staff on the North Western Railway according to community and the grades and rates of pay held by them and also state the number of Hindus engaged in them in comparison with the Muhammadans for the last five years separately working on different posts such as Workmen, Mistry, Junior Chargemen, Chargemen and Assistant Foremen?

(b) Will Government be pleased to state the reason for such a small number of Hindus in the above shops and do Government propose to see their way to equalize the number of Hindus? If not, why not?

**Mr. P. B. Rau:** (a) Information is being collected by Mr. Hassan of the communal composition of the employees in the workshops of the State managed railways and a copy of his report on the subject will be laid on the table.

Government regret they cannot undertake to collect similar statistics for the locomotive sheds and train examining staff.

(b) Until the figures are collected Government are not in a position to say whether any special action is called for.

#### MEDICAL TREATMENT OF EMPLOYEES ON THE NORTH WESTERN RAILWAY.

238. **Lala Rameshwar Prasad Bagla:** (a) Is it a fact that subordinate employees of the North Western Railway are compelled to undergo the treatment of the Railway doctor during their illness whether the treatment agrees with them or not?

(b) If the reply to the above is in the affirmative, are Government prepared to issue instructions to amend or cancel these instructions and allow employees to undergo the treatment which agrees with them best whether it is allopathic or any indigenous method?

**Mr. P. B. Rau:** (a) No.

(b) Does not arise.

#### MEDICAL CERTIFICATES REQUIRED FROM NORTH WESTERN RAILWAY EMPLOYEES.

239. **Lala Rameshwar Prasad Bagla:** (a) Is it a fact that the Chief Medical Officer, North Western Railway, had issued orders for the North Western Railway employees to attend their headquarters dispensaries for necessary medical certificates of fitness after their recovery after illness?

(b) Is it a fact that the Medical Officers at out-stations can only issue admission certificates to Railway employees and cannot issue discharge certificates?

(c) Are Government aware that this system causes unnecessary trouble and expense to the North Western Railway employees other than officers who are exempt from this?

(d) If the reply to parts (a), (b) and (c) above is in the affirmative, do Government propose to cancel or amend this order or appoint reliable medical officers at other stations than headquarters so as to enable them to issue discharge certificates also? If not, why not?

**Mr. P. B. Rau:** (a) The answer is in the negative. It is at the discretion of Medical Officers to require the attendance at headquarters dispensaries of employees in particular instances, where the circumstances demand it, prior to the issue of discharge certificates.

(b) The answer is in the negative.

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

**REDUCTION OF THE PAY OF THE CHIEF ENGINEER, CONSTRUCTION, NORTH WESTERN RAILWAY, AND HIS STAFF.**

**240. Lala Rameshwar Prasad Bagla:** (a) Is it a fact that the construction work on the North Western Railway has been stopped due to financial stringency?

(b) Is it a fact that the office establishment has considerably been reduced?

(c) If the reply to parts (a) and (b) is in the affirmative, will Government explain the reason for not reducing the pay and cadre of the Chief Engineer Construction? Was this post only temporarily sanctioned for the new construction work? Do Government propose to abolish the post in question and those of the Office Superintendent, Head Clerks, etc., and to reduce the strength of the office to the same footing as it previously was at the time of Deputy Chief Engineer Construction?

**Mr. P. R. Rau:** (a) Yes, except for urgent Bridge renewals and the completion of works in hand.

(b) Yes.

(c) The post of Chief Engineer Construction and Survey is to be abolished with effect from the end of April. The question as to what supervisory posts in the subordinate establishment of the construction office should be abolished is a matter for decision by the Agent of the railway whose attention will be drawn to the Honourable Member's question.

**APPOINTMENT OF INDIANS AS FOREMEN, ETC., IN MILITARY WORKSHOPS, ETC.**

**241. Lala Rameshwar Prasad Bagla:** Is it a fact that all Mechanical Engineers, Foremen and Assistant Foremen in Military Workshops, Factories and Inspection Departments are Europeans or Anglo-Indians except in the Gun and Shell Factory, Cossipur, where there is one Indian employed as Assistant Works Manager? Do Government propose to stop further enrolment from among Europeans and Anglo-Indians in order to reserve sufficient numbers for Indians in the departments?

**Mr. G. M. Young:** There are at present two Indians holding gazetted appointments of Assistant Works Manager (under training) and Assistant Chemical Inspector, one in the Ordnance Factories and one in the Inspection Section.

There are one Indian Foreman and 12 Indian Assistant Foremen in the Ordnance Factories. There are no Indians at present in the Inspection Section and Arsenal workshops. There is no bar to the employment of qualified Indians in any of the above departments. Recruitment of candidates is now done through the Public Service Commission, and all qualified men are eligible for recruitment. The question of stopping further enrolment of Europeans and Anglo-Indians in order to reserve sufficient numbers for Indians in the departments does not therefore arise.

**PASSES ISSUED TO LADY EMPLOYEES ON RAILWAYS.**

**242. Lala Rameshwar Prasad Bagla:** Is it a fact that 2nd class passes are granted to the lady employees irrespective of their pay on the State

and Company-managed Railways? If so, why are not 2nd class passes issued to the ladies of male employees irrespective of their pay?

**Mr. P. R. Rau:** The pass rules of the State-managed Railways show that on some of these lines certain classes of lady employees are allowed second class passes irrespective of their pay. The class of pass admissible to an employee's family is determined by the class of pass admissible to the employee himself.

#### REFLOORING AND RELINING OF WALLS IN THE NORTH WESTERN RAILWAY HEADQUARTERS OFFICE.

243. **Lala Rameshwar Prasad Bagla:** Is it a fact that the work of reflooring and relining of walls has been done in the North Western Railway Headquarters Office, and that this work includes the use of card boards in relining the walls by removing tiles in good condition? If so, will Government be pleased to explain the necessity for incurring this expenditure on such work?

**Mr. P. R. Rau:** Government have no information, but think it unlikely that card boards would be used for the purpose.

#### B CLASS MACLAGAN ENGINEERING APPRENTICES ON THE NORTH WESTERN RAILWAY.

244. **Lala Rameshwar Prasad Bagla:** Is the scale of B Class MacLagan Engineering Apprentices on a level with the scales of Apprentice Permanent-Way Inspectors, Bridge Inspectors, and Signal and Interlocking Inspectors on the North Western Railway? If not, are Government prepared to bring it to the same level?

**Mr. P. R. Rau:** The reply to both parts of the question is in the negative.

#### APPOINTMENT OF INDIANS AS OFFICERS ON STATE RAILWAYS.

245. **Lala Rameshwar Prasad Bagla:** Is it a fact that the Foremen on all State Railways and especially on the North Western Railway are being promoted to officer's grade while formerly the latter were recruited from England? Is it their policy to stop Indianization on all State Railways? If so, why? Are Government prepared to see their way to filling the permanent posts of Assistant Rolling Stock Officers and Assistant Works Managers by Indians in future and not by Foremen?

**Mr. P. R. Rau:** Foremen are eligible for promotion to the lower gazetted service and also to the superior service. The number of vacancies in the superior service reserved to be filled by promotion of subordinates and officers of the lower gazetted service is limited to 15 per cent. of the total vacancies to be filled. These arrangements have been in force for some time and they do not operate to retard the progress of Indianization of the superior services and Government do not propose to alter them in the direction suggested by the Honourable Member.

**APPOINTMENT OF INDIANS AS SHOP FOREMEN, ETC.**

**246. Lala Rameshwar Prasad Bagla:** (a) Will Government please place on the table a statement giving the number of different communities working as Shop Foremen, Shop Assistant Foremen, Shed Foremen and Assistant Shed Foremen, Electricians, Divisional Electricians, Divisional Rolling Stock Inspectors, Mechanical Boiler Inspectors, Loco Inspectors and Fuel Inspectors on the North Western and other State Railways and explain why Indians are in such a minority?

(b) Are Government prepared to Indianize the North Western and other State Railways, and to fill the vacancies by Indians who have qualified themselves in B.Sc. (Mechanical and Electrical) in England or India in future? If not, why not?

**Mr. P. R. Rau:** (a) Government regret that they are not prepared to supplement with figures for individual classes of establishment the information in regard to communal representation given in the Annual Report by the Railway Board on Indian Railways.

(b) The declared policy of Government in the matter of Indianization of the Superior Services on State-managed Railways has been given full effect to in recent years and 75 per cent. of all vacancies have been filled by Indians. I would add that in view of the fact that the first batch of Special Class Apprentices of the Mechanical Engineering and Transportation (Power) Branches would not complete their training until 1933. Government made special arrangements as a temporary expedient to recruit a few Indian Officers to these Branches during the last 2 years.

**HIGHER GRADES IN ESTABLISHMENT BRANCHES OF HEADQUARTERS AND DIVISIONAL SUPERINTENDENTS' OFFICES ON THE NORTH WESTERN RAILWAY.**

**247. Lala Rameshwar Prasad Bagla:** (a) Is it a fact that the number of higher grades allotted to Establishment Branches of the Headquarters and Divisional Superintendents' offices, North Western Railway, is comparatively higher than that allotted to other Branches in the same offices?

(b) If the reply is in the affirmative will Government explain the reasons? Is there any difference in the qualifications of the staff employed in Establishment and other branches? Do Government propose to consider the question of allotment of a proportionate number of grades in branches of Headquarters and Divisional Superintendents' Offices?

(c) If the reply to part (a) is in the negative, will Government place on the table a statement showing the total number of staff and the total number of each class of grades allotted to each branch?

**Mr. P. R. Rau:** I have called for certain information from the Agent, North Western Railway and will lay a reply on the table in due course.

**PROMOTION OF CLERKS AT THE HEADQUARTERS OFFICE, NORTH WESTERN RAILWAY.**

**248. Lala Rameshwar Prasad Bagla:** Is it a fact that in the Establishment Branch of the Headquarters Office, North Western Railway there are clerks with a few years service at their credit, who are working in

higher grades and that clerks of their standing in other branches are blocked from five to seven years or so? If it is true, do Government propose to consider the cases of those blocked up in their grades in preference to the former?

**Mr. P. B. Rau:** I have called for certain information from the Agent, North Western Railway and will lay a reply on the table in due course.

**GRANT OF CONCESSIONS TO CLERKS OF NORTH WESTERN RAILWAY OFFICES FOR ATTENDING OFFICE ON SUNDAYS AND HOLIDAYS.**

**249. Lala Rameshwar Prasad Bagla:** Is it a fact that no compensatory casual leave or tonga hire is allowed to the clerical staff employed in the offices of the North Western Railway for attending offices on Sundays and other holidays? If so, do Government propose to issue orders on the subject to the North Western Railway authorities for the grant of the concessions? If not, why not? Is it a fact that such concession is allowed to the clerical and inferior staff employed in the offices of other State Railways, *vide* Railway Board's letter No. 6560-F., dated 17th July, 1930?

**Mr. P. B. Rau:** I am collecting certain information on the subject and will lay a reply on the table in due course.

**INCREASE OF HOURS OF CLERICAL ESTABLISHMENT ON STATE RAILWAYS.**

**250. Lala Rameshwar Prasad Bagla:** Is it a fact that the Railway authorities are going to increase the duty hours of the clerical establishment on the State Railways in order to reduce the number of clerical staff?

**Mr. P. B. Rau:** The Railway Board propose to discuss the matter with Agents of railways in April next.

**COMMUNAL INEQUALITIES IN THE NORTH-WEST FRONTIER PROVINCE.**

**251. Khan Bahadur Haji Wajihuddin:** With reference to the reply given by Government to unstarred question No. 236, asked on the 2nd March, 1931, by me, will Government be pleased to state if the review declared by Government to be still being made in regard to the effect of the orders of the 5th February, 1926, relating to communal inequalities, has now been completed and final conclusions arrived at?

**The Honourable Sir James Orerar:** The review has recently been completed but Government have not yet come to final conclusions as to what action, if any, is required.

**APPOINTMENT OF MUSLIMS AS COPYHOLDERS IN THE GOVERNMENT OF INDIA PRESS, NEW DELHI.**

**252. Kunwar Hajee Ismail Ali Khan:** Will Government be pleased to state how many posts of copyholders fell vacant in the Reading Branch of the Government of India Press, New Delhi, since 1928 and how many of them were filled with Muslims? If none, why not?

**The Honourable Sir Joseph Bhore:** I propose with your permission, Sir, to answer questions 252 to 258 together. Government have no reason to suppose that the procedure laid down in the Home Department Memorandum is not being observed in the presses. In applying this procedure

to the industrial staff, the Controller of Printing and Stationery has been instructed that the communal composition should be determined with reference to the aggregate strength of the press and that the procedure need not be applied individually to each class of appointment. Further the procedure is not applicable to promotions. For these reasons and because these appointments are matters of administrative detail for which the Controller is responsible, I cannot undertake to supply particulars of appointments to various grades made since 1927 or later. But I shall have inquiries made with a view to satisfying myself that the procedure laid down by Government for filling vacancies is being duly observed.

APPOINTMENT OF MUSLIM PEONS IN THE GOVERNMENT OF INDIA PRESS,  
NEW DELHI.

†253. **Kunwar Hajee Ismail Ali Khan:** Will Government be pleased to state the number of permanent posts of peons in the Government of India Press, New Delhi, and how many of them are Muslims? If there are no Muslims, what step do Government propose to take to make up the deficiency of Muslims?

APPOINTMENT OF MUSLIMS TO THE GOVERNMENT OF INDIA PRESS, NEW  
DELHI.

†254. **Kunwar Hajee Ismail Ali Khan:** Will Government be pleased to state how many posts in the scale of Rs. 80—4—140 were created in 1927 in the Government of India Press, New Delhi, and how many of them were filled with Muslims? If none, what step do Government propose to take to redress the communal inequalities in future?

REDRESS OF COMMUNAL INEQUALITIES IN THE GOVERNMENT OF INDIA  
PRESS, NEW DELHI.

†255. **Kunwar Hajee Ismail Ali Khan:** (a) Are Government aware that the Home Department Memo. No. F.1761/25-Ests., dated 5th February, 1926, regarding the reservation of one-third of all permanent vacancies for the redress of communal inequalities was not duly observed in filling up the vacancies in the Government of India Press, New Delhi?

(b) How many posts of the grade Rs. 80—4—140 fell vacant from 1929 to 1931 and how many of them were filled with Muslims? If none, why not?

APPOINTMENT OF A MUSLIM AS ACCOUNTANT AND CASHIER, GOVERNMENT  
OF INDIA PRESS, NEW DELHI.

†256. **Kunwar Hajee Ismail Ali Khan:** Will Government be pleased to state whether a post of Accountant and Cashier fell vacant in 1928 in the Government of India Press, New Delhi? Is it a fact that applications from qualified Muslim candidates were received? If so, why were their applications not considered favourably?

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†For answer of this question, see answer to unstarred question No. 252.

APPOINTMENT OF MUSLIMS IN THE GOVERNMENT OF INDIA PRESS, NEW DELHI.

†257. **Kunwar Hajee Ismail Ali Khan:** How many Muhammadans are there in the upper grade in the Government of India Press, New Delhi and what qualifications do they possess? Are they considered for officiating cases? If not, why not?

APPOINTMENT OF MUSLIMS IN THE GOVERNMENT OF INDIA PRESS, NEW DELHI.

†258. **Kunwar Hajee Ismail Ali Khan:** Will Government be pleased to state how many permanent vacancies in the upper and lower grades fell vacant in the clerical establishment of the Government of India Press, New Delhi, since 1928 and how many of them were filled up by Muslims? If none, why not?

GRIEVANCES OF MUSLIMS IN THE GOVERNMENT OF INDIA PRESS, NEW DELHI.

259. **Kunwar Hajee Ismail Ali Khan:** Are Government aware that great discontent has been prevailing among the Muslim employees of the Government of India Press, New Delhi, owing to the repressive policy of the administration against them? If the answer is in the affirmative, what remedy do Government propose to remove their grievances?

**The Honourable Sir Joseph Bore:** The answer to the first part is in the negative. The second part does not arise.

RETRENCHMENT IN THE MORADABAD ENGINEERING WORKSHOPS.

260. **Mr. N. M. Joshi:** (a) Will Government be pleased to state if it is a fact that 40 men have been retrenched from the Moradabad Engineering (East Indian Railway) Workshop with effect from 8th March 1932?

(b) Is it a fact that several of these men with a longer service have been retrenched while those much junior to them have been retained?

(c) Is it a fact that the wages of these men were demoted much before the notice of retrenchment was issued?

**Mr. P. B. Rau:** I have called for information from the Agent, East Indian Railway and will lay a reply on the table in due course.

NUMBER OF OFFICERS IN THE CIVIL ENGINEERING DEPARTMENT, EAST INDIAN RAILWAY.

261. **Mr. N. M. Joshi:** (a) What is the sanctioned number of officers in the Civil Engineering department of the East Indian Railway from 1st April 1932?

(b) What is the total number of engineers at present?

(c) Is it a fact that they are in large excess of the necessary number?

(d) If so, how is the excess to be utilised?

(e) Is it a fact that probationers are still being taken for the engineering service? If so, what is the need of enlisting them?

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†For answer to this question, see answer to unstarred question No. 252.

(f) Is it a fact that several engineers have been posted as traffic officers in excess of their number?

**Mr. P. R. Rau:** (a) The total number of posts in the sanctioned cadre of the Superior Service Civil Engineering Branch of the East Indian Railway is 76.

(b) 94.

(c) The excess is 18.

(d) and (f). Some are employed against administrative posts open to officers of all Branches of the Superior Railway Services and, as a temporary arrangement the remaining number in excess are utilized in vacant posts in the Lower Gazetted Service of the Engineering Branch and in other Branches of the Superior Services.

(e) Government have decided that for the present recruitment to the Indian Railway Service of Engineers (which includes the Superior Engineering Service of the East Indian Railway and of all the other State-managed Railways) should be severely restricted. This year only one such appointment was made.

#### NUMBER OF OFFICERS IN THE MECHANICAL ENGINEERING DEPARTMENT, EAST INDIAN RAILWAY.

262. **Mr. N. M. Joshi:** (a) What is the total sanction of officers in the Mechanical Engineering Department including Power, Rolling Stock and Electrical Branch for the next year on the East Indian Railway? What is their present permanent strength?

(b) Is there any excess of such officers? If so, how is it proposed to absorb them?

(c) If there is a shortage of these officers why are not surplus engineering officers transferred to this branch instead of recruiting probationers?

(d) How many officers of the above department will retire within the next three years?

**Mr. P. R. Rau:** (a) The total number of posts in the sanctioned cadre of the Superior Service, Mechanical Engineering and Transportation (Power) Branches and of the Electrical Branch of the East Indian Railway is 72. Against this number, 65 officers are employed.

(b) The answer to the first part is in the negative, the second part, therefore, does not arise.

(c) The Railway Board have issued orders to the Agent of the East Indian Railway to employ Civil Engineers temporarily against vacancies in these Branches provided they are qualified to discharge the duties attached to the vacant posts.

(d) The number of officers in the Superior Service, Mechanical Engineering and Transportation (Power) Branches and of the Electrical Branch of the East Indian Railway who will attain the age of superannuation within the next three years, is 8.

## EXCESS OF CIVIL ENGINEERS ON THE EAST INDIAN RAILWAY.

263. **Mr. N. M. Joshi:** (a) How many civil engineers were taken for temporary capital work on the East Indian Railway? How many of them have been discharged and how many remain still?

(b) Is there any work of construction now, and if not do Government propose to discharge all of them?

(c) Is it a fact that some of these engineers have been or are being provided against permanent vacancies instead of promoting subordinates to the extent of the full number fixed for their promotion?

(d) How many of the Civil Engineering officers are due to retire?

(e) Do Government propose to recommend Company Lines to take the officers in excess on the East Indian Railway?

**Mr. P. R. Rau:** (a) I have called for information from the Agent, East Indian Railway, as regards the number of Temporary Engineers engaged during the last five years and will lay a reply on the table in due course.

(b) and (c). A few Temporary Engineers will be retained on grounds of long service and good record. Temporary Engineers are considered for appointments in the Lower Gazetted Service. Funds for two projects which are nearing completion have been provided for during 1932-33.

(d) The number of officers in the Superior Engineering Branch of the East Indian Railway who will attain the age of superannuation this year is 2.

(e) No, as there is no excess on the East Indian Railway over the total sanctioned cadre of gazetted posts.

## PROMOTION OF SUBORDINATES IN THE CIVIL ENGINEERING AND TRAFFIC DEPARTMENTS, EAST INDIAN RAILWAY.

264. **Mr. N. M. Joshi:** (a) How many posts are allotted to subordinates in the Civil Engineering and the Traffic Departments respectively and how many are at present being held by them?

(b) How many subordinates officiating in each branch have been reverted from officers rank in the East Indian Railway during the current year?

(c) How many officers of superior grade have been posted in the places of such subordinates?

(d) How many of these reverted subordinates belong to the old East Indian Railway and Oudh and Rohilkund Railway staff respectively?

(e) How many subordinates of the old East Indian Railway and the old Oudh and Rohilkund Railway staff respectively holding officers' rank are Europeans, Anglo-Indians, Hindus and Muslims?

(f) When is it expected that these reverted subordinates will be promoted to the officer's rank again?

**Mr. P. R. Rau:** (a) The Honourable Member presumably refers to the Lower Gazetted Service. The sanctioned cadre of the Engineering and Transportation (Traffic) and Commercial Departments of the East Indian Railway Lower Gazetted Service is 19 and 24 respectively.

(b), (c), (d), (e) and (f). I have called for information from the Agent, East Indian Railway and will lay a reply on the table in due course.

**SUBORDINATES PROMOTED ON THE EAST INDIAN AND OUDH AND ROHILKUND RAILWAYS.**

**265. Mr. N. M. Joshi:** (a) How many subordinates in the East Indian Railway and the Oudh and Rohilkund Railway were holding officers' ranks before the amalgamation of the two Railways and how many are working in the officer's rank at present?

(b) Is the East Indian Railway number less and, if so, why?

**Mr. P. R. Rau:** I have called for information from the Agent, East Indian Railway, and will lay a reply on the table in due course.

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**MOTION FOR ADJOURNMENT.**

**ALLEGED MALTREATMENT OF WOMEN POLITICAL PRISONERS.**

**Mr. President:** Order, order. Honourable Members are aware that Sardar Sant Singh proposed to ask for leave to make a motion for the adjournment of the business of the House to-day for the purpose of discussing a definite matter of urgent public importance as follows:

“Maltreatment of the women political prisoners from Delhi Jail in the course of their transfer to mixed jails in the Punjab on the 18th March, 1932.”

I have to enquire whether any Honourable Member has any objection to this motion?

**The Honourable Sir James Crerar** (Home Member); Yes, Sir, I take objection to this motion. I understand that the Honourable Member is relying for his motion upon a Press report. I have enquired about the allegations of maltreatment made, and I have satisfied myself that they are entirely unjustified. I do not wish to make a long statement but, briefly, the position was this. In order to provide better accommodation for a certain number of women prisoners, arrangements were made for their transfer to another jail so as to relieve congestion in the Delhi jail. They offered violent resistance to their removal and had to be removed with some force. In the case of two or three who had to be removed, this was done entirely by Police women, who, I am told, behaved extremely well on the occasion. Now, Sir, these being the facts, I submit that the Honourable Member would have taken a more reasonable course if he had put down a question, if necessary a short notice question, which I should have been perfectly willing to answer. Even now, I am willing to answer a short notice question if the Honourable Member will put it in specific terms. That, I submit, is the more reasonable course for the Honourable Member to take. And I submit further that if we are to have motions for the adjournment of the House on mere rumours or on uncorroborated Press reports, the procedure of the House will be in grave danger of being seriously abused. On these grounds I object to the motion.

**Mr. President:** As objection has been taken, I would request those Honourable Members who are in favour of leave being granted to rise in their places. As no less than 25 Members have risen, I declare that leave is granted and that the motion will be taken up for discussion at 4 P.M. this afternoon.

### STATEMENTS LAID ON THE TABLE.

#### NUMBER OF POLITICAL PRISONERS DETAINED UNDER RECENT ORDINANCES.

*Complete reply to Mr. S. C. Mitra's starred question No. 111 regarding detention of persons in jail without trial.*

*The Honourable Sir James Crerar (Home Member):* The total number of persons detained in jail without trial on the 31st January, 1932 under the various Ordinances was 2,919.

#### APPOINTMENT OF CHIEF DRAFTSMAN ON THE NORTH WESTERN RAILWAY.

*Information to be laid on the table of the House by Mr. P. R. Rau in regard to questions Nos. 467, 468 and 469 asked by Bhai arma Nand on 22nd February, 1932.*

*Question No. 467.—(a)* Before indenting for the services of an Assistant Chief Draftsman to be recruited in England, the post was advertised in India, but none of those who applied were considered qualified to fill it.

(b), (c) and (d). The reply is in the affirmative.

(e) Mr. Stone holds the post substantively and therefore the question of confirming Mr. Keith Hitchens as Chief Draftsman does not arise for so long as the former is in service. When the post becomes permanently vacant, it will be filled by a suitable man already in service with due regard to merit and seniority irrespective of nationality.

*Question No. 468.—(a)* Mr. S. R. Woodmore was a "B" Class Apprentice Fitter and Erector from 5th April, 1923 to 4th April, 1928 and on completion of his course of apprenticeship was appointed as a Journeyman on 5th April, 1928 and promoted to the post of Senior Chargeman on 5th August, 1930.

(b) Mr. Woodmore is holding the post in an officiating capacity.

(c) There were only four "A" Class Apprentices in the service at the time Mr. Woodmore was appointed to officiate as Chief Draftsman.

One of these "A" class Apprentices has been promoted to a post of Assistant Works Manager and two were junior to Mr. Woodmore as apprentices and are now working as Senior Chargemen. The remaining apprentice was tried in the grade of a Foreman, found unsuitable and reverted as Senior Chargeman.

*Question No. 469.—(a), (b) and (c).* The reply is in the affirmative.

(d) It is not a fact that the only training received by Mr. S. R. Woodmore, officiating Chief Draftsman, was a course of drawing in the Production Office for a period of five months. He was a regular apprentice for a period of five years from 5th April, 1923 to 4th April, 1928, during which period he underwent practical training in the workshops and theoretical training in the MacLagan Engineering College Lahore.

(e) These appointments are ordinarily made from amongst staff in service and the claims of all suitable men are considered when making such appointments irrespective of the nationality or community to which they may belong.

#### NET EARNINGS OF CERTAIN NEWLY CONSTRUCTED RAILWAY LINES.

**The Honourable Sir George Rainy** (Member for Commerce and Railways): Sir, in fulfilment of an undertaking which I gave on the 19th February, 1930, during the general discussion on the Railway Budget, I lay on the table a statement, giving the information at present available as to the net earnings of certain newly constructed railway lines, during the financial year 1930-31, and a comparison of the return given by these earnings on the capital outlay with the return anticipated in the original estimates.

Statement showing net earnings during the financial year 1930-31 of new lines opened after 1st October 1927, throughout for traffic for a full year.

Serial No.	Name of project.	Working Railway.	Gauge.	Mileage.	Date of opening.	Net income creditable to the project for 1930-31.	Percentage return of income (column 7 on capital outlay).	Estimated percentage return of income on capital outlay some years after opening as estimated originally.	Remarks.
1	2	3	4	5	6	7	8	9	10
1	Chittagong-Nazirhat	A. B.	3' 3½"	22.97	17-3-30	Rs. 99,148	—1.38	8.50	
2	Feni-Belonia	"	"	16.88	1-12-29	14,463	—1.03	5.80	
3	Furkating-Badulipara, Jorhat	"	"	42.28	1-8-28	65,064	—1.99	7.00	
4	Karimganj Lungai Valley	"	"	39.45	1-1-29	63,343	—1.85	5.50	
5	Netrakona-Monanganj Extension	"	"	17.55	1-4-29	873	0.04	9.60	
6	Shahtaganj-Habiganj-Balla	"	"	25.29	1-12-29	4,166	0.19	6.47	
7	Sibsagar Road-Khowang	"	"	38.79	10-11-27	90,329	2.59	7.00	
8	Borivai-Vadtal	B.B.&C.I.	5' 6"	3.71	18-4-29	5,132	2.28*	8.00	
9	Jambusar Kavi	"	2' 6"	17.87	1-6-29	8,046	—1.01*	5.00	
10	Sanni Dahej	"	2' 6"	24.72	1-3-30	24,194	—2.63*	8.90	
11	Heho-Shwenyaung	Burma	3' 3½"	11.25	2-5-28	77,719	2.74	8.00	
12	Nyingyan-Natogyi-Ialetk	"	"	68.86	13-1-29	1,38,418	—1.94	5.50	
13	Nyaunglein-Madauk	"	"	11.06	15-8-29	8,596	—0.65	3.37	
14	Abdulpur-Nawabganj	E. B.	5' 6"	56.6	11-2-30	1,08,520	—1.76	6.20	
15	Baruijpur-Lakshmikanapur	"	"	23.26	15-12-28	35,600	—0.77	7.00	
16	Dinajpur Rubee	"	3' 3½"	47.80	8-5-28	12,357	—0.31	6.50	
17	Purnea Murliganj (with Branch from Bannarkhi to Behariganj)	"	"	59.13	1-10-29	26,411	0.76	6.50	
18	Chandpur-Bijnor-Muazzampur Narain	E. I.	5' 6"	37.00	5-1-30	354	—0.78*	6.10	
19	Agra-Bah.	G. I. P.	"	43.00	10-4-29	50,089	—1.74	6.30	

20	Cocanada-Kotipalli . . .	M. & S. M.	5' 6"	27.08	1-11-29 .	77,960	1.86	6.00	<p>†The line was sanctioned for construction on the assurance that a minimum output of 35,000 tons of manganese ore annually by the Sandur Mining Company would be enough to guarantee the railway against loss.</p> <p>‡Loss to the extent of Rs. 20,000 guaranteed by Local Government so as to obtain a return of 5.5 per cent. on capital outlay.</p> <p>§Includes Rs. 4,00,000 guaranteed by the Punjab Government against loss.</p> <p>  The line was considered unremunerative but the District Board of South Arcot who were interested in it, have expressed their willingness to guarantee the Government of India against loss, if any, arising out of the construction and working of the line.</p>
21	Guntur-Macherla . . .	"	3' 3½"	79.83	15-1-30 .	1,63,957	3.56	5.25	
22	Gudivada-Bhimavara . . .	"	"	40.60	17-9-28 .	89,605	2.20	6.61	
23	Nidadavolu-Narasapur . . .	"	5' 6"	47.16	3-2-29 .	2,63,938	3.83		
24	Kanniyahalli-Swaminahalli Extension . . .	"	3' 3½"	11.74	15-3-28 .	2,01,152	34.6	†	
25	Amritsar-Narowal . . .	N. W.	5' 6"	39.11	6-5-29 .	19,714	0.26*	5.50	
26	Jassar-Shakargarh-Clak Amru . . .	"	"	25.97	21-12-27 .	1,07,866	5.59	6.00	
27	Lyallpur-Jaranwala . . .	"	"	20.75	3-12-27 .	1,09,703	5.86	5.48	
28	Rohtak-Gohana-Panipat . . .	"	"	44.01	15-5-28 .	2,61,898	8.84	6.33	
29	Shehdara-Narowal . . .	"	"	48.33	21-12-26	(a) 1,00,174	2.79	4.84†	
30	Kangra Valley . . .	"	2' 6"	103.00	1-4-29 .	(a) 5,49,979	1.57	5.50§	
31	Cuddalore-Vridhdachalam . . .	S. I.	3' 3½"	35.59	21-6-28 .	(a) 18,840	0.72*		

\* Excluding the earnings of the existing lines from new traffic interchanged with the new railway.

(a) The figures do not include payments of amounts on account of guarantees payable by Local Government or District Board.

Statement showing net earnings during the financial year 1930-31 of new lines opened after 1st October 1927, throughout for traffic for a full year  
—contd.

Serial No.	Name of project.	Working Railway.	Gauge.	Mileage	Date of opening.	Net income creditable to the project for 1930-31.	Percentage return of income on capital (column 7 on capital outlay).	Estimated percentage return of income on capital outlay some years after opening as estimated originally.	Remarks.
1	2	3	4	5	6	7	8	9	10
32	Dindigul-Pollachi	S. I.	3' 3½"	75.10	19-11-28	Rs. 6,28,287	7.97*	9.44	†The estimated percentage return took into account a maximum payment of Rs. 41,000 to be made good by the Madras Government against loss.
33	Madura-Bodinaikanur	"	"	55.94	20-11-28	3,47,483	6.50*	8.73	
34	Salem-Mettur Dam	"	5' 6"	23.20	15-4-29	(a) 84,468	6.53*	4.75†	
35	Shoranoor-Nilambur	"	"	41.35	26-10-27	—1,25,387	—1.55*	4.00†	†The estimated percentage return took into account a maximum payment of Rs. 1,39,000 guaranteed by the Madras Government against loss.
36	Villupuram-Trichinopoly	"	3' 3½"	109.00	1-2-29	10,90,513	5.50*	6.50	

\* Excluding the earnings of the existing lines from new traffic interchanged with the new railway.  
(a) The figures do not include payments of amounts on account of guarantee payable by Local Government or District Board.

NUMBER OF CONVICTIONS UNDER THE ORDINANCES IN CONNECTION WITH THE CIVIL DISOBEDIENCE MOVEMENT.

**The Honourable Sir James Crerar** (Home Member): I lay on the table a statement which gives the information promised in reply to part (a) of starred question No. 102 asked by Rai Bahadur Sukhraj Rai on the 3rd February 1932, regarding the number of persons convicted under the Ordinances in connection with the civil disobedience movement..

*Statement of convictions up to the end of January 1932 under the Ordinances in connection with the present civil disobedience movement.*

Province.	Number.	Remarks.
Madras . . . . .	273	Approximate figures up to 27th January.
Bombay. . . . .	600	
Bengal . . . . .	814	
United Provinces . . . . .	1,321	
Punjab . . . . .	115	
Burma . . . . .	<i>Nil.</i>	
Bihar and Orissa . . . . .	495	
Central Provinces . . . . .	138	
Assam . . . . .	16	
North-West Frontier Province . . . . .	16	
Delhi . . . . .	38	
Coorg . . . . .	<i>Nil.</i>	
Ajmer-Merwara . . . . .	<i>Nil.</i>	
Total . . . . .	3,826	

ALLEGED RESTRICTIONS ON THE PRESS IN BENGAL.

**The Honourable Sir James Crerar:** I lay on the table a complete reply to Mr. S. C. Mitra's starred question No. 562 regarding alleged restrictions on the Press in Bengal.

(a) (i) I understand that some Local Governments have warned newspapers that the publication of matter intended or likely to further the civil disobedience movement might expose them to penalties. It is not unlikely that some difference in treatment arises from difference in local conditions.

(ii) I do not know whether Pundit Malaviya's letter was published in the newspapers of all provinces; so far as Bengal is concerned extracts from the letter appeared in most of the papers.

(iii) It is not correct that any restrictions are placed on such reports in Bengal.

(iv) In Bengal, newspapers have been warned to be careful in regard to the publication of statements by accused persons aiming directly at the furtherance of the civil disobedience or terrorist movements.

(v) I have no reason to believe that this is the case. The only instance of excision from such reports in Bengal was a dozen words in one sentence contained in a telegram.

(vi) A letter from these two bodies addressed to the Governor of Bengal was withheld from publication as the local Government considered that it was obviously intended to be used as propaganda for the civil disobedience movement.

(b) The action of Local Governments in different provinces must to a certain extent be dictated by local circumstances. I have not yet seen anything which renders the issue of general instructions necessary or desirable.

SIKH REPRESENTATION IN REGARD TO RETRENCHMENT IN THE ARMY AUDIT OFFICE.

*Reply to starred question No. 740.*

*The Honourable Sir George Schuster:* Yes. A representation was received from the President, Shri Gurusingh Sabha, Lyallpur. No action was necessary on this representation, as under the instructions issued by the Government of India in connection with the retrenchment of personnel, no member of the Sikh community became liable to discharge from these establishments.

DISPOSAL OF INCOME-TAX APPLICATIONS IN SIND.

*Information promised in reply to starred question No. 652 asked by Mr. Lalchand Navalrai on the 7th March, 1932 regarding the number of cases in which application for reference to High Court under Section 66 (2) of the Indian Income-tax Act were refused in the Income-tax Department, Sind.*

*The Honourable Sir George Schuster:* I regret that I cannot undertake to supply the information asked for by the Honourable Member. Separate figures are not available for Sind and, while the number of Sind cases must be very trifling, their extraction from the records of the whole Presidency would involve searching through hundreds and hundreds of revision petitions. With staff reduced by retrenchment this would be an impossible task. I will only add that the latter part of the Honourable Member's question seems to involve a misconception. No application for a reference to the High Court can have been rejected on the ground that the court of the Judicial Commissioner, Sind, was not a High Court within the meaning of Section 66 of the Act. The Commissioner of Income-tax has never held the view that there was no High Court to which assesseees in Sind could claim a reference, and consequently if he had held that the court of the Judicial Commissioner, Sind, was not a High Court, it would have followed that an assessee in Sind could claim a reference to the High Court of Bombay.

RETURN OF FEES DEPOSITED BY APPLICANTS UNDER THE INDIAN INCOME-TAX ACT.

*Information promised in reply to starred question No. 656 asked by Mr. Lalchand Navalrai on the 7th March, 1932, regarding refund of fees deposited under Section 66 (2) of the Indian Income-tax Act, 1922.*

*The Honourable Sir George Schuster:* (a) The Honourable Member's question as worded appears to betray a misconception of the position. The refund of fees paid under Section 66 (2) of the Indian Income-tax Act, 1922, is governed by the proviso to that Section and not by the intentions of the Government of India. Under that section a fee can only be refunded if the applicant withdraws his application after the Commissioner has decided the question of law raised in the application and not otherwise. The fee cannot legally be refunded when an applicant withdraws his application simply because the Commissioner of Income-tax has declined to make a reference to the High Court. If however the intention of the Honourable Member's question was to ascertain whether Government have any intention of getting the present law altered I may inform him that we propose, when a suitable opportunity arises, to introduce a Bill to amend *inter alia* the proviso to section 66 (2) so as to entitle an assessee to the refund of the fee, that he has to pay with his application for a reference to the High Court, if the application is rejected on the ground that no point of law arises.

(b) This is no doubt a fact, and the procedure of the Commissioner of Income-tax was in accordance with the law.

(c) I regret that I cannot undertake to collect the information asked for.

(d) No, because, as already explained, the action of the Commissioner of Income-tax, Bombay, was in accordance with the law.

THE HINDU MARRIAGES DISSOLUTION BILL.

PRESENTATION OF THE REPORT OF THE COMMITTEE ON PUBLIC PETITIONS.

**Mr. Arthur Moore:** Sir, I present the Report of the Committee on Petitions on certain petitions relating to the Hindu Marriages Dissolution Bill.

THE HINDU UNTOUCHABLE CASTES (REMOVAL OF  
DISABILITIES) BILL.

PRESENTATION OF THE REPORT OF THE COMMITTEE ON PUBLIC PETITIONS.

**Mr. Arthur Moore:** Sir, I present the Report of the Committee on Petitions on certain petitions relating to the Hindu Untouchable Castes (Removal of Disabilities) Bill.

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ELECTION OF MEMBERS TO THE STANDING FINANCE  
COMMITTEE.

**Mr. President:** Honourable Members will now proceed to elect Members not exceeding fourteen in number to the Standing Finance Committee for the financial year 1932-33. There are 23 candidates whose names are printed on the ballot papers which will now be supplied to Honourable Members in the order in which I call them.

(The ballot was then taken.)

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ELECTION OF MEMBERS TO THE STANDING COMMITTEE ON  
EMIGRATION.

**Mr. President:** Honourable Members will now proceed to elect eight non-official Members to sit on the Standing Committee on Emigration. There are nine candidates whose names are printed on the ballot papers which will now be supplied to Honourable Members in the order in which I call them.

(The ballot was then taken.)

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THE ANCIENT MONUMENTS PRESERVATION (AMENDMENT)  
BILL.

**Sir Frank Noyce** (Secretary, Department of Education, Health and Lands): Sir, I move that Sir Cowasji Jehangir be appointed to the Select Committee on the Bill to amend the Ancient Monuments Preservation Act, 1904, for certain purposes.

The motion was adopted.

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THE INDIAN MEDICAL COUNCIL BILL.

**Sir Frank Noyce** (Secretary, Department of Education, Health and Lands): Sir, I move for leave to introduce a Bill to establish a Medical Council in India and to provide for the maintenance of a British Indian

[Sir Frank Noyce.]

Medical Register. The objects of this Bill are so clearly set forth in the Statement of Objects and Reasons and also in the very detailed notes on the clauses, which I venture to commend to the special consideration of this House, that it is unnecessary for me to say more at this stage than that this measure is one which has undoubtedly aroused a great deal of interest and some controversy. I am certain that much of that controversy is based on a misconception of its exact aim and scope and I trust that in the course of the debates on the Bill, it will be possible to remove it. Sir, I move.

**Mr. C. C. Biswas** (Calcutta: Non-Muhammadan Urban): May I ask the Honourable the Mover one thing? I do not propose to go into the explanations . . . . .

**Mr. President:** This is not the stage for doing so.

**Mr. C. C. Biswas:** I should like to ask how far Government had given effect to the recommendations of the Conference which was held at Simla in 1930. I believe a conference was summoned by Government in Simla in 1930 . . . . .

**Mr. President** (The Honourable Sir Ibrahim Rahimtoola): This is the introduction stage; the discussion will take place in due course when the Bill comes up for consideration or for reference to Select Committee.

The question is:

“That leave be granted to introduce a Bill to establish a Medical Council in India and to provide for the maintenance of a British Indian Medical Register.”

The motion was adopted.

**Sir Frank Noyce:** Sir, I introduce the Bill.

#### THE SALT ADDITIONAL IMPORT DUTY (EXTENDING) BILL.

**The Honourable Sir George Schuster** (Finance Member): Sir, I move that the Bill to extend the operation of the Salt (Additional Import Duty) Act, 1931, be taken into consideration.

Those Honourable Members who have had time to study the second Report of the Salt Industry Committee of this Assembly will, I think, find no difficulty in understanding the course of action which we are putting before the House in this Bill, but it would be as well if I recall very shortly what are the salient facts in the position. The House will recollect that as a result of a continuous expression of public opinion, the Government decided to appoint a Tariff Board Inquiry into the salt industry with a view to seeing whether India could be made self-supporting as regards the production of salt. The Tariff Board reported that that object could be achieved. What was required for that purpose was that Indian sources should be developed for the supply of about 500,000 tons of fine white crushed salt which had hitherto been imported from foreign sources into Calcutta. The Tariff Board recommended that in order to ensure the development of Indian industry, what was above

all things required was the assurance of stability of prices at a fair level, and they further reported that if stability could be assured at what they considered to be a fair level, which was Rs. 66 a hundred maunds on ship at Calcutta, if that price could be secured over a period of years. in the long run the consumer would be better off than he had been in the past. The Board in order to achieve their object recommended that the Government should step in and control all supplies of imported salt and eventually should set up a non-Governmental Marketing Board. Government felt some difficulty accepting that proposal because they realised that there would be very great practical difficulties in putting it into operation, and as in the whole matter our attitude had been one of endeavouring to meet the wishes of this Assembly, we adopted the somewhat unusual course of proposing that a Committee of this Assembly composed of non-official Members should study the Tariff Board's Report and recommend how best the objects which we and the Tariff Board were aiming at could be put into operation. The Committee recommended a much simpler scheme. They felt that, at any rate to start with, the most practical way of achieving the desired object was to impose a special import duty on a foreign salt, a duty so fixed that, taking the current market price, those producers who would be protected by the duty could rely on what the Tariff Board regarded as a fair selling price, that is to say Rs. 66 a hundred maunds. Therefore, in order to secure that, they recommended an import duty of  $4\frac{1}{2}$  annas per maund. But that was not the whole of their recommendation, and I want to put to the House that this must not be regarded as an ordinary scheme of protection. There was a special feature in the plan. Coupled with the protection given by the import duty to Indian sources of supply was a provision that the Government should have the right to buy the whole production of those sources that got the advantage of that protection at the Tariff Board's fair selling price of Rs. 66 a hundred maunds. Therefore, the result would be that on the one hand in the absence of foreign competition at levels which had hitherto not been attained, in the absence of foreign competition which would have pushed the basic price down below the average that had been prevailing for the last year, those producers could rely on getting Rs. 66 a hundred maunds, but if they tried to put prices up above that and to profiteer at the expense of the consumer, the Government could come in and take over the whole supplies at that level. The House approved of those proposals and passed the Salt Import Duty Act last year to take effect only for one year so that we might have the opportunity of seeing how it worked in practice.

We can now review the results of the past twelve months, and I think we may claim that the scheme has been entirely successful in achieving its object. First as regards price, the immediate result of the imposition of the duty was to put up the price of that quality of imported salt at Calcutta from the prevailing level of about Rs. 40 a hundred maunds to Rs. 62 a hundred maunds. It stayed at Rs. 62 for a short period, and then it gradually crept up to Rs. 66, a level which it reached in October, where it has remained steady ever since. We can, therefore, say that we have achieved the result of stabilising the prices for that quality of salt at what the Tariff Board regarded as a fair selling price, and that thus far the object has been achieved. On the other hand, results show that the object of encouraging Indian

[Sir George Schuster.]

producers has also been achieved to a very remarkable extent. I can give the House some figures. In the first nine months of the current financial year, compared with the corresponding period in the previous year, clearances of foreign salt for consumption in the Bengal ports of Calcutta and Chittagong fell from 80 lakhs of maunds to 24 lakhs of maunds, while clearances of Indian salt,—and Indian salt for this purpose includes Aden salt,—rose from under 41 lakhs of maunds to just under 80 lakhs of maunds, that is to say, Indian salt production doubled while foreign salt clearances fell to a little over a quarter of what they had been for the same period in the preceding year.

I want now to turn to what is perhaps the most difficult feature in the situation, and in order to do so, I will further analyse the figures for the imports of Indian salt. Indian salt, as I just explained to the House, includes for the present purposes salt produced at Aden, and the House will recollect that the Tariff Board recommended that Aden should be treated as part of India for this purpose. Now, if we analyse the total clearances of 79½ lakhs of maunds at the Bengal ports for the first nine months of the current financial year, we find that out of those 79½ lakhs of maunds, 65½ lakhs of maunds came from Aden, and that the Aden production went up last year as compared with the preceding year from 32½ lakhs to 65½ lakhs of maunds, that is to say, it more than doubled, while the production from other Indian sources from Karachi, Bombay, Tuticorin, Okha and Navalakhi went up from 8½ lakhs of maunds to just over 14 lakhs, that is to say, Aden salt more than doubled, it went up by over a hundred per cent. while other Indian sources increased by about 75 per cent. Those are the results of the working for the past year, and the question now is what we ought to do. In accordance with the recommendation of the Assembly Committee on salt, the Committee remained in existence, and the Government referred the whole matter to them when they were able to prepare the Report on the working of the first nine months. The first thing that the Salt Committee had to do was to consider whether the time had come to alter the general plan, that is to say, whether the Government could now consider setting up a Marketing Board on the lines recommended by the Tariff Board. We had in the meanwhile consulted Provincial Governments on that question, and they were all very much against it. They saw very great difficulties in operating it and regarded the advantages to be obtained as not worth the risks. The Assembly Committee were impressed by these opinions and decided that the time had not yet come to adopt the Tariff Board's Marketing Board scheme. We therefore fell back on the idea of continuing the present scheme of *quasi*-protection. The Committee fully recognised that, if the objects of a scheme of that kind were to be achieved, some security must be given to producers. They can hardly be expected to develop their business unless they can look forward to the future with a certain amount of assurance. It would therefore have been the desire of the Committee, on the results of the year's experience, to recommend the adoption of a scheme for a period of years which would have given the producers that measure of assurance which they desired; but on the other hand, the Committee felt that they were faced with a very great practical difficulty. And the practical difficulty is this. From the figures which I have given, it is quite clear that the producers who have been

mainly benefited are the Aden producers, and the Committee felt, and we in the Government felt also, that there was a considerable danger that, if this scheme went on in its present form, Aden production might expand to such an extent that the sources of production on the mainland of India might be crushed out of existence. That I put to the House would be a result which is precisely contrary to what Honourable Members here intended, and precisely contrary to the recommendations of the Tariff Board. The Tariff Board, if I might put their recommendations in a brief and summary fashion, took the following line, that if we were considering the interests of India, salt production could be divided into three classes. The class of production which would be of the greatest benefit to India would be production from inland sources of supply. That would, first of all, give a fairly substantial measure of employment to labour; it would give substantial freights to Government railways; and above all, it would give India a source of supply on which she could rely in case of war. I would remind the House that one of the reasons why Indian opinion came to feel so strongly about making India self-supporting as regards salt was the difficulty of obtaining supplies during the last Great War. For that purpose, obviously you would have to develop inland sources of supply. The Tariff Board then considered what were the advantages of developing the sources on the sea-coast of India, and they came to the conclusion that, although it might be of some benefit to India, from the economic point of view the benefit was not very great. There would not be very much employment for labour, and as regards security in time of war, as salt from Karachi or Okha has to be brought round to Calcutta by sea, the risk of interference with that trade would be almost as great as the risk of imports from the Red Sea ports. The Committee of the Legislative Assembly also felt the same about that, but they did point out that as regards those sources on the sea-coast of India, there was at least this advantage that, although transport by rail might not be the most economical method of bringing salt from Karachi to Calcutta, still it would be possible, and therefore in time of war those sources of supply would have some advantage over the Red Sea ports.

That, then, is the second class of Indian production, and under the third class the Tariff Board and we on the Assembly Committee would have put Aden. Aden in a sense represents India. Indian interests have developed to a large extent the salt production of Aden, and the Government of India derive income-tax from the profits of Aden producers. But looking at it from a broad point of view, it cannot be said that the advantages of developing Aden production are quite as great to India as the advantages of developing the sources of production on the mainland of India. That is the way in which we looked at the matter, and we naturally then came to the conclusion that, if the result of the scheme was to develop Aden at the expense of the sources of supply on the mainland of India, that would be failing to achieve the objects which we understood the House would have approved. Having arrived at that conclusion, it is not at all easy to see how best effect can be given to it. On the one hand we must, and I am sure all Members of the House will agree with me in this—we must be fair to Aden. Aden is part of India, and as I have reminded the House, there are Indian interests and taxpayers to the Indian exchequer there. We must be fair to Aden not only because they belong to India, but also because they have helped

[Sir George Schuster.]

us considerably in the past year by developing their sources of production to achieve the object which we had in mind. But looking to the future, supposing—let me put it in this way—supposing the total production which we require is 500,000 tons, and supposing the Indian sources of supply on the mainland of India are capable of being developed to the extent of 300,000 tons per annum, we could not allow Aden to secure a position in which they would take, say 450,000 out of the 500,000 tons for which there is a market. Looking at the matter in that way, we on the Committee felt that we might eventually have to come to some scheme for allotting quotas to the various sources of Indian supply. They might then work on the assured basis of an allotted quota and with an assured selling figure. That we feel is the line which has got to be examined in the future, but that, again, is obviously not an easy line to examine, because in the present period when the sources of supply on the mainland of India are still in their infancy, and when Aden is fully developed, Aden obviously can get a bigger share than she ought to get in 5 or 10 years' time, and therefore the quotas will have to be varying quotas. Aden would have to have a steadily declining quota as the sources on the mainland of India developed. In all these circumstances, we thought that the best plan would be to recommend an extension of the Act putting an import duty on foreign salt—to recommend its extension for one year and to put it to the House that during that year we in the Government would call a conference of producers and endeavour to arrive at a fair, reasonable and practicable arrangement. We feel it much better to be frank with these producers, to tell them exactly what the position is and to ask for their co-operation in working together for the object which the Indian Legislature will support. We believe in that way, although doubtless Aden would not get all that they might ask for—in that way it would be possible to devise a scheme which will put Aden in a reasonable position and secure the co-operation of the Aden producers during the intervening period when we need their supplies because the supplies on the mainland of India will not be fully developed.

That, Sir, I think sufficiently clearly puts the position before the House. There is only one other point to which I would refer in conclusion. Our attention on the Salt Committee was called to the fact that certain of the factors on which the Tariff Board had based their estimate of what was a fair selling price, had materially changed in the last 18 months. The freight from Aden, for example, we were informed, had dropped something like Rs. 10 per hundred maunds. Some of the members of the Committee therefore felt that the time had come to revise that price of Rs. 66 per hundred maunds. They felt that Aden was getting too big an advantage out of the present arrangement. But after full discussion the general feeling on the Committee was that it was too early yet to attempt to revise that price. After all in cases of this kind where Tariff Board inquiries are set up, one has to rely on the findings of that Board. They go into the matter very carefully, and although we know that certain factors must fluctuate from year to year, if we are trying to carry out a policy of this kind, I would put it to the House that it is impossible to attempt to follow up all those factors from year to year and vary the price too frequently. Therefore we recommended to the House that this matter should be studied together with the other matter

which I have mentioned in the coming twelve months but for the present that we should make no change in the level of the import duty. Sir, I move.

**Mr. B. Das** (Orissa Division: Non-Muhammadian): This is the first occasion on which I not only bless a Bill which has been introduced by the Honourable the Finance Member, but entirely endorse every word that he has spoken. It is seldom that we agree with the Treasury Benches, but this is one of those supremely felicitous occasions when the Finance Member has understood the spirit in the country and has agreed to protect the salt industry. Sir, in some future years if I am to write the history of different Finance Members, when I write of the period of Sir George Schuster, I will say that he conferred one great benefit on India and that was to protect the salt industry of India. He has tried his level best to make India self-supporting as regards her salt production. We have heard from previous Finance Members that it was a sentiment with us to demand the protection of salt, and also to ask for a differential duty on foreign salts, so that India could be again self-supporting as regards her salt requirements. The present Finance Member agreed with that demand of this side of the House and introduced a measure last year when protection was given to the salt industry for one year. This measure again has been brought before us asking this House to continue the protection for another year. Now the proviso contained in paragraph 4 of the second report of the Assembly Salt Committee is this—that the protection is to be assured for an adequate period. So it means that by agreeing for the second year to protection for the salt industry, we agree to protection of the salt industry for an adequate period, so that India shall be self-supporting in its requirement of salt.

Sir, I must point out, as I have pointed out in the past, whenever the country demands protection, a certain set of exploiters, known as Managing Agents, who are themselves not capitalists but who exploit the capitalists' money and the investors' money, bring up certain representations to the Government which are contrary to the policy of all schemes of protection. I was surprised that the Indian Salt Association of Bombay should have the cheek to ask the Government to abandon the contemplated development of salt from inland sources. There are half a dozen manufacturers in Aden and in Bombay and these people in order to make money for themselves want that there should be no salt manufacture in Orissa, Madras, Bengal or from the Central sources in Khewra and Sambhar, and which was an essential part of the recommendation of the Tariff Board. If there are any representatives of those capitalists on the Bombay side in this House, I ask them to particularly read this representation which has been circulated to every Member of the House and also circulated to members of the Salt Committee through the Government. It is these people who, with their inordinate zeal to exploit, want to exploit the masses of the country, so that they may get higher dividends. I found this particular memoranda of the Indian Salt Manufacturers' Association had been signed by Mr. Kapilram Vakil, Honourary Secretary of the Salt Association. I cannot understand how the Committee of that Association has subscribed to this principle. The same representation has come from the Karachi salt manufacturers. They also say that the contemplated development of inland sources be abandoned. Once or twice I

[Mr. B. Das.]

have stated on the floor of the House that the greed of the Bombay capitalists is beyond all limit; it is boundless; and these men in Okha, Karachi and Bombay want to supply the whole of India and make all the money they can and the Honourable the Finance Member has already narrated what would happen in case of war and how a salt famine would occur. Everybody knows the high railway freights on salt from Karachi to Bengal, and in time of war one cannon shot will put all the salt carried on steamships into the bottom of the sea. I particularly refer to this, so that my Honourable friend Mr. Mody will take note of it. My friend Mr. Mody knows that the interest of all parts of India is the same, that India wants to be self-supporting, that Indian industries should be supported, and protected, but when one becomes a bloated capitalist, one forgets all the decencies of life and makes such statements that no civilised human being can make and the Bombay Salt Association has made it. (Interruption by Mr. Mody.) When I make these observations, I want to give a warning not only to the salt producers in Bombay and Aden, but also to all those future industries and industrialists who want to come before this House for protection. Sir, let them not think of themselves: let them think of the country as a whole.

1 P.M. Sir, my Honourable friend, the Finance Member, pointed out that Aden, under the Sea-customs Act, is not a part of India, but for all administrative purposes it is part of India. Sir, in the Select Committee it came as a surprise to most of us to discover that Aden is not part of India and that it is a free port, and naturally we began to wonder whether it would be wise to give protection to certain industries operating there, with the result that they might prove strong rivals to salt production from indigenous sources, such as the Government sources in Khewra, Bengal, Orissa and Madras and also private sources. Therefore the recommendation as the Honourable the Finance Member read it out, was made that there should be a salt quota, and that the Aden quota of salt for Indian consumption should be restricted. Personally I entirely agree with that. I think India cannot at present manufacture all the salt that will be required, but in five or six years, if the Government of India themselves become active and develop their salt sources in Khewra in Rajputana and apply pressure and force on the Provincial Governments to develop their internal sources of salt, then India will not have to remain indebted to Aden at all. Now, what are the sources of supply at Aden? The largest source of supply is an Italian company, and that company has no Indian directors. I do not know if it even pays proper income-tax to the Government of India. Sir, in para. 14 of the second report we have recommended this:

“ Finally, it should be stated that some of our members are very anxious that in view of the great benefits received by the Aden manufacturers from the policy adopted last year, steps should be taken by the Aden Salt Works on the lines indicated in paragraph 103 of the Tariff Board Report to have the concern transferred to a rupee company with a suitable proportion of Indian directors. We understand that the Government will communicate to the proprietors this expression of opinion.”

Sir, of course this was a unanimous report which some of us did not like; I find my friend Mr. Morgan afterwards wrote a minute of dissent; but I did not like that this pious communication from the Government of India should only be addressed to the proprietors of that particular firm.

It is time the Government should legislate so that it can compel alien firms like this Italian firm, who are growing fat at India's cost, to convert their concerns into rupee capital concerns and to take in a sufficient number of Indian directors. Not only that, Sir, but Government should I think see that such business houses do not evade all the income and other taxes that any other firm manufacturing in India is liable for. How this can be managed it is for the Government to devise. During the last 4 or 5 years when protective measures have been discussed, this side of the House has every time insisted on the Government that it was high time that they should legislate so that this recommendation contained in paragraph 14 should become operative by legislative enactment.

Sir, when last year this House gave sanction to the protection of the salt industry for one year, the Honourable the Finance Member brought forward a Resolution whereby one-eighth of the funds collected by the additional import duty should go to the Government of India for the purpose of developing the Central Government's salt sources, the remaining money being distributed on a consumption basis to the provinces that were importing foreign salt, and a Resolution was passed which recommended that those provinces should spend that money for the purpose of developing their salt sources. This Resolution was moved on the 1st April 1931. None of us thought when the Honourable the Finance Member moved the Resolution that it would be regarded by the Provincial Governments as a mere recommendation. Sir, we know that when we non-officials pass a Resolution, it has the force of a recommendation only to the Government of India and does not become binding. But at that time, none of us foresaw that there was a loophole whereby a Resolution moved by the Government of India themselves through the Honourable the Finance Member would not become binding on the Provincial Governments. What do we find? We find in the Report by the Central Board of Revenue on the working of the additional import duty on salt, on page 7, para. 27, a summary of the action taken by the Provincial Governments which runs thus:

**"In its Resolution dated 1st April 1931 the Legislative Assembly suggested"**

—Sir, we thought at the time that the Government Resolution gave a mandate or rather an order to the Provincial Governments how to spend that money, but from the Report as it comes from the Central Board of Revenue we find that its tone has gone down, that it was "suggested"—

**"that the attention of the Local Government receiving a portion of the above duty should be drawn to the desirability of applying this revenue in part to the development of salt production where such development was economically feasible in any province. The matter has been referred to the Governments concerned. Up to date all Governments except that of Burma have replied. Bengal and Assam do not propose to devote attention to the object mentioned since there is no salt industry to develop, and no scheme that is economically feasible for the production of marketable salt in Bengal has been produced."**

Sir, I am not here standing as a champion of Bengal. When my friend, Mr. S. C. Mitra, and my friend, Mr. K. C. Neogy, rise, they will say how this reply of the Bengal Government is absolutely false. Sir, there was a time when Bengal was manufacturing all its salt requirements and producing its own salt. A reference to the Assembly debates in the past will show that Mr. Neogy, Mr. Mitra and others have brought out the true facts of the situation, how since the import of Cheshire salt in 1823:

[Mr. B. Das.]

and thereafter, Bengal salt sources in Hijli, the Sunderbans and Chittagong were all restricted in their system of manufacture and were allowed to die a natural death. Sir, the Government of Bengal's primary function is to develop these industrial concerns, but they write point blank that "No scheme that is economically feasible for the production of marketable salt has been produced". Sir, I have seen reports saying that the Bay of Bengal gets too much fresh water through the Ganges and her estuaries so the sea-water has become less saline. (Laughter.) I do not know that during the last 150 years the climatic condition of India has changed and that the Bay of Bengal has become less saline. How is it that it was not less saline in 1823 and before, when salt was manufactured by the Government of Bengal and the Government of India up to 1853 in Hijli and also in Orissa? I will come to the case of my own province, Orissa, later on :

"The amount due to Madras is negligible. The Government of the United Provinces agree to apply their share to development of salt production in that province and are considering measures of development, the cost of which must be strictly limited to their share of the yield as it is impossible to allow any part of the cost to go against ordinary provincial resources."

Sir, I take my hat off to the United Provinces :

"The Bombay Government are still making enquiries as to the necessity and feasibility of economically developing salt production in the Presidency, while the Bihar and Orissa have deferred the formulation of proposals till Mr. Pitt's recommendations on the potentialities of Orissa are known to them and Mr. Pitt has communicated his views on two applications received for manufacture of salt on the Orissa coast, which they have referred to him."

Sir, I take my hat off also to the Government of Bihar and Orissa. That brings me, Sir, to the report of Mr. Pitt. Mr. Pitt assisted Sir Chunilal Mehta and was a member of the Salt Survey Committee which went into the sources of salt of the Government of India in Rajputana and the Punjab. The first Assembly Salt Committee recommended that the Government of India should inquire into the sources of salt production in Bengal and Orissa before they issued their second report. So, Mr. Pitt, the General Manager of Khewra, was deputed by the Government of India to inquire into those aspects. I am sorry the report has not yet been placed in our hands. We are given to understand that the Press is too busy with the printing of Assembly Debates, and so the Central Board of Revenue has not yet been able to get the book printed. However, we were supplied with a summary; it was supplied to us on the 18th February last. I cannot understand why the Government of India have not been able to publish the book so far. Anyway, Mr. Pitt's recommendations regarding salt manufacture in Orissa and Bengal are very outspoken. Mr. Pitt suggests experimental farms at two places in Orissa, and I hope the Government of India will draw the attention of the Government of Bihar and Orissa to this and insist that they will start these experimental farms and give any surplus money that they may have in their hands to other private manufacturers for the development of other salt sources. Incidentally, I may ask the Honourable the Finance Member whether he is thinking of again bringing forward a similar Resolution before the House like the one he moved last year, because this protective measure is no more a temporary additional duty, but it is now a permanent fixture of the Government revenues. If the money so funded is specifically earmarked

for distribution to the provinces for the development of salt sources, I would suggest to the Honourable the Finance Member to bring forward in his Resolution this year definite recommendations—not in that milk and water way but in a more definite manner,—because, I maintain, that no Provincial Government has a right to spend any money that is derived from the Central revenues in any manner it likes. The first Assembly Salt Committee recommended that this money could only be disposed of by Provincial Governments towards the development of salt sources. What right therefore have the Bengal and Assam Government to say that they have no funds and therefore they must spend the amount as they like because they have gone bankrupt and they must spend it to meet their deficit Budgets? They should not do that. If a Provincial Government cannot spend the money to develop the salt sources, let the money come back to the Central Government and the Central Government can spend that money for the development of their salt sources at Khewra, Sambhar and other places. I hope my Honourable friend, the Finance Member, will bring forward such a Resolution and the House will give it its entire sanction.

Sir, I welcome the idea of the conference of Indian salt manufacturers, but I do hope that the Honourable the Finance Member or the representatives of the Central Board of Revenue, when they meet these Indian salt producers in Simla, will make it clear to the manufacturers that the Government will lay down definitely, for a period of five years, as to what will be their quota on a territorial basis. It is no use their raising false hopes in the beginning and then coming to the Government of India for a larger quota, or for a greater period of protection. And I hope also that the Honourable the Finance Member will consult these people as to what is the exact period that they think will be adequate for which the additional salt duty should be imposed.

The Assembly then adjourned for Lunch till Twenty-Five Minutes Past Two of the Clock.

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The Assembly re-assembled after Lunch at Twenty-Five Minutes past Two of the Clock, Mr. President in the Chair.

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**Mr. S. C. Mitra** (Chittagong and Rajshahi Divisions: Non-Muhammadan Rural): Sir, the Honourable Sir George Schuster in a very lucid speech discussed all the points that were raised in the Report of the Salt Committee, and my Honourable friend Mr. B. Das discussed the other two extraneous points that were left out for discussion. Yet I rise to speak on this Bill, because I know there is a very strong feeling in Bengal as regards this import duty on salt. As a matter of fact, the Bengal Legislative Council once during this session and once last year passed Resolutions opposing the additional import duty on salt. I can very well realise their point of view, because the people in Bengal think that salt, being one of the primary necessities of life, and also being an item in the category of inelastic demands, even the poorest man cannot avoid paying

[Mr. S. C. Mitra.]

this tax. It really preys very heavily on the poorest cultivator. That is the standpoint from which they all along raised their voices against any additional duty on salt. Yet when we support this additional duty, I think we owe it to the people of Bengal and the Bengal Legislative Council to explain our view point. If I had not been convinced that India could produce her own salt if sufficient protection were given for a few years, I would have been the last person to help in imposing this additional duty on salt. The Expert Committee, of which Sir Chunilal Mehta was the Chairman, says in page 11 of the Report:

“ We think that there is no ground for assuming that, with imports from Aden, India cannot easily be made self-supporting in the matter of salt supply and that even the continent itself can when areas suitable for salt manufacture but at present lying idle are developed, supply all the crushed salt that Bengal needs.”

That is the view of the Expert Committee. The Tariff Board itself in their Report came to the definite conclusion that it was not a distant ideal but within practical probabilities to make India self-sufficient in her salt manufacture. At page 30 of the Report, they say:

“ It may be pointed out that our conclusion on the question of increasing the output of salt in India suitable for consumption in the Bengal market is materially different from that of the Central Board of Revenue as stated in their Report on the recommendations of the Taxation Committee. In paragraph 24 of the Report, the Central Board of Revenue arrived at the finding that it is impossible in the near future so to expand the output of salt in India as to render the country self-supporting. We have definitely rejected this finding for reasons which have already been explained. As regards Tuticorin we agree with the Central Board of Revenue that it offers little promise of development as a source of supply for the Bengal market.”

Later on they say:

“ Even if it were decided to exclude Aden, our conclusion would not be necessarily vitiated. There are indications that the extent to which the output of salt, especially in the Government sources in Northern India, could be expanded is greater than we have estimated and pending a fuller investigation of the possibilities of the Northern India sources, it appears to us hardly consistent with the public interest to accept a conclusion adverse to the claim of India to be self-supporting in the matter of its salt supply.”

So it is clear that not only an expert committee like the Tariff Board but also the Salt Survey Committee was definitely of opinion that India may be self-supporting in the near future as regards her salt supply. As regards Bengal, my Honourable friend Mr. Das said that Bengal once produced her own salt and even taking a parochial view, we need not depend on other parts of India for our salt supply. As a matter of fact the Tariff Board said about the past history of salt manufactured in Bengal:

“ Before the advent of British rule salt was manufactured in Bengal from sea water. The salinity of sea water along the coast of Bengal is much reduced by the admixture of fresh water from the Ganges, Brahmaputra and other rivers. The low salinity of the sea water of the Bay of Bengal and climatic conditions combined to make boiling the only possible process of manufacture in this part of the country. A system of monopoly was developed by the East Indian Company and survived till 1862. But by 1835 Cheshire salt began to find its way to Calcutta, where partly owing to its superior quality and cheapness and partly perhaps as a result of the direct encouragement of the East Indian Company its sale rapidly extended. In 1863 Government abandoned the monopoly, and local manufacture was permitted subject to an excise duty. Owing to the weakness of the brine supply, lack of fuel and other natural disadvantages, the cost of production of local salt far exceeded the selling price of imported salt and in 1898 local manufacture was entirely prohibited. Since that time, the Bengal salt market has been supplied almost entirely from foreign sources.”

So the Report says that in earlier days Bengal had not to depend upon imported salt, but later on when they had a conflict with the interests of officers of the East India Company, they had to give up the local manufacture. Now, the main question in Bengal is that we could get salt at a much cheaper rate at present, if there had not been this import duty. As a matter of fact when we first imposed this duty last year, salt was selling at Rs. 35-0-0 per one hundred maunds. But the main contention of the Tariff Board, with which we all agree, was that though at that time the price was ruling at that particular rate, there was no certainty that within a few months the price would not have gone up again. We found that during the last three or four years the price was ranging from Rs. 70 to Rs. 130, generally above Rs. 100 on many occasions. It was also found that with keen competition from foreign manufacturers who had a reserve of more than one crore of rupees, they could easily wipe the Indian manufacturer out of competition, and then they could raise the price to any extent. So we found that even from our selfish interests it was better to have a stabilised price under which it would be possible for Indians in different provinces, and most likely also in Bengal, to manufacture their own salt, that would be really a cheap supply of salt permanently in India. That was the reasons why we, the representatives of Bengal, were not opposed to this imposition of fresh duty. But really it pained us very much when we found that when money that was set apart for Bengal to expend it in making experiments for the manufacture of salt at a cheaper cost, the Bengal Government absolutely refused to make even an experiment of it. Mr. Das read out from the Report of the Central Board of Revenue :

“It is clear that Bengal and Assam do not propose to devote it to the object mentioned since there is no salt industry to develop.”

I do not know why they say that there is no salt industry to develop. As a matter of fact even by that time, Mr. Pitt's report was not complete. I find that though Mr. Pitt is not very optimistic, yet in a summary he has said that an experiment might be made in some places. In item 42 he says :

“Samples of salt made locally in the Sundarbans and the Contai area show that salt of reasonable purity and cleanliness can be obtained by local manufacture.”

Then in item 44 he says :

“An area of 100 acres may be assumed to be the minimum useful economic unit that could be utilised for an experimental work. Clearing jungle may cost from Rs. 30 to Rs. 60 per acre and a suitable furnace and boiler will cost probably about Rs. 10,000 to Rs. 15,000. A capital amount of about Rs. 25,000 will therefore be necessary to erecting one experimental factory.”

As a matter of fact we also prefer these small factories where even the villagers, by putting all their small capital together, may try to produce their own salt.

Later on in item 49 he says :

“The areas in which an experiment of this kind might be carried out are Lothian Island in the Sundarbans, though there may be many areas more suitable in the Sundarban districts. A factory might be placed on the coast line near Chittagong and a suitable site appears to be at the junction of the Balasore and Cuttack districts about 20 miles south of Balasore itself.”

I find that in paragraph 16 also he says :

“The evidence is not such as to justify optimism, and is barely sufficient to justify investigation on an experimental scale. But experiments may prove that manufacture at an economic rate to supply local demand is feasible.”

[Mr. S. C. Mitra.]

As a matter of fact we also demand that this salt should be manufactured at an economic rate for local supplies. We are not much in favour of large scale production alone, but if salt can be produced even on a cottage industry basis, that will help the unemployment question a great deal. In the report of the Salt Committee, we say in paragraph 11 :

“ Now that Mr. Pitt has made his report we must express a strong hope that the Governments of Bengal and Bihar and Orissa will in future find means to spend the money accruing to them on local salt development work.”

So it has been put there in a way, but I agree with my Honourable friend, Mr. Das, that this portion of our recommendation should be stressed by the Government; and I hope that Government will take steps to see that this money, which is now obtained from the poorest people who consume salt, is spent for a purpose by which in future they can get salt at a cheaper rate. If that is not possible for the Bengal Government,—which I for one shall not concede,—then this money should be spent even by the Central Government for purposes of making salt cheaper in Bengal.

The only other point on which I have a slight difference with the Committee was about the Marketing Board. I do not say that it will be possible to have a Marketing Board to control the sale of salt, but what we suggested in our last report was to have some model shops. I do not know why some attempt should not be made to follow this. In page 6 of the report of the Central Board of Revenue they quote from the report of the Salt Industry Committee of the Legislative Assembly :

“ The next step, therefore, is the investigation, in consultation with Local Governments, of the practicability of such control, including possibly such experimental measures as the opening of model shops selling salt of standard quality and at standardised prices in selected areas.”

The reply is :

“ The proposal was referred to the Local Governments which agreed in objecting to the retail control of salt prices as unnecessary.”

The Local Governments would be correct if they say that there should not be any attempt to control the retail prices. but I think our recommendation was on a slightly different basis. What we suggested was to open model shops selling salt of standard quality and at standardised prices. Thus people in the villages would see that salt might be had at cheaper prices and then the middlemen could not raise the price of salt. It was the sad experience of many of us that, whatever may be the ruling price of salt at headquarters, these middlemen carry on things in such a way that the retail buyers actually pay a higher price than what the standardised price should be. So I still press on the attention of the Honourable the Finance Member that he will kindly see if that is possible because salt being a prime necessity of life, a slight rise in prices affects even the poorest people.

With these words, I support the Bill.

**The Honourable Sir George Schuster:** Sir, I feel that I need only reply on two points which have been mentioned in the speeches of my two Honourable friends who have just spoken. On one point they both agreed in laying emphasis, and that was that the Government of India should do all that they possibly could to persuade the Government of Bengal to

vote such money as they get from the proceeds of the Salt Import duty to the development of the sources of production in Bengal. I am quite willing to give my Honourable friends an assurance that we will take the matter up again with the Bengal Government and call their attention to what has been said in this debate and press upon them to do something in this direction. We cannot go beyond persuasion in this matter. So far as we can go by arts of persuasion we certainly will go. I would however point out to my Honourable friends that the amount of money which is likely to be available for this purpose is a good deal less than we originally supposed and that is because the results of our import duty have been much more immediately effective than we anticipated. The amount of duty collected now is being reduced almost to a negligible sum, because practically the whole of the salt which is being imported into Bengal is coming from Aden and from other Indian sources of supply. However, so far as anything can be done with the very much reduced sums available to the Bengal Government we will try to get them to do it.

Then, Sir, my Honourable friend who has just sat down referred to a recommendation in the first report of this Assembly's Salt Committee that something should be done on the lines of opening model shops so that we might thereby have some means of controlling the retail prices or at least giving an opportunity to retail consumers to buy at standard prices. It is true that we have not received much encouragement for this plan from the Local Governments, but I am inclined to agree with what my Honourable friend Mr. Mitra has said that the rejection by the Local Government of a scheme for a general Marketing Board does not necessarily convey with it any condemnation of the modified plan,—the rather small and unambitious plan,—of starting these model shops. I shall take up that question again and see if anything can be done on the lines of that suggestion. Apart from that, both my Honourable friends who have spoken have supported the principle of this Bill, and I trust their feeling is shared in all quarters of this House.

**Mr. President:** The question is:

“That the Bill to extend the operation of the Salt (Additional Import Duty) Act, 1931, be taken into consideration.”

The motion was adopted.

Clause 2 was added to the Bill.

Clause 3 was added to the Bill.

**Mr. G. Morgan** (Bengal: European): Mr. President, I move the amendment which stands in my name, which runs thus:

“That after clause 3 the following new clause be added:

4. In section 5 of the said Act,  
Amendment of section 5,  
Act XIV of 1931.

(a) to sub-section (1) the following words shall be added, namely:—

‘except Aden, and shall not, save as hereinafter provided, be levied and collected on salt produced in Aden save to the extent of one anna six pies per maund.’

(b) to sub-section (4) the following words shall be added, namely:—

‘In the case of Aden the price to be paid shall be fifty-four rupees five annas per hundred maunds.’

My object in moving this amendment is that when this Bill was brought up last year, we, who opposed the Bill, stated definitely that the people

[Mr. G. Morgan.]

who would benefit most by the Bill imposing the additional duty, would be Aden, and that very little benefit would accrue to the indigenous suppliers of Indian salt. Now, you will have seen from the second report of the Salt Committee that that is exactly what has happened, and we have got into rather a mess. I distinctly say a mess, because it is so and I shall show you later on what the position is. In paragraph 14 of that report the following words occur:

“that in view of the great benefits received by Aden manufacturers from the policy adopted last year”.

This amendment which I have brought forward meets both my Honourable friends, Mr. Das, and Mr. S. C. Mitra. Mr. Das says that the foreign capitalists, by which I presume he means a certain firm in Aden and the Bombay capitalists, have no right to make the money they are making out of the consumer. Mr. Mitra is very anxious that Bengal should spend some money in the manufacture of salt in Bengal. I can tell him, and the Honourable the Finance Minister has just confirmed what I am going to say, that there will not be any money, or practically none; the money which has been collected up to date was mostly on cargoes which became subject to the additional duty after they had already left their export port and arrived in Calcutta or Chittagong after the duty had been imposed. That is not going to occur again. Bengal got something between 3 to 4 lakhs of rupees which they have not seen their way to spend on exploring the avenues of salt manufacture. That being so and as they will have practically no more money during the coming year from this additional salt duty, they will have no money to spend on the object which my Honourable friend, Mr. S. C. Mitra, is so anxious about, and also my friend, Mr. B. Das. They are both very anxious from the Bengal and Bihar and Orissa point of view that money should be spent on that particular object. I am not going into the question whether that is a feasible object or not; but there is no mistaking the fact that there will be no money for that object, and from that point of view it also affects the Government of India because they get one-eighth of anything that may be collected, and they have only that one-eighth to go on developing the vast resources of Khewra, Pachbhadra, Sambhar and to help other manufacturing centres. What I want to do is this. Aden undoubtedly has not only got great benefits, but has got greater benefits than were anticipated, from the additional duty—*i.e.*, they have got a benefit of about 10 rupees per hundred maunds over and above the Tariff Board's figures: that is to say the selling price was fixed at Rs. 66 per 100 maunds, the average freight being fixed at 8 rupees per ton. Now it is all very well to say that we have to be very careful about rates of freight. I quite agree; but I have not been able to find out why the Tariff Board fixed the price at Rs. 8 a maund, unless it was that they took in one or two years of extraordinarily high freights during the war, which we never take in calculating averages. On the Tariff Board's own figures, at page 36 of their report, there was no reason why it should be put so high. Last year, when the additional duty was brought on, the rate was between Rs. 5-8-0 and Rs. 6—about Rs. 5-10-0 on an average. This Bill is only for one year, and I am perfectly certain my Honourable friend the Finance Minister will bear me out when I say that there is not much prospect of a rise in freights in the year which is coming—1932-33; and I think that

for that one year Aden might give us, and it will be giving back to Bengal, a very small moiety of what has been already taken out of Bengal, in order that we may have a little money to spend on this experimental manufacture of salt, and so satisfy my friends like Mr. Das and Mr. Mitra, that all is being done to see whether it is possible to manufacture salt in the Chilka Lake or in the Sundarbans. I know both places and I am not going to offer any opinion just now; when the reports and definite schemes come up, one may have something to say. But at the present moment, unless we have some money we simply cannot satisfy my Honourable friends by making a start or trial as to whether this manufacture is feasible or not.

The Bill last year was a very hasty piece of legislation; and it has landed us in a position which many of us anticipated. Stabilising of prices is a very simple matter, and although the Government may take credit for having done that, I do not think that there would have been any great difficulty in doing that in other ways. Therefore, Sir, I consider that if my amendment is accepted, it would merely mean that Aden would be returning to Bengal, and incidentally to the Government of India, that extra Rs. 10 a hundred maunds which the Tariff Board in their figures never anticipated they would be getting, and it is only for one year. The whole question of selling price has got to be investigated. Values have changed, standards have changed, and the world has changed, since the Tariff Board reported, and there is not the slightest doubt that Rs. 66 is not the proper figure now. If the Tariff Board were to report this year, Rs. 66 is not the figure they would fix as the fair selling price. Sir, in connection with this additional salt duty, it is a curious thing that stocks in Calcutta golas have run down, since the 15th of June to the 9th of March, from 38 and odd lakhs of maunds to 18 and odd lakhs of maunds, and in those figures common salt is very nearly a constant figure. It is something between 10 to 11 maximum and 8 to 9 minimum between those dates.

Now, there is another curious thing in connection with these figures. If you go back to June, you will find in stock in golas 6,43,000 of Port Said Fine Salt, and 2,30,000 of Massowa salt, both of which are salt suitable for the Bengal market. This month the only alteration in the figures is this, Port Said Salt 5,17,000 maunds, Massowa 2,11,000, so that they are practically unaltered, and today they represent, if you take off the common salt, 50 per cent. of the fine salt in golas, and we are down to a dangerous stock level of fine salt in Calcutta golas. I merely want to draw attention to this fact, because it may develop into a very serious position. Very often a good deal has been made of the fact that if you give Aden 16 annas, it gives back 2 annas, or whatever it may be in income-tax. That is quite true; but personally I would rather have the 16 annas. The Government of India may be very glad to have something in the shape of income-tax, because it is not going to get anything out of the salt as additional tax, but the balance of that money has got to come out of the purchasing power of Bengal. I know that the point is always put forward that the consumer is not affected to any appreciable extent, but that does not get away from the fact that with the tax and the extra amount paid for the salt from the time this additional duty was put on Bengal's contribution is something like 18 lakhs of rupees, and that has got to come out of the

[Mr. G. Morgan.]

consumer, and it means that Bengal has paid out 18 lakhs more for purchasing her salt than she need have done had she been buying salt at Rs. 40 to Rs. 42 the rate before the duty was put on. And having got into this position, which is a most unfortunate one, but not unforeseen. I would impress upon the Government the desirability of calling the conference of producers as soon as possible, my reason being that I am not satisfied that the quota, although it is a very good idea, will work for the supplies of Bengal during the two years, leaving out this year,—I do not know what is going to happen this year,—I very much doubt whether with the possible quota some of the indigenous places in India will be able to supply the Bengal market with fine salt. I have noticed certain figures—I refer to common salt,—and these figures are rather disturbing, therefore I think that the conference of producers should be convened at the earliest possible opportunity and a definite arrangement come to as to how the Bengal market is going to be supplied with fine salt.

These remarks are slightly away from my amendment, Sir, but if Bengal and Bihar and Orissa are going to have a chance of investigating their own indigenous sources of salt manufacture, they are not going to get out of this salt tax as it stands at present anything to help their object, and therefore it is only fair that the Aden producers should return that Rs. 10 a hundred maunds which they are getting over and above what they should have got under the Tariff Board's figures, and so let the provinces have a little money with which to investigate the manufacture of salt in their own provinces. Sir, I move.

**Mr. H. P. Mody** (Bombay Millowners' Association : Indian Commerce) :

3 P.M. Sir, my friend Mr. Morgan has made a very reasonable speech in support of a very unreasonable amendment. I listened to him very carefully, but I am afraid I was not able to deduce from his remarks one single good argument in favour of the amendment that he has thought fit to move in connection with this Bill. My friend's chief grievance seems to be that Aden would benefit principally from the extension of the Salt Act for another year. I would like to ask my friend, what if that is so? Supposing Aden were to benefit a little more than the Indian Salt Works, what does it matter? After all, Sir, Aden is still a part of India, in spite of the reactionary proposal to take it away from the jurisdiction of the Bombay Government; still for the time being at any rate Aden is part of India, and my friend knows very well that the Salt Works. . . .

**Mr. G. Morgan:** Might I just explain my point? My Honourable friend has told the House just half of what I stated. Aden is benefiting, and I repeat, it is benefiting, but at the expense of Bengal. That was the only reason for my amendment.

**Mr. H. P. Mody:** If my friend had only waited for a few seconds more, he would have seen that I was going to give him not merely the other half, but a little more than the half. I was going to say that of the concerns which are carrying on operations in Bengal, the majority are Indian. It is true that there is an Italian manufacturer who manufactures more than the quantity manufactured by any other single works, but taken all together, the Indian interests at Aden are very considerable, and I cannot understand my friend wanting to penalise those Indian interests.

My friend talked about the question of freights and the benefit which Aden was deriving from the fact that freights had gone down by something like Rs. 10 in the course of the year. But my friend knows that freight is a very variable quantity, and no one can forecast what is going to happen in the next 12 months, and it is just possible that the freight market, which is in a very demoralised condition at the present moment, may look up, and freights may move up. At the present moment there is no question that they are at a very uneconomic level. After all, the best answer has been provided by the Committee of the House which has put up a very admirable report, and by the speech which my Honourable friend the Finance Member made this morning. It is because of these various considerations—the question of freight, the question that Aden is exporting a considerable quantity of salt, and that Indian works are not looking up as fast as we would expect them to—it is because of all these considerations that it is proposed to extend the operation of the Act for only one year. As a matter of fact, I was thinking of moving an amendment for still further extending the operation of the Act, for the reason that, as the Honourable the Finance Member himself admitted this morning, the producers must have some sort of assurance that protection would continue if they were to expand and develop to their fullest capacity. But in view of the various considerations urged in the excellent report of the Salt Committee of the House and what the Finance Member has said, I do not think I can object to the proposed extension of just one year. The only thing which salt producers require is a categorical assurance that it is not intended, by putting a time limit of one year, to do away with protection at the end of that period, but that this is merely a stop gap arrangement for the purpose of exploring the various factors in the situation.

Sir, I should not have much to say to my Honourable friend if he had merely put his amendment on the ground that he was afraid that Aden would get away with a large part of the booty. But my Honourable friend went on to talk, though very guardedly, of the interests of the consumer, and that compels me to offer a few observations which I am afraid may not prove very palatable to him.

Of late, a great many philanthropists and protectors of the poor seem to have arisen in Bengal. (Laughter.) Only the other day a very intensive campaign was carried on by a section in Bengal with regard to the import duties on textiles, and the suggestion was put forward that the iniquitous and wholly indefensible excise duty should be re-imposed. It never occurred to the people who are talking like this, that for years when foreign countries were exploiting the consumer in India, his champions of to-day never raised their voices, never raised their little fingers, much in the same way, my Honourable friend comes forward here to-day, and talks of the interests of the consumer. May I ask him where he and his friends were when the consumer was being systematically exploited by foreign manufacturers of salt, who according to the Tariff Board's report did the consumer out of a crore of rupees in the space of 10 years? (Mr. S. C. Mitra: "3 years.") 3 years, I stand corrected. Might I also remind him that when Aden salt first came into this market in competition with foreign salt, the result was a drop by as much as Rs. 30 per 100 maunds in the space of a fortnight? What was that done for? That was done to squeeze out all competition, and if we take into consideration the limited capacity of the Indian and the unlimited resources of the foreign manufacturer—if you take that into consideration, and if you refuse to treat Aden on the same footing as you treat the Indian manufacturers of salt,

[Mr. H. P. Mody.]

what would happen would be that Aden's competitive capacity would be very greatly curtailed, and to the extent to which it was curtailed the foreign importer would have the benefit, and what happened years ago would happen once again, namely, that foreign manufacturers would squeeze out the infant salt industry in India after they had squeezed it out in Aden. Therefore, I am very sorry that my Honourable friend should have thought fit to place such an amendment before the House.

There are various aspects of this question, very controversial aspects, which I would not like to touch upon. I would like my Honourable friend to remember that there is such a question today before the country as that of commercial discrimination, and before he asks this House to discriminate against the Indian manufacturers of salt at Aden, which is part of the Indian Empire, he had better take into consideration the implications of his proposal on the larger issue now before the country. I hope that no section of this House will think fit to support the amendment of my Honourable friend.

**Mr. C. C. Biswas** (Calcutta: Non-Muhammadan Urban): The House may well remember that last year I was one of the few who felt it their duty to raise their voices of protest against the imposition of the additional duty. I showed that the effect of the duty would be. . . .

(At this stage Mr. President vacated the Chair which was taken by Sir Abdur Rahim.)

I pointed out that the effect of the duty would be mainly to benefit the manufacturers at Aden at the expense of the Bengal consumer. When I was pleading for the Bengal consumer, I certainly was not doing so from the point of view from which some of my Honourable friends over there (referring to the European Benches) would do it. I can honestly claim that I did it solely in the interests of the consumer.

Rightly or wrongly, the Bengal consumer was paying a comparatively small price for the salt he was consuming and had been consuming for many years past. What was suggested last year was that in order to keep out foreign competition for the benefit of India—that is how it was put, Aden was included in India for that purpose—it was suggested that in order to keep out foreign competition and help forward Indian industry, it was necessary to put on an extra burden on the Bengal consumer, and that the Bengal consumer ought not to demur. That was a proposition to which I was not prepared on my part to accord my wholehearted assent, because I had my misgivings as to whether or not the ultimate benefit to the consumer would be secured. My fears then were—and the report that the Assembly Committee have now placed before the House bears it out—that the party who stood to benefit most from this new additional imposition would be the Bombay merchants alone who were carrying on the salt trade at Aden, as well as another concern there which was of Italian origin, and was Italian in its constitution all along the line. It was stated at that time that one ought not to grudge this additional boon to Aden, because Aden ought to be regarded as part of India. I rejoice to find that that position has been abandoned now, and that is why I have not hesitated to put my signature to the present report of the Assembly Committee. It has now been practically recognised that Aden was really out to establish a virtual monopoly of the Bengal market—that that which had been anticipated by some of us had come to pass. Sir, when the Honourable

the Finance Member this year came to examine the facts for himself, even he was impressed with the situation with which he was faced. If matters were left where they were, in other words if nothing more was done than to extend the period of the Act for a further term, then the last state of things would have been very much worse than the first. Instead of anything being done to help forward the development of the salt industry in the mainland of India, what would have happened would have been an expansion of the works at Aden only to such an extent that even indigenous competition, meaning thereby competition in the inland of India, would have been stifled out.

Some of my friends who have spoken before have already pointed out the claim which has been put forward on behalf of the Aden manufacturers before Government this year. Encouraged naturally by the preferential treatment which was accorded to them, they were opening their mouths as wide as they could, if I might use that expression, and this is what they solemnly and seriously suggested to Government—I am reading from the report of the Indian Salt Association, or rather the representation of the Indian Salt Association to the Government of India which we find as an appendix to the Central Board's report. On page 8 of their representation, the Salt Association "respectfully" recommend—(a) that necessary legislation be enacted extending the life of the Salt Additional Import Duty Act 1931 for a period of about 10 years from 1st April, 1932, (b) that the rates of fair selling price fixed under the existing Act be raised for the present at least by 10 per cent. under the new Act, and (c)—this is the most interesting of the recommendations—that *the contemplated development of the inland sources be restricted*, in other words, that the main object which was put forward in justification of the additional duty should be thrown aside altogether, and that the Act should be extended for at least a further period of ten years in order that Aden alone might thrive, nay, dance on the graves not merely of the foreign manufacturers of salt, but of the indigenous salt-producer in India itself! These recommendations, Sir, indeed furnish a key to the mentality which lay behind the movement which led to the passing of the Act last year, and that is why I had felt it my duty to cry, and cry myself hoarse, though in vain, against that proposal. This year, however, the facts were there to stare everyone of us in the face, facts which could not be brushed aside by rhetoric or by sentimental arguments, and because the facts did tell and my Honourable friend Sir George Schuster was good enough to see the implications of those facts, we felt no difficulty whatsoever in accepting the report which you now find before you. Far be it from any one of us to be wishing to hit down or kill Aden. During this interregnum, so to say, Aden has certainly been doing a great deal to help India, though if Aden is helping India, India is helping Aden even more. While inland sources of salt supply would take time to put themselves on a sound basis, you must have some source of supply on which you could rely, and if it were a choice between Aden and Liverpool, I would certainly support Aden in preference to Liverpool. You will find in the present report the Committee recommend that Government should at once introduce an inquiry into the whole position so as to prevent the result—I might say, the calamity,—which we all apprehended last year, namely, that Aden should be enabled to establish a virtual monopoly in Bengal, and it was a very wise suggestion, if I may say so with respect, which the Honourable the Finance Member made that there should be a conference of all the salt manufacturing interests concerned at which the position could be very fully and frankly discussed,

[Mr. C. C. Biswas.]

because after all you must be fair to all. If there is to be a system of rationing, as has been foreshadowed, it is just as well that the manufacturers should be warned beforehand, so that they might not find themselves plunged in a situation which they had not foreseen and which they certainly would not deserve. Therefore this suggestion of a conference is an eminently sound and reasonable one, and we have a right to expect that after that conference Government will bring forward proposals before this House which will ensure that while Aden is not unnecessarily or unreasonably sacrificed, Aden does not at the same time gain an undue predominance at the expense of the development of inland sources of salt supply.

So far as the year just about to close is concerned, there can be no gainsaying the fact that the Bengal consumer has put an unnecessarily large amount into the pockets of the Aden merchants, but it is probably too late for us now to quarrel with that. Not only have Aden manufacturers got the benefit of the additional import duty, they have also gained in another way in the unexpected reduction in the freights, but it is just as well to remember that because there has been a temporary fall in the freights, that does not justify any hasty action on the part of the Government in the way of adjusting the "fair selling price". As the Honourable the Finance Member has pointed out, such readjustments of fair selling prices which the Tariff Board have fixed after elaborate inquiry are to be deprecated, because that would create unsettled conditions, and unsettled conditions could never achieve the objects which the Tariff Board inquiries had in view.

My friend, Mr. Mitra, had some observations to offer regarding the attitude of the Bengal Government in the matter of developing the local salt industry in that province. Sir, my friend has read out from the report of the Central Board of Revenue, where it is stated that:

"Bengal and Assam do not propose to devote their share of the extra duty to the object mentioned, since there is no salt industry to develop, as in Assam, and no scheme economically feasible for the production of marketable salt in Bengal has been produced."

Sir, confining myself to Bengal, it is only fair to point out that at the date this reply came from the Government of Bengal, Mr. Pitt's report was not in their hands. That report came later, and I am sure that when that report is before the Government of Bengal, the latter will not be wanting on their part in making all efforts to see salt industry, which once formed a characteristic feature of Bengal economic life, not merely restored but placed on a much stabler and sounder footing. (Mr. B. Das: "Let us hope so!") I say, "Amen, let us hope so", and I hope that hope will not be belied. As a matter of fact, for the information of my friends over there I may mention that a few months ago some persons who were taking some interest in this matter in Bengal started an association called the Bengal Salt Manufacturers' Association. That was a company formed under section 26 of the Companies Act and was registered. No profits were to accrue to any of the members, it was to be on an experimental basis, and the whole idea was to explore possible methods of developing the salt industry in Bengal. The company is only a few months old. It recently obtained a licence from the Government of Bengal. The latter have been very helpful in this matter. When Mr. Pitt went down to Calcutta, some of those who were interested in this concern interviewed him, and they got every encouragement from Mr. Pitt. I gladly acknowledge all that. Therefore,

I say the Government of Bengal are not wanting in sympathy for this project. The reason why they say they have not been able to apply the proceeds of this additional duty to the specific purpose for which they were earmarked is that up to then no definite scheme had been placed before them. It is no use recalling the old days when the salt industry flourished in Bengal. It is no use recalling the circumstances which led to the strangling of that industry. Let us forget and forgive. (Hear, hear.) Let us work in the present with an eye for the future, and let us see, all of us, that that future is worthy of the province and worthy of the country.

**Mr. B. Das:** Sir, I would ask my Honourable friend, Mr. Morgan, to withdraw the amendment which he has moved, because he was a member of this Assembly Salt Committee and he knows that all of us discussed every aspect of the question he has raised in his amendment, and he knows that a year hence the Salt Committee will meet and discuss every aspect of the question afresh. But whether any Committee of this House can subscribe to discriminating taxation between one part of India and another part of India is a question for the Committee to decide. I do not think however this House will ever be a party to that principle, which is the underlying principle of his amendment; but as my Honourable friend, Mr. Mody, has pointed out, the freights may go up, and I think if the freights go up, Mr. Morgan will be a party to that because he might belong to that caucus, the shipping caucus, which controls freights in India. The data available before the Committee were not sufficient for all purposes. They were mostly supplied by my friend Mr. Morgan. I hope Government in the meanwhile will set their machinery going to collect all the information about freights, and let us wait till a year hence; and if we find that the salt manufacturers are getting an unequal and unfair advantage, then the rate of additional import duty of 4 annas 6 pies could be reduced, but I cannot subscribe nor do I think can anybody on this side of the House subscribe to any discriminating system of duties between one part of India and another part and I do hope my friend will withdraw his motion.

**The Honourable Sir George Schuster:** Sir, I shall take only a very limited time of the House in dealing with this question. I have a good deal of sympathy with my Honourable friend who moved this amendment, particularly in his playing a lone hand as he is apparently doing in the House. We all of us know what he is after, and we all of us have a good deal of sympathy with it, but I think the only sound ground on which we can take our stand now is the ground mentioned by my Honourable friend, Mr. B. Das, who just spoke, and also mentioned in the concluding passage of his speech by my Honourable friend, Mr. Mody, that the principle of discrimination in duties against different countries, or different parts of India in this case, is one which contains within itself the most dangerous possibilities. I think the House would be very ill-advised to commit itself to a principle of this kind. Therefore, although as I say I know what my Honourable friend is after and I have a certain amount of sympathy with him, I must strenuously oppose this amendment. I would also put another point to my Honourable friend and that is this. that we are admittedly only bringing forward a provisional measure now and the whole point of dealing with the situation in the way we propose is that we feel we have not yet had sufficient experience of how this whole plan is working and that we want another 12 months to see how things are going, another 12

[Sir George Schuster.]

months within which perhaps we can devise some plan which will achieve our main object and guard against certain dangers to which I have already called the attention of the House. I was puzzled by one line of argument in my Honourable friend's speech, and he himself helped me to some extent by saying that he had got rather far from his original point. I think he had in fact got so far from it that he was unconsciously arguing on the other side. He tried to frighten us with his picture of the position as regards the stocks now available in Calcutta. But surely, if there was any danger of that kind hanging over the market in Calcutta—and as a matter of fact I entirely disagree with my Honourable friend on that point—if there was any danger of that kind, surely we should increase the danger if we made the position for Aden as producer more difficult than it is at present. We are and have been during the past year relying very largely upon the Aden production, and therefore from that point of view if we want to be assured with regard to our supplies, it is surely to our advantage to do everything to encourage Aden to increase her supplies. As a matter of fact, I entirely disagree with my Honourable friend that there is any danger of shortage of supplies and I think that he has drawn and put to the House wrong conclusions from the statistics as regards the stocks. That, Sir, is all that I need say on the subject and I would ask the House to oppose this amendment.

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

“That after clause 3 the following new clause be added:—

“4. In section 5 of the said Act,—

(a) to sub-section (1) the following words shall be added, namely:

‘except Aden, and shall not, save as hereinafter provided, be levied and collected on Salt produced in Aden save to the extent of one anna six pies per maund.’  
1931.

(b) to sub-section (4) the following words shall be added, namely:

‘In the case of Aden the price to be paid shall be fifty-four rupees five annas per hundred maunds’.”

The motion was negatived.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

(At this stage Mr. President resumed the Chair.)

**The Honourable Sir George Schuster:** Sir, I move that the Bill be passed.

The motion was adopted.

### THE BENGAL CRIMINAL LAW AMENDMENT (SUPPLEMENTARY) BILL—*contd.*

**Mr. President:** The question is:

“That clause 2 of the Bill to supplement the Bengal Criminal Law Amendment Act, 1930, do stand part of the Bill.”

**Mr. E. F. Sykes** (Bombay: European): Sir, I move:

“That in clause 2 after the word ‘jail’ where it occurs for the second time the words ‘in any Governor's Province’ be inserted.”

Mr. President, sometimes when listening to speeches in this House, I have detected in the speakers a belief that Governments sit up late designing measures for the oppression of the people. You, Sir, with your very wide

experience, administrative and other, are aware that for want of leisure, if for no other reason, this cannot be the case. The wrongs that Governments commit are more usually traceable to one or both of two causes; the first want of information and the second an obstinate refusal to admit errors and reverse a policy embarked on on insufficient information. The former is unfortunately a common case. The highest compliment one can pay is to describe a man as "well-informed", a proof of the extreme difficulty of this art. We can therefore extend our sympathy to and withhold our reprobation from a Government in such a case. For the latter, no leniency is deserved. To know the better course and follow the worse is, I think, called sinning against the light. I hope in the following observations to make good the deficiencies in the information before the Government and the House; it will then be for the House to see that the Government do not fall into the latter error.

I would like to make it clear that any observations I have to make are not directed against the Bill. I do not say that the Bill could not be better, nor that the Government are not displaying an unwarranted degree of patience and forbearance having regard to the nature of the persons at whom the Bill is directed. But this is no time for attempting to modify the main principle of the Bill. The House by sending it to Select Committee has approved the principle of the Bill. The Bill has been referred to the Select Committee and it has been returned with a report as nearly unanimous as can be expected, in a Bill of this nature, and no alteration whatever has been made in it. To attack a Bill under these circumstances would be to tilt at windmills, an occupation that attracts few practical men.

But there are many of us who hold that the manner of administration of laws is not less important than their formulation; and that the bad administration of a good law may deprive it of all its virtue. Now it is rarely possible to attack or to seek to modify a Bill on grounds of bad administration; administration cannot begin till the Bill becomes an Act, and in most cases there is no reason for announcing the manner of administration in advance. In this particular case however the Government have told us what they are going to do with the detenus, the subjects of this Bill, in the event of it passing into law. They have announced that they are preparing to send them to a place which they profess to believe and wish the House to believe to be salubrious and remote—in short to Deoli in Rajputana. The question of salubrity will not detain us long. I suppose the primary meaning of salubrious is health-bringing. As regards the secondary meanings of the word, there may be some difference of opinion. This has been known to occur with other words. Browsing the other day on the *Times of India* I came across a review of a Directory of Delhi. The Reviewer says:

"One is intrigued by a paragraph in which appears:

'The climate of Delhi is congenial. . . . During the hot weather hot winds blow at times and are often the cause of death—. The rainy season is followed by malaria. . . . .'"

We may take it that salubrious is not likely to come off any better than congenial. The fact about the climate of Deoli is simply this, that it is so salubrious that the Political Agent is unable to remain there throughout the year, even though the alternative is Mount Abu! For a considerable part of the hot weather the *Luh* blows day and night. Perhaps the House is not wholly familiar with the word "*Luh*". It is a word

[Mr. E. F. Sykes.]

which in some Indian languages, as well as in German and Scottish, primarily means "flame". I was tickled to death at an earlier stage of this Bill when Members appealed to the Government to reproduce Bengal conditions in Deoli. I have lived on the fringe of Bengal and have some idea of its conditions, and have passed some years not too far from the Banas, and the idea of creating the conditions of the Hughli on the banks of the Banas was full of humour. I advise Members who are interested in this matter to take advantage of the Easter concessions to visit the Banas. From Nawai station, fifteen miles in a motor-bus will bring them to the Banas crossing. A little further on is Tonk, which is thirty-six miles from Deoli, and the conditions do not vary much. The House will probably agree that this is enough about salubrity.

I must now ask from you, Sir, and the House a little patience while I deal with the matter of remoteness. Rajputana is divided up by a number of quite large rivers, which affect the history of the area by forming the boundaries of States and by having only a few convenient fords and ferries to determine the lines of communications. One of these is the Banas, which after forming the main drainage of the Mewar State, passes through a number of others and finally joins the Chambal, the great arterial river of Rajputana and Malwa. Rajputana has few trunk roads and one of the principal is the North and South road, which proceeding from Ajmer through a number of States, particularly Bundi and Kotah, reaches Jhalrapatan, and then branches in two directions through Malwa. Its crossing of the Banas and the Chambal is controlled by Deoli and Kotah. Deoli is a cantonment on the right bank of the Banas; it is the only bit of British territory on that bank. I have not been able to ascertain precisely its history; but it seems likely that after the unfortunate affair of the Kotah contingent in 1857, it was carved out of the Mewar State and formed into a cantonment in which was located an irregular force maintained at the expense of some of the States for the purpose of carrying out the obligations of the Government to maintain the integrity of these States. In this respect, it resembles on a small scale the cantonments of Secundarabad, Bangalore, Baroda and many others which are British territories in a highly technical sense. There is a further patch of British territory on the opposite bank, but it is not clear whether this was taken over as a Bridge-head or whether it was the result of the complicated adjustments following the dispossession of the Mahrattas. Beyond that we come to a ring of Indian States. Marching with it, or at no great distance are the States of Mewar, Shapura, Kishengarh, Jaipur, Tonk and Bundi.

**Mr. K. Ahmed** (Rajshahi Division: Muhammadan Rural): We are marching too remote.

**Mr. E. F. Sykes:** The Honourable Member evidently does not know what marching means. But I will not take you through the long history of the Deoli force. It is sufficient to note that it is now represented by a small Political force—the Mina Corps. Its duties are still considerable as the events of last June showed; and it is sufficiently occupied to be unable to be used as a guard for any detenus that may be sent there.

Not only is it an important point on the main trunk road, but it is at the junction of it with another branch road which proceeding through Tonk, crosses the Banas and through Jaipur leads to Delhi. It is therefore an important junction, and regular bus services run to it from all

directions. The site of the proposed Jail is actually on one of the roads, and it is interesting to note that while one department of Government commends it on account of its remoteness, another department is contemplating spending out of the petrol fund a lakh of rupees to improve the Banas crossing and increase its accessibility.

Now, Sir, it is possible to expound the reasons for regarding it as an unsuitable place for a jail for Bengali detenus. The first one is highly general. It is an objection shared by all parts of India. I will not take you through all the opinions of the Bill. The House is doubtless familiar with them. I will take as typical the remarks of the Government whip in a previous incarnation. An excellent idea, says he, but of course we could not have them in our province. One other opinion. The Commissioner of Ajmer-Merwara gave his blessing to the scheme in general, but, says he, if they are sent to Ajmer jail, I hope we shall be allowed to choose our guests! It had not then occurred to him that they would be sent to any other place in his jurisdiction, evidently overlooking the power of Government to declare any place to be a jail. In short everyone approved the idea, but was content to leave the burden of putting it into practice to some one else.

Coming to particular objections, it has already been shown that the chosen site is at one of the important road junctions of the country. There is a further and more important objection. Judging from the questions asked in this House, many Members appear to be familiar with the advantages and drawbacks of cantonments. I can therefore assume that most Members know that, in spite of the traditions of a brutal and licentious soldiery, the good order and just administration of cantonments have attracted to them a volume of business out of proportion to the immediate necessities of the place. And the same has happened in Deoli. Although the total population is about 5,000, as a market it is of greater importance than towns many times its size. I had prepared a map to illustrate to the House the distribution of markets in Rajputana, but it is extremely difficult to give a map which will be visible to the whole House. I will lay it on the table. But the principal point about the distribution of the markets is that from Deoli you have to go 56 miles in one direction to Nasirabad, or a hundred miles to Jaipur or a hundred miles to Baran or 120 miles to Bhawani Mandi, before you come on any market which is worth consideration. You will understand from this distance that the position of Deoli is rather like the centre pip of 5 in a pack of cards. It is therefore easy to understand that if Deoli has a market far removed from it the inconvenience would be considerable. Then, Sir, although there is common agreement that the presence of these detenus is undesirable, the grounds of the objections are not given in great detail. It appears that they are likely to have letters smuggled into them or out from them, and particularly that they will corrupt jail discipline, and these difficulties are thought to be insuperable. But whatever the objections may be in other places, that objection will hold in Deoli. Either they are a nuisance to the neighbourhood or they are not. If not, then a convenient detention camp would be either in Fort William under the eyes of the Government of Bengal, or in the Purana Qilla under the eyes of the Government of India. But if they are, it is obviously improper to plant them at a road junction at the market centre of a large area. How can business be carried on if travellers are to be subjected to the inquisition of the police, and perhaps be required to furnish themselves with passes? It may be said that there is nothing to be afraid of

[Mr. E. F. Sykes.]

but it is better to be safe than sorry. No doubt to the large centres a place like Deoli may be a small matter; when an elephant places his foot on an ant hill, he may be surprised at the commotion he causes and wonder why the ants are scurrying about and neglecting their business. But you, Sir, have a sufficiently sympathetic imagination to understand the point of view of the unfortunate ants.

To come to my amendment. It is perhaps not well drafted, but it is enough for me that it serves my purpose. If the Government will give an assurance that they will abandon this project and choose for the location of these gentlemen some really remote place, I am willing to withdraw it. If any modification is suggested which will meet my objection I am willing to accept it. But I am not at present satisfied that any change is needed.

**Mr. President:** Order, order. Sardar Sant Singh.

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### MOTION FOR ADJOURNMENT.

#### ALLEGED MALTREATMENT OF WOMEN POLITICAL PRISONERS.

**Sardar Sant Singh** (West Punjab: Sikh): Sir, I beg to move that the House do now adjourn. The matter of urgent public importance which I want to discuss is the mal-treatment that has been meted out to the lady prisoners while they were being transferred from the Delhi jail to the various jails in the Punjab. Before I proceed to put the facts before the House, I want to give an assurance to my Honourable friends. This has become necessary on account of the remark which fell from the Honourable the Home Member this morning that I have taken my clue as regards the facts from the reports published in the Press. I acknowledge this much, that the idea of moving this adjournment motion originated with me after reading the facts in the *Hindustan Times* of the 20th March. But later on I verified these facts by making inquiries from the eye-witnesses of the whole affair; and so I am in a position to place the facts before you for the judgment of the Honourable Members of this House with the confidence what attaches to a person who has actually gathered facts from persons who have seen the affair. At the same time, I may explain that probably the Government's source of information is the report submitted by the Inspector of Police, whose name, if I mistake not is Mr. Hardy. It is but natural that a police official who was leading what was practically a raiding party to the jail would naturally be interested in the result of that raid, and in spite of himself, would be unconsciously biassed in favour of his subordinates. So without even doubting his reliability, though being a police officer, it is open to suspicion, I may say that his version is bound to differ from the version of impartial eye-witnesses. What are the facts of this case? On Wednesday last the lady prisoners in the Delhi jail, who were convicted of various offences under the Ordinances that are now unfortunately ruling the country, learnt that they were going to be transferred to the mixed jails in the Punjab. Probably Honourable Members are aware that according to the rules governing the administration of jails no female prisoner, even

If convicted of crimes against society or morality, can be allowed to remain in any female ward of the jail for more than a week after her conviction. They must be sent to the female jails where the warders, Superintendent, and the supervising authorities belong to their own sex. But in this case, the lady prisoners, who belong to the most respectable families and whose names I will presently read out, were ordered to be transferred to mixed jails. My first charge against the Honourable the Home Member is that the order of transfer to mixed jails was illegal. Who are these lady prisoners? Some of them belong to very respectable families. Here I may be permitted to point out that this fact should be an eye-opener to the Government, who are carrying on repression in their mad desire to crush a movement which can never be crushed. Who are these ladies? One of them is Mrs. Asaf Ali, the wife of the well-known barrister of this place, a leader of Muhammadans in this country and . . . . .

**An Honourable Member:** Question.

**Sardar Sant Singh:** My Honourable friend may question; the Muhammadans do not form only one party belonging to the Muslim Conference; there are others who belong to the Congress Party also; but they are leaders all the same; they may not be your leaders, but they are the leaders of the most forward class amongst you. However that is a digression. As I was saying, she is a lady of great culture and great education. There was also Shrimati Chando Bibi. Who is she? Here I am not talking merely of ladies belonging to families of respectable leaders of the Congress Party; but I am talking of these ladies belonging to the families of those who, in the ordinary street parlance of today, are known as Government toadies. She is a daughter of Lala Girdhari Lal, ex-Public Prosecutor of Delhi and sister of Chandi Lal, barrister of Delhi, a leading lawyer of this place.

**An Honourable Member:** Also a toady?

**Mr. President:** Order, order.

**Sardar Sant Singh:** The third is Mrs. Durga Das, niece-in-law of Sir Gopaldas Bhandari of Amritsar. The fourth is Shrimati Gauri Bai. I understand, though I have not been able to verify it, that she comes of a family whose members hold respectable positions in Government service and one of her brothers probably is a Captain in the Indian Medical Service. Next was Shrimati Usha Devi, the grand-daughter of Swami Shradhdhanand whose services to the Punjab have been innumerable. I need not mention the remaining names. I mention these names not with a view to create a distinction, that the ladies of the highest families should be immune from maltreatment. I hold that ladies, whether belonging to high families or ordinary families are all ladies. Their sex demands our respect and the utmost consideration. I need hardly remind this House that India has always stood for honouring the ladies, irrespective of the fact whether they belong to high families or ordinary families.

I say these ladies, whom the trying Magistrates had recommended for a class treatment in jails, were being detained in the Delhi District Jail. On Wednesday last, as I was submitting, these ladies came to learn that they were going to be transferred to the mixed jails in the Punjab. They

[Sardar Sant Singh.]

did not like it; they naturally desired to be transferred to female jails. They expressed this desire to the authorities; but the authorities remained adamant. In order to give vent to their strong feelings against this treatment, they refused to take food and went on hunger strike. Even this did not move the authorities. The authorities, as is the policy underlying all their actions in these days, were bent upon bending or breaking these ladies, and so they persisted in sending these ladies to mixed jails. In this connection I may mention that Mrs. Asaf Ali's husband, Mr. Asaf Ali, is a co-prisoner in this jail. Maulana Abul Kalam Azad, whose leadership I do not think there will be any one on this side to question, is recognised amongst all Muhammadans—he also is a co-prisoner in this jail. These gentlemen advised the ladies not to go on hunger strike, not to care for the sufferings they were enduring for the sake of their country. Their intervention was proving helpful, when the lorries came to effect their transfer. There were three lorries, one full of armed police, the other full of female police who have been recently recruited, and the third for the removal of the prisoners. First of all, Chando Bibi was brought out, bruised and bleeding and thrust into one of the lorries. (*An Honourable Member*: "Shame.") Mrs. Durga Das was another sufferer. She has a child aged three years along with her in jail. The child cried out that her shoe had fallen. Even the cries of the child were ignored and she along with her crying child was also thrown into that lorry. I forgot to mention one important fact in connection with Mussamat Chando Bibi's treatment. When she was being forcibly carried to the lorry and was being forcibly thrust into it the remark made by one of the female constables was "*kutiko bandhneko rasi lao*".—"Bring a rope to tie the bitch". That was the expression used towards a lady of a high family. After that they were taken to the railway station, bruised, beaten and bleeding. It is too long a story to tell. Prison vans were supplied wherein there were only four planks on which 15 lady prisoners were to be required to spend their night. There were no sanitary arrangements in the prison van; no food was permitted to be given to the ladies and it was with difficulty that the Station Master was persuaded to allot a third class compartment.

**Mr. President:** The Honourable Member has got only half a minute more.

**Sardar Sant Singh:** What I want to impress on the House in this connection is that this is not the only instance in which the ladies of India have been humiliated and maltreated. Another story showing similar callousness comes from Benares. There is still another about which papers have been handed over to me this morning. In Meerut one Ram Piri Devi has been treated as badly. My submission is that the time has come when a halt should be made to this sort of treatment. I cannot go into the question now, but I will strongly urge on the Honourable Members not to forego this opportunity of censuring the Government and protecting the honour of their own mothers and sisters. (*Opposition Cheers.*)

**The Honourable Sir James Crerar** (Home Member): Sir, in rising to oppose this motion, it is my intention, as has always been my practice, to place the House, without the slightest delay, in the fullest possession

of the facts as they are known to me. I will now read the purport of reports which I have received from the Chief Commissioner of Delhi. The facts are as follows:

"It had been found necessary to transfer 16 female prisoners from the Delhi Jail as the accommodation set apart for females was small and, moreover, accommodation had to be made available in case other females were sent to prison. The women themselves had complained of overcrowding and had asked for transfer.

Accordingly on the 16th March orders were received from the I. G. Prisons, Punjab, that these 16 prisoners should be transferred—11 "B" class prisoners to Ludhiana, two "A" class and two "C" class prisoners to Ambala and one prisoner to the Sub-Jail at Dharamsala. The Superintendent of the Jail communicated these orders the same day so that the female prisoners might have a chance of seeing their relatives and friends before their transfer from Delhi. The prisoner for the Dharamsala sub-jail was very pleased and after communicating with her father was sent away without any trouble on the morning of the 18th. The remaining 15 prisoners objected and threatened hunger strike on the morning of the 17th. On the 17th they refused to accept Government rations and expressed their determination to continue their hunger strike unless the orders were cancelled or they were sent to the female jail at Lahore. Accommodation was not available at the Lahore Female Jail—(and that, Sir, is a very important fact)—though the Punjab Government were willing to accommodate these 16 female prisoners, as described, at Ludhiana, Ambala and Dharamsala, they stated that no more female prisoners could be received in the jails in that province. This made it essential that the 16 prisoners should be removed in order to make available accommodation in Delhi for female prisoners which, as has already been explained, was limited. It was not feasible to send them all to one jail in the Punjab and, clearly, an impossible position would arise if female prisoners were allowed to dictate to the authorities the jails to which they should be sent. As prisoners they have no option in the matter and must obey orders.

The Superintendent of the Jail did every thing possible to induce the prisoners to give up their hunger strike and asked Mr. Asaf Ali, who is detained under the Emergency Powers Ordinance, and Dr. Ansari, to intervene. Their intervention, however, was of no avail and the prisoners put forward a further condition that Government should give an undertaking that all women prisoners sentenced in Delhi in the political movement should be transferred either to the Lahore Female Jail or to one single jail. As clearly indicated, this was an impracticable demand and the Superintendent of the Jail informed them that it was impossible to allow them to remain in Delhi any longer and that they would have to go. The Superintendent's last interview with them in the early afternoon of the 17th showed that they were in most unreasonable frame of mind, and that further argument was of no avail. He obtained orders from the Chief Commissioner who said that the rules were to be observed, that the transfer should be effected and that, if necessary, the services of the women police should be called in. The Deputy Superintendent of the Jail was ordered to carry out the transfer. The prisoners were informed at about 4-30 p.m. on the 18th that they would be transferred to Ludhiana and Ambala and were warned to pack for the journey. Those who desired were allowed to interview their husbands and relatives. It appeared that wiser counsels were prevailing, for the prisoners broke their hunger strike and took refreshments. The Deputy Superintendent was also given to understand that no resistance would be offered. By 7 p.m. everything was ready, but Mr. Asaf Ali told him that there was one recalcitrant female prisoner who might give trouble and a postponement of transfer for one day was suggested. The Deputy Superintendent was unable to get into touch with the Superintendent of Jail and, rightly, decided that he must obey the orders given to him. The prisoners were told that if they did not go willingly, women police would be called in. Thereupon the prisoners started shouting objectionable slogans such as "Inqilab Zinda bad", "Angrezi Hukumat Barbad", "Zalim Hukumat Barbad", "Safed Chamre Walon Ka Satyanash", and so on.

**Mr. Gaya Prasad Singh** (Muzaffarpur cum Champaran: Non-Muhammadan): What is that last expression please?

**The Honourable Sir James Orerar:**

"Safed Chamre Walon Ka Satyanash", "Police Walon Ka Satyanash".

"The women police, nine in number, were accordingly called in under a Deputy Superintendent and directed to remove the prisoners, whereupon one of the latter called out 'Mere Nazdik Mat Ao, Mat Hat Lagao, Warna Main Marungi'. On being

[Sir James Crerar.]

approached by the police she lay down and caught hold of a tent pole but was lifted bodily and taken outside to the lorry in which they were to be conveyed to the station. The other prisoners caught hold of each other's arms to offer joint resistance. In the course of the removal of the prisoners one prisoner received a slight scratch between the thumb and index finger by accident from a brooch, whereupon all the prisoners began to shout that one of their number had been injured and was bleeding. After three prisoners had been removed with considerable difficulty it was decided to bring the lorry inside the jail up to the gate of the female ward, but the remaining prisoners offered no resistance and reluctantly came out of the yard shouting, cursing and abusing. One of the women police was bitten on the thumb and had her *sari* nearly torn in two.

When the Dharamsala prisoner was transferred in the morning there had been a demonstration at the main station, and it was decided to remove the batch of 15 prisoners from Shabdara station. At the railway station the prisoners refused to leave the van until they knew the accommodation to be provided for them, but eventually by the efforts of the police officer and some friends of the prisoners they were pacified, and when the train came in, were put into the compartment allotted to them. Under the rules they travel in a prison van or in third class carriages. At the station also abuse and bad language were used freely and the drinking goblet of the women police was thrown down and broken in a fit of temper by one of the prisoners."

Now, Sir, those are the facts as I believe correctly reported, and in the very brief remaining time at my disposal I propose only to make a few brief comments. It struck me in the course of the Honourable gentleman's speech, that he made, so far as I am aware, no single allegation supported by any specific facts of any maltreatment whatsoever, and so far, his account is in accordance with the account which I have received. He said further that the authorities were entirely to blame with regard to this because they were committing an illegality. I deny that there has been any illegality in the matter at all. Transfers from one prison to another are one of the commonest features of jail administration, and these particular transfers were ordered entirely or largely or mainly in the interests of the prisoners themselves. The accommodation in the Delhi jail is limited, especially the kind of accommodation which the jail authorities were desirous of offering to ladies classed as "A" and "B" class prisoners. After great inconvenience to themselves, and after great inconvenience to the Government of the Punjab, arrangements for transfers were made. It was impossible, even if the prisoners were entitled to make a demand of this character, to comply with the specific request that they should be sent to Lahore, because there was no accommodation at Lahore, and I hope that the House will not support any line of action which the prisoners asked the authorities to take which would result in serious congestion and risk and serious injury to the health of the prisoners themselves.

The points which I desire to emphasise are that the transfers had been asked for by the prisoners themselves, and the particular place for which they asked, namely, the Lahore jail, was impracticable for reasons which I have mentioned, and the demands they made were in fact unreasonable and impracticable. There was no desire on the part of the jail authorities to use any force at all, nor would any force have been used if the prisoners had not necessitated it by their own conduct. Such force, as was necessary and no more, was applied by the women police, and I have been informed by the superior police authorities that in his opinion this recently formed body of women police behaved with great discipline and with great propriety in a very difficult situation. Force was only used in the last resort in spite of great provocation, resistance and abuse. It did not exceed the

absolute necessities of the case. It was carried out under duly and properly authorised orders, and the action which was taken was, I submit, the only proper action to be taken in this case.

**Mr. S. C. Mitra** (Chittagong and Rajshahi Divisions: Non-Muhamadan Rural): What was the number of lady prisoners?

**The Honourable Sir James Crerar**: The number was 15.

Now, Sir, those being the facts of the case, I shall leave it to the candid judgment of the House in the absence of any specific facts given by the Honourable Member who assures us that further inquiry into the matter was made by himself,—I leave it to the candid judgment of this House what verdict they should pass. But, Sir, I do desire to dwell upon one general question. I think that it would be right for me to point out that the obvious object of entirely gratuitous disturbances and disorders of this kind is to place the police forces and executive authorities in a difficult and embarrassing position—to induce them or to tempt them, as the occasion should serve, possibly to exceed their powers. In this case they were not exceeded, but in every case their object is to excite prejudice against the Government and the officers of Government. Now, there is a phrase very well known to the British people, and I think, in essence to the best and the most reasonable part of the Indian people, and that is, “Women and children first”. But the phrase is capable of being used in a very different manner and it has been so deliberately used. Women and children have deliberately been placed in the forefront of disturbances in reckless disregard of any injury, apart from any inconveniences that they may suffer, for the purpose of propaganda, and I do appeal to the House, because I maintain that this is a typical instance of that kind of propaganda—I appeal to the House not to give it any encouragement. (Applause.)

**Mr. C. S. Ranga Iyer** (Rohilkund and Kumaon Divisions: Non-Muhamadan Rural): The Honourable the Home Member concluded by reminding us of a famous British expression “Women and children first”, and accused the political leaders outside of having placed women and children first in their struggle for the purpose of creating a feeling in the country by exploiting these unfortunate people. That was his argument—that women and children were being used as pawns in the game, to paraphrase it frankly. That, Sir, is an entire misreading of the political situation and the part that women take in the political movement. But supposing women and children were used as pawns in the game by political leaders outside, should the British people go back on the principle that the Honourable the Home Member enunciated, namely, women and children first? Should they let loose women constables on women and children first? The introduction of women constables, if not children constables, shows that the British people in this country, obviously inspired by Sir Samuel Hoare, put women and children first.

**The Honourable Sir James Crerar**: We have had women constables in England for quite a considerable time.

**Mr. C. S. Ranga Iyer**: I know that, and I am coming to that. Women constables were in existence in England for a considerable time when women were struggling in England for women's franchise, a struggle which

[Mr. C. S. Ranga Iyer.]

has been crowned with victory by Sir Stanley Baldwin's final surrender, giving practically adult franchise to women. Even so, educated on British ideas, fed on British philosophy, reared on the lap of British science, the women in India are taking to the movement just as our men have taken to the movement. Women in India are taking to the national movement just as the women in England took to their emancipation movement. It is absolutely incorrect to say that women and children are put in the forefront of the political movement. Their being there is a logical result of British rule in India, a result which Macaulay with his prophetic eye foresaw when he penned that famous minute deciding to educate Indian men and Indian women on English lines. Therefore, the charge that women have been put in front of that movement for purposes of exploitation is a charge that cannot hold water. It is a charge that I refute from this side of the House, and I would ask Government to imagine that a situation is developing, has developed, and will continue to develop in this country just as a similar situation developed in their own country. The struggle is going on and will continue until it attains the goal toward which it is directed. Must, therefore, I ask, the Government continue to look at new things in their old fashioned way—must the Government continue to look at new developments, I ask, with their old-time spectacles? Must they not change their attitude now? Must they not change their angle of vision? That is the question that I will put to the Honourable the Home Member. What is the fun of coming and telling us in this House, as the Honourable the Home Member has told us, about jail rules? He said that the women were obstinate, their demand was impracticable. Was not the Honourable Member, when he made that statement, applying the rule that is generally applied to other classes of women prisoners? Are not our provincial and Central Governments treating our lady prisoners exactly in the same manner as non-political prisoners are being treated? Supposing a woman sets fire to a neighbour's house, supposing a woman poisons her relation, supposing a woman proves a murderess and is sent to prison, the prison rules apply to her. Supposing a young girl, fascinated by the idea of securing freedom for her motherland which she feels has been manacled for ages, supposing, fed on the milk of Western education and the teachings of Lord Morley, Milton's ideals and Macaulay's preachings, she wants to liberate her country, her countrymen and countrywomen in exactly the same manner in which English women have been acting in the past—must these brave patriotic girls be treated as ordinary common felons? I am told that the demand is impracticable. How could it be an impracticable demand when young girls, all of them arrested at Delhi . . .

**The Honourable Sir James Crerar:** I regret very much to interrupt the Honourable Member. The reason why it is impracticable was that the jail to which they required to be transferred was already full and could not receive more prisoners without congestion and all its evils.

**Mr. S. C. Mitra:** What is their number?

**Mr. C. S. Ranga Iyer:** The Honourable the Home Member says that the jail to which they wanted to go or they were to be sent was full up. I ask the Government which spends such a lot of money on the maintenance of the Army—could they not have converted one of the hotels in Mussoorie into a prison for the girls of India fighting for their freedom?

Could they not have converted one of the hotels in Simla, say the Cecil Hotel in Simla, into a jail for girls fighting for their freedom? (Laughter from the European Group.) I find gentlemen laughing there, but let us respect these young girls who are fighting for a cause with courage and with idealism. Let them not be treated in the same manner as others are being treated. Could not the Government have known that women are going to enter this movement? Could not the Government have created a good first class women's prison with excellent accommodation, respectable ladies looking after them, and with all the conveniences that these girls used to derive in their own homes,—even more conveniences? Government must have imagination. As Lord Morley said in his letter to Lord Minto, "The Government should not adhere to old maxims. The old times are gone and the new times breathe a new spirit and we cannot carry on upon the old maxims". The old times are gone but these dangerous maxims remain. Why did it not strike the imagination of the Government to build a new prison for girls? There is no getting away from the fact that the Indian question will be settled, as the Irish question was settled, though it threatens to be unsettled, as the Canadian and the South African questions were settled, and if you don't give women and children proper treatment, then take it from me that this kind of treatment will leave a trail of bitterness behind (Hear, hear.) It is no use for the Government to say that they shouted slogans. I myself have shouted slogans when I was a political prisoner, when I was transferred from the Agra prison to the Lucknow jail. There was a breakdown of the lorry near a college in Agra, when the students were preparing for an examination. My fellow prisoners raised shouts. The young boys came forward and I shouted to them the slogan. "Swaraj cannot wait, your studies can wait". I was not muzzled, though the *Leader* of Allahabad asked why I was not muzzled. If I, a man, could be treated better, why could not these women be treated better?

Then the Honourable the Home Member said that Sardar Sant Singh did not give specific facts. I am astonished that the Honourable the Home Member should have stated that he did not give specific facts. A lawyer of Sardar Sant Singh's eminence and reputation in his own place could not avoid arguments. He combined facts with arguments. Within the short time at his disposal he gave facts. He referred to children being dragged. He referred to how a prisoner or prisoners were bleeding. Are these not facts? We have not secured a contradiction of these facts. My friend has got his facts from a newspaper which is working under the Ordinances. I know what it is to run a newspaper, my paper having been the recipient of a warning lately and a rather hard warning. If I repeat the tone and the language, I must be prepared for a heavy security. I am sure the *Hindustan Times* is working under the same conditions as every other newspaper, and no newspaper will publish facts without verifying them for fear of being prosecuted under the Ordinances or suppressed, and the very fact that the *Hindustan Times* is in existence after the publication of these facts and my Honourable friend, Mr. Bajpai, the energetic Publicity Officer, has not issued a contradiction, is adequate to prove to the House that Sardar Sant Singh was taking his stand on hard facts which have not been liquified by the soft reasoning of the Honourable the Home Member. The Honourable the Home Member used the word "inquiry". No inquiry will satisfy this side of the House unless it is an impartial inquiry not meant to whitewash but to probe into the facts, an

[Mr. C. S. Ranga Iyer.]

inquiry which would result in the building up of a good women prisoners' jail with the latest conveniences for these girls, both literary and otherwise, for let it not be forgotten that they are fighting for the freedom of the country. The Honourable the Home Member said that the women police were embarrassed by these ladies. In reply, I will only repeat what Lord Morley said before I conclude. Lord Morley wrote to Lord Minto: "Your law and order people are responsible for at least as many fooleries of history" as these aggressive politicians.

**Mr. D. K. Lahiri Chaudhury** (Bengal: Landholders): I stand shoulder to shoulder with my friend Sardar Sant Singh in support of this motion for adjournment. He has taken up a right cause as a Member of this House to move this adjournment motion, and I will remind my Honourable friend the Home Member of a saying by Edmund Burke, "Invention is exhausted, reasons are fatigued and experience has given judgment but obstinacy is not yet conquered". However cogent argument is placed before this House, however strong reasoning is put forward, however much truth there be in the testimony, the Honourable the Home Member comes with a few typed pages with the facts known to him as a Gospel truth and brushes away the whole issue with the remark, that the matter is misrepresented, the reason is unjust and the demand is unreasonable. May I relate one bare naked fact. Here is the true copy of the telegram sent by Mr. Asaf Ali to Mrs. Asaf Ali:

"Wire on honour condition health and if food resumed enable me do same, most anxious Asaf."

This clearly indicates that if Mrs. Asaf Ali takes food he is also agreeable to do the same. But what is the reply that Mr. Asaf Ali got to this telegram. I read only a portion which will enable this House to know how the authority interprets. The reply runs thus:

"I withheld your telegram to your wife this morning for the simple reason that you said you would go on hunger strike if she continues hers . . . . ."

Now, if any Honourable Member knows a bit of English he will understand the meaning of this, and this is the sort of reliance the Honourable the Home Member places on the reports he gets. He said that the demand was unreasonable and what was the demand? The demand was that the women should be sent to female jails, and I will draw the attention of the House to the conditions in mixed jails, and I am grateful to the *Hindustan Times* for publishing it. It says:

"In view of the debate on an adjournment motion in the Legislative Assembly on Wednesday, permit me to place the following facts before the readers of our esteemed paper with regard to the treatment of women political prisoners in the Punjab Jails where Delhi prisoners have been transferred, to show how dangerous and reprehensible is the practice of keeping women political prisoners in men's jails.

2. In almost all District jails, there is one female ward meant for the detention of under-trial female prisoners or for very short-term female prisoners. After conviction these prisoners are transferred to Lahore Female jail.

(a) Confinement of female political prisoners in these female wards in District jails is highly objectionable and precarious because unlike female jail, where the entire staff except the Superintendent and one or two clerks is female, in District jails the entire staff with the exception of one wardress is male.

(b) Whereas in female jails, no male enters the jail unless accompanied by the Deputy Superintendent or a wardress, in a female ward a large number of males enter every day, even when there is no wardress.

(c) That respectable ladies are likely to be harassed by criminals singing indecent and immoral songs or levelling filthy abuses against each other.

(d) Ladies are, while passing from ward to the office and back for interview, likely to be insulted and assaulted. When the jail staff is not immune from such attacks how can respectable ladies be considered safe?

(e) A criminal may jump over the walls of the female ward and may make an indecent assault on ladies. A large number of convict warders move about in the jail at night. Any punishment after assault will be no remedy for the harm done.

3. The batch recently transferred to Multan jail is open to such disadvantages. The distance from the office to the ward, where they have been lodged, is about a furlong and a half. Water supply is insufficient. The space at the disposal of the prisoners to move about is inadequate. Latrines are quite close to the place where prisoners are kept. There is only one wardress. She cannot be present in jail for 24 hours. If unfortunately any lady falls ill at night, there will be no means of communication to the higher staff.

4. If there is overcrowding in the Lahore Female Jail, another District Jail may be converted into a Female Jail with female staff."

The Honourable Member in a light-hearted manner looks at that little document which he possesses in his hands and says that the demand was not reasonable and it cannot be met. Sir, in his speech my Honourable friend was interrupted by my friend, Mr. Mitra, when he was asked, how many prisoners he was going to transfer. The number given was 15. Only for these 15 individuals, even if accommodation was not available in the Lahore Jail, they could easily be accommodated by the prisoners in sub-jails being transferred to other jails. That was a fair proposal; Sir, what is the underlying motive in all this? It seems that the deliberate intention of the Government is that they will punish these female prisoners in such a manner directly and indirectly so as to intimidate them into refraining from taking part for the future in a movement for Swaraj. I say, Sir, with the utmost confidence and with all the power I can command that this sort of mean trick will not redound to any statesmanship in any civilized government on the face of the globe. Sir, this political movement cannot be retarded by any such tactics as the practising of oppression and maltreatment on our ladies. By such inhuman sufferings being inflicted on our women, the country is not going to be gagged in their political advancement. Our women will have to listen to the still strong voice of their own conscience, and conscience is common to every human being. Sir, by such methods you only yourselves spread hatred in the mind of every self-respecting citizen, and I say no power on this earth can survive if it continues its administration in the future on such lines.

**Mr. Jagan Nath Aggarwal** (Jullundur Division: Non-Muhammadan): Sir, the Honourable the Home Member almost approached this question with levity. He merely pointed out that in what my Honourable friend said about there being illegality in removing these prisoners, he was not correct. Sir, my Honourable and learned friend gave the other side credit for a good deal more. I can tell him that the section of the law which they have contravened in the treatment accorded to these ladies is not any section of the Indian Penal Code nor of any other Code of Criminal Procedure, but it is a contravention. (*Lieut.-Colonel Sir Henry Gidney*: "We cannot hear you.") You cannot hear me? You will hear me presently.

**Mr. President:** Louder, please.

**Mr. Jagan Nath Aggarwal:** Sir, it is a contravention of the law of decency, it is a contravention of the law of humanity, it is a contravention of that law which my learned friend is quite familiar with, "Women and children first" and of which Europeans are the greatest exponents, and it is a sorry state of affairs that we have now to remind them of that doctrine, which they have in their own lives in dealings with their own countrymen, practised all along for generations untold. Well, Sir, it is that patent and obvious objection that we take to this treatment of our ladies in a manner which is neither befitting their dignity nor redounds to the credit of the Government. What is the objection we take, Sir? We say, one might almost say, "Beggars cannot be choosers". The question is, once you are in jail, you are certainly entitled to expect that you shall be treated in a manner befitting the dignity of the Government and also befitting the position of the persons sentenced, especially if they be of the fair and gentle sex. Well, if that is so, what is in reality the grievance of us on this side of the House, and what is the answer to our grievance? Our grievance is that these ladies were removed bodily by force and maltreated in this process of transportation. The other side replied that every prisoner is liable to be transported from one jail to another owing to the exigencies of space or overcrowding of jails. In the first place may I point out that when it was settled in December last at the Round Table Conference that there was going to be a fight with Congress—in December last, mind you, not January—in December last before Mahatma Gandhi had departed from London, Mr. Churchill very bluntly informed us of it in the Parliamentary Debate and Mr. Benthall's memorandum has removed all doubts on that score, the Government should have prepared for this fight. Now that being so, it ought to have been anticipated that women are a necessary party in any national struggle; Government should have known it; and is it not sheer inefficiency that they did not foresee that women would figure in the national struggle? It is alleged that women have been put forward by scheming politicians here just to act as screens behind which to take shelter. Sir, can anybody pretend for one moment that this is anything but a travesty of the facts? It has been mentioned and maintained in the Anglo-Indian Press—in which my learned friend over there is very much interested—that men are taking shelter behind the *sarces* of women. Sir, that is grotesquely wrong and mischievous. Look at the figures of men rotting in jails. The same national spirit that pervades these men also permeates our womenfolk. If that is so, then it is wholly idle to make such allegations and indulge in such propaganda as the other side is indulging in. Sir, they send complacent messages to the Secretary of State that, "The situation is all quiet", "The situation is improving". Sir, I say the situation is not improving. It should be understood that when the movement has gone down to our women and children, the situation is not improving, and it cannot improve.

**Lieut.-Colonel Sir Henry Gidney** (Nominated: Non-Official): Sir, I rise to a point of personal explanation. The Honourable Member made a reference to the attitude of my community towards this question. May I inform you, Sir, that, representing as I do my community here, I would never desire anything more than that, "women and children should come first".

**Mr. Jagan Nath Aggarwal:** The Honourable Member's personal explanation has nothing to do with the point I am now making.

**Lieut.-Colonel Sir Henry Gidney:** You leave my community alone.

**Mr. President:** Order, order.

**Mr. Jagan Nath Aggarwal:** As I say, it is wholly idle to pretend that these women are there by the mere design of the scheming politicians: they are there because they feel for their country, because the movement has gone home to them: and I say if the time has come when our women are also being compelled to take such a keen interest in politics and such a keen and hazardous part in the national struggle, then it is time that the communiqué issued by the Government was revised. What do we find? It is said that "The situation has become quiet", and the Secretary of State is assured by the Government of India and the Secretary of State assures the House of Commons that the situation is well in hand. Sir, what is the contention of my Honourable friend opposite? The jails are overcrowded, and he cannot find room for these people in the solitary female jail of the Punjab. Sir, my Honourable friend must confess to palpable inefficiency if he did not foresee that women in appreciable numbers would come forward to court arrest, and he is not entitled to take shelter behind the excuse of lack of space when a new jail is being built adjacent to the central jail at Lahore. My Honourable friend, Mr. Ranga Iyer, was not very happy in his suggestion of converting the Hotel Cecil into a prison for women, but I must say, Sir, there are so many buildings which this city abounds in, and I ask, why not convert all these interesting buildings in which nobody likes to live in the summer for lack of sufficient water, into jails? Women certainly could stay in all these places in New Delhi. After all, the Ordinances are likely to expire in June. Therefore, I say that it is either a part of their self-complacency or it is a lack of foresight. Anyway, I submit that it is high time Government considered that more accommodation should be provided for women prisoners. My Honourable friend Mr. Lahiri Chaudhury has already quoted from the *Hindustan Times*, and I would also like to point out that it is very essential that women must be placed in surroundings where they are not likely to get improper treatment, either from the officials who are in charge of them or from others who may be confined along with them. Sir, when Government are keeping women in jail for political offences, is it open to them to forget that by that very reason more consideration is due to women as such than is due to men? You must not bring them into surroundings in which their very honour is imperilled. That is what is expected of them. My learned friend told us that there is no room in jails and that there are more prisoners in the country than we can keep. Sir, Government will soon come to a point when half the country will be inside the jails and the other half outside? But I cannot agree with the remark that there is no room in the Lahore jail for the ladies. There must be some room. Sir, there is ample accommodation in Delhi. I say that the Government must have less accommodation for the ordinary convict and women prisoners convicted for political offences should have more accommodation in jails in Delhi and elsewhere. Another suggestion which I would like to make in this connection is this. We read last year in the press that one of the Provincial Governments, during the short space of 15 days, got into existence a jail and they took credit for it. When a Provincial Government could do so with their limited resources, cannot the Government of India construct a new jail for lady prisoners? Then, Sir, another suggestion that was made

[Mr. Jagan Nath Aggarwal.]

last time was that criminals were let out in the Lahore jail to make room for political prisoners. You could do this again by sending the ordinary criminals to the district jails. Therefore, I say that the grievance which these ladies had was not that they wanted to go only to Lahore. They wanted to remain in jail, so it did not matter to them where they were kept. What they did want was that they should have proper surroundings, and my Honourable friend's admission that they had no accommodation for them is an admission either of inefficiency or of lack of foresight which he cannot disclaim. I support the motion.

**Sir Cowasji Jehangir** (Bombay City: Non-Muhammadan Urban):

5 P.M.

Mr. President, I am certain that nobody on this side of the House is surprised that we are having these discussions a little oftener perhaps than my Honourable friends on the opposite side of the House would desire. But when we consider the atmosphere in which we are living and also consider that we have been sitting in continuous session for nearly two months, it will be admitted that, on the whole, this House has not indulged in discussions of this sort a little too often. Sir, at the very beginning we had a discussion on the Ordinances. We had a Resolution which Members on this side of the House considered exceptionally reasonable but which was construed by my Honourable friends opposite as a vote of censure. It gave this side of the House the opportunity of ventilating their views and, in language that could not be mistaken, of informing my Honourable friends opposite that there was considerable bitterness and ill-feeling in the land. If by any chance they did not agree with that opinion, then we warned them that in a few months they would have to agree to it. Sir, there has been and there is considerable bitterness throughout the length and breadth of this country. If it is not apparent on the surface, believe me it is not because it is not there. And to mislead ourselves or to mislead anybody else, whether they be in this country or outside this country, is, in my humble opinion, a criminal action. We ought to realise the position and we ought to have our eyes open to the state of affairs that exists. I do not know what information is available to my Honourable friends opposite; but, if they consider that all is well in every part of India, I beg to disagree. The movement is going underground and I have not the slightest doubt about it, (Applause from the Opposition Benches); and, therefore, Mr. President, I am not at all surprised at this motion for adjournment of the House.

Looking at the question on its merits, however, as it comes up before us to-day, there is a great deal in which I have to disagree with some of the Honourable Members on this side of the House. The facts of the case appear to me to be fairly simple. There were a certain number of ladies—in England they are all now being called women and I would prefer, without being rude to them in any way, to call them women—in the Delhi jail. Personally, I am not concerned whether they were well-connected or whether they came from the poorest classes. I do not think that has anything to do with the question. A certain number of women were in the jail at Delhi. We have nothing to do on the present occasion as to why they were in jail. We have discussed that question. A certain number of them were in "A" class, a certain number in "B" class and a certain number in "C" class. It was decided that they should be removed from the Delhi jail for good reasons known to Government. It may be due to

congestion or it may be that they could not be well looked after here. Anyhow, they were informed that they would be removed and they objected. They stipulated that they must go to a certain jail. Now, whether it is this Government or whether it is a Swaraj Government or whether it is any Indian State, no Government can stand dictation from prisoners. (Applause from Official Benches.) They said they wanted to go to a certain jail. I understand from what the Home Member said that, even that point was considered but it was found that they could not be removed to that particular jail and they were so informed. I have not heard one word said yet from anybody that the jails to which they were to be removed had accommodation which was worse than is provided in the Delhi jail. No allegation has been made that the jails to which they were to be removed, whatever their character, were much worse than the jail at Delhi. Therefore, I take it that they were being removed to jails just as good or just as bad as the jail at Delhi. They refused to go. They carried on their non-co-operation inside the jail as most probably they would have done outside. Under those circumstances, I am at a loss to know what any Government could have done or could do. They begged of them, they implored them to go. I understand that certain well-known gentlemen who happened to be available in jail were asked to help. That is what I believe the Honourable the Home Member said just now. I think he gave out the names of one or two well-known men. He mentioned the name of Dr. Ansari who was asked to persuade them. I also understand from him that the persuasion of these gentlemen resulted in the stoppage of the hunger-strike. Is that correct?

**The Honourable Sir James Crerar:** I believe so.

**Sir Cowasji Jahangir:** It seems to me that if those facts are correct, as stated by the Honourable the Home Member, then steps were taken to persuade these ladies to move. But they would not move, and their refusing to move could only result in the use of force by the Police. That has been admitted. Government admit that they did use force. Now, when force is used whether it be against men well-connected or the poorest men, or whether it be against women in any state of life, it is always unpleasant. The use of force always results in retaliation. But my Honourable friend who moved the motion for adjournment did not tell us why force was used by the women police. There must have been some cause, and therefore if there was some cause for using force, he did not mention what it was. It is quite easy to imagine what must have happened. These women must have refused to move, they must have clung together; some force must have been used and there must have been a bit of a tussle and ultimately one or two must have been removed and the rest must have reluctantly followed. On these facts, I regret I am not able to go into the lobby to censure Government.

But, the discussion has had a very useful result and that is as to what is the accommodation that Government are providing under these extraordinary circumstances. That is not a point for a vote of censure, but it arises on this motion which has served a very useful purpose. Are Government taking precautions to see that there is enough jail accommodation, for if the present state of affairs continues, I have not the slightest doubt that Government will require not double, not treble but four times the accommodation they have got at present. If this discussion only results

[Sir Cowasji Jehangir.]

in Government taking proper precautions to have this jail accommodation ready, it will have served a very useful purpose. I agree with every word that my Honourable friends have said with regard to Government seeing to it that all women, whether they be highly placed or the commonest of women, all convicted of political offences should be decently treated. I would on this occasion again appeal to Government to see that the classification is properly judged. That is another point that might well be brought to the attention of Government. Some days you see that men who have been accustomed to live well are put into "C" class and also men who had been put into "A" class before, are put into the "C" class. I do not think that sort of thing should continue. It only adds to the bad blood, adds to the bad feeling, it only adds to the difficulties that we are all going to encounter in a year or two, or perhaps within six months. Therefore, it would be as well that Government took a long view in these matters. All they want to do is to confine these people and stop them from their activities at present. That is all that is required to be done and there should be no malicious action.

**Mr. Jehangir K. Munshi** (Burma: Non-European): Mr. President, there was a time, not very long ago, when the Honourable the Home Member had the benefit of serving the Government of Bombay. That also was a time when my Honourable friend Sir Cowasji Jehangir was a Member of the Government of Bombay. Sir, judging from the speeches delivered to-day by the Honourable the Home Member and by Sir Cowasji Jehangir it strikes me that this association has done neither of them any good. (Laughter and Cheers.)

My Honourable friend Sir Cowasji Jehangir quite rightly pointed out to the Government Benches that there is intense feeling in the country and that the movement is gathering strength, whether it be above the surface or below the surface. He pointed out to the Government that it would be a criminal act to minimise or misrepresent the intensity of feeling in the country. I think I am voicing the opinion of the Opposition Benches when I say that nothing done by Government, nothing done by any Government official can cause more bitterness to Indians than the treatment meted out to their women. (Hear, hear.) This is a factor which my Honourable friend Sir James Crerar always swayed by his peculiarly cold logic can never take full note of. I was amazed when he informed the House that he saw nothing in the allegations made by my Honourable friend Sardar Sant Singh to justify this adjournment motion. I also listened to the facts narrated by my Honourable friend Sardar Sant Singh and although I have a peaceful disposition, I certainly saw red for a few minutes. If the facts related by Sardar Sant Singh strike the Government Benches as innocuous, if the facts narrated by Sardar Sant Singh fail to move my Honourable friends sitting on the European non-official Benches, then I am afraid the British community, official or non-official, will never realise the strength of Indian feeling, so far as the treatment of India women is concerned. (Hear, hear.)

My Honourable friend Sir Cowasji Jehangir made certain pertinent enquiries and I should also like to repeat those enquiries. Is it the position of the Government of India that the jail administration in Delhi would have come to a standstill if these 15 women had not been removed from Delhi jail to some other jail? Would it not have been possible, assuming

that there was congestion in the Delhi jail, would it not have been possible to remove some of the male prisoners from Delhi jail to some other jail and keep the women prisoners here? As a last resort, would it not have been possible to remove from the Delhi jail some of the women prisoners who have been convicted and sentenced under the ordinary law? On this point I want to challenge the statement of my Honourable friend Sir Cowasji Jehangir that this House should not draw any distinction between persons sent to jail under the Ordinances and persons sent to jail under the ordinary criminal law of the land.

**Sir Cowasji Jehangir:** I never said so. I said distinction should be made.

**Mr. Jehangir K. Munshi:** I stand corrected. Am I to understand my Honourable friend now to say that he did not suggest that whether women prisoners are detained in Delhi jail under the Ordinances or whether they are prisoners under the ordinary criminal law . . . . .

**Sir Cowasji Jehangir:** That is not what I said. I say now and I always maintained that there should be a great distinction between political prisoners and prisoners who have been convicted under the ordinary law. But there should be little difference in considering prisoners well-connected and poor people who have been convicted of political offences. There may be a distinction of A and C class by all means. But because a well-connected prisoner happens to be obstinate you cannot let that person off. She or he should get the same treatment as a person who is poor and struggling.

**Mr. President:** The Honourable Member has made his position clear.

**Mr. Jehangir K. Munshi:** I apologise to my Honourable friend Sir Cowasji Jehangir for having misunderstood him in any particular. I am glad that I have him with me and the Independent Benches with me when I say that this House will certainly draw a distinction between prisoners whether male or female, who are in jail under the Ordinances and those who are in jail under the ordinary criminal law.

The Honourable the Home Member expressed himself disappointed at the lack of more specific facts from Sardar Sant Singh. I would invite the Honourable the Home Member himself to give fuller facts to the House when he replies to this debate, as to what is the total jail accommodation in Delhi, how many women can be ordinarily accommodated in the Delhi jail, what is the number of women in Delhi jail imprisoned under the ordinary law, and why it was considered necessary to single out these 15 ladies to distribute them all over the Punjab. This House would also like to know whether, when these 15 ladies are separated in this way, two sent to one jail and three to another and so on, there will be any other women prisoners in those other Punjab jails, and what precautions will be adopted to see that the honour of these 15 ladies is safeguarded and that they will not be subjected to ill-treatment, distress, molestation or risk of any kind. Because, ultimately we must come back to this main question, how are we going to allow our women to be treated, whether in jail or outside it? (Hear, hear.)

**Mr. President,** incidents of this type which have been related in this House to-day will not only help the Congress movement but will also help the revolutionary movement. I ask Sir James Crerar to imagine to himself the feelings of thousands of young men and women who are daily

[Mr. Jehangir K. Munshi.]

gathering round the revolutionary banner filled with a desire to kill those particular people who have been reported to have subjected these ladies to this violence. I am not here concerned with the point whether it will be right or wrong for these revolutionaries to think of taking such action. But is it not natural for such people who have joined this violent revolutionary movement, to feel at the moment a strong desire to kill persons placed in such positions who subject Indian women to such treatment? Would Sir James Crerar be surprised to read a couple of days hence that one of the Bengal revolutionaries or any other revolutionary, whether he is called a misguided patriot or a dangerous criminal, has killed two or three of these officials who were responsible, according to the reports available to us, for these atrocities committed on these women? I shall not be surprised and I am sure the Opposition Benches will not be surprised. Whither are the Government of India leading these young men and women? The Government of India want to crush the Congress movement; they also want to stamp out revolution and violence. Are these the methods to be adopted? That 15 ladies imprisoned without trial under the Ordinances should be forcibly . . . . .

**The Honourable Sir James Crerar:** Did the Honourable Member say they were imprisoned without trial?

**Mr. Jehangir K. Munshi:** Without trial except under the Ordinances.

**The Honourable Sir James Crerar:** I think the Honourable Member is mistaken. He said they were imprisoned without trial. They were not; they were convicted.

**Mr. Jehangir K. Munshi:** Does the Honourable the Home Member seriously suggest that any of these women have been sent to jail after a proper trial as a trial under the British constitution and in a British court of law is understood?

**The Honourable Sir James Crerar:** Certainly, Sir.

**Mr. Jehangir K. Munshi:** Mr. President, it is very sad to part with a Member of this House, whether official or non-official, with whom one has sat in this House for about four years. But if that is Sir James Crerar's conception of trial under British law, then I for one do not feel any overpowering sorrow at the idea of his leaving the country in the next few days.

Sir, I do hope my Honourable friend Sir James Crerar will make it clear to the House why it was thought indispensable to remove these 15 ladies from the Delhi jail, why they were separated in the manner they have been separated, and what precautions the Government of India or any other Government are going to take in order that these ladies may not be subjected to ill-treatment, insult, molestation or risk of any kind. That, Sir, is so far as future treatment is concerned. But so far as the past is concerned, so far as the maltreatment of these 15 ladies is concerned, that can only be dealt with by a successful censure motion. (Applause.)

**The Honourable Sir George Rainy** (Leader of the House): Sir, I do not wish to speak at any great length, but there are one or two observations which occurred to me in listening to this debate and I felt that I ought to say something. The adjournment procedure, Mr. President, has

been devised in order that the House may have opportunities for discussing definite matters of urgent public importance. The subject to-day is the maltreatment of the women political prisoners in Delhi jail in the course of their transfer to mixed jails. I have never heard a debate on a motion for adjournment in which so little has been said on the subject of the motion.

**Mr. S. C. Mitra:** On a point of order, Sir. Can any Honourable Member question the propriety of the Chair not interfering with Members when they were speaking irrelevantly?

**Mr. President** (The Honourable Sir Ibrahim Rahimtoola): I do not believe that the Honourable Member's contention is that the debate was irrelevant. The Chair would have taken notice if it had been irrelevant. The Chair holds that the debate has been quite relevant. The Honourable Member's contention is that in the discussion which has taken place, sufficient has not been said on the one issue involved to which he wishes to draw attention.

**The Honourable Sir George Rainy:** I was not raising for a single moment any question of order whatsoever. I am perfectly well aware, Sir, that you are always ready to control the debates in this House if they tend to go beyond the proper limits. That is not my point at all. But what I noticed was a certain timidity amongst the Opposition speakers and a desire to deal with matters on the fringe of the subject rather than to get near the heart of it. That appeared even in the Honourable the Mover's speech, because as I watched the clock I began to wonder whether he was leaving himself quite sufficient time to give the facts to which he wished to draw the attention of the House; and it seemed to me that he was leaving himself very little time indeed as in fact it turned out. And since my Honourable friend the Home Member read a statement of the facts from the report which he had received, I have not heard his version seriously challenged by any one of the speakers. In those circumstances, Sir, I think I am entitled to claim that our version of the facts holds the field, and the position was very aptly summarised, if, I may say so, by my Honourable friend Sir Cowasji Jehangir in his speech. He put it very briefly and very clearly, and the sum and substance of it is just this, that force was used, that it was necessary to use it if jail discipline was not to go by the board altogether, and that no facts had been alleged to show either that the orders given were unreasonable or that in carrying them out more force had been used than was necessary. It was precisely on those grounds that he announced his inability to vote for the motion. I admit that debates of this kind, which give an opportunity for Members on the unofficial Benches to let Government know what the feeling in the country is—I am not questioning that—but still when we come to the point of whether this motion should be carried or not, then I claim that on the specific point put before the House no sufficient grounds have been advanced for an adverse vote. Now, one speaker—I think it was my friend, Mr. Aggarwal—suggested that it was not right to send women prisoners to places where they might be treated improperly, and my Honourable friend, Mr. Mūnshi, made a similar suggestion. Now, it occurred to me, as it occurred to my Honourable friend, Sir Cowasjee Jehangir, to ask what reason anybody has to suppose that in the Ambala and Ludhiana jails they are in fact in any greater danger of improper treatment than they are in the Delhi jail? Surely that cannot be assumed. . . .

**Mr. Jehangir K. Munshi:** Because they are separated from one another.

**The Honourable Sir George Rainy:** Does the Honourable Member suppose that the Delhi jail is not a mixed jail as my Honourable friend the Mover called it? . . . .

**Mr. Jehangir K. Munshi:** But the fifteen have been separated from one another. Here they were not separated but were kept together in the Delhi jail.

**The Honourable Sir George Rainy:** Does the Honourable Member suppose that in other jails there is no separation? My Honourable friend is I think a little unfair when, having been betrayed by his own ignorance of the facts, he attempts to cover his tracks, as he did when he made the suggestion that these prisoners had not been tried. I cannot congratulate him on the manner in which he attempted to wriggle out of that little difficulty.

In all seriousness, we do realise on the Government Benches the sensitiveness of Indian opinion when there is any apprehension or any fear that Indian women have been cruelly or unfairly treated. We do realise it. But there is also this to be said, that it is very important, if and when accusations are made of such treatment and are shown to be without foundation, that this House, while ready to condemn what is in fact maltreatment, should also not be ready to censure Government when all that has been done is to carry out the plain duty of any Government in the position which actually arose. That is the plain issue before the House, Mr. President, and personally I have great confidence in what the verdict of the House will be.

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

**Mr. President:** I accept the closure. The question is that the question be now put.

The motion was adopted.

**Sardar Sant Singh:** Sir, I would not like to detain the House much longer, but I would like to answer certain questions put to me by the Honourable Sir Cowasjee Jehangir and the Honourable the Leader of the House. The question which has been definitely asked of me by the former is, what is the difference between the jails to which they have been sent and the jail from which they were sent? The reply is very simple. The jails to which these lady prisoners have been sent are meant for habituals alone. Habitual jails are meant for those convicts who have got more than one conviction at their credit. They are hardened criminals and are therefore kept in separate jails. The ladies were sent amongst hardened criminals who would not hesitate to outrage their modesty by shouting abusive slogans even from a distance. The second reason is that the jails to which they have been sent are not intended for female prisoners. Female jails under the jail regulations are provided. In my speech I made it clear. Probably either I was not clear or this portion of my speech was not listened to with attention. Female jails are separate jails in the Punjab, and probably there is only one such jail and that is at Lahore. The other jails have a female ward and that ward is meant for under-trials and no jail can detain female prisoners after their conviction for more than a week. This is the illegality which I pointed out, and if this illegality ceases to be an illegality because it is committed by the agents of the Honourable the Home Member, then I have nothing more to say. But if it is an illegality, then I charge the executive authorities for violation of law in

whose name they are transferring these prisoners. If this is not a specific allegation, I fail to see what is a specific allegation.

I now refer to the second point. The Honourable the Home Member has stated that it was impracticable to accede to the wishes of these lady prisoners. The reply to this is also very simple. Since the time these lady prisoners have been transferred from Delhi jail, the female ward lies vacant up till now. I challenge my Honourable friend to say that there are any lady prisoners now there. (Opposition Cheers.) The third specific fact I am going to supply is this: that during the last civil disobedience movement of 1930 the European ward of this jail accommodated fifteen lady prisoners. Now it is being used by their four favourites, who are known as approvers in the Delhi conspiracy case. Could these approvers not be removed elsewhere and these ladies accommodated instead? My friend Mr. Munshi has asked me how many women can be accommodated in Delhi jail. I think I have supplied the answer and this answer should satisfy everybody.

The question has been put to me—what led to the use of force towards these lady prisoners? The reply again is very simple. Is not a man or woman entitled to protect her honour or chastity or modesty, specially when it is being threatened by an illegal act of the executive? Were they not justified in demanding that they should be sent to the female jail? If this demand was legitimate, certainly they were justified in offering *satyagraha* when being removed to places not meant for their detention by the law of the land.

These are the facts which I want to place before the House. I will say in the end that the real cause which leads to such abuses of power lies in the fact—in the mentality which at this time prevades the European Benches as well as the Government Benches: namely all the members of the family of a person belonging to the Congress school must be considered beyond the pale of laws and decent treatment. The most recent instance of the working of this mentality that I have come to know is of the wife of one Bhagat Singh, who is now detained in the Subzimandi lockup. She fell ill and went round all the hospitals to be treated. Every female hospital refused to admit her and she died only yesterday for want of medical treatment. (*Cries of "Shame, shame"* from the Nationalist Benches.) These are the facts Sir. The Honourable the Home Member opposite wanted facts. We challenge the mentality of the Government. If they really want any co-operation or any settlement of this burning question, and one day it must come as my friend Mr. Kanga Iyer said, they must not make themselves slaves of such a mentality. In the meantime, Sir, bitterness has increased, and is increasing immensely. It has increased to such an extent that it will in near future become very difficult for the Englishmen to remain in India. With these remarks I leave my motion in the hands of the House.

**The Honourable Sir James Crerar:** Mr. President, I have only got half a dozen sentences to say, as the hour is somewhat advanced, in reply to what has fallen from the Honourable the Mover of this motion. I am somewhat surprised that an Honourable and learned gentleman—learned in law—should be repeating the statement that the action taken in this case was an illegality. The Honourable and learned gentleman referred to a regulation in the Punjab Jail Manual prescribing, if I understood him correctly, that, owing to the existence of a special female jail at Lahore, every other jail should evacuate the special wing allotted to women as

[Sir James Crerar.]

speedily as possible. It is a perfectly proper arrangement in normal administrative times, but it is obvious and must be obvious to the Honourable Member himself that it is purely an administrative and executive order issued with reference to normal times, and when he repeats, on the basis of that reiterated fact, that this was an illegality committed by Government and its officers, he must be aware himself of the veritably untenable character of his allegation. I repeat once more, Sir, that even though the Honourable Member has had an opportunity to reply after his notice had been invited to that fact, there was nothing illegal, nothing to indicate or to substantiate the allegation that the women policemen who were mainly concerned in this matter deliberately and gratuitously maltreated these prisoners or used any more force than was absolutely necessary. He has not said one single word about physical maltreatment of that kind, which I understand to be the gravamen of his charge.

With regard to the other more general matters, I would like to say one word in reply to what, if I may call it the more practical speech made by my friend from Bombay and what was said in confirmation by the Honourable the Leader of the House. We do indeed very fully recognise how sensitive public opinion is with regard to these matters, and I do not think that the House will be prepared to admit, in view of the very complete statement which I made, that it could be reasonably inferred by any reasonable and sensible man that our views in the matter were different or were otherwise exemplified in this particular instance. Not only the Government of India but the Local Governments are fully aware of this and indeed they have precisely the same disposition themselves, and I absolutely deny the suggestion that in any jail in any province in India where women are confined that principle is departed from.

As regards the provisions of the jail accommodation to which my friend from Bombay referred, that is constantly engaging the attention of Local Governments, and I may assure the House that, should most unfortunately the necessity arise which recently, I am glad to say, has become less and less, arrangements will be made by which the detention of prisoners will be adequately and properly provided for.

**Mr. President:** The question which I have now to put is that the House do now adjourn.

The Assembly divided:

AYES—33.

Abdul Matin Chaudhary, Mr.  
Aggarwal, Mr. Jagan Nath.  
Azhar Ali, Mr. Muhammad.  
Bagla, Lala Rameshwar Prasad.  
Bhupat Singh, Mr.  
Das, Mr. A.  
Das, Mr. B.  
Dutt, Mr. Amar Nath.  
Gujral, Mr. N. R.  
Harbans Singh Brar, Sirdar.  
Isra, Chaudhri,  
Jadhav, Mr. B. V.  
Joshi, Mr. N. M.  
Kyaw Myint, U  
Lahiri Chaudhary, Mr. D. K.  
Lalchand Navalrai, Mr.  
Lhadhar Chaudhary, Seth.

Miara, Mr. B. N.  
Mitra, Mr. S. C.  
Murshii, Mr. Jehangir K.  
Murtaza Saheb Bahadur, Manjiri  
Sayyid.  
Neogy, Mr. K. C.  
Patil, Rao Bahadur B. L.  
Banga Iyer, Mr. C. S.  
Reddi, Mr. T. N. Ramakrishna.  
Sant Singh, Sardar.  
Sarda, Diwan Bahadur Harbilas.  
Sen, Mr. S. C.  
Sen, Pandit Satyendra Nath.  
Singh, Mr. Gaya Prasad.  
Thampan, Mr. K. P.  
Uppi Saheb Bahadur, Mr.  
Ziauddin Ahmad, Dr.

## NOES—58.

Acott, Mr. A. S. V.  
 Ahmad Nawaz Khan, Major Nawab.  
 Allah Baksh Khan Tiwana, Khan Bahadur Malik.  
 Anklesaria, Mr. N. N.  
 Azizuddin Ahmad Bilgrami, Qazi.  
 Bajpai, Mr. G. S.  
 Bajpai, Mr. R. S.  
 Banerji, Mr. Rajnarayan.  
 Bhore, The Honourable Sir Joseph.  
 Biswas, Mr. C. C.  
 Brown, Mr. R. R.  
 Clow, Mr. A. G.  
 Cocke, Sir Hugh.  
 Cosgrave, Mr. W. A.  
 Crerar, The Honourable Sir James.  
 Dalal, Dr. R. D.  
 DeSouza, Dr. F. X.  
 Fox, Mr. H. B.  
 French, Mr. J. C.  
 Ghuznavi, Mr. A. H.  
 Gidney, Lieut.-Colonel Sir Henry.  
 Graham, Sir Lancelot.  
 Gwynne, Mr. C. W.  
 Heathcote, Mr. L. V.  
 Howell, Sir Evelyn.  
 Ishwarsingji, Nawab Naharsingji.  
 Ismail Ali Khan, Kunwar Haitee.  
 Ismail Khan, Haji Chaudhury Muhammad.  
 Jawahar Singh, Sardar Bahadur Sardar.

Lal Chand, Hony. Captain Rao Bahadur Chaudhri.  
 Macqueen, Mr. P.  
 Moore, Mr. Arthur.  
 Morgan, Mr. G.  
 Mujumdar, Sardar G. N.  
 Mukherjee, Rai Bahadur S. C.  
 Nixon, Mr. J. C.  
 Noyce, Sir Frank.  
 Pandit, Rao Bahadur S. R.  
 Rafiuddin Ahmad, Khan Bahadur Maulvi.  
 Rainy, The Honourable Sir George.  
 Rajah, Rao Bahadur M. C.  
 Rama Rao, Diwan Bahadur U.  
 Rau, Mr. P. R.  
 Ryan, Mr. T.  
 Sahi, Mr. Ram Prashad Narayan.  
 Sarma, Mr. R. S.  
 Schuster, The Honourable Sir George.  
 Scott, Mr. J. Ramsay.  
 Shah Nawaz, Mian Muhammad.  
 Sher Muhammad Khan Gakhar, Captain.  
 Studd, Mr. E.  
 Sykes, Mr. E. F.  
 Tin Tut, Mr.  
 Wajihuddin, Khan Bahadur Haji.  
 Wood, Sir Edgar.  
 Yakub, Sir Muhammad.  
 Yamin Khan, Mr. Muhammad.  
 Young, Mr. G. M.

The motion was negatived.

The Assembly then adjourned till Eleven of the Clock on Thursday, the 24th March, 1932.

## APPENDIX,\*

*Translation of the speech delivered in Marathi by Mr. N. R. Gunjal, M.L.A., in the Legislative Assembly on the 10th March, 1932, during the General Discussion of the General Budget.*

**Mr. N. R. Gunjal** (Bombay Central Division: Non-Muhammadan Rural): Sir, the Honourable Sir George Schuster last Monday presented to the Assembly the Government of India's revised estimates for the current year and the Budget estimates for the year 1932-33. The public had already before them a fair outline of this Budget in last September and they were consequently unenthusiastic about it. Since the taxes were raised for a period of eighteen months only in last September, it was unlikely that the Finance Member would resort to a fresh enhancement of taxation now. The people may, however, find some interest in knowing how far the Finance Member's expectations have come to be realised during the last four or five months; and as regards this it will be seen that Government estimates have failed in a rising degree.

At the commencement, no deficit was anticipated in the current year; but the Finance Member had to declare a deficit of ten crores last September. The new increase in the taxation was certified in the teeth of opposition from the whole nation, and even then there appears to be a likelihood of the deficit rising up to 13½ crores, for the current year alone. If, even after the application of the retrenchment axe and the excessive increase in taxation, the Budget cannot be balanced, will it be unreasonable to hold that the Government machinery has seriously gone wrong somewhere? Really the Government of India machinery needs overhauling before it can work smoothly again. The reform needed is that full responsibility should be introduced at the centre and an Indian expert should be appointed as the Finance Minister. Even with the abnormally enhanced taxes the estimated income could not be gathered this year; this is ascribed by Government to the general trade depression. No doubt, that is a true cause to a certain extent, but the present political situation in the country is, to my mind, the more potent cause of it. The import and export figures are instructive in this respect. For the first ten months of 1929-30 figures for imports and exports stood at Rs. 265 and Rs. 201 crores, respectively. The corresponding figures for 1931-32 were Rs. 134 and Rs. 105 crores. Although the fall in trade prices may be one of the causes of this diminution in the imports by Rs. 96 crores, the boycott movement is not the less important cause. It has resulted in the decrease of income from custom duties on sugar and cloth. Therefore, starting of conciliatory political policy is the real effective remedy for an early improvement in the economic condition of this country. Even the Budget figures support this conclusion.

The Budget estimates for 1932-33 provide 129 crores and 96 lakhs as the revenues, 127 crores and 81 lakhs as expenditure and 2 crores and 15 lakhs as the closing balance. The accuracy of these estimates depends largely on the progress that will be made in retrenchment. Next year the military expenditure is estimated at 46 crores and 74 lakhs and His Excellency the Commander-in-Chief has warned us that there will be no further scope for retrenchment there. Several Indian leaders have already expressed the view that India is unable to bear so much military expenditure. The popular party should not slacken their demand for curtailment of military expenditure. Taxation has now reached the maximum limit,

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\*Vide page 1786 of these Debates.

but even then Sir George Schuster suggests enhancement of taxation on salt, kerosene and other articles of necessity. This discloses the delicate condition to which the Government are reduced. The Finance Member should bear in mind that when he raises the taxes, he has got to give corresponding advantage to the people. Maintenance of peace and order is not the only function of the Government; but it is also their duty to solve the problem of unemployment, to develop the industries in the country, and so on.

The inflation of currency by 35 crores has well served the Government in respect of payment and flotation of debt. Great Britain has been much benefited by the export of gold. Government propose to float a loan of 14½ crores next year. Government securities are going up; this ensures success of the loan, no doubt. But Government must, at the same time, strive to improve the political situation in the country.

The Honourable the Finance Member expressed his regrets over the Budget while presenting it and remarked that he had to present it to the Assembly as ordered by His Excellency the Viceroy. The Assembly Members need not feel sorry. The agriculturists had no profit last year and the rainfall was defective this year. The times have changed. If Government realise this, it is strange that they should pursue the policy of adding to the burden of taxation on agriculturists and other professions. This year the farce of retrenchment has started, and Indians have fallen victims thereto. There have been several instances of the Indians coming under retrenchment, but there are only stray instances of Europeans coming thereunder. We feel very much for this discrimination.

One word more; the deficit in the next year's Budget is to be met by floating a fresh loan. Every year Government go in for loans thereby swelling their indebtedness. I accused Government of insolvency last year; that might have given an offence to them. I have to say that any subordinate Government under the Government of India could have, with propriety, declared insolvency on account of the heavy burden of debts; but the Government of India, being the supreme Government, have not got this way open to them. That is the only difference.