

LEGISLATIVE ASSEMBLY DEBATES

MONDAY, 22nd FEBRUARY, 1932

Vol. II—No. 2

OFFICIAL REPORT



CONTENTS.

- Questions and Answers.
- Unstarred Questions and Answers.
- Messages from His Excellency the Viceroy and Governor General.
- Constitution of a House Committee.
- The Bengal Criminal Law Amendment (Supplementary) Bill—
Presentation of the Report of the Select Committee.
- Election of Members to the Standing Committee for Roads.
- Election of Members to the Standing Committee for the
Department of Education, Health and Lands.
- The Wire and Wire Nail Industry (Protection) Bill—Passed
as amended.
- The Indian Air Force Bill—Time for presentation of the Report
of the Select Committee extended.
- The Workmen's Compensation (Amendment) Bill—Circulated.
- Resolution *re* Duties on Galvanised Iron and Steel Pipes and
Sheets—Discussion not concluded.

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LEGISLATIVE ASSEMBLY

Monday, 22nd February, 1932.

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

QUESTIONS AND ANSWERS.

VIOLATION BY THE CONGRESS OF THE IRWIN-GANDHI PACT.

417. *Kunwar Hajeer Ismail Ali Khan: Will Government kindly lay on the table the full facts and figures as to how the Indian National Congress violated the Irwin-Gandhi Pact?

The Honourable Sir James Orerar: I lay on the table copies of the following documents†:

- (1) A statement issued by the Government of the United Provinces on the 14th of December, 1931.
- (2) Statements issued by the Chief Commissioner of the North-West Frontier Province on the 24th and 30th of December, 1931.
- (3) A statement issued by the Governor General in Council on the 4th of January, 1932.
- (4) Reports received from other Local Governments.

I should like to make it clear that the material contained in these documents is not exhaustive.

USE OF WAITING ROOMS BY TRAVELLING TICKET EXAMINERS ON THE EAST INDIAN RAILWAY.

418. *Khan Bahadur Haji Wajihuddin: Is it a fact that Travelling Ticket Examiners are debarred by the Chief Operating Superintendent, East Indian Railway, from occupying the waiting rooms in railway stations even in places where no other accommodation is available?

Sir Alan Parsons: Government have no information. I am, however, bringing the Honourable Member's question to the notice of the Agent, East Indian Railway, for such action, as he may consider necessary.

†The statements were distributed to all Honourable Members and also placed in the Library of the House. They were originally published as follows:

- (1) In the United Provinces Gazette dated the 19th December 1931.
- (2) The statement dated 24th December, 1931 was not published; that of 30th December was published in the North-West Frontier Province Gazette dated 28th December, 1931.
- (3) In the Gazette of India Extraordinary dated 4th January, 1932.
- (4) These were not published.

ADJUSTMENT OF COMMUNAL INEQUALITIES IN THE INDIAN MEDICAL SERVICE.

419. *Lieut.-Colonel Sir Henry Gidney: (a) Will Government please state whether in the selection of candidates in India for the Indian Medical Service any provision is made to adjust communal inequalities as obtains for all other higher services?

(b) If the answer to part (a) is in the negative, are Government prepared to consider the advisability of introducing such provision in future selections for the Indian Medical Service? If not, why not?

Mr. G. M. Young: (a) The answer is in the negative.

(b) The answer is also in the negative. The Government of India consider that selection for this service should be governed by professional ability and aptitude, rather than by considerations of religion.

Lieut.-Colonel Sir Henry Gidney: Will the Honourable Member inform this House whether it is not a fact that the same principle applies to all Government services and notwithstanding that principle, communal inequalities in such appointments are adjusted by allotting one-third for minority communities?

Mr. G. M. Young: I am not in a position to answer about all Government services. I have given the answer as regards this particular service.

Lieut.-Colonel Sir Henry Gidney: Will some responsible Government Member answer whether this is the policy underlying selection of all candidates to superior Government services?

The Honourable Sir James Orerar: I think that hardly arises. But the general policy of Government on this subject has been explained in this House on numerous occasions to which I would refer the Honourable and gallant gentleman.

PAY AND ALLOWANCES OF THE INDIAN STAFF OF THE OFFICE OF THE HIGH COMMISSIONER FOR INDIA.

420. *Lieut.-Colonel Sir Henry Gidney: (a) Will Government please state whether it is a fact:

- (i) that the overseas pay of the Indian staff of the office of the High Commissioner for India has been reduced by 5 per cent;
 - (ii) that the European staff of the office of the High Commissioner for India are in receipt of various allowances and a cost of living bonus;
 - (iii) that the Indian staff of the office of the High Commissioner for India are denied these allowances as also the cost of living bonus; and
 - (iv) that the allowances of the European staff of that office have not been reduced?
- (b) Do Government propose to consider the desirability of—
- (i) restoring the cut of 5 per cent. on the overseas allowance of the Indian staff; and
 - (ii) granting the Indian staff of that office the cost of living bonus?

The Honourable Sir George Rainy: (a) (i). The reduction varies in each case according to an officer's total emoluments. 5 per cent. is the maximum reduction.

(ii) and (iii). The facts are not as stated. Indian members of the High Commissioner's staff are in exactly the same position as the European personnel in respect of the cost of living bonus. No other allowance is given except for special work. Members of the staff who are of Indian domicile, however, and whose basic pay does not exceed £400 a year, receive an overseas allowance of £50 a year and are to that extent more highly paid than the European personnel of corresponding status.

(iv) No. A uniform reduction has been made in the cost of living bonus of all members of the staff who are in receipt of it.

(b) (i). No.

(ii) Does not arise.

Lieut.-Colonel Sir Henry Gidney: Will the Honourable Member state whether it is not a fact that it is the intention to stop the overseas allowance for Indian domiciled employees in the High Commissioner's Office and whether in other cases it has been reduced? If so, will the Government please enquire into the matter?

The Honourable Sir George Rainy: I have no information to that effect.

Lieut.-Colonel Sir Henry Gidney: Will the Government get the information on the matter?

The Honourable Sir George Rainy: I think the Honourable Member is utilising a supplementary question with a view to communicate rather than receive information.

MORTALITY AND SICKNESS IN THE BRITISH ARMY IN INDIA.

421. ***Lieut.-Colonel Sir Henry Gidney:** (1) Will Government please state whether it is a fact:

- (a) that the death rate in the British Army in India since 1900 has fallen from 14.6 per thousand to 2.78 per thousand in 1930;
- (b) that the admission rate into hospitals of British ranks has fallen from 840 during the period 1904-08 to 617 during the period 1920-30;
- (c) that the number for whom nursing attendance is provided, *i.e.*, British troops, women and children has been reduced by over 20,000 since 1922; and
- (d) that the number of British Military Hospitals has been reduced and that the number of beds has been reduced from 8,684 in 1922 to 5,723 in 1931?

(2) Is it a fact that there has been a marked improvement in mortality and sickness in the British Army in India, a general reduction in the other departments of the medical services attached to the British Army in India and a reduction of British troops and the number of beds in hospitals?

(3) Is it also a fact that the number of nursing sisters has increased from 94 in 1914 to 224 in 1931?

Mr. G. M. Young: (1) The figures given by the Honourable Member are substantially correct.

(2) Yes.

(3) Yes, Sir. The medical standards of the present day are not those of 1914. The great improvement in the health of the Army, to which my Honourable friend has drawn attention, is due in no small measure to more and better nursing.

Lieut.-Colonel Sir Henry Gidney: Arising out of the reply will the Honourable Member state if it is not a fact that prevention of diseases in the Army in India does not form part of the training of nurses employed in British Army hospitals?

Mr. G. M. Young: I think that good nursing forms a very important part of the treatment of diseases, if not their prevention.

Lieut.-Colonel Sir Henry Gidney: My question referred to the "prevention" and not the "treatment" of diseases.

NURSING SISTERS IN BRITISH FAMILY HOSPITALS.

422. ***Lieut.-Colonel Sir Henry Gidney:** Will Government please state whether they intend to accept the recommendations of the Army Retrenchment Sub-Committee on the question of the recruitment of Q. A. M. N. S. and issue orders:—

- (a) to stop the replacement in British family hospitals of locally recruited matrons by sisters of the Q. A. M. N. S.;
- (b) to staff all British family hospitals with locally recruited matrons; and
- (c) to revert Q. A. M. N. S. sisters so employed to duty at British military hospitals?

Mr. G. M. Young: (a), (b) and (c). Government cannot see their way as yet to replacing the British nursing service throughout by Anglo-Indian and Indian nurses. They have, however, abandoned the scheme of substituting lady nurses of Queen Alexandra's Imperial Military Nursing Service for locally recruited matrons in all British family hospitals. They consider it necessary for administrative reasons to post lady nurses to family hospitals in certain large stations.

NURSING SISTERS IN BRITISH FAMILY HOSPITALS.

423. ***Lieut.-Colonel Sir Henry Gidney:** (a) Will Government please state whether all the sisters of the Q. A. M. N. S. at present in charge of British family hospitals have undergone training in maternity?

(b) If the answer to part (a) be in the negative, will Government please state:

- (i) how many of them are so trained, and
- (ii) how many of them are not so trained?

Mr. G. M. Young: (a) and (b). There are 20 military family hospitals where no civilian matrons are employed. At 17 of these the lady nurses hold the Central Midwifery Board qualification. It is proposed to post fully qualified nurses in the remaining three hospitals as soon as practicable.

EMOLUMENTS OF MATRONS AND NURSES IN BRITISH FAMILY HOSPITALS.

424. ***Lieut.-Colonel Sir Henry Gidney:** (a) Will Government please state whether it is a fact:

- (i) that the duties performed by the sisters of the Q. A. M. N. S. and the locally recruited matrons employed in the British family hospitals are identical in nature; and
- (ii) that the sisters of the Q. A. M. N. S. are in receipt of salaries three times those received by the locally recruited matrons *besides* other allowances denied to the latter class of servants?

(b) Do Government propose to consider the advisability of removing disparity in emoluments of two classes of servants performing identical duties?

Mr. G. M. Young: (a) (i). Technically, the duties are identical in nature; but I am informed that a lady nurse with British qualifications and experience is far superior to a civilian matron.

(ii) Yes.

(b) The question whether the emoluments of civilian matrons should be increased will be taken up when the financial situation improves.

RAILWAY ACCOUNTS EXAMINATION.

425. ***Mr. Muhammad Muazzam Sahib Bahadur:** Has the attention of Government been drawn to an article under the heading "Railway Accounts Examination" published in the *Pilot* of Lahore of the 10th August, 1931 and, if so, will Government be pleased to state:

- (a) how many candidates appeared in the last Appendix D Examination held by the Controller of Railway Accounts and how many of them were Muslims;
- (b) what the communal composition of the successful candidates was and how many posts were reserved to redress marked communal inequalities as required by the Railway Board's Circular letter No. 5565-F.; and
- (c) whether any answer paper was examined by a Muslim examiner and, if so, how many Muslims passed in his paper?

Sir Alan Parsons: Government have seen the article referred to. At the Appendix D examination held in November 1930, 111 candidates appeared, of whom 12 were Muslims; and 18 candidates passed the examination, of whom two were Muslims, one was a Sikh and 10 were

Hindus. The examination is a departmental examination for persons already in the Railway Accounts Service and no recruitment is made as a result of it. The question of reserving posts to redress marked communal inequalities does not, therefore, arise in connection with this examination. Actually there were Muslim examiners in two subjects, but I must emphatically repudiate the assumption underlying part (c) of the Honourable Member's question that the results of the examination depended in any way on the community to which the examiners belonged. In answer papers only roll numbers are given and examiners are not aware of the identity of examinees.

ALLEGATIONS RE NON-APPOINTMENT OF MUSLIMS IN GOVERNMENT SERVICES.

426. ***Mr. Muhammad Muazzam Sahib Bahadur:** (a) Has the attention of Government been drawn to an article "How Muslims are kept out" published in the *Pilot* of Lahore of the 25th August, 1931?

(b) If the reply to part (a) is in the affirmative, will Government be pleased to state whether steps have been taken to remedy those allegations?

The Honourable Sir James Orerar: (a) and (b). I have seen the article referred to. So far as direct and permanent appointments in the Secretariat and Attached Offices are concerned they are made through the Public Service Commission—and in respect of these the charges are quite unfounded. I may say, however, that the Commission are always prepared to investigate any specific allegations from a responsible quarter. As regards other appointments, while I should be prepared to have enquiries made if specific instances are cited, I cannot undertake to make an enquiry on the basis of general allegations of this character.

OFFICE HOURS IN GOVERNMENT DEPARTMENTS.

427. ***Mr. Muhammad Muazzam Sahib Bahadur:** (a) Is it a fact that the office hours for all Government Departments including the Posts and Telegraphs Department are either 10 A.M. to 4 P.M. or 10-30 A.M. to 4-30 P.M.?

(b) What are the office hours for the offices subordinate to the Railway Board and Financial Commissioner of Railways?

(c) Is there a proposal to alter the office hours for all departments of the Government of India Secretariat?

The Honourable Sir James Orerar: (a) The office hours in the Government Departments, including the Directorate of the Posts and Telegraphs Department, are from 10-30 A.M. to 4-30 P.M. except in the Army Department and Army Headquarters where the hours are from 10 A.M. to 4 P.M.

(b) The office hours are 7 hours a day for five days in the week, with a half hour's recess, making 6½ hours net, and on Saturdays 4 hours, no recess being granted.

(c) The suggestion of the General Purposes Sub-Committee of the Retrenchment Advisory Committee for extending, if necessary, office hours in appropriate cases as a measure of retrenchment in expenditure is now under consideration.

**REPORT OF MR. K. M. HASSAN, OFFICER ON SPECIAL DUTY,
RAILWAY BOARD.**

428. ***Mr. Muhammad Muazzam Sahib Bahadur:** Will Government be pleased to state when the report of Mr. K. M. Hassan, Officer on Special Duty, Railway Board, is expected to be circulated to the Members of this House?

Sir Alan Parsons: I lay a copy of the Report on the table. Copies have already been placed in the Library of the House.

Dr. Ziauddin Ahmad: Will Government be pleased to send a copy to all the Members of the Assembly, if possible?

Sir Alan Parsons: Certainly, Sir. I will see that that is done immediately.†

APPOINTMENT OF STAFF OFFICERS ON INDIAN RAILWAYS.

429. ***Mr. Muhammad Muazzam Sahib Bahadur:** Will Government be pleased to state how many Muslims and how many Hindus have been posted as staff officers on Indian State Railways and in the offices under the control of the Financial Commissioner of Railways in the years 1930-31 and 1931-32?

Sir Alan Parsons: The information available shows that in December 1931 out of 48 posts of this nature seven were filled by Muslims as compared with three posts out of 52 in December, 1930.

**APPOINTMENT OF MUSLIMS IN THE ELECTRICAL BRANCH, AGENT'S OFFICE
NORTH WESTERN RAILWAY.**

430. ***Mr. Muhammad Muazzam Sahib Bahadur:** (a) Has the attention of Government been drawn to an article under the heading "Muslims in Electrical Branch, Agent's Office, North Western Railway" published in the *Pilot*, dated the 25th October 1931?

(b) If the reply to part (a) is in the affirmative, will Government be pleased to state what steps, if any, are being taken to safeguard the rights of the Muslims?

(c) What rules, if any, are prescribed for recruitment in the Stores and Electrical Branches in the State Railways?

Sir Alan Parsons: (a) Government have seen the article referred to.

(b) Government do not consider that any special action on their part is called for.

(c) Rules for recruitment to the Store-keeper group in the Stores Branch are included in the Rules for the Recruitment and Training of Subordinate Staff on State-managed Railways, a copy of which is in the Library. There are no special rules for the recruitment of subordinate staff in the Electrical Branch, but the general orders of the Government of India in regard to the representation of communities apply.

†The report was distributed to all Honourable Members.

**TRAFFIC INSPECTORS, STATION MASTERS AND ASSISTANT STATION MASTERS
ON THE NORTH WESTERN RAILWAY.**

431. ***Mr. Muhammad Muazzam Sahib Bahadur:** Will Government be pleased to state the number of Traffic Inspectors, Station Masters and Assistant Station Masters in the European grade on the North Western Railway? What is the communal composition in regard to these appointments?

Sir Alan Parsons: Government regret that they are not prepared to supply figures of communal representation regarding individual offices or classes of establishments, but I would point out that none of the posts referred to are reserved for Europeans.

PERCENTAGE OF MUSLIMS EMPLOYED ON STATE-MANAGED RAILWAYS.

432. ***Mr. Muhammad Muazzam Sahib Bahadur :** (a) Has the attention of Government been drawn to an article "Assurance to Muslims" published in the *Pilot*, dated the 10th December, 1931?

(b) If the reply to part (a) is in the affirmative, will Government be pleased to state whether the assurance held out by His Excellency the Viceroy in the course of his reply to an address presented by the Muslim Association, Delhi, has been kept in so far as the railways are concerned?

(c) What was the percentage of Muslims on the State-managed railways as a whole before the retrenchment began and what is the percentage of Muslims at the present time and what special measures, if any, have been taken to maintain the percentage of Muslims at the same level?

(d) What was the percentage of Muslims in Railway Accounts offices before retrenchment and what is it now?

Sir Alan Parsons: (a) Yes.

(b) The instructions issued to State-managed railways were that all practical steps should be taken to see that the unfortunate necessity for reducing staff did not operate to the detriment of communities not at present adequately represented in the railway services.

(c) and (d). The latest information for State-managed railways as a whole is contained in Appendix C of Volume II of the Report by the Railway Board on Indian Railways for 1930-31 which shows the number of servants of all races employed on each railway system at the close of the years 1929-30 and 1930-31.

MUSLIM GRIEVANCES IN THE RAILWAY AUDIT AND ACCOUNTS DEPARTMENT.

433. ***Mr. Muhammad Muazzam Sahib Bahadur :** (a) Has the attention of Government been drawn to an article "Railway Audit and Accounts Department—a Glaring Injustice" published in the *Pilot*, Lahore, dated January the 25th, 1932?

(b) If the reply to part (a) is in the affirmative, will Government be pleased to state what action, if any, Government propose to take to redress Muslim grievances in the Railway Audit and Accounts Department?

Sir Alan Parsons: (a) Yes, by the Honourable Member's question.

(b) The transfers and reversions mentioned in the article were carried out in accordance with the usual procedure and involved no discrimination of any kind.

f434.*

LADIES ARRESTED IN DELHI AND CONDITIONS OF IMPRISONMENT IN DELHI JAIL.

435. *Mr. Gaya Prasad Singh: (a) How many ladies have been arrested in Delhi in connection with the political movement, and the Ordinances; and in what classes have they been placed in the Delhi Jail? Have they been placed in the C. Class? If so, why?

(b) Is it a fact that the Delhi Jail is over-flowing with such prisoners of both sexes, and no sufficient accommodation exists for them, nor sufficient bedding and blankets?

(c) Is there any truth in the report that there is general discontent among prisoners in the Delhi Jail, which threatens to lead to a hunger-strike? What arrangements have been made by Government to redress their legitimate grievances in the Jail?

The Honourable Sir James Crear: I have called for a report and will give the House the information when received.

STAFF EMPLOYED ON THE ASSESSMENT AND COLLECTION OF ELECTRIC AND WATER CHARGES IN DELHI.

436. *Bhai Parma Nand: (a) Will Government please state whether in connection with the transfer of electric and water schemes to the New Delhi Municipal Committee, the work of assessment and collection of electric and water charges will also be transferred to the New Delhi Municipal Committee?

(b) Will Government please state the names of the men with length of service employed on the work of assessment and recovery of electric and water charges in the Central Accounts Office on 31st January, 1932?

(c) Will Government please state whether the men so employed will also be transferred to the New Delhi Municipal Committee?

(d) Will Government please state the names of the men who were employed in the Central Accounts Office on the above work and who have been retrenched with effect from 1st February, 1932? Do Government propose to transfer such men to the Committee? If not, why not?

Sir Frank Noyce: (a) Yes.

(b), (c) and (d). The information asked for in regard to the clerks employed in the Central Accounts Office on the 31st January, 1932, is contained in the statement which has been laid on the table. It is for the Municipal Committee to employ their own staff for purposes of assessment

†Question withdrawn by the questioner.

and recovery of municipal dues, and it is understood that the question is under their consideration.

List of clerks employed on 31st January, 1932, mainly on the work of assessment and recovery of Electric and Water Charges.

No.	Name.	Designation.	Approximate period for which employed.	Remarks.
1	Mr. Fateh Chand Jain .	Auditor .	It is not possible to give the exact period for which men were employed on particular duties as their duties have been changed from time to time.	Retrenched.
2	Mr. T. P. Ghosh, B.A. .	Do. .	Do. Do. .	Retrenched.
NOTE:—The following four men were also partly employed on this work:—				
3	Mr. K. N. Kaul, B.A. .	Section Holder .	Do. Do. .	Retrenched.
4	Mr. Krishna Murty .	Auditor . .	Do. Do. .	Retrenched.
5	Mr. Hardit Singh .	Do. . .	Do. Do. .	Retrenched.
6	Harkishan Das Nigam .	Allocation Clerk .	Do. Do. .	Not retrenched.

HAWKING OF MUTTON IN NEW DELHI.

437. ***Bhai Parma Nand:** (a) Are Government aware that of late hawkers are seen freely selling mutton in New Delhi?

(b) Are such permits given by the New Delhi Municipal Committee indiscriminately and without looking into religious susceptibilities of most of the people?

(c) Who is responsible for allowing these hawkers to go about and sell meat?

(d) Are Government prepared to take immediate steps to stop such a kind of sale of meat in New Delhi? If not, why not?

Sir Frank Noyce: (a) Yes.

(b), (c) and (d). Hawkers are not at present required to take out permits. The Municipal Committee have, however, recently published draft bye-laws which deal, *inter alia*, with the sale of meat, and in regard to which objections and suggestions have been invited.

Dr. Ziauddin Ahmad: May I ask if attention will also be drawn to the nuisance created by pedlars shouting in front of bed rooms and sitting rooms all the day for us to buy their things?

Sir Frank Noyce: I shall be glad to draw the attention of the Municipal Committee to the nuisance complained of by the Honourable Member.

SALE OF BEEF IN OPEN BAZARS IN DELHI.

438. ***Bhai Parma Nand:** (a) Are Government aware :

- (i) that beef is openly and freely sold in Pahargunj and other bazars of Delhi;
- (ii) that there prevails great indignation among the Hindus of the localities for hurting their religious susceptibilities; and
- (iii) that Government's declared policy had always been to check one community from interfering with other's religious feelings?

(b) If the replies to the above be in the affirmative, do Government propose immediately to stop the open sale of beef and confine it to walled buildings away from the bazars? If not, why not?

Sir Frank Noyce: (a) (i). Government are informed that the sale of beef is mainly confined to the five municipal markets specially provided for this purpose. Only 10 other shops have been licensed within the Municipal limits of Delhi in localities which are inhabited by Muhammadans and are not near a municipal market. In Paharganj beef has been allowed to be sold in the municipal market only.

(ii) Government are not aware of any general agitation among the Hindus of the city in regard to the practice which is followed in regard to the sale of beef.

(iii) The declared policy of Government is unchanged.

(b) Does not arise.

Mr. Amar Nath Dutt: Are Government aware that beef is forbidden to the Hindus and that any such open sale is bound to wound their religious susceptibilities, and it is not therefore necessary that they should agitate?

Sir Frank Noyce: I think, Sir, the arrangements which I have mentioned sufficiently show that attention has been paid to religious susceptibilities in this matter.

CARRIAGE OF AIR MAIL BETWEEN RANGOON AND KARACHI.

439. ***Mr. John Tait:** (a) Are Government aware that, in order to catch the westbound air mail leaving Karachi on Wednesday, it is at present necessary to post air mail matter in Rangoon not later than 7-30 A.M., on the previous Thursday, and that air mail matter from Rangoon thus takes thirteen days to reach London?

(b) Are Government aware that, if the services of the Royal Dutch Air Lines were utilised for the carriage of air mails, air mail matter could be posted in Rangoon up to the previous Saturday evening and would thus take only ten days to reach London?

(c) Will Government be pleased to state whether requests have been made to them by several commercial bodies in both India and Burma to utilise the services of the Royal Dutch Air Lines for the carriage of air mail matter between Rangoon and Delhi or Karachi, pending the inauguration of a British or Indian or State-owned service extending to Rangoon? If so, do Government propose to accede to these requests?

(d) If the answer to the last foregoing question is in the negative, will Government be pleased to state the reasons which prevent them from giving effect to the repeated requests which they have received in this connection?

The Honourable Sir Joseph Bhore: (a) Yes.

(b) Yes.

(c) Yes. The matter is under consideration.

(d) Does not arise.

Mr. John Tait: Are Government aware that letters may be posted on the Continent of Europe for direct conveyance by French and Dutch air lines to Akyab and Rangoon?

Sir Joseph Bhore: I believe that that is so.

PROCEDURE FOLLOWED UNDER REGULATION III OF 1818.

440. ***Mr. B. Das** (on behalf of Mr. K. C. Neogy): (a) Has the attention of Government been drawn to the statement made by Lord Reading in his speech in the Indian Legislature on the 31st January, 1924, regarding the procedure followed by Government in connexion with the operation of Bengal Regulation III of 1818, in which he particularly referred to the fact that after the arrests in Bengal were made, all the documents and evidence relating to each individual had been placed before two Judges of the High Court for the purpose of thoroughly sifting the material on which action was taken, of submitting it to the technical tests of judicial knowledge and experience and of framing recommendations regarding each case?

(b) Have all the steps referred to by Lord Reading on that occasion, been taken with reference to each individual dealt with under the said Regulation during the last few months?

The Honourable Sir James Crerar: (a) The Government of India are aware of the statement. I would refer the Honourable Member to a reply given by Sir Malcolm Hailey to question No. 404 asked by Mr. Gaya Prasad Singh on the 19th February, 1924, from which it will be seen that the examination was made by two Senior Sessions Judges.

The statement of Lord Reading had reference to action against persons then detained under Regulation III in connection with the terrorist movement in Bengal, and I need hardly remind the Honourable Member that the principle of reference to two Judges was embodied in the Bengal Criminal Law Amendment Act of 1925 and in the existing Act of 1930.

(b) The procedure of reference to two Judges has been followed in cases where persons have been detained under Regulation III specifically on the ground of their connection with the terrorist movement.

It has not been followed in other cases either in the past or during recent months.

Mr. B. Das: May I know why there has been this departure in procedure and certain cases were not referred to two Judges?

The Honourable Sir James Orerar: As I have pointed out, there has been no departure.

Mr. B. Das: Do I understand that in every instance in the case of the recent arrests in Bengal under Regulation III, the file was referred to two Judges before the arrest was made?

The Honourable Sir James Orerar: My reply was that the procedure of reference to two Judges had been followed in cases where persons have been detained specifically on the ground of their connection with the terrorist movement.

Mr. K. Ahmed: Are Government aware that the questioner is getting mixed up between the Bengal Ordinances and Regulation III and that is why he is making such a mistake in his interpellation?

TRAFFIC-CONTROLLER IN THE POSTS AND TELEGRAPHS DEPARTMENT.

441. ***Khan Bahadur H. M. Wilayatullah** (on behalf of Mr. Muhammad Azhar Ali): (a) Will Government be pleased to state when the office of Traffic-Controller in the Posts and Telegraphs Department was created?

(b) What was the primary object in initiating such a post? How was it found necessary?

(c) How was traffic actually controlled?

(d) Was a fixed centre established for the purpose of traffic control? If not, why not?

(e) Who was the first Traffic-Controller appointed and what was the term of his office?

(f) Who were successive Traffic-Controllers? What were their respective tenures of office?

(g) What has this appointment cost the rate-payer, hitherto, on account of,—

(1) salary of the Traffic-Controller, each year, since inauguration of the post,

(2) contingent expenditure on his office establishment, etc., if any, for periods involved, and

(3) touring charges, if incurred, in each such case, aforementioned?

(h) Were Postmasters-General of Circles found incapable of control of their traffic in their own circles?

(i) Were members of the Post and Telegraph Sub-Committee of the Retrenchment Advisory Committee convinced that the creation and existence of the post of Traffic-Controller fulfilled, or justified, a useful purpose? If not, how is the burden of expenditure, imposed on the rate-payer, justified?

(j) Does the post still exist? If not, why not?

Mr. T. Byas: (a) The 27th March, 1922.

(b) and (c). The post was initiated as a measure for co-ordinating the disposal of traffic on the main routes by examining the delay reports and

the immediate issue of appropriate orders. In addition to such work the Controller dealt with other business connected with the disposal of traffic.

(d) The Headquarters of the Traffic-Controller were fixed in New Delhi.

(e) Mr. J. W. Mukherji from 27th March, 1920 to 1st November, 1921.

(f) Mr. P. N. Mitra from 2nd November, 1921, to 9th January, 1923. (The appointment was temporarily suspended from 10th January, 1923 to 6th April, 1924.)

Mr. M. F. D. J. Sice from 7th April, 1924 to 11th December, 1925.

Mr. S. C. Mitra from 12th December, 1925 to 28th February, 1927.

Mr. A. Brokenshaw from 1st March, 1927 to 30th April, 1929.

Mr. P. N. Mitra from 1st May, 1929 to 14th February, 1930.

Mr. S. C. Mitra from 15th February, 1930 to 16th February, 1931. (The post was vacant from 17th February, 1931 to 1st March, 1931.)

Mr. V. A. Hughes from 2nd March, 1931 to 8th January, 1932. (The post was abolished from 9th January, 1932.)

(g) Government do not consider that the time and labour involved in working out the figures would be commensurate with the public interests likely to be served thereby. The different officers holding the post were remunerated by the grant of their ordinary pay as Divisional Engineers, or, in the case of Mr. Hughes, as Deputy Postmaster-General, *plus* a special pay of Rs. 100.

(h) No, but as the Honourable Member will have understood from what I have said the duties of the Traffic-Controller had special reference to the control of the through routes extending beyond the limits of individual Circles.

(i) and (j). The Government are not in a position to state the views of the Members of the Sub-Committee beyond what appears in paragraphs 97-100 of the Report which has already been furnished to Honourable Members. Government consider that the past expenditure on this post has been justified, though they decided to accept the advice of the Sub-Committee and to retrench the post in present circumstances.

REGISTERING OF INDIAN MEDICAL PRACTITIONERS.

442. *Kunwar Hajee Ismail Ali Khan (on behalf of Kunwar Raghubir Singh): Is it a fact that the names of persons who passed the final examination of the medical schools in India as L. M. P. and are not in Government service are not entered in the Medical Register? If not, why not?

Sir Frank Noyce: No. The names of the L. M. Ps. are entered in the provincial medical registers, the only registers which exist at present.

Dr. Ziauddin Ahmad: Do I understand that the L. M. Ps. who join the service are entitled to have their names entered in the register, but if they do not happen to have joined Government service they cannot do so?

Sir Frank Noyce: I do not understand to what service the Honourable Member refers.

Dr. Ziauddin Ahmad: I mean Government service.

Sir Frank Noyce: No. All practitioners are entitled to be entered in the provincial medical registers provided they comply with the conditions necessary for such registration.

Lieut.-Colonel Sir Henry Gidney: Do I understand the Honourable Member to say that all licentiates in medicine and surgery are entitled to be registered in the various provincial registers whether they are in Government employment or not?

Sir Frank Noyce: The provincial medical registers are not confined to officers in Government service.

Lieut.-Colonel Sir Henry Gidney: That does not answer my question. The Honourable Member Dr. Ziauddin Ahmad asked a question whether unless a man is employed in Government service he cannot be entered in the medical register of the province. Is that a fact?

Sir Frank Noyce: I am sorry I cannot follow the Honourable Member's question. To the best of my knowledge, all practitioners are entitled to be entered in the provincial medical registers whether they are in Government service or not, provided they comply with the conditions necessary for such registration.

Dr. Ziauddin Ahmad: The question is whether persons who have passed out from these medical schools and who are not fortunate enough to secure employment in Government service are entitled to have their names entered in the register?

Sir Frank Noyce: Obviously, Sir. Government service has nothing to do with the provincial medical registers.

APPOINTMENT OF SIKHS IN GOVERNMENT OFFICES.

443. *Sirdar Harbans Singh Brar: (a) What is the total number of gazetted officers in the Home, Army, Industries and Labour, Legislative and Legislative Assembly Departments and how many of them are Europeans or Anglo-Indians, Hindus, Muhammadans and Sikhs and what proportion does each of these communities form?

(b) How many vacancies occurred during the last two calendar years in each of these offices among the gazetted officers staff and the Upper Division of the Secretariat?

(c) Is it a fact that some of the gazetted appointments are reserved for ministerial establishment of the offices and the Upper Division Assistants are promoted to take the vacancies?

(d) Is it also a fact that the total absence of Sikhs in such appointments is simply due to the entire absence of the Sikhs in the Assistant's grade, e.g., Upper Division of the Secretariat?

(e) With a view to safeguard the interests of Sikhs, do Government propose to take immediate steps to appoint Sikh Assistants in each of these offices by promotion from lower ranks, if not by direct appointments?

(f) If the reply to part (e) be in the negative, is that the policy of Government towards this important community which has always rendered valuable services to Government?

The Honourable Sir James Crerar: (a) and (b). Two statements are laid on the table. These have been compiled on the supposition that the Honourable Member wants to have figures of permanent gazetted posts filled ordinarily by promotion from the clerical grades. They do not take account of temporary or officiating vacancies in which members of minority communities have acted or are acting. One such vacancy in the grade of Superintendent in the Home Department is at present filled by a Muslim.

(c) Yes.

(d) My information is that there are no Sikhs at present in the 1st Division in the offices referred to and this is one of the causes for their absence from the higher grades. I would point out, however, that the principle of communal representation does not apply to promotions.

(e) and (f). I would refer the Honourable Member to the reply I gave to Sardar Kartar Singh's starred question No. 563, dated the 17th September, 1929, on this subject. A proportion of the vacancies in the grades of Assistants and Second Division clerks reserved for outside recruitment is set apart for the redress of communal inequalities.

Statement showing the information asked for in parts (a) and (b) of question No. 443.

PART (a).

Name of Department.	Total No. of gazetted posts in the grade of Assistant Secretary and Supdt.	Posts held by							
		Hindus		Muslims.		Sikhs.		Europeans and Anglo-Indians.	
		No.	Percentage.	No.	Percentage.	No.	Percentage.	No.	Percentage.
Army	8	4	50	..	..	..	..	4	50
Home	8*	3	37.5	..	..	..	..	5	62.5
Industries and Labour	10	8	80	..	..	..	..	2	20
Legislative	4	1	25	..	..	..	..	3	75
Legislative Assembly.	3	1	33½	1	33½	..	..	1	33½

* Includes two posts brought under retrenchment.

PART (b).

Name of Department.	No. of permanent vacancies during 1930 and 1931 in the	
	Grades of Assistant Secretary and Superintendent.	1st Division.
Army	2	..
Home	1	1
Industries and Labour	4	3
Legislative . . . . .	..	2
Legislative Assembly . . . . .	..	..

Maulvi Muhammad Shafee Daoodi: Are the Government aware that the interests of the Sikhs are not jeopardised by the absence of Sikhs in these departments?

The Honourable Sir James Crerar: I think the Honourable Member is asking me for an opinion.

Mr. Gaya Prasad Singh: Is it not a fact that the interests of Muslims are not jeopardised by the absence of Muslims in these departments?

The Honourable Sir James Crerar: The same observation applies.

APPOINTMENT OF SIKHS TO THE OFFICE OF THE RAILWAY BOARD.

444. *Sirdar Harbans Singh Brar: (a) Will Government kindly place on the table a statement showing the number of Anglo-Indian, Indian Christian, Hindu, Muhammadan and Sikh gazetted officers working at present on the Railway Board?

(b) Is it not a fact that ever since the formation of the Railway Board no Sikh officer has so far been appointed although this fact has on many occasions been brought to the notice of Government?

(c) If reply to (b) be in the affirmative, are Government prepared to appoint the necessary number of Sikh officers soon? If not, why not?

Sir Alan Parsons: (a) A statement is laid on the table.

(b) and (c). I would refer the Honourable Member to the reply given by me to part (d) of question No. 275 asked by him on the 9th March, 1931.

Statement showing the number of Anglo-Indian, Indian Christian, Hindu, Muhammadan and Sikh Gazetted Officers working at present in the Railway Board.

Anglo-Indians	6
Indian Christians	Nil.
Hindus	4
Muslims	2
Sikhs	Nil.

APPOINTMENT OF ASSISTANT CONTROLLERS ON THE NORTH WESTERN RAILWAY.

445. ***Mr. Bhuput Sing** (on behalf of Mr. Lalchand Navalrai): (a) Will the Honourable the Railway Member kindly give his replies to starred questions No. 1292 by Mr. S. G. Jog and Nos. 1361 and 1362 by myself, put in the special Delhi session, last year regarding Assistant Controllers, on the North Western Railway, which were deferred?

(b) Is it a fact that some controllers placed their case regarding cancellation of their confirmation before the Court of Enquiry, constituted under Government of India notification L-1714 of 13th August 1931? What did the Agent or his representative state before the said court?

(c) Was any assurance given to them by the Railway Administration about September last that they would have full justice?

(d) What steps, if any, have since been taken to confirm these men?

(e) If none, why not? Do Government propose to relieve these men of their anxiety at an early date, and make them permanent from the date of withdrawal of their confirmation? If not, what is deterring an early decision?

Sir Alan Parsons: (a), (d) and (e). I would refer the Honourable Member to the reply given to Mr. Jog's question No. 385 on 16th February, 1932.

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

APPOINTMENT OF TRAFFIC INSPECTORS ON THE NORTH WESTERN RAILWAY.

446. ***Mr. Bhuput Sing** (on behalf of Mr. Lalchand Navalrai): (a) Is it a fact that four junior men have been confirmed as Traffic Inspectors on the North Western Railway?

(b) What was their substantive pay? And on what pay have they been confirmed?

(c) Is it a fact that their confirmation has the effect of superseding many others on the North Western Railway; if so, what number?

(d) Will their confirmation be subject to Fundamental Rule No. 15, or is there any likelihood of its being cancelled as has been done in the case of Controllers? If not, why has a differential treatment been given to Controllers?

Sir Alan Parsons: I am making enquiries from the Agent of the North Western Railway and will lay the information on the table of the House as soon as possible after his reply has been received.

MONEY DISTRIBUTED FOR CANE GROWING AND SUGAR MANUFACTURE.

447. ***Mr. E. F. Sykes:** Will Government please say how much money has been distributed through the Imperial Council of Agricultural Research since its inception for (a) cane growing and (b) sugar making?

Sir Frank Noyce: The Imperial Council of Agricultural Research has so far sanctioned research grants amounting to (a) Rs. 8½ lakhs for the improvement of cane-growing, (including Rs. 29,703 for experiments on improved cane crushers for village use), and (b) Rs. 3½ lakhs for Sugar Technology.

PRICES OF SUGAR-CANE.

448. *Mr. E. F. Sykes: Will Government please say what prices are being paid for cane to cultivators by sugar factories during the current season?

Sir Frank Noyce: It is understood that the majority of sugar factories in Northern India are paying As. 0-6-0 per maund for cane at purchasing centres. Two or three factories which are situated in localities in which there is no competition pay only As. 0-4-0 per maund. No information is available regarding the prices which are being paid by factories in Southern India.

ADVOCACY OF SWADESHI GOODS.

449. *Mr. Bhuput Sing: (a) Has the attention of Government been drawn to the article headed *Is buying Swadeshi illegal* published in the *Hindustan Times* of the 8th February, 1932?

(b) If so, will Government be pleased to state whether the advocacy of *Swadeshi* by means of advertising leaflets is an offence punishable under the Ordinances or any other laws? If so, will they be pleased to state them?

(c) If the answer to part (b) be in the negative, will Government be pleased to state whether they propose to instruct the Provincial Governments not to harass the public for advertising *Swadeshi* by means of hand-bills and other means of advertising agencies? If not, why not?

The Honourable Sir James Crerar: (a) Yes.

(b) The mere advocacy of *Swadeshi* is not, I think, an offence punishable under any Ordinance or any other law.

(c) Local Governments are aware of the legal position and no such instructions are necessary.

ARREST FOR ADVERTISING A SWADESHI TRICYCLE.

450. *Mr. Bhuput Sing: Is it a fact that a *Swadeshi* tricycle manufacturer of Delhi was arrested by the police for posting advertisements of his *Swadeshi* tricycle? If so, will they be pleased to state the reasons for his arrest and harassment?

The Honourable Sir James Crerar: I am informed that the suggestion contained in the Honourable Member's question is entirely without foundation.

TREATMENT OF LADY PRISONERS UNDER TRIAL IN DELHI.

451. *Mr. Bhuput Sing: Is it a fact that the under-trial lady prisoners in Delhi are given treatment like C class prisoners irrespective of their social status? If so, will Government be pleased to state the reasons for such treatment of lady under-trial prisoners in Delhi?

The Honourable Sir James Crerar: I have called for a report and will give the House the information when received.

FEMALE EDUCATION IN CENTRALLY ADMINISTERED AREAS IN BRITISH INDIA.

452. ***Rai Bahadur Lala Brij Kishore:** (a) Will Government be pleased to state the number of women's educational institutions, viz., (i) Middle Schools, (ii) High Schools, (iii) Colleges, and (iv) Technical, existing in the centrally administered areas of British India?

(b) Will Government be pleased to state the amount of money spent yearly from the central revenues on each of those institutions?

(c) Will Government be pleased to state the percentage of expenditure on female education as compared to the total expenditure on education in the centrally administered areas?

Sir Frank Noyce: (a) and (b). A statement, which, I trust, will prove sufficient for the Honourable Member's purpose, is laid on the table.

(c) 18 per cent.

Statement showing the number of (i) Middle Schools, (ii) High Schools, (iii) Colleges and (iv) Technical Institutions for women in the centrally administered areas of British India, as well as the amount of money expended during the year 1929-30 from central revenues on each class of these institutions.

Area.	Number of middle schools.	Number of high schools.	Number of colleges.	Number of technical institutions.	Expenditure on middle schools.	Expenditure on high schools.	Expenditure on colleges.	Expenditure on technical institutions.
					Rs.	Rs.	Rs.	Rs.
North-West Frontier Province.	20	1	...	...	15,418	6,900	...	...
Delhi	10	2	2	...	21,020	16,176	1,86,250	...
Ajmer-Merwara . .	8	2		...	18,876*	7,435		
Baluchistan . . .	6	...	...	...	10,969	...		

* Includes expenditure on one normal and training school.

Dr. Ziauddin Ahmad: Is it not a fact that the only high school for girls that existed in the North-West Frontier Province was closed recently?

Sir Frank Noyce: I am sorry that I am unable to answer that question but I will make inquiries.

HIGHER EDUCATION OF WOMEN FROM CENTRALLY ADMINISTERED AREAS.

453. ***Rai Bahadur Lala Brij Kishore:** (a) Will Government be pleased to state the number of women students who have been sent abroad during the last five years from the centrally administered areas to receive higher education at the expense of Government?

(b) For the study of what subjects, and to which foreign countries have such students been sent?

Sir Frank Noyce: (a) Two.

(b) One to study English literature and the other to undergo a course for a degree or diploma in Education. Both were sent to England.

TRAINING COLLEGE FOR WOMEN IN THE CENTRALLY ADMINISTERED AREA.

454. ***Raj Bahadur Lala Brij Kishore:** (a) Is it a fact that there is not a single training college for women in the centrally administered area?

(b) If the answer to (a) above is in affirmative do Government propose to establish at least one training college for women who desire to take up an educational career? If not, why not?

Sir Frank Noyce: (a) Yes, but there are six training schools for women teachers.

(b) No; the existing facilities appear sufficient for the present.

Dr. Ziauddin Ahmad: May I ask in which province are these schools situated?

Sir Frank Noyce: The schools are, 1 at Peshawar, 1 at Delhi, 1 at Ajmer, 2 at Bangalore and 1 at Rajkot.

Dr. Ziauddin Ahmad: Is Bangalore a directly administered area?

Sir Frank Noyce: The Civil and Military Station at Bangalore is a directly administered area.

Dr. Ziauddin Ahmad: Is it not an unfair distribution, that for the whole of the Frontier Province we have only one school, and for the small area of Bangalore two schools?

Sir Frank Noyce: I think the Honourable Member is asking me for an expression of opinion.

COMPLAINTS AGAINST THE SUPERINTENDENT OF POST OFFICES, SALEM.

455. ***Mr. Bhuput Sing:** (a) Are Government aware that there are several complaints against the Superintendent, Post Offices, Salem, for his behaviour towards the public who have to deal with him?

(b) Is there any memorial pending with the Director General of Posts and Telegraphs against any of the acts of this officer?

(c) If the reply to part (b) be in the affirmative, do Government propose to inquire into the matter?

Mr. T. Ryan: (a) No.

(b) Yes.

(c) The matter is being looked into.

PICKETING OF LIQUOR SHOPS IN THE NORTH-WEST FRONTIER PROVINCE.

456. *Kunwar Hajee Ismail Ali Khan: (a) Is it a fact that peaceful picketing on liquor shops has not been declared unlawful by the North-West Frontier Province Government?

(b) Is it a fact that picketers though not wearing red shirts were arrested, beaten, and sentenced in the North-West Frontier Province?

(c) Is it a fact that picketers on arrest were never asked whether they belonged to any unlawful association?

(d) If the answer to parts (a), (b) and (c) be in the affirmative, will Government be pleased to state under which law they were beaten, arrested and sentenced?

Sir Evelyn Howell: A report has been called for from the Local Administration and their reply will be communicated to the Honourable Member on receipt.

Mr. President (The Honourable Sir Ibrahim Rahimtoola): A copy of the reply should be placed on the table.

Sir Evelyn Howell: Yes, Sir.

ARREST OF MEMBERS OF AFGHAN JIRGAS AND KHILAFAT COMMITTEES.

457. *Kunwar Hajee Ismail Ali Khan: (a) Is it a fact that Afghan Jirgas and Khilafat Committees were not declared unlawful organisations?

(b) Is it a fact that some of the members of both the organisations were arrested?

(c) Is it a fact that such arrested persons are still in jail?

(d) If the answer to the above be in the affirmative, will Government be pleased to state whether they propose to release such persons who have no connection with the unlawful associations? If not, why not?

Sir Evelyn Howell: (a) Yes.

(b) No persons were arrested as being members of these organisations.

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

ORGANISATIONS DECLARED UNLAWFUL IN THE NORTH-WEST FRONTIER PROVINCE.

458. *Kunwar Hajee Ismail Ali Khan: (a) Will Government be pleased to state the organisation or organisations that were declared unlawful in the North-West Frontier Province?

(b) From what date were they declared unlawful?

(c) Was the fact notified in the *North-West Frontier Province Gazette*? If so, on what date?

(d) Is it a fact that the Gazette mentioned above was printed during the night of 24/25th December, 1931, and was distributed on the morning of December 25th, 1931, without giving the text of the Ordinances?

(e) Is it a fact that copies of Ordinances promulgated in the North-West Frontier Province were not in the hands of the Local Government on 24th or 25th December, 1931, but were actually received on or after the 26th December, 1931?

(f) If the answer be in the affirmative, will Government be pleased to state how the arrests during the night of 24/25th December were made?

Sir Evelyn Howell: (a), (b), (c) and (d). The Honourable Member is referred to North-West Frontier Province Notification 18829-P., of December 24th, 1931, published in North-West Frontier Province Gazette Extraordinary of that date. The text of the Ordinances was not included in the Notification nor is this necessary under the law.

(e) No, Sir.

(f) The arrests were effected under Section 3 of the Emergency Powers Ordinance.

Dr. Ziauddin Ahmad: Is it necessary for the Local Government to receive actually a copy of the Ordinances before the Ordinance could be applied?

Sir Evelyn Howell: I believe it is; I am not sure.

Dr. Ziauddin Ahmad: Is it not a fact that in this particular case the Ordinance was received after its application?

Sir Evelyn Howell: It is not a fact.

FRICION BETWEEN CREW STAFF AND STUDENTS OF JADABPUR AND ICHAPUR STATIONS ON THE EASTERN BENGAL RAILWAY.

459. ***Mr. Nabakumar Sing Dudhoria:** Will Government be pleased to state:—

- (a) whether they are aware that of late there has been constant friction between crew-officers and crewmen on the one hand and engineering and technical students on the other, at Jadabpur and Ichapur stations, on the Eastern Bengal Railway, close to Calcutta;
- (b) whether they have had knowledge of similar troubles in the past either at those or any of the places on the Eastern Bengal Railway between the railway staff and students;
- (c) whether they are aware that, as a result, a lot of students hitherto travelling by rail have resorted to bus-service and cycling the distance;
- (d) whether they will cause an enquiry to be made by a small committee of officials and non-officials into an investigation of the cases; and
- (e) whether they are prepared to call for all the papers in connection with the present and past cases launched by the Railway Administration against the students and get them closely examined by expert officials of the Railway Board in order to find out the true causes of the troubles?

Sir Alan Parsons: (a), (b) and (c). Government have received no report of any friction of the kind mentioned by the Honourable Member.

(d) and (e). As the Honourable Member's question does not indicate the nature of the trouble that has arisen, I am unable to say whether it is one calling for the interference of Government. I am, however, bringing the Honourable Member's question to the notice of the Agent, Eastern Bengal Railway for such action as he may consider necessary.

HINDU AND MUSLIM SUPERINTENDENTS OF POST OFFICES IN THE PUNJAB POSTAL CIRCLE.

490. ***Bhai Parma Nand:** (a) Will Government please state whether it is a fact that four Superintendents of Post Offices, two Muslims and two Hindus, have been retrenched in the Punjab Postal Circle with effect from 1st February, 1932, and that from the same date two Divisions from that Circle have been abolished, thus giving rise to the importation of two Superintendents to the Punjab Circle from other Circles?

(b) Is it a fact that before 1st February, 1932, there were 10 Muslim, 6 Hindu, 4 Sikh, and 4 Christian Superintendents in the Punjab Postal Circle and that after retrenchment of 2 Hindus and 2 Muslims, two Muslim Superintendents have been transferred to this Circle thereby maintaining the number of 10 Muslim Superintendents as before but reducing the number of the Hindus from 6 to 4?

(c) Has the attention of Government been drawn to a letter on the subject which appeared in the *Daily Herald*, dated 1st February, 1932, before ordering the transfer of Muslim Superintendents to the Punjab Circle?

(d) If reply to part (c) above be in the affirmative, what action has been taken by Government to equalize the number of Superintendents of the two major communities in this Circle, or do they now propose to take action with a view to avoid a preponderance of the Muslim Superintendents in this Circle?

The Honourable Sir Joseph Bhore: (a) I may explain that there is no necessary connexion between the number of posts retrenched in a particular postal circle and the number of Superintendents retrenched in that same circle since the Superintendents' cadre is an All-India one. It is however the case, though it is only a coincidence, that four posts of Superintendents of post offices including two Divisional Superintendents were abolished in the Punjab Circle and that four Superintendents of Post Offices selected for retrenchment happened also to be employed in that circle. There were already two permanent vacancies in the Circle and it was ordered that these should be filled by the transfer of two surplus officers from elsewhere.

(b) The reply to the first part of the question is in the affirmative. As regards the second part, the question of the officers to be transferred to this Circle is still under consideration.

(c) Government have seen the letter in question, but as already stated the transfer of two Muslims to the Punjab Circle has not yet finally been decided.

(d) Postings of officers are not made on a communal basis and Government do not propose to take communal consideration into account in the matter.

PREPONDERANCE OF MUSLIM OFFICERS IN THE PUNJAB POSTAL CIRCLE.

461. *Bhai Parma Nand: (a) Is it a fact that out of seven officers on the Postal side attached to the Punjab Postal Circle Office there are four Muslims (2 Deputy Postmasters General and 2 Assistant Postmasters General) against only one Hindu (Assistant Postmaster General)?

(b) Do Government propose to attach more Hindu officers to the Circle Office to avoid preponderance of any one community and discontentment in the other?

The Honourable Sir Joseph Bhore: (a) No, at present there are two Deputy Postmasters-General and four Assistant Postmasters-General in the Circle office; and four of these are Muslims.

(b) The posting of officers is not made solely on a communal basis, and as Government have no reason to apprehend that the interests of administration are in any way affected by the present arrangements in the Punjab Postal Circle they do not propose to interfere with them.

PASSAGE ALLOWANCE OF SUBORDINATES OF NON-ASIATIC DOMICILE.

462. *Bhai Parma Nand: (a) Is it a fact that the Government of India have sanctioned passage allowance to subordinates non-Asiatic domicile in 1930?

(b) Is it a fact that, due to financial stringency, Government are withholding or retrenching staff in various departments?

(c) Is it a fact that the Government of India have cut the pay of the employees and reduced staff throughout the country?

(d) If the facts mentioned in parts (b) and (c) are correct, are Government, for similar reasons of financial stringency, prepared to discontinue the allowance mentioned in part (a)? If not, why not?

The Honourable Sir James Orerar: (a) I would refer the Honourable Member to the reply I gave to parts (a) and (b) of Mr. Sitaramaraju's question No. 1337 on the 17th November last.

(b) and (c). Yes. Reduction of staff and a temporary cut in pay are measures that have been taken in pursuance of the general programme of retrenchment.

(d) The reply is in the negative. The grounds on which the allowance was given still hold good. I would also remind the Honourable Member that those eligible for the concessions are, in common with other Government servants, subject to the pay cut and it would be unfair in addition to the cut to take away a concession granted to them before the cut was imposed.

EMPLOYMENT OF HINDUS ON THE NORTH WESTERN RAILWAY.

463. *Bhai Parma Nand: (a) Will Government please lay on the table a copy of the report submitted by the Muhammadan Officer, who was deputed on special duty to carry out the policy of Government in connection with the communal basis in recruitment to the subordinate service on the State-managed Railways?

(b) Is it a fact that the Hindus are being replaced by Muhammadans on the North Western Railway to equalize their share in the clerical establishment on the North Western Railway?

(c) Is it a fact that in Loco. and Carriage Shops, Loco. Sheds, train examining staff, i.e., Chargemen, Junior Chargemen, Journeymen, Mistries and Fitters on the North Western Railway, Muhammadans are in a majority?

(d) If the facts in part (c) are correct, are Government prepared to see their way to replacing Muhammadans, Europeans and Anglo-Indians by Hindus in the Workshops, Loco. Sheds, train examining staff of the North Western Railway?

(e) Do Government propose to fix some percentage for the Hindus on the North Western Railway where they are in a minority?

Sir Alan Parsons: (a) A copy has been laid on the table.†

(b) As vacancies occur they are filled in accordance with the policy of Government that the undue preponderance of any community in Railway service should be avoided.

(c) The available information will be found in paras. 180, 182 and 183 of Mr. Hassan's Report.

(d) and (e). No.

Mr. M. Maswood Ahmad: Is it not a fact, Sir, that the North Western Railway runs through such provinces where the Mussalman are in a majority?

Sir Alan Parsons: I understand that is so.

Mr. M. Maswood Ahmad: Is it not a fact, Sir, that the Hindus are in a majority in the subordinate and upper subordinate services on the North Western Railway, and Mussalman in a hopeless minority?

Sir Alan Parsons: I should not like to give a categorical answer to that question, but from the published figures of subordinates in grades with pay rising to Rs. 250 or over there is no doubt that the Hindus are in a majority in those grades.

Lieut.-Colonel Sir Henry Gidney: Will the Honourable Member inform this House when the Hassan Report is likely to be published?

Sir Alan Parsons: I have in reply to a previous question laid a copy of this Report on the table and have undertaken to give a copy to Members of the House.

Mr. Gaya Prasad Singh: Will Government kindly give a statement of the percentage of Hindus and Muslims travelling on the North Western Railway? (Laughter.)

Dr. Ziauddin Ahmad: In view of the fact that Hindus complain of their low percentage and desire protection, and the Muhammadans, and the Sikhs complain of low percentages, I want to know how the percentage is made up?

Mr. Amar Nath Dutt: That is for Dr. Ziauddin Ahmad to make up.

†See footnote to starred question No. 426.

RECRUITMENT OF BOY FIREMEN ON THE NORTH WESTERN RAILWAY.

464. ***Bhai Parma Nand:** (a) Is it a fact that on the North Western Railway during the years, 1928, 1929 and 1930, the following was the proportion in which Boy Firemen Class III were engaged:

	Hindus.	Muhammadans.	Sikhs.	Europeans and Anglo-Indians.
1928 . . .	6	3	2	14
1929 . . .	3	3	2	15
1930 . . .	1	3	1	5

(b) If so, will Government please inform the House as to why a larger number of Anglo-Indians and Europeans were taken than Indians?

(c) Will Government inform the House if in the above appointments a larger proportion of Europeans and Anglo-Indians than Indians will be continued in future years or will opportunity be given to Indians in the interest of Indianization? In the latter case, do Government propose to issue instructions to the North Western Railway in this connection?

Sir Alan Parsons: The information is being obtained, and will be laid on the table of the House.

MECHANICAL DRAWING OFFICERS ON THE NORTH WESTERN RAILWAY.

465. ***Bhai Parma Nand:** (a) Is it a fact that the Mechanical Drawing Office on the North Western Railway is a branch of the Headquarters and Superintendent Mechanical Workshops Offices?

(b) Is it a fact that the number of Mechanical Drawing Officers on the North Western Railway is 73?

(c) Is it a fact that out of these 73 the number of Hindus, Sikhs, Europeans and Anglo-Indians all combined is seven against 66 Muhammadans?

Sir Alan Parsons: (a) Yes.

(b) Last September the number was 78.

(c) There were seven Hindus, one European and one Anglo-Indian.

APPOINTMENT OF NON-MUHAMMADANS AS MECHANICAL DRAWING OFFICERS ON THE NORTH WESTERN RAILWAY.

466. ***Bhai Parma Nand:** (a) Is it a fact that the Establishment, Operating, Copy, Central Registry and Works Branches are also branches of the Headquarters Office, North Western Railway?

(b) Is it a fact that in the branches mentioned in part (a) a Muhammadan is appointed if any vacancy occurs?

(c) Is it not a fact that if a vacancy occurs in Mechanical Drawing Offices, where Muhammadans are in a majority, similar treatment as mentioned in part (b) is not meted out to non-Muhammadans? If not, why not?

(d) Are Government prepared to issue instructions to the North Western Railway authorities to engage more non-Muhammadans in Mechanical Drawing Offices in future?

Sir Alan Parsons: The information is being obtained, and will be laid on the table of the House.

**APPOINTMENT OF ASSISTANT CHIEF DRAFTSMAN, HEADQUARTERS OFFICE,
NORTH WESTERN RAILWAY.**

467. ***Bhai Parma Nand:** Will Government please state whether at the time of appointing Mr. J. G. Keith Hitchens as Assistant Chief Draftsman in Headquarters Office on the North Western Railway the question of Indianization of services was considered? If not, why not?

(b) Is it a fact that Mr. Stone, Chief Draftsman on the North Western Railway, has gone on leave?

(c) Is it a fact that J. G. Keith Hitchens has only put in two years service?

(d) Is it a fact that Mr. J. G. Keith Hitchens is officiating in Mr. Stone's place?

(e) Will Government please state whether Mr. J. G. Keith Hitchens will be confirmed as Chief Draftsman or would an opportunity be given to an Indian to occupy that post?

Sir Alan Parsons: With your permission, Sir, I propose to reply to questions Nos. 467, 468 and 469 together. I am making enquiries from the Agent of the North Western Railway and will lay the information on the table of the House as soon as possible after his reply has been received.

**NON-APPOINTMENT OF INDIANS AS CHIEF DRAFTSMEN ON THE NORTH
WESTERN RAILWAY.**

†468. ***Bhai Parma Nand:** (a) Is it a fact that Mr. S. R. Woodmore was a B Class Apprentice, Journeyman and Chargeman on the North Western Railway three years ago?

(b) Is it a fact that Mr. S. R. Woodmore is now Chief Draftsman in S. M. W.'s Office, North Western Railway, Moghalpura?

(c) Is it a fact that there are many Indian A Class Apprentices who were senior to Mr. S. R. Woodmore and Mr. J. G. Keith Hitchens? If so, why none of these A Class Indian Apprentices was given an opportunity in the position occupied by Messrs. S. R. Woodmore and J. G. Keith Hitchens?

TRAINING AND APPOINTMENT OF SPECIAL CLASS RAILWAY APPRENTICES.

†469. ***Bhai Parma Nand:** (a) Is it a fact that the Railway Board has special class apprentices (Mechanical)?

(b) Is it a fact that an apprentice is to put on a six years course to qualify himself for the post of gazetted officer?

(c) Is it a fact that out of these six years he has to put in four years in India and two years in England at Government expense?

(d) Are there any cases in which any apprentices have been appointed with a shorter training in India and none in England?

(e) If so, will Government be pleased to give their names and the reasons why exception was made in their case?

†For answer to this question, see answer to question No. 467.

INDIAN NEWSPAPERS UTILIZED FOR ADVERTISEMENTS OF THE PUBLIC SERVICE COMMISSION.

470. ***Bhai Parma Nand**: Will Government please place on the table of the House a list of Indian newspapers that have been added or likely to be added in the list of papers to which the advertisements of the Public Service Commission are being or will be issued? Do Government propose to publish these advertisements in the leading Indian dailies in each Province?

The Honourable Sir James Orerar: In view of the necessity for economy no additions have recently been made, or are proposed to be made, to the list of newspapers to which advertisements are issued and of which a copy was laid on the table of the House in reply to Mr. Jagan Nath Aggarwal's starred question No. 362 on the 16th September last. It will be seen that the list includes newspapers of the kind the Honourable Member has in mind.

MILITARY TROOPS IN TOWNS AND VILLAGES.

471. ***Lala Hari Raj Swarup**: Is it a fact that military troops are being made to march in towns and villages in various parts of the country? If so, what is the intention of doing so?

Mr. G. M. Young: Route marches are part of ordinary training. Extensive use of them has been made recently as apart from their value for purposes of training, they encourage friendly contact between the civil population and the military, while the presence of troops has a steadying influence and tends to restore confidence in times of unrest.

PURCHASE OF THE BENGAL AND NORTH WESTERN AND ROHILKUND AND KUMAON RAILWAYS.

472. ***Lala Hari Raj Swarup**: Will Government be pleased to state what has been the result of their negotiations with the Directors of the Bengal and North Western and Rohilkund and Kumaon Railways, as carried out in pursuance of the Resolution of the Assembly of the 3rd October, 1931, and on what conditions has the option to purchase been allowed to lapse?

Sir Alan Parsons: I would refer the Honourable Member to the reply which I gave to Pandit Ram Krishna Jha's question No. 335 on the 13th February, 1932.

REDUCTION OF PAY OF TRAVELLING TICKET INSPECTORS ON THE EAST INDIAN RAILWAY.

473. ***Lala Hari Raj Swarup**: (a) Will Government please state the cause of reduction of pay of the Travelling Ticket Inspectors on the East Indian Railway?

(b) If the cause is assigned to lessening of work, then will Government please state in what respects the duties have decreased? Are the functions of the old Travelling Ticket Inspectors and the present Travelling Ticket Examiners the same?

(c) Will Government please state for what administrative reasons the designation of the Travelling Ticket Inspectors has been changed from Travelling Ticket Inspector to Travelling Ticket Examiner?

Sir Alan Parsons: With your permission, Sir, I propose to reply to questions Nos. 473, 474 and 475 together. Certain information has to be obtained from the Agent, East Indian Railway, and replies will be laid on the table after it has been received.

REDUCTION OF PAY OF TRAVELLING TICKET INSPECTORS ON THE EAST INDIAN RAILWAY.

†474. ***Lala Hari Raj Swarup:** Will Government please state if it is a fact that the pay of the Travelling Ticket Inspectors on the East Indian Railway was reduced already before the general cut of 10 per cent. was announced? If so, why has their pay been further reduced since December, 1931?

ALLOWANCES OF GUARDS AND TICKET EXAMINERS ON THE EAST INDIAN RAILWAY.

†475. ***Lala Hari Raj Swarup:** (a) Will Government please state why the Travelling Ticket Examiners are given a fixed allowance of Rs. 17-8-0 while the Guards are allowed to earn much more than this for the same duty?

(b) With reference to answer to question No. 1121, dated 2nd October, 1931, in the Legislative Assembly will Government please state in what respects the duties of the Travelling Ticket Examiners are less arduous than the Guards to justify this differential treatment?

(c) Why were the Travelling Ticket Inspectors of the East Indian Railway after 1925, and Travelling Ticket Examiners of Oudh and Rohilkhand Railway before 1925 given mileage allowance like the guards?

THE MOODY-WARD SYSTEM OF TICKET CHECKING.

476. ***Lala Hari Raj Swarup:** With reference to the answer to question No. 1183, on 4th November, 1931, will Government please state if the Moody-Ward system on the East Indian Railway is a preventive measure or detective:

(a) if preventive then whether with one or two men it is the intention to achieve this object which 7 or 8 Crewmen could not do?

(b) if detective then why the Travelling Ticket Inspector system has been abolished?

Sir Alan Parsons: Under the Moody-Ward system there are Ticket Collectors at stations whose duty it is to prevent people without tickets from entering station platforms, and Travelling Ticket Examiners whose duty it is to detect when in a train persons who have succeeded evading the Ticket Collectors or in getting on to a station platform without tickets. The main difference between the Moody-Ward system and the system of Travelling Ticket Inspectors previously in force is that under the old

†For answer to this question, see answer to question No. 473.

system the number of Travelling Ticket Inspectors was small and each Inspector was allowed, generally, to exercise his discretion as to the trains that he should travel by, with the result that on many trains there was no checking of tickets *en route* whereas under the Moody-Ward system two men are deputed to travel by each train to check tickets *en route*.

Dr. Ziauddin Ahmad: Are the duties of the men the same in the two different systems?

Sir Alan Parsons: The duties of Travelling Inspectors under the old system and of the Travelling Examiners under the new system are practically the same, the main difference being, as I have explained, that we now put two men on each train instead of leaving it to their discretion to select the trains by which they should travel.

Dr. Ziauddin Ahmad: While the duties are the same, why have their salaries been reduced to one-third? Instead of calling them Travelling Ticket Inspectors, you call them Travelling Ticket Examiners. That is merely a paraphrase in the designation of the office. By changing the designation you have reduced their pay. Why is this?

Sir Alan Parsons: The scale of pay is in the opinion of the Railway Administration and of the Railway Board adequate for the duties the men are called upon to perform.

Lieut.-Colonel Sir Henry Gidney: Sir, is it not a fact that one of the chief reasons why the name has been changed from Ticket Inspector to Ticket Examiner was to reduce the salary and to introduce a new class of officers though both perform exactly similar duties?

Sir Alan Parsons: Not to my knowledge.

Dr. Ziauddin Ahmad: On that analogy will it not be economical to call the Financial Commissioner of Railways, "Railway Commissioner of Finance" and reduce his salary by one-third? (Laughter.)

EXCESS FARES COLLECTED BY TRAVELLING TICKET EXAMINERS.

477. *Lala Hari Raj Swarup: (a) Will Government please state if the period from June, 1931, to November, 1931, was more prosperous for the Railway than the corresponding period of the previous year in respect of passenger traffic?

(b) What amount of excess fare was recovered by the Travelling Ticket Examiners during the period and the total number of cases charged with penalty?

(c) What is the total number of cases where money was refunded to the public in which penalty was recovered by the Travelling Ticket Examiners and the percentage of such refund in respect of cases charged with penalty (from 1st June, to 30th November, 1931)?

Sir Alan Parsons: (a) No.

(b) and (c). The information is not available, and its compilation would involve considerable labour incommensurate with any use to which the figures could be put.

UNSTARRED QUESTIONS AND ANSWERS.

DISCHARGE ON THE GROUNDS OF SUPERANNUATION OF A PARCELS CLERK
OF CAWNPORE.

74. **Mr. N. R. Gunjal:** (a) Is it a fact that in the Railway Court of Enquiry, Mr. H. H. Yule, Divisional Superintendent of Allahabad, stated that there had been no person discharged in his division on the ground of superannuation, but when he was referred to the case of Mr. D. N. Banerji, late Head Parcels Clerk of Cawnpore, he pleaded ignorance and promised an enquiry?

(b) Has any enquiry been made in the case by Mr. Yule? If so, with what result?

Sir Alan Parsons: (a) and (b). Government have no information. The matter is one for the local railway authorities.

THE CASE OF SANDERS *versus* NATHURAM.

75. **Mr. S. C. Mitra:** (a) Will the Honourable Member in charge of the Railways be pleased to state if his attention has been drawn to an article under the heading "The Case of Sanders *versus* Nathuram" in the *Bengal Nagpur Railway Employees' Journal* for August, 1931?

(b) Will the Honourable Member be pleased to state:

(i) if the case originated on a petition of complaint made by Mr. J. Sanders, Foreman, Boiler Shop, Bengal Nagpur Railway Workshops, Kharagpur, to the Sadar Sub-Divisional Officer of Midnapur, Bengal;

(ii) if it is a fact that the case was based on a petition made by one Nathuram, Angle Smith, Boiler Shop, Bengal Nagpur Railway Workshops, Kharagpur, to the Agent, Bengal Nagpur Railway, alleging that Mr. Sanders had taken from Nathuram Rs. 500 (Rupees Five-hundred only) as bribe for giving him a post carrying higher pay—the complainant giving him a receipt for the same;

(iii) if it is a fact that the said Nathuram was committed to the Court of Sessions to take his trial under Sections 500, 467, 469, 471 I. P. C. (Defamation and Forgery); and

(iv) if it is a fact that the Sessions Judge after a long and protracted hearing acquitted Nathuram?

(c) Is it a fact that the Agent, Bengal Nagpur Railway, in his letter No. 4100, dated the 26th February, 1931, informed Nathuram that the case of Nathuram was a private case with no responsibility whatever to the Railway Company?

(d) Will the Honourable Member be pleased to state what, if any, amount has been spent by the Bengal Nagpur Railway Administration for conducting the case for the prosecution in the Sub-Divisional Officer's Court as well as in the Court of Sessions?

(e) Is it a fact that Mr. H. F. Bennett was informed by D. O. No. 788, dated the 12th November, 1930, that his bill for Rs. 266 for attending the Sessions Court at Midnapur in connection with the case, J. Sanders *vs.* Nathuram had been passed?

(f) Is it the practice with the Bengal Nagpur Railway to pay expenses for conducting private cases? If so, has anything been paid to Nathuram for his expenses? If not, why not?

(g) If answer to part (f) be in the negative, why has any sum been paid for the prosecution case?

(h) Will the Honourable Member be pleased to state whether it is the fact that the charge made by Mr. Sanders that Nathuram forged the receipt for Rs. 500 alleged to have been given by Mr. Sanders, failed, and if so, what action, if any, has been taken by the Railway Administration against Mr. Sanders?

Sir Alan Parsons: (a) Yes, by the Honourable Member's question.

(b) to (h). Government have no information. The employees mentioned are servants of the Bengal Nagpur Railway Company to whose Agent a copy of the Honourable Member's question is being sent.

RULES FOR THE RECOVERY OF RENTS FOR GOVERNMENT BUILDINGS IN SIMLA AND DELHI.

76. **Sirdar Harbans Singh Brar:** (a) Will Government please refer to question No. 904, parts (a) to (e) and Mr. J. A. Shillidy's answer thereto printed on pages 984-985 of Assembly Debates, dated the 24th September, 1931, and state the result of his examination?

(b) Is it not a fact that cases of officers of a similar nature were decided as far back as the year 1926?

(c) If so, why even after a delay of about five years in the case of clerks the reply is given that the case is under examination?

(d) What is the reason for the application of two different rules for recovery of rents from highly paid officials and the refusal to clerks who occupy Government buildings in Simla and Delhi the same privileges?

(e) Do Government propose to expedite and refund the excess rents so far recovered from clerks?

The Honourable Sir Joseph Bhoré: Part (a) The following is the answer to question No. 904, dated the 24th September, 1931:

(a) Yes. It is presumed that the question relates to cases in which Government quarters are provided both in Simla and Delhi.

(b) Yes; officers who are allotted Government residences both in Simla and Delhi have to pay rent for the period of allotment, *viz.*, for seven months in Simla and for five months in Delhi, and are allowed to occupy the residence without payment of extra rent for any overlapping period on account of the move.

(c), (d) and (e). No such representation is traceable. The differential treatment referred to is of an unimportant nature and is merely incidental to the fact of the rules for officers' houses having been revised earlier than those for clerks' quarters. The rules relating to clerks' quarters are also under revision and it is intended to make in those rules a provision similar to that in the rules for officers' houses.

Part (b) No.

Part (c) Does not arise.

Part (d) The reason for the difference referred to is explained in the reply to the previous question.

Part (e) It is not proposed to make any refunds.

MUSLIMS EMPLOYED IN MILITARY GRASS FARMS.

77. **Mr. T. N. Ramakrishna Reddi:** (a) Will Government be pleased to state the total number of Munshis employed in the Military Grass Farms and how many of them have passed the Matriculation examination?

(b) What are the pay and future prospects of the Munshis?

(c) What minimum educational qualification is fixed for election of candidates for the posts of Munshis?

(d) Will Government please state whether L. Ag. or at least Matriculation passed candidates have in the past been appointed to these posts; whether such appointments are made by Assistant Controllers, instead of Managers?

Mr. G. M. Young: (a) There is no authorised permanent establishment of Munshis employed in Military Grass Farms. They are employed temporarily according to local and seasonal requirement; their numbers consequently fluctuate.

(b) Munshis are employed on rates of pay varying from Rs. 20 to Rs. 30 a month. They are eligible for appointment as Indian Overseers if they possess the requisite qualifications.

(c) None.

(d) Candidates who have passed the Matriculation examination have been appointed as Munshis. No information is available as to whether Licentiates of Agriculture have been appointed to the post. The appointment of Munshis is sanctioned by the Assistant Controllers, but the actual selection is made by Farm Managers.

INDIAN OVERSEERS AND MUNSHIS IN MILITARY GRASS FARMS.

78. **Mr. T. N. Ramakrishna Reddi:** (a) Will Government please lay on the table a statement showing the total strength of Indian Overseers and Munshis serving in the Military Grass Farms and the number of minority communities among them?

(b) Will Government please state what steps, if any, have so far been taken to prevent (i) preponderance of one community, and (ii) how many members of the minority community have been recruited in this branch of the above-mentioned service for redressing the communal inequalities?

Mr. G. M. Young: (a) and (b). The total strength of Indian Overseers is 90; this includes 38 Muslims, 18 Sikhs and 1 Indian Christian. There is no preponderance of any one community.

As stated in the reply to question No. 77 (a) the number of Munshis varies from time to time.

COMMUNITIES OF CLERKS EMPLOYED IN MILITARY DAIRY FARMS.

79. **Mr. T. N. Ramakrishna Reddi:** Will Government please place on the table a statement showing the number of persons belonging to the majority and minority communities appointed as permanent clerks in the Military Dairy Farms for the last 12 months, as well as probationers?

Mr. G. M. Young: The number of permanent and probationary clerks appointed during the last 12 months is as follows:

	Hindus.	Muslims.	Christians.
Permanent	1	4	1
Probationary	1	2	1

EMPLOYMENT OF CLERKS FOR CHECKING ACCOUNTS ON MILITARY DAIRY FARMS.

80. **Mr. T. N. Ramakrishna Reddi:** (a) Is it a practice in the Northern and Southern Dairy Circle Offices to send every now and then, clerks from their offices for checking the accounts of farms? If so, why? Do the Auditors of the Military Accounts Department pay their periodical visits for the same purpose, every three months or four times a year?

(b) Will Government please say what was the total amount of travelling allowance and daily allowance for these clerks who visited various farms during the period January, 1930 to December, 1930?

Mr. G. M. Young: Enquiries are being made, and a reply will be laid on the table.

APPOINTMENT OF MUSLIM INCOME-TAX OFFICERS IN BIHAR AND ORISSA.

81. **Mr. M. Maswood Ahmad:** (a) Are Government aware that the number of Muslim Income-tax Officers employed in Bihar and Orissa has been reduced from three in 1924 to only one in 1931?

(b) If so, will Government be pleased to state the reasons for the gradual decrease in the number of Muslims?

(c) Will Government kindly also explain what steps they have taken to remove communal inequality in this service?

(d) Are Government prepared to recognize the claims of the Muslims for the above department?

(e) If so, what immediate action do they propose to take to remove this grievance of the Muslims?

The Honourable Sir George Schuster: The information has been called for and will be laid on the table in due course.

MUSLIM REPRESENTATION IN APPOINTMENTS ON THE NORTH WESTERN RAILWAY.

82. **Mr. M. Maswood Ahmad:** Will Government be pleased to state:

(a) if it is a fact that the representation of Europeans, Anglo-Indians, Hindus, Muslims and others on the staff of the North Western Railway on 1st March, 1931, was '58, '87,

34.46, 56.16 and 7.93, respectively, and that after the reduction was over, i.e., on 10th July, 1931, proportion was .63, .92, 34.71, 55.71 and 8.03, respectively;

- (b) if it is a fact that the percentage after the reduction in the case of Europeans, Anglo-Indians, Hindus and other classes has been increased by .5, .5, .25 and .10 and that the percentage in the case of Muslims has been decreased by .45;
- (c) if it is a fact that the Muslims constitute the majority community in the territories served by the North Western Railway, *viz.*, Sind Province, North-West Frontier Province, Baluchistan and the Punjab, and that their aggregate percentage comes to more than 70 per cent.; and
- (d) if the replies to parts (a), (b) and (c) be in the affirmative, whether Government will be pleased to state the reasons for their disregard of their many promises held out to the Muslims to give them their due share and for the further reduction of the already inadequate representation of Muslims?

Sir Alan Parsons: (a) The figures quoted by the Honourable Member correspond with those communicated to him officially in an enclosure to Railway Board's letter No. 3966-E., dated the 2nd November, 1931.

(b) The increase in the percentage both of Europeans and of Anglo-Indians is 0.05 only and not 0.5.

(c) The majority of the population in the territories mentioned by the Honourable Member are Muslims.

(d) The orders issued to Agents of State-managed Railways in connection with the reduction of superfluous staff included an instruction that all practicable steps should be taken to see that the unfortunate necessity for reducing staff did not operate to the detriment of communities not at present adequately represented in railway services.

To give effect to this instruction the Agent, North Western Railway, ordered that the then existing ratio between various communities should be maintained. Government are satisfied that the instruction of the Railway Board has been followed as far as practicable and the Railway Board have advised the Agent, North Western Railway, that the insignificant departures from the pre-existing ratios should be adjusted when vacancies come to be filled.

RETRENCHMENTS IN THE DELHI DIVISION OF THE NORTH WESTERN RAILWAY.

83. Mr. M. Maswood Ahmad: (a) Will Government be pleased to state if it is a fact that the principles for retrenchment as outlined by the Railway Board were to retrench men who were inefficient, least efficient, nearing the age of superannuation and below three years' service?

(b) If so, will Government be pleased to state how many men from among the subordinate staff have been discharged on the ground of inefficiency, least efficiency, nearing the age of superannuation and below three years' service in the Delhi Division of the North Western Railway, and how many of them are Muslims, Europeans, Anglo-Indians, Sikhs, Hindus and other classes?

Sir Alan Parsons: (a) The principles of retrenchment were that men should be discharged who were inefficient, least efficient, of short service, or who were nearing the age of superannuation.

(b) Government regret that they are not prepared to collect this information.

RETRENCHMENTS IN THE DELHI DIVISION OF THE NORTH WESTERN RAILWAY.

84. Mr. M. Maswood Ahmad: Will Government be pleased to state:

(a) if it is a fact that instructions were issued by the Railway Board to their subordinates in charge to keep in view the intention of the Board of safeguarding the interests of the communities not adequately represented when discharging and demoting the staff;

(b) if it is a fact that no regard has been paid to safeguarding the interests of communities not adequately represented at the time of discharging and demoting the subordinate staff in the Delhi Division of the North Western Railway;

(c) if it is a fact that it is the Muslim and Christian subordinate staff alone that has suffered more than any other community in the retrenchment and demotions in the Delhi Division of the North Western Railway; and

(d) If the replies to parts (a), (b) and (c) be in the affirmative, whether Government propose to take disciplinary action against the subordinate in charge who disobeyed the instructions of his masters—the Railway Board?

Sir Alan Parsons: (a) Yes.

(b), (c) and (d). Government have had no complaints that these instructions have not been carried out. In fact, as far as information is available, they have been strictly adhered to on the North Western Railway.

REPRESENTATION OF MUSLIMS IN RAILWAY SERVICES.

85. Mr. M. Maswood Ahmad: (a) Has the attention of Government been drawn to a detailed memorandum on the subject of Muslims in Railway Services submitted in July last to the Railway Board for consideration by some very prominent Muslim public men, and Honourable Members of the Council of State and Assembly?

(b) If so, will Government be pleased to state what steps have so far been taken to give a practical shape to the three suggestions, viz., (a), (b) and (c) contained therein? If none, why not?

Sir Alan Parsons: (a) Yes.

(b) I would refer the Honourable Member to Railway Board's letter No. 3966-E., dated the 2nd November, 1931, to Mr. Maswood Ahmad, a copy of which with its enclosures is laid on the table.

GOVERNMENT OF INDIA.

RAILWAY DEPARTMENT.

(RAILWAY BOARD).

No. 3966-E.

Dated New Delhi, the 2nd of November, 1931.

To

MASWOOD AHMED, Esquire, M.L.A.

Dear Sir,

With reference to the meeting which Sir George Rainy and the Railway Board had with the Deputation of Muslim Members of the Legislative Assembly and the Council of State on the 18th September 1931, I am directed to forward for the information of the Deputation a copy of the Proceedings of the meeting as well as the following documents promised to be supplied to the Deputation :—

- (i) Statements giving the information available in the office of the Railway Board as to the number of employees discharged by communities. This information is available only in respect of the North Western, East Indian and Eastern Bengal Railways in the form and to the extent supplied.
- (ii) A note showing the undertakings previously given on behalf of Government on the subject of representation of Muslims in the Railway Services and the action taken to implement each of them.

2. With reference to paragraph 4 of the Proceedings of the Meeting in which Dr. Zia-ud-din Ahmad observed that the Agent, North Western Railway, had told the Railway Retrenchment Sub-Committee that the North Western Railway Administration had issued orders that men over 3 years' service should not be discharged, I am to state that no such orders were issued and no such statement was made by the Agent. According to the information in the possession of the Board the following was the question put to, and answer given by, Mr. Highet in the course of his oral evidence before the Sub-Committee :—

“Dr. Zia-ud-din Ahmad wanted to know why they had laid down that staff with less than three years' service should be sent away before others. Mr. Highet explained that their object was not to lose experienced staff trained at the expense of the railway, but they had not arranged to discharge everybody with less than three years' service but only when there was a surplus and after they had got rid of inefficient men”.

3. I am to add that the points involved in paras. 10 to 12 and 17 of the proceedings are under examination and that you will in due course be advised of the action taken.

Yours faithfully,

(Sd.) J. F. BLACKWOOD,

Secretary, Railway Board.

D. A. :—

1. Copy of the proceedings referred to.
2. Statements referred to.
3. Note referred to.

Proceedings of the Meeting between Sir George Rainy and the Deputation of Muslim Members of the Legislative Assembly and the Council of State.

On the 18th September 1931, Sir George Rainy met a Deputation of Muslim Members of the Legislative Assembly and the Council of State, who desired to make certain representations on the subject of retrenchment of Muslims in the Railway Services.

The following were present at the meeting :—

Sir George Rainy, K.C.S.I., K.C.I.E.,

Mr. T. G. Russell.

Mr. A. A. L. Parsons, C.I.E., I.C.S.

Mr. A. M. Hayman, O.B.E.

Mr. Maswood Ahmad, M.L.A.

Dr. Zia-ud-din Ahmad, C.I.E., M.L.A.

Seth Haji Abdulla Haroon, M.L.A.

The Hon. Mr. Abu Abdullah Syed Hussain Iman.

The Hon. Mr. Syed Abdul Hafeez.

The Hon. Mr. Mahmood Suhrawardy.

Mr. Md. Anwar-ul-Azim, M.L.A.

Sahib Bahadur Mauvi Syed Murtaza, M.L.A.

Mr. Maswood handed in a letter addressed to Sir George Rainy on the subject of the representation of Muslims in the Railway Services and also a separate memorandum which dealt with certain details. He stated that he regretted it was not possible for the Members of the deputation to get the letter and memorandum prepared in time to send it in advance of the meeting to Sir George Rainy. He added that he and the Members of the delegation desired particularly to refer to a few points.

2. Mr. Maswood took up first the question of retrenchment and stated that as far as he was aware the interests of Muslims were not sufficiently protected, when discharges were made. He said that this was particularly true of the Dinapore Division of the E. I. Railway and that he could cite many instances relating to that Division which would bear out his statement.

3. Seth Haji Abdulla Haroon said that he was concerned most with what had been done on the N. W. Railway and he too felt that the interests of the Muslim community were not sufficiently safeguarded in the matter of retrenchment and he would be able to put forward several instances in which Muslims had been unnecessarily discharged.

4. Dr. Zia-ud-din Ahmad stated that he would like to have figures showing what retrenchments had been made by different communities since the 1st April 1930. He added that he too was not satisfied that the interests of the Muslim community were properly considered in making discharges due to retrenchment. He said that the Agent, N. W. Railway had told the Railway Retrenchment Sub-Committee that the N. W. Railway Administration has issued orders that men over three years' service should not be discharged. He desired to know definitely whether such orders were issued and whether they were given effect to.

5. Mr. Hayman stated that on the subject of protecting the interests of minority communities in making discharges due to the abolition of posts on account of the economy campaign the Railway Board had issued orders that all practical steps should be taken to see that the unfortunate necessity for reducing staff did not operate to the detriment of communities not at present adequately represented in railway services. He stated that he would like to inform the Deputation of how the North Western Railway and East Indian Railway had applied these instructions as these railways had the largest number of Muslim employees. The Agent, N. W. Railway, had issued instructions that the percentage of Muslims and of other communities not adequately represented at the time discharges on account of retrenchment had begun should be maintained. Mr. Hayman stated that for this purpose the staff were divided into 3 categories, namely, workshop employees, inferior servants and subordinate staff; that the period of intensive retrenchment was from April to June 1931 and the percentage of Muslims on the 30th June 1931 compared with the percentage on the 31st March 1931 was as follows:—

	31st March 1931.	30th June 1931.
Subordinate staff	25.65	25.40
Workshop Staff	62.4	63.6
Inferior servants	61.9	62.1
Total Establishment	55.84	55.88

Mr. Hayman further stated that on an examination of these figures by the Board it was found that if the instructions of the Agent had been closely followed the number of Muslims retrenched in the subordinate grades should have been 177 instead of 226 and that the Agent had been instructed to adjust this discrepancy in filling future vacancies.

7. Mr. Hayman explained that on the East Indian Railway no supplementary instructions were issued by the Agent but care was taken to see that in the crew staff who suffered most in the course of retrenchment, the percentage of Muslims was not reduced. He said that Mr. Hassan who assisted in this task reports that 'the interests of the minority communities in general and of Muslims in particular did not suffer in any way, in the process'. He quoted the following figures relating to the crew staff and drew attention to the fact that the proportionate representation of Muslims remained the same before and after the retrenchment :—

Class.	Total number employed prior to reduction.	Percentage.	Number reduced.	Balance now employed.	Percentage.
Muslims	435	33	71	364	33
Hindus	734	55	127	607	55
Europeans and Anglo-Indians.	154	12	20	134	12
	1,323	100	218	1,105	100

8. Mr. Hayman added that retrenchment on the E. I. Railway in respect of other subordinate staff excluding from this term labourers and inferior servants, was not on a large scale and that Mr. Hassan had reported that very few permanent Muslim subordinates had been discharged.

9. Mr. Hayman undertook to supply the deputation with a complete statement giving all the information that was available at present to the Railway Board of the number of staff discharged by communities. He offered also to supply any member of the deputation with further information which had already been collected by Mr. K. M. Hassan or which could be readily obtained by Railway Administrations. He stressed the point that the collection and collation of information of the nature under discussion involved a great deal of clerical work and he hoped that the members of the deputation would be satisfied with such data as had already been collected or could be readily obtained.

Sir George Rainy said that if Mr. Maswood and Seth Haji Abdulla Haroon would send to the Railway Board a statement of the more important instances in which they considered proper consideration had not been paid to the interests of Muslims in making discharges he would ask the Railway Board to make an investigation into them. On a statement being made by Mr. Hussain Imam that discharges had not been properly made in the Clearing Accounts Office, Mr. Parsons undertook to have a similar investigation made if Mr. Imam would put forward particular instances.

10. Mr. Abdul Hafeez asked that care should be taken when reappointments were made of men who had been retrenched that the question of communal representation should not be overlooked. He stated that he would like to see Muslims taken back so that the proportion of Muslims in the Services prior to retrenchment should not be lowered by the appointment of other communities merely on the ground of seniority in service. Mr. Hayman said this point would be looked into.

11. Mr. Maswood next wanted to know what Mr. Hassan had done up to now. He added that he desired to put forward forcibly the desirability of vesting Mr. Hassan with definite powers in matters affecting appointments and discharges. He thought that unless such definite powers were vested in Mr. Hassan, it would not be possible for him to secure all that was necessary to advance the representation of Muslims in the services to adequate numbers.

12. Dr. Zia-ud-din said that he wished to associate himself with Mr. Maswood on this question of delegating powers to Mr. Hassan. Mr. Hayman gave a brief account of what Mr. Hassan had done up to the present. He said that Mr. Hassan had been instructed to submit a preliminary report by the middle of December 1931 on all that he had done up to the end of November 1931 and it was his intention to obtain instructions from Sir George Rainy whether this report should be made available to members of the Assembly and Council of State. Sir George Rainy intervening

stated that the report would be placed in the Library of the House. As to the question of powers being delegated to Mr. Hassan, Mr. Hayman stated that after his preliminary report was received, he would bring forward this question for the consideration of the Board. Sir George Rainy remarked that it was difficult to see how any powers in the matters of appointment and discharges could be delegated to Mr. Hassan when the responsibility for the proper conduct of work rested with others. He would keep an open mind, however, until he received the Railway Board's views on the question.

13. Seth Haji Abdulla Haroon said that he thought he ought to emphasise the fact that the Muslim employees of the N. W. Railway had formed themselves into a separate Muslim Union and that one of their objects for doing so was to encourage loyal and efficient service by Muslims to the Railway Administration.

14. Mr. Azim wanted to know whether Mr. Hassan would visit the A. B. Railway and whether he would be supplied with figures showing retrenchment on that Railway. Mr. Hayman informed him that instructions had been issued to Mr. Hassan that after he had completed his investigations on the State-managed Railways, he should visit the Company-managed Railways. He added that the figures giving particulars of the staff discharged will show what had been done on the A. B. Railway also.

15. Mr. Abdul Hafeez urged that Muslims would obtain better representation in the Railway Service if Muslim officers were represented more largely in the Railway Board and Dr. Zia-ud-din urged that at least the Director or the Deputy Director of Establishment should be a Muslim. Mr. Russell explained that the establishment work as affecting individuals was done more particularly by the Deputy Secretary and partly by the Deputy Director of Establishment; that until recently both these officers were Muslims and that at the present moment one of them was a Muslim.

16. Mr. Maswood next asked what had been done to appoint Muslims to posts of Office Superintendents and Head Clerks of the Establishment Sections in Railway Departmental Offices and in Divisions. Mr. Hayman explained that the Railway Board had addressed the Agents of State-managed Railways and asked them to bear in mind the desire of the Railway Board for the employment of an adequate number of Muslims as Office Superintendents or Head Clerks in making appointments to such posts, and that the Agents had been asked to submit a report on the subject by December next indicating the progress that had been made in this direction.

17. Several of the deputationists next referred to the necessity they were put to of asking questions in the Assembly and the Council of State on the subject of Muslim representation. They did this because they felt that Muslims were still not getting their due share of new appointments and also were not promoted to fill important posts. Sir George Rainy said that he had noticed that during this session a very much larger number of questions than in the previous session had been asked on the subject of communal representation. He said that as a result a large part of Mr. Parsons' and Mr. Hayman's time was occupied in framing answers to these questions, and he would like to point out that if the number was reduced, it would be possible for the Railway Board to devote more time to the more practical question of getting things done to give effect to the policy of Government in the matter of a communal representation. The deputation said that they were glad that this aspect of the matter had been mentioned, that they agreed generally with what Sir George Rainy had stated and that they would endeavour to cut out questions that were unnecessary.

18. Mr. Maswood then urged the Railway Board to look into the question of Mohammedan holidays. He said that the number at present granted was quite insufficient, and added that the details of what was required were stated in the papers just handed to Sir George Rainy. He further stated that the Divisional Superintendent, Dinapore, did not have sufficient consideration for the feelings of Muslims and had issued notices of discharge from service to several employees on one of their most important festival days. He also wished to complain that there was not a single Muslim in the Dinapore Accounts Office.

Sir George Rainy stated that the Railway Administrations followed local Governments in the matter of holidays, but that he would ask the Railway Board to look into the representation made by the deputation on the subject. Mr. Parsons undertook to look into the complaint regarding there being no Muslims in the Accounts Office at Dinapore.

19. Mr. Abdul Hafeez asked that Mr. Hassan should arrange to see him so that he could be in a position to place certain representations regarding the retrenchment of Muslims in the Dacca District of the E. B. Railway before Mr. Hassan for investigation.

20. Sir George Rainy said that before the deputation withdrew he would like to state that all the undertakings previously given by Government had been followed up and that Mr. Maswood would be informed of what Government had done in respect of each of them. He added that it was unfortunate that a period of drastic retrenchment which necessitated the suspension of recruitment had synchronized with the appointment of officers on special duty to assist the Railway Board to give full effect to the policy of Government on the subject of representation of the various communities in the Railway subordinate services.

21. The Deputation thanked Sir George Rainy for the patient hearing that had been given them and withdrew.

NORTH WESTERN RAILWAY.

Statement showing number of Subordinates, Inferior Staff and Workshops Establishment employed on the North Western Railway.

PART I.—Showing retrenchment effected and number discharged community-wise during 7th April 1931 and 30th June 1931.

Particulars.	Euro-peans.	Anglo-Indians.	Hindus.	Muslims.	Other classes.	Total.
<i>Distribution on 31st March 1931.</i>						
(a) Subordinate Establishment	704	928	11,451	5,215	2,034	20,332
(b) Inferior Establishment	..	69	25,981	52,111	5,936	84,097
(c) Workshop Establishment	13	69	3,853	9,224	1,606	14,765
Total	717	1,066	41,285	66,550	9,576	119,194
<i>Retrenchment, etc., from April to June 1931.</i>						
(a) Subordinate Establishment	12	41	341	226	71	691
(b) Inferior Establishment	..	..	1,407	2,467	228	4,102
(c) Workshop Establishment	..	..	489	665	157	1,311
Total	12	41	2,237	3,358	456	6,104
<i>Distribution on 30th June 1931.</i>						
(a) Subordinate Establishment	692	887	11,110	4,989	1,963	19,641
(b) Inferior Establishment	..	69	24,574	49,644	5,708	79,995
(c) Workshop Establishment	13	69	3,364	8,559	1,449	13,454
Total	705	1,025	39,048	63,192	9,120	113,090
(a) Subordinate Establishment—						
Percentage on 31st March 1931	3.46	4.57	56.32	25.65	10.00	100.00
Percentage on 30th June 1931	3.52	4.51	56.57	25.40	10.00	100.00
(b) Inferior Establishment—						
Percentage on 31st March 1931	..	0.08	30.89	61.97	7.06	100.00
Percentage on 30th June 1931	..	0.08	30.73	62.1	7.11	100.00
(c) Workshop Establishment—						
Percentage on 31st March 1931	0.09	0.46	26.10	62.47	10.88	100.00
Percentage on 30th June 1931	8.10	0.51	25.00	63.62	10.77	100.00
Total						
{ Percentage on 31st March 1931	.60	.89	34.64	55.84	8.03	
{ Percentage on 30th June 1931	.62	.91	34.53	55.88	8.06	

NORTH WESTERN RAILWAY.

PART II.—Showing retrenchment effected from 1st March 1931 to 10th July 1931.

Particulars.	Euro-peans.	Anglo-Indians.	Hindus.	Muslims.	Others.	Total.
Distribution on 1st March 1931	721	1,074	42,522	69,316	9,789	123,422
Retrenchment from 1st March 1931 to 9th July 1931.	2	22	2,894	5,706	629	9,253
Distribution on 10th July 1931	719	1,052	39,628	63,610	9,160	114,169
Percentage on 1st March 1931	·58	·87	34·46	56·16	7·93	
Percentage on 10th July 1931	·63	·92	34·71	55·71	8·03	

EAST INDIAN RAILWAY.

Statement showing number of Subordinates, Inferior Staff and Workshop Establishment, by communities, employed on East Indian Railway both before and after retrenchment and the number discharged.

Particulars.	Euro-peans.	Anglo-Indians.	Hindus.	Muslims.	Other classes.	Total.
<i>Distribution on 31st March 1932.</i>						
(a) Subordinate Establishment	1,103	2,069	15,604	4,721	302	23,799
(b) Inferior Establishment	1	40	58,087	16,359	594	75,081
(c) Workshop Establishment	1	12	24,053	6,352	286	30,704
Total	1,105	2,121	97,744	27,432	1,182	129,584
<i>Retrenchment, etc., from April to June 1931.</i>						
(a) Subordinate Establishment	38	62	564	192	16	872
(b) Inferior Establishment	..	2	2,535	612	52	3,201
(c) Workshop Establishment	..	2	1,539	278	19	1,838
Total	38	66	4,638	1,082	87	5,911
<i>Distribution on 30th June 1931.</i>						
(a) Subordinate Establishment	1,065	2,007	15,040	4,529	286	22,927
(b) Inferior Establishment	1	38	55,552	15,747	542	71,880
(c) Workshop Establishment	1	10	22,514	6,074	267	28,866
Total	1,067	2,055	93,106	26,350	1,095	123,673
Subordinate Establishment—						
Percentage on 31st March 1931	4·63	8·69	65·57	19·84	1·27	100·00
Percentage on 30th June 1931	4·65	8·75	65·60	19·75	1·25	100·00
Inferior Establishment—						
Percentage on 31st March 1931	0·00	0·05	77·36	21·80	0·79	100·00
Percentage on 30th June 1931	0·00	0·05	77·28	21·92	0·75	100·00

Particulars.	Euro-peans.	Anglo-Indians.	Hindus.	Muslims.	Others. classes.	Total.
Workshop Establishment—						
Percentage on 31st March 1931	0·00	0·04	78·34	20·69	0·93	100·00
Percentage on 30th June 1931	0·00	0·03	78·00	21·04	0·93	100·00
Total { Percentage on 31st March 1931	0·85	1·64	75·43	21·17	0·91	100·00.
{ Percentage on 30th June 1931	0·86	1·66	75·28	21·31	0·89	100·00

NOTE 1.—In respect of the *Crew Staff* which suffered most among the subordinate employees as a result of the retrenchment separate figures have been obtained and those are given below:—

—	Total number employed.	Percentage.	Number discharged.	Balance.	Percentage.
Muslims	435	33	71	364	33
Hindus	734	55	127	607	55
Europeans and Anglo-Indians	154	12	20	134	12
Total	1,323	100	218	1,105	100

NOTE 2.—The following statement shows the total number of employees discharged on the East Indian Railway since 1st January 1931:—

Total number of men discharged on East Indian Railway from January 1st, 1931, by communities.

Hindus	7,405
Muslims	1,520
Sikhs	34
Europeans and Anglo-Indians	52
Indian Christians	19
Chinese	170
	9,200

EASTERN BENGAL RAILWAY.

Statement showing number of Subordinates, Inferior Staff and Workshop Establishment employed on Eastern Bengal Railway before and after retrenchment and number discharged community-wise.

—	Euro-peans.	Anglo-Indians.	Hindus.	Muslims.	Other classes.	Total.
(1) Staff employed on 31st March 1931*	215	614	37,344	14,913	537	53,623
	829					
(2) Staff retrenched as a result of the economy campaign	24		1,147	292	..	1,463
(3) Staff after retrenchment	805		36,197	14,621	537	52,160
(4) Percentage on 31st March 1931	1·55		69·64	27·81	1·00	100·00
Percentage after retrenchment	1·54		69·40	28·03	1·03	100·00

*Figures are taken from Appendix C of Volume II and Appendix F of Volume of Railway Board's Administration Report for 1930-31.

NOTE SHOWING THE UNDERTAKINGS GIVEN ON BEHALF OF GOVERNMENT ON FEBRUARY 1931 ON THE SUBJECT OF REPRESENTATION OF MUSLIMS IN THE RAILWAY SERVICES AND THE ACTION TAKEN TO IMPLEMENT THEM.

At a meeting in February 1931 between Sir George Rainy and a deputation of Muslim Members of the Council of State and the Legislative Assembly certain undertakings were given on behalf of Government on the subject of representation of Muslims in the Railway Services. These and the action taken to implement them are indicated below :—

“(i) *Undertaking given.*—That new rules for the recruitment and training of the subordinate staff would be issued without delay which would make adequate provision for the recruitment of members of minority communities.

Action taken.—The new rules were issued in May 1931. These rules definitely provide that one-third of the vacancies in each class shall be reserved for the redress of marked communal inequalities.

The following further provisions have also been made in these rules to safeguard the interests of candidates of minority communities at each stage in the process of selection of candidates :—

- (i) Advertisements inviting application for employment should be sent for publication to newspapers commonly read by members of the various communities ;
- (ii) The Head of each Department, Division or District, shall maintain up-to-date statistics showing the communal composition of the staff in the various classes and groups and shall periodically review the position to ascertain whether any community requires to be more adequately represented. These statistics and results of the reviews shall be supplied to Selection Boards.
- (iii) In making preliminary selection, Selection Boards shall so regulate their selection that effect may be given to instruction, (iv) below in making final selection.
- (iv) In making final selection 2/3rds of the vacancies shall be filled by the candidates judged to be best qualified by the Selection Board. The remaining one-third of the vacancies shall be reserved for the redress of communal inequalities ; but no candidate shall be selected for this purpose who does not possess the minimum qualifications prescribed. In the event of duly qualified candidates not being available in sufficient numbers to fill all the reserved vacancies, the balance of the vacancies shall be filled in the manner first prescribed in this instruction.

(ii) *Undertaking given.*—That the Railway Board would consider the suggestion to appoint one or two officers for a time to look after the interests of Muslims.

Action taken.—With effect from the 1st March, 1931, two posts were created for one year in the first instance, one on Rs. 1,750 per mensem and the other in the junior scale and Mr. K. M. Hassan, lately Deputy Director of Establishment, Railway Board, was appointed to the former post with the following terms of reference :—

- “(i) to visit the headquarters of Railway Administrations and also places on State-managed Railways and offices under the Railway Board and Financial Commissioner, Railways where recruitment or promotions of non-gazetted employees are made and to observe the manner in which these matters are conducted and also the practical application of the rules relating to the training of the subordinate staff, and
- (ii) to advise and assist the Agents and other controlling authorities in the introduction of such arrangements as may be necessary to secure the fullest compliance with the policy of Government regarding the adequate representation of Muslims and other minority communities in the various classes of non-gazetted establishments, and
- (iii) to report on these matters to the Railway Board.”

The other officer appointed to assist Mr. Hassan is Mr. B. T. Singh, a Sikh.

(iii) *Undertaking given.*—That a review would be made of the posting of officers to duties connected with the recruitment, training and promotion of staff with a view to secure an adequate number of Muslim officers for such posts.

Action taken.—In the Railway Board's letter No. 917-E.G., dated the 6th August 1931, the Agents of the North Western, East Indian, Great Indian Peninsula and Burma Railways have been instructed to consider the posting of Muslim officers as Staff Establishment or Employment officers when making appointments to such posts with a view to securing the employment of an adequate number of Muslim officers in that capacity. They have at the same time been asked to submit a report by the end of December next indicating the progress made in this direction.

(iv) *Undertaking given.*—That the suggestion regarding the appointment of 2 Muslim officers as Deputy Agents, Personnel would be considered.

Action taken.—As the posts of Deputy Agent, Personnel, are filled by selection from among officers with experience in staff or establishment work, the solution lies in the appointment of Muslims as staff officers from where they can work their way up to Deputy Agent, Personnel.

(v) *Undertaking given.*—That the suggestion to place Muslims in the posts of Office Superintendents or head clerks in the offices of the Divisional Superintendents will be considered.

Action taken.—In the Board's letter No. 917-E.G., dated the 6th March, 1931, the Agents have been instructed to bear in mind the desire of the Board for the employment of an adequate number of Muslims as Office Superintendents or Head clerks in making appointments to such posts and asked to submit a report by December next indicating the progress made in that direction.

(vi) *Undertaking given.*—That with a view to securing the representation of Muslims in higher grades as far as possible, the suggestion made regarding direct recruitment to intermediate grades would be considered in respect of certain classes of posts.

Action taken.—The views of the Agents, North Western, East Indian, Great Indian Peninsula and Eastern Bengal Railways have been invited in the matter in the Railway Board's letter No. 5153-E., dated the 12th August, 1931.

(vii) *Undertaking given.*—That Railway Administrations would be asked wherever possible to put a Muslim officer on Selection Boards.

Action taken.—In the Railway Board's letter No. 3966-E., dated the 15th July, 1931, the Agents of the North Western, East Indian, Great Indian Peninsula and Eastern Bengal Railways were advised that when it is not convenient to appoint a Muslim officer of the Railway to work as a member of a Selection Board or Committee convened in connection with staff recruitment, opportunity might be taken to co-opt Mr. K. M. Hassan to sit on such a Board or Committee.

(viii) *Undertaking given.*—That steps would be taken to keep in touch with Associations and institutions like committees of Muslim representatives and Heads of Mohammedan colleges and schools when dealing with subjects affecting recruitment of Muslims in the Railway services.

Action taken.—The question of the formation, constitution and functions of committees of representative members of minority communities for the purpose of assisting railway administrations in the recruitment of non-gazetted employees was discussed with the Agents of Railways at a meeting held on the 27th March 1931, but as recruitment has been suspended owing to the need for retrenchment, it is proposed to defer the issue of final orders on this question for some time. In the meantime the Agents, North Western, East Indian, Great Indian Peninsula and Eastern Bengal Railways have, in the Board's letter No. 5153-E., dated the 13th August 1931, been instructed to give effect to the suggestions made by Sir Abdur Rahim during the Assembly debates for any vacancies that may occur being advertised and brought to the notice of the Heads of educational institutions which may be able to supply qualified Muslim candidates.

(ix) *Undertaking given.*—That the position on the North Western Railway would be especially examined in order to see whether recruitment rules could be varied in their application to it with the object of stimulating the recruitment of Muslims.

Action taken.—Normal recruitment has been suspended and it would not be until some time after such recruitment is resumed that any special rules or methods adopted on the North Western Railway for the purpose of stimulating recruitment of members of minority communities would bear fruit. In order, however, that there may be no delay in following the methods and rules which it may be decided to adopt for the special needs of the North Western Railway, the Agent has been asked in the Board's letter No. 3966-E., dated 28th July 1931 to examine the position on his railway and suggest suitable modifications in the existing rules and methods of recruitment in order to ensure that Muslims who constitute the majority of the

population in the area served by that railway, are in due course adequately represented in the service. Certain useful information has been collected and the investigation will be pursued and orders issued to meet the object in view.

(x) *Undertaking given.*—That instructions will be issued to railway administrations if, on examination, this course is considered necessary, to prepare statistics showing the communal composition of the staff in different categories as a guide to recruitment for future vacancies.

Action taken.—Provision has been made to this end in the rules of recruitment for the subordinate staff and Mr. Hassan has compiled detailed statistics showing the composition community-wise of each of the various classes and grades of the subordinate establishment on the North Western, East Indian, Great Indian Peninsula and Eastern Bengal Railways.

MUSLIM ESTABLISHMENT CLERKS IN THE EAST INDIAN RAILWAY.

86. **Mr. M. Maswood Ahmad:** Is there any Muslim Establishment Clerk or Head Establishment Officer on any Division of the East Indian Railway? If so, how many of each category separately and in which Divisions?

Sir Alan Parsons: The information available is that in December 1931 one Staff Officer and sixteen office Superintendents or Head Clerks on the East Indian Railway were Muslims.

MUSLIM ESTABLISHMENT OFFICERS IN THE EASTERN BENGAL RAILWAY.

87. **Mr. M. Maswood Ahmad:** Is there any Muslim Head Establishment Officer, Office Superintendent or Head Clerk on the Eastern Bengal Railway? If so, how many in each category separately and in what Divisions?

Sir Alan Parsons: I am obtaining the information, and will lay it on the table in due course.

MUSLIM REPRESENTATION IN RAILWAY SERVICES IN EAST BENGAL.

88. **Mr. M. Maswood Ahmad:** Is it a fact that the Mussalmans in East Bengal are in a majority? If so, have Government given effect to their declared policy of not allowing the minority communities to preponderate in such provinces in services under the control of the Government of India and especially the Railway Services? If not, why not?

The Honourable Sir James Orerar: The reply to the first part is in the affirmative. As regards the second, the Honourable Member is under some misapprehension as to the declared policy of Government. That policy is the prevention of the undue preponderance of any one community and is being followed in the services to which the Honourable Member refers.

MUSLIMS EMPLOYED IN THE INDIAN TELEGRAPH DEPARTMENT.

89. **Mr. M. Maswood Ahmad:** With reference to the reply given on 26th January, 1932, to question No. 13 part (b) regarding Muslims in the Traffic and Engineering Departments of the Indian Telegraph Department, will Government be pleased to supply the correct figures?

The Honourable Sir Joseph Bhore: The correct figures for the whole of India as they stood on 15th May, 1930, are as follows :

Telegraph Engineering and Wireless Branches.				Telegraph Traffic Branch.			
Europeans and Anglo-Indians.	Hindus.	Muslims.	Other communities.	Europeans and Anglo-Indians.	Hindus.	Muslims.	Other communities.
170	24	2	5	59	34	...	3

MESSAGES FROM HIS EXCELLENCY THE VICEROY AND GOVERNOR GENERAL.

Mr. President (The Honourable Sir Ibrahim Rahimtoola): Order, order. I have received four communications from His Excellency the Viceroy and Governor General regarding the Railway Budget and the General Budget and I will read them to Honourable Members.

(The Assembly received the Messages standing.)

"For the purposes of sub-section (1) of section 67A of the Government of India Act and in pursuance of rules 43, 46 and 47 of the Indian Legislative Rules, 1, Freeman Freeman-Thomas, Earl of Willingdon, hereby appoint the following days for the presentation to the Legislative Assembly of the statement of the estimated annual expenditure and revenue of the Governor General in Council in respect of Railways and for the subsequent stages in respect thereof in the Legislative Assembly, namely :—

Thursday, the 25th February.

Presentation in the Legislative Assembly.

Monday, the 29th February.

General discussion in the Legislative Assembly.

Tuesday, the 1st March.

Wednesday, the 2nd March.

Thursday, the 3rd March,

Friday, the 4th March.

Voting on Demands for Grants in the Legislative Assembly.

(Sd.) WILLINGDON,
Viceroy and Governor General."

New Delhi,

The 21st February, 1932.

The second order is :

"For the purposes of sub-section (1) of section 67A of the Government of India Act and in pursuance of rules 43, 46 and 47 of the Indian Legislative Rules, 1, Freeman Freeman-Thomas, Earl of Willingdon, hereby appoint the following days for the presentation to the Legislative Assembly of the statement of the estimated

annual expenditure and revenue of the Governor General in Council in respect of subjects other than Railways and for the subsequent stages in respect thereof in the Legislative Assembly, namely:—

Monday, the 7th March.

Presentation in the Legislative Assembly.

Wednesday, the 9th March.
Thursday, the 10th March. }

General discussion in the Legislative Assembly.

Monday, the 14th March.
Tuesday, the 15th March.
Wednesday, the 16th March.
Thursday, the 17th March.
Friday, the 18th March. }

Voting on Demands for Grants in the Legislative Assembly.

(Sd.) WILLINGDON,

Viceroy and Governor General."

New Delhi,

The 21st February, 1932.

The third order is:

"In pursuance of the provisions of sub-section (3) of section 67A of the Government of India Act, I hereby direct that the heads of expenditure specified in that sub-section shall be open to discussion by the Legislative Assembly when the Budget is under consideration.

(Sd.) WILLINGDON,

Governor General."

The 7th January, 1932.

And the fourth order is:

"In exercise of the powers conferred by rule 2 of the Indian Legislative Rules, I, Freeman, Earl of Willingdon, hereby appoint the Honourable Sir George Rainy, to perform the functions assigned to the Finance Member under rule 46 of the said Rules on the occasion of the general discussion appointed for Monday, the 29th February, 1932, on the statement of the estimated annual expenditure and revenue of the Governor General in Council in respect of Railways.

(Sd.) WILLINGDON,

Viceroy and Governor General."

New Delhi.

The 21st February, 1932.

CONSTITUTION OF A HOUSE COMMITTEE.

Mr. President (The Honourable Sir Ibrahim Rahimtoola): I have to inform Honourable Members that in November last I received a representation signed by 55 Members of this House drawing attention to the unsuitability and insufficiency of the accommodation at present provided for Members of the Assembly, both in Delhi and Simla, and requesting me to take early steps to constitute a House Committee consisting of Members of this House to look after the comforts and conveniences of Members, and to suggest from time to time additions and alterations to the existing accommodation and to submit plans for building more quarters to suit the convenience of Members.

[**Mr. President.**]

I have now to announce that in pursuance of this representation and in view of the fact that there is a general desire among Members for such a Committee, I have, in consultation with Party Leaders, constituted a House Committee consisting of the following Members:

Mr. R. K. Shanmukham Chetty (Chairman),
 Diwan Bahadur Harbilas Sarda,
 Mr. Gaya Prasad Singh,
 Mr. S. C. Mitra,
 Mr. Rahimtoola M. Chinoy,
 Khan Bahadur H. M. Wilayatullah,
 Mr. H. B. Fox,
 Kunwar Haji Ismail Ali Khan,
 Sardar Harbans Singh Brar, and
 Dr. F. X. DeSouza.

THE BENGAL CRIMINAL LAW AMENDMENT (SUPPLEMENTARY)
 BILL.

PRESENTATION OF THE REPORT OF THE SELECT COMMITTEE.

The Honourable Sir James Crerar (Home Member): Sir, with your permission, I lay on the table the report of the Select Committee on the Bill to supplement the Bengal Criminal Law Amendment Act, 1930.

ELECTION OF MEMBERS TO THE STANDING COMMITTEE
 FOR ROADS.

The Honourable Sir Joseph Bhoré (Member for Industries and Labour): Sir, I move:

“That this Assembly do proceed to the election, for the financial year 1932-33, in such method as may be approved by the Honourable the President, of six Members to serve on a Standing Committee for Roads which will be appointed by the Governor General in Council and the constitution and functions of which shall be as defined in the Resolution on Road Development as adopted by the Assembly on the 4th February 1930.”

The motion was adopted.

ELECTION OF MEMBERS TO THE STANDING COMMITTEE FOR
 THE DEPARTMENT OF EDUCATION, HEALTH AND LANDS.

Sir Frank Noyce (Secretary, Department of Education, Health and Lands): I beg to move:

“That this Assembly do proceed to elect, in such manner as the Honourable the President may direct, three non-official Members to serve on the Standing Committee to advise on subjects, other than ‘Indians Overseas—Emigration’ and ‘Haj Pilgrimage’, dealt with in the Department of Education, Health and Lands.”

Dr. Ziauddin Ahmad (United Provinces Southern Division: Muhammadan Rural): May I ask whether this Committee ever met during the last year, and, if so, how many times?

Sir Frank Noyce: It met once last year. It had, if I may say so, a distinctly lengthy agenda.

Mr. President: The question which I have now to put is:

"That th's Assembly do proceed to elect, in such manner as the Honourable the President may direct, three non-official Members to serve on the Standing Committee to advise on subjects, other than "Indians Overseas—Emigration" and "Haj Pilgrimage", dealt with in the Department of Education, Health and Lands."

The motion was adopted.

Mr. President (The Honourable Sir Ibrahim Rahimtoola): I may inform Honourable Members that for the purpose of election of Members to the Standing Committee for Roads and the Standing Advisory Committee for the Department of Education, Health and Lands, the Assembly Office will be open to receive nominations up to 12 noon on Thursday, the 25th February and that the elections, if necessary, will take place in this Chamber on Monday, the 29th February, 1932. The elections will be conducted in accordance with the principle of proportional representation by means of the single transferable vote.

THE WIRE AND WIRE NAIL INDUSTRY (PROTECTION) BILL.

The Honourable Sir George Rainy (Member for Commerce and Railways): Sir, I move that the Bill to provide for the fostering and development of the wire and wire nail industry in British India, as reported by the Select Committee, be taken into consideration.

I do not propose to make a lengthy speech about this Bill. The Report of the Select Committee is not a very long one, and but for one exception—my Honourable friend Mr. B. Das—the Report is unanimous. Only one change has been made by the Select Committee in the Bill as it was introduced. Provision has been inserted to provide that the surcharge that is leviable under the Indian Finance (Supplementary and Extending) Act passed last November should not be collected on this higher duty which it is now proposed to impose on wire and wire nails. The feeling of the Committee was that, since this was a new duty not in force at the time the Supplementary and Extending Finance Act was passed, and since the duty proposed to be imposed was higher than the former duty with the surcharge added, it was reasonable that the surcharge should not be collected. Apart from that, there are two expressions of opinion in the Report of the Select Committee. It was pointed out in paragraph 2 of the Report that, as part of the whole project which this Bill embodies, the firm which is engaged in the manufacture of wire and wire nails should establish equipment for the manufacture of wire rod so that the wire and the nails may be made from Indian steel. The Committee felt that, if the Legislature was to pass this Bill it was entitled to satisfy itself that steps would actually be taken with reasonable promptitude for the establishment of the new machinery, as otherwise the object

[Sir George Rainy.]

sought to be attained might be frustrated or retarded. They therefore recommended that Government should satisfy themselves on the point whether the industry had taken definite steps to put itself in a position to manufacture wire and wire nails from indigenous material, and if this was not done that the fact should be brought to the Legislature at its next session. Government have no difficulty in accepting that recommendation, for it is undoubtedly an essential part of the scheme that, as soon as possible, wire and wire nails should be made from Indian steel.

Finally, Sir, there is one other expression of opinion that Government should have the question examined whether, during the period before the mill is erected in India for the manufacture of wire rod, it is possible, without detriment to the industry, to exempt by notification under section 23 of the Sea Customs Act certain kinds of wire from the protective duty. The Committee have indicated the kinds of wire which they had in mind. If the Bill is passed, Government will certainly give effect to that recommendation. The point of the recommendation is to prevent, provided always that this can be done without making the scheme of protection ineffective, the imposition of an unnecessary burden on the consumer. What the result of our investigations may be I obviously cannot say at present but the matter will be examined and in due course, and probably next session, we shall be in a position to state what the results of our investigation are. My Honourable friend Mr. Das has given his views at some length in the minute of dissent which he has appended to the Committee's report. I do not think, however, that at this stage I need deal with his points because, knowing my Honourable friend as I do, I have no doubt that the House will hear from his own lips an expression of his opinion, and possibly I shall have an opportunity when I reply to deal with such points as may be raised. Sir, I move.

Mr. B. Das (Orissa Division: Non-Muhammadan): Sir, I regret that I have to oppose the consideration of this Bill. This is the first Bill which the Honourable the Commerce Member has introduced, by which he grants to a particular industry two systems of protection, and I hope Honourable Members on this side of the House at least have read the weighty minute of dissent that I have added.

Mr. S. C. Mitra: It is only one paper. How can it be weighty?

Mr. B. Das: The weight lies in the argument contained therein and the facts mentioned there. I am surprised that this new innovation has been made by the present Tariff Board, by which it wants to give a particular industry a rebate, a certain bounty and subsidy, by granting it exemption from duties on imported raw material, and at the same time they ask this House to commit itself to a system of protective tariff. One of the essential principles required of any industry if it is to receive a bounty, concession or protection, is that it should use Indian raw materials. This industry has not justified that. I do not want to go again over the arguments that I advanced when this Bill was considered before it was referred to the Select Committee, but as I said then, I repeat again that the Tariff Board bases its recommendations on suppositions, presumptions and speculations. When I wrote my minute of dissent, I read through the Tariff Board's Report over again and I found there were too many

suppositions and presumptions. Time was when if any protective measure came before the House, this House gave protection for a particular period, but at present I find that the Government agree with the idea of the capitalist Members on this side that all measures of protection should be for an indefinite period, till the industry stands on its own legs. What does that mean? It means that the consumer goes on paying high prices while a particular section of capitalists, who have invested a certain sum of money, goes on deriving high dividends. In the case of the wire and wire nail industry, the Tariff Board has not proved that the industry is in a position to stand on its own legs in a limited number of years. On the other hand, if this House passes this measure, this House stands committed to future protection, and again in 1934 when the new Commerce Member will bring out protective duties for the benefit of the Tata Iron and Steel Industry, this particular subsidiary industry will receive protection also. In 1924 or 1927 no body in this House, except perhaps my friend, the Deputy President, ever thought that this House would be committed to measures of protection for years and years until these capitalists and financiers who have invested money grow so rich by exploiting the masses that they themselves ask Government to take off the protection. I was surprised in the Select Committee to hear that Government are not in a position to say when a particular industry will not need protection and what will be the effect of these protective measures. At the same time it confers certain benefits on a particular industry, but it does not exact any obligatory duty from that industry. Although my friend Sir George Rainy did not agree with me that certain obligatory rules should be imposed on the wire nail industry, yet when he was speaking in connection with another protection Bill, the paper pulp protection industry, he said:

"It is the established policy of the Government of India that when concessions, bounties and subsidies are given to industrial firms, then in the case of any company not already engaged in an industry we enforce the conditions recommended by the Fiscal Commission."

Sir, my friend wants to enforce certain obligatory conditions on firms that are to be started hereafter, but he does not want to do that in
12 NOON. the case of firms already existing. Sir, this wire nail industry, although it was protected in 1924, could not manufacture any wire nails. In 1927 Government took off the protective tariff on the wire nail industry and to-day that industry is coming up for it for the first time. How is it and why is it that the Government do not come forward and satisfy themselves that there should be certain obligatory conditions which this particular firm and every other firm that comes forward in the future will observe? Sir, as I said the other day, this wire nail industry, if it receives this protection, will get a monopoly and an advantage over all other new firms that may come forward in future. The Tariff Board has already pointed out that from a capital expenditure of Rs. 25 lakhs, the present block account is Rs. 3·8 lakhs; so any individual firm that may come forward will at least spent Rs. 10 to 15 lakhs on the installation of a factory similar to the existing factory at Tatanagar; so why this Legislature and the Government should be so partial to this particular firm and give it a special concession, I cannot make out. Of course if this measure is passed, there will also be protection to the wire rod manufacturing industry, and of course this firm is going to spend 5 lakhs on the same: and I learn a Karachi firm is also going to start factory; but I am doubtful if the Karachi

[Mr. B. Das.]

firm will at all come under the protective tariff, because, of the primary test of granting protection to a firm—namely use of Indian steel billets—and Karachi will never get a chance of getting steel billets from Jamshedpur. The railway freight will always be high, and the Karachi factory will always have to use foreign billets to manufacture steel rods and other sections. Now if the Honourable the Commerce Member has read the Fiscal Commission's Report, as we have read it on this side, will he say how any industry can expect protection from this House when it uses the raw material of foreign countries? That was not the object of the Fiscal Commission, and in that way no industry can thrive nor will the country benefit. I do not want such an industry to receive protection.

Sir, I am only a party to the protection of this industry to the extent that the Government have given it through executive action by means of the free import of its wire rods, and I am only a party to that up to 1934. Of course there is the fear that the industry might come forward in 1934 and say, "You gave us protection in 1932 and we expected that we could put in a little more capital and you would go on now protecting us for ever". Sir, I hope the Government will make it clear that they will inquire into the condition of this factory in the coming autumn and that they will make it clear that this industry should not expect anything after 1934. Sir, if Government go on giving protection like this, I think they will be losing the necessary revenue from the customs to which the Honourable the Finance Member so much looks forward and by which alone he can balance his Budget.

The other day my friend, Mr. Mody, accused me of preaching false economies. I am sorry he is not here. I think, Sir, after being satisfied that there would be no income-tax levied on the foreign investments of the Bombay capitalists, Mr. Mody managed to leave this House without taking any interest in the protective measures coming forward before the House. Mr. Mody's utterances were very soft: he said, "Unless indigenous industries thrive in India, where 90 per cent. of the people live on agriculture, how can this country prosper?" Sir, we know we have been giving protection under various pretexts since 1924. I would ask my Honourable friend the Commerce Member or the Finance Member to throw some light on the point whether the income of the Government of India has gone up through giving this protection. Have they got more from income-tax from these industries? No, they have not got it, I am sure, because the income-tax figures have been stationary at 16 crores for the last five years, and will remain stationary in spite of the surcharge of 25 per cent. So when a certain section of the people, a very small minority section—the capitalists—insist upon Government giving them protection, and when they tell us that that must be done in the interests of the nation and in the interests of the agriculturists, I strongly differ from my Honourable friend, Mr. Mody, and I ask him and investors in this House and outside, who invest money, "Why do you mismanage and mispend the money, and then come to the Government to give you protection so that you can employ fat-salaried foreigners as your servants or earn fat dividends yourselves?" I say the time is coming when . . .

Sir Cowasji Jehangir (Bombay City: Non-Muhammadan Urban): How do you make your living?

Mr. B. Das: I will tell my Honourable friend how I make my living. I am an industrialist, I am an engineer, I do not want to exploit my country simply because I shall get a small percentage extra on the money I or my grandfathers have inherited and invested. I represent the industrial brain of India (Hear, hear), and I do not want that the capitalist should exploit labour

Sir Cowasji Jehangir: Who is an industrialist? Is he a capitalist?

Mr. B. Das: He is not a capitalist if he is a proper industrialist and I wish there were more industrialists in India than the exploiting capitalists. Sir, the time is coming—as I was going to say before I was interrupted by my esteemed friend—when the Government revenues under customs and income-tax will fall, and then this capitalist section, who are now demanding continuous protection, will have to pay excise duties. I joined my friend, who is a big cotton mill-owner and also his predecessor in demanding that the cotton excise duty should be abolished, but now the point arises as to how the Government of the country will be carried on. It will in future be my friend, Sir Cowasji Jehangir's Government and my friend, the Deputy President, Mr. Shanmukham Chetty's Government that will have to carry on the government and the administration of this country. They will need funds. Now in the name of a high protective tariff wall, they have killed the Government revenue but have they ever expressed any inclination to provide other sources of revenue? There was that foreign income-tax Bill in connection with which the capitalists on this side and my friends of the European Group all combined, and they said that they did not want that any more income-tax be paid. My Indian friends in my neighbourhood argued that if Government got hold of more income-tax on these foreign investments there would be less development of industries in India. Sir, if these are not crude economics and crude arguments, I am surprised!

I now turn to my friend Mr. Mody who has talked so much of the welfare of this industry. He said that there are 70 to 80 per cent. of agriculturists in India, and if the capitalists receive protection, the agriculturists will prosper. If my friend Mr. Mody and those who think with him were to have an hour's talk with the Honourable the Finance Member, or even to read the Budget speeches delivered by the Honourable the Finance Member during the last two or three sessions, they would find that it is the prosperity of the agriculturist on which depends the prosperity of the Government as well as the solvency of the Government. Even the solvency of the industry depends on the prosperity of the agriculturists. The industrial magnates may produce their articles but unless there are the consumers, what is the good of producing them. It is no use bringing forward the argument that if protection is given industries will thrive. But to whom should the protection be given? The Government have as much duty to give protection to the consumers and to the people of India as to the investors. Has the investor utilised his investment properly? I do not wish to develop this point, as I have got ample opportunity to develop it in subsequent Bills. But I do wish to give this reply to Mr. Mody because he characterised my speech as full of crude economics.

Sir, I do ask the Government to consider whether this industry will at all be able to compete with the foreign imports by the protective methods

[Mr. B. Das.]

that the Government are trying to adopt, while the high rate of exchange is already giving protection to Indian paper. Everybody knows that the German mark has gone up. Wire nails are being sold in India at Rs. 7/4/0, in retail and Rs. 6/12/0, wholesale. Everywhere there is an effort to reduce the cost of production, but in India there is none. If this Bill is passed, the price of wires will go up. But this firm, as I have pointed out in my minute of dissent does not produce even 300 tons of wire, although the total consumption of wire in India is about 12,300 tons. Everybody also knows that the firm for which my friend the Commerce Member has got such a soft spot has not yet even placed an order for the rod mill. Suppose it does not purchase the rod mill, yet Government will get this additional duty of 4 lakhs and the ordinary man will pay more money for the wire which he gets. Is that fair?

Sir, in this instance I find the position of my friend Sir George Rainy like that of an old Oriental patriarch. This Oriental patriarch has many sons and grandsons. As soon as they grow up, they get married and begin to get children. Then the sons go to their father and ask him to provide their children with bungalows and palaces and with the wherewithal to live. My friend Sir George Rainy who has a soft spot for these industries, says that these industries will do well, and at the same time my friend Sir George Schuster will get about 2 crores additional revenue. Sir, the Tata steel and iron industry was the original son; it was the original scheme of my friend. He now wants to protect subsidiary industries. Whether the subsidiary industries have got the necessary plant or not, he does not mind; he must protect them. Sir, after a few months, my friend will not be here; he is going away in three months' time. His successor will tell us: "Well, gentlemen, my predecessor Sir George Rainy and his predecessor Sir Charles Innes, asked you to give protection to these industries. So this Legislature is committed to the principle of protection, and if you are now against that principle, you are wrong". Sir, I oppose this Bill with the observation that the protection already given by executive action is more than sufficient for the industry.

Mr. S. C. Mitra (Chittagong and Rajshahi Divisions: Non-Muhammadan Rural): Sir, I rise to support this Bill. I am glad that my Honourable friend, Mr. B. Das, who always represents the cause of employers of India in the International Conferences is now looking after the interests of the consumers. Sir, I was not feeling at ease when I who always stand for the consumers have to differ from Mr. Das when he goes out of his way to support the cause of the consumers. So, I tried to understand the question as much as I could and I carefully went through the Report of the Tariff Board. I find, as Mr. Das says, that, strictly speaking, this industry has now come forward, not so much for protection. It will really come for protection after a year or 18 months. This is what the report says on page 9:

"Unless steps are taken in the meantime to preserve the wire industry in India, its ultimate development into an industry using indigenous material will be rendered impossible. It is in the light of these considerations that we desire to approach the question of protection."

Sir, on fundamental points there is no difference between myself and Mr. Das. If protection cannot ultimately secure for the poor Indian consumers a

cheaper price I shall always be against protection, unless it be in the special case of vital industries like steel, or some other key industries that are necessary for the defence of India. Had it been merely to help a capitalist, I would have been the last man to support it. But in the Select Committee itself Mr. Drake said that this Company was not opposed to be converted into a joint stock company. Besides, they themselves had already invested in this industry another 5 lakhs for keeping it alive and for the purchase of the machinery another 5 lakhs will be necessary now. They are really incurring a great expenditure of money in the prospect of having wire and nails of Indian manufacture. Ultimately, therefore, these wires and wire nails will be sold at a cheaper price to the Indian consumers. Had it not been so and if there had been no future when we could legitimately expect to get these things cheaper, then there would have been no case for protection. As regards monopoly, I do not think this protective duty applies to this company alone. The protective duty is for all. If any other concern is started, I am sure it will not be deprived of the benefit of this protective duty; I know in Calcutta a firm called the Pioneer Wire and Nail Factory owned by Mr. Bysack. There is another firm in Amritsar and in the Select Committee we were informed that another concern was going to be started soon in Karachi. I do not know if all these concerns get the benefit of protection, why other ventures should not be started and why there should be apprehension of monopoly by this firm alone. As regards the capacity of this company, Mr. Das said that out of 12,000 tons of wire and 12,000 tons of wire nails, this company is at present producing about 3,000 tons. Had that been the fact, I would have hesitated to support the Bill. I note that the Tariff Board makes it clear that they have the capacity to improve as soon as they get the benefit and they will be producing about 10,000 tons and more. There is sufficient capacity in the plans for producing larger a quantity of wires and wire nails and there is a sufficient market for the sale of the extra quantity. At present, I understand India consumes about 12,000 tons of wire nail, of which Burma takes about 4,000. So India's share is about 8,000 tons of nails. Out of 10,000 tons of wire, India proper takes about 7,000 tons. But this factory alone has the capacity to produce 7,000 tons of nails and 5,000 tons of wire; that is more than half the quantity that is consumed in the whole of India. If it gets further facilities, it will be in a position to produce the major portion of India's demand. We were very careful to note in the Select Committee's Report that they should order rod machine immediately and that unless they comply with our requirements, that is, they are to use Indian raw materials, billets from the Tata Iron and Steel Company and re-rolling machinery of their own, we will revise the whole position. So it is not a question that after 1½ years, we shall not give protection. We are giving assistance now so that this industry may survive during this period of 1½ years and at the end of it, the whole question will be investigated to see whether the firm has complied with the requirements, whether they have installed a rod mill and whether they have really succeeded in proceeding in a way that will ultimately benefit India. The whole question will be considered after 1½ years and a decision will be made as to what should be the adequate protection. I therefore support the motion.

Seth Haji Abdoola Haroon (Sind: Muhammadan Rural): I had no intention of speaking on this subject, but as my friend Mr. Das brought out the question of a Karachi factory, I want to speak a few words on

[Seth Haji Abdoola Haroon.]

this subject. First of all I must say, I am supporting this Bill for the protection of wire and wire nails. My Honourable friend Mr. Das just now said that this Bill can give protection only for the Tata factory. As my friend Mr. Mitra said just now, if there is a duty of Rs. 45 on wire and wire nails, then every one will have to get protection. On account of that, all these industries will get protection. I have just now returned from Karachi and I have seen myself the factory started lately in Karachi. They have fixed up the machinery and started it working from the first of this month, and I had been there and seen the factory in running order and they were producing wire and wire nails. If this protection is not given, I do not think these factories can survive. I am told that finished rods can be imported into Karachi at not less than Rs. 7, whereas those manufacturers are selling nails at Rs. 7-4-0 because all the Continental firms have entered into a combine and they are selling at fixed prices rods and wire and wire nails all over the country. So it is very necessary that protection should be given to this industry. I am told by the proprietor of this factory that he himself went to the Continent during the last two years to learn the industry and he brought the required machinery and erected the plant at Karachi. They are now producing galvanised and barbed wire, wire nails and wood screws and bright iron wire. It will be interesting to say here that this latter article is being manufactured by them for the first time in the East. They have also their own packing cases factory, their own box-making factory, their own label-printing machines, and suitable workshops well equipped to handle all their own breakages, etc. Their present scale of production is necessarily low, as they are training their establishments, but the capacity of their producing plant is about 300 tons monthly. I myself have seen the factory and I am told that Mr. Jethanand himself went to the Continent and acquired the necessary experience to make this industry successful. I want to draw the attention of the Honourable Member to the fact that these people have already applied to the Government of India for a rebate in customs duty. At present I understand the Tata Company, are getting a rebate in customs duty on raw materials which they are importing from foreign countries. I hope and trust that Government will consider their case favourably and if the Tata Company are getting a rebate, I hope the Karachi concern will also get the same facility. With these remarks, I support the motion.

Mr. John Tait (Burma: European): I rise to oppose this motion. I agree with what my Honourable friend Mr. Das has said, that as a protective measure, the Bill is fundamentally unsound. In the first place, it sets out to protect an interest, which wholly as an indigenous interest does not in fact exist, and moreover will not come into existence until such time as the whole question of protection for the steel industry will come up for reconsideration. On these considerations alone, it seems to me that the case for protection is untenable and falls to the ground. Secondly, it seeks to impose a burden on the people of this land and on trade and development generally throughout the length and breadth of India and Burma from Peshawar to Cape Comorin, from Karachi to Victoria Point with the one definite result, whatever the object may be, of providing a further subsidy of approximately Rs. 50,000 to a small one-man concern, capable only of turning out 2,000 tons of wire and wire nails or approximately one-twelfth only of the total requirements of wire

and wire nails required in India and Burma as measured by the customs imports of 1929-30. Sir, on the total imports of wire and wire nails in 1929-30 of 22,000 tons, valued at 37½ lakhs of rupees, the revenue from the existing duty with surcharge is approximately 6 lakhs of rupees. If this Bill is passed the duty, without the surcharge as recommended by the Select Committee, will amount to approximately 10 lakhs of rupees. Therefore there is just over 4 lakhs of new revenue to come in from this Bill. Now the Indian Steel Wire Products Company is to benefit at the expense of the tax-paying public of India and Burma, as a result of this imposition, in all to the amount of about Rs. 90,000, because the concession which that firm now enjoys of importing their wire rod free of duty is to continue. That concession of which very little notice has been taken hitherto is really a very valuable one. Actually it amounts to about Rs. 40,000 per annum, reckoning the value of its output on the basis of the Customs value of the imports of 1929-30. And therefore it follows that the amount involved in so far as this particular firm is concerned, if this Bill comes into law, is say Rs. 50,000. Briefly therefore the position is that if the Bill is passed, Government will obtain further revenue to the extent of 4 lakhs of rupees and the proprietor of this firm will net a further Rs. 50,000 on the sale of his 2,000 tons of wire and wire nails. In the face of these figures, Sir, can the proposed measure really be justified? If, as is inferred in the report, Government feel morally committed to do something further for the proprietor of this firm, then it is quite within Government's powers to provide a subsidy *ex-revenue* now being earned on the imports of wire and wire nails. But there can be no valid reason on these grounds alone for imposing a further burden on the tax-payers of India.

I would hesitate to suggest that in introducing this Bill Government really were after this extra revenue, small though it may be, but to introduce a Bill on the facts as provided by the Tariff Board Report,—a report the most kindly description of which can only be that it is a most inadequate report,—definitely throws Government open to this accusation; and it is to be very seriously deprecated that such a feeling should be abroad at this time not only because of the extent to which Honourable Members went in November last to support Government but also of the consideration which impelled that support, and further of the assurances that we have had then and since that there will be no further burden placed on the tax-payers of the country. The other day the Honourable the Leader of the Independent Party made some pertinent remarks when he said:

“We have only recently allowed the Honourable the Finance Member to add very considerably to the taxation of the people and there is no justification for adding further to the burden at this time.”

I fully endorse these sentiments and I am sure that if that Honourable gentleman was present in his seat to-day, and assuming that he would be consistent in his views, I could depend on his support and of those who follow him in condemning this measure.

Now, Sir, I come to another feature of this Bill which has added very considerably to that feeling of distrust of the Government of India and of this Honourable House which has been engendered in my province as the result of similar measures in the past. I have been in receipt of messages from Burma protesting in the strongest language against what is described there as “this further injury to and neglect of Burma's

[Mr. John Tait.]

interests". It is pointed out that on the imports figure of the year 1929-30 Burma actually will provide approximately one-quarter of the total revenue to come in as a result of this Bill, while not one nail or one-hundredweight of wire produced in India will ever reach Burma. With the maximum output of this firm so negligible in comparison with the total requirements of India alone apart from Burma, without taking into consideration the steamer freight between Calcutta and Rangoon, it is clear that no wire or wire nails produced in India can reach Burma. The steamer freight alone from Calcutta to Rangoon amounts to Rs. 16 a ton on this class of cargo as compared to the sterling equivalent of Rs. 18-4-0 from Continental ports to Rangoon. It is clear therefore that, until and unless the price in Calcutta of Indian produced wire or wire nails is the same as it is in, say, Hamburg, there can be no inducement to the Burma merchant to purchase his nails in India, and we know perfectly well that the price in India is arrived at after providing for the steamer freight between Continental Europe and India. It is therefore without any question, quite outside the bounds of possibility that for a great many years to come any wire or wire nails manufactured at Jamshedpur will reach the Burma market. Now, Sir, can it be wondered why Burma should regard this as a great piece of injustice? Can it be wondered why the feeling prevalent amongst all classes in Burma should be that the Central Government and the Legislative Assembly are now and have always been interested in Burma affairs only to the extent that they can squeeze money out of the people of that Province? Can it be wondered why at the present time there should be this clamour for separation on the part of the Burmese people? It is just such acts of legislation as the Bill now before the House that have engendered this urge for separation; and what impression do Honourable Members think this irritating Bill will have on those who hitherto have been undecided in their minds whether to vote for or against separation from India? It seems to me that Honourable Members would be justified in drawing some analogy between this particular measure and that perverted statesmanship which resulted in the Boston tea incident and lost the American colonies to the British Empire. Sir, my own opinion is that a great many of these injuring measures in the past have been due very largely to a lack of knowledge on the part of Honourable Members of the conditions in Burma.

Many of my friends here, European as well as Indian, have said to me that until somebody comes from Burma and tells them exactly what the conditions in Burma are and what the reactions of the legislation here are on Burma, the point never enters their thoughts. I do not anyhow share the view so largely held in my province that there is no sympathy here for Burma. Since my association with this Honourable House, my opinion has rather been that as expressed in the words of the Psalmist "Nor in the assembly of the just no wicked men appear". However had it not been for the Statute on the International Regime of Maritime Ports adopted in Geneva in 1923, I should have tested the good-will of Honourable Members towards Burma; but that convention prohibits any differentiation in customs duties at ports in any country, and so it is left to me only to protest against this Bill in the interests of Burma, to condemn it on its merits and to invite my Honourable friends to assist me in rejecting it.

Diwan Bahadur T. Rangachariar (South Arcot *cum* Chingleput; Non-Muhammadan Rural): Sir I have great pleasure in standing up to support this Bill before the House. I am not ashamed to do so, although the indirect result may be that the Government will get a few lakhs more of additional revenue. I consider this more as an investment for the future progress of the country rather than as producing any effective results at once. I am a strong believer in protection. India, following the vicious example of England, has been too long a free-trader, much to the detriment of the real interests of the country. We are to compete with well organised and advanced countries who have developed their industries at great cost and enterprise and who are ready to dump their goods on this land, this beautiful land of millions of customers. We refuse to be mere customers. Our aspiration and our ambition have been that we should also be producers, not only for our own consumption but also for supplying abroad, just as other nations aspire to do. We have got any amount of raw materials in this country which are sent abroad for manufacture and which are returned to us and we pay several hundred times the original cost price in buying those articles. It is a standing disgrace to the Government of this country that they allowed this state of things to continue. Now that they have awakened to the necessity of protecting the industries of this land, I think every right-thinking man in this country should lend his support to such proposals. It may be that one firm may be benefited to-day; but even if it is one single individual who is benefited in establishing this industry in this country, I welcome such a measure. We are wanting in men; we are wanting in capital; we are wanting in education; we are wanting in organising capacity. Until such industries come into the field, there is no hope for this land of ours. We cannot for all time continue to be mere agriculturists to produce for the benefit of other countries. One is ashamed to sit here day after day listening to interpellations from all sides of the House as to the proportional representation of communities in the various public services of this land. I am awfully disgusted with the questions which are put in this House day after day on this subject. Why is that so? It is because of the want of avenues of other employment for the young men and women of this land that the Government are troubled with these questions. I am sure the Government are equally ashamed that they should be faced with such interpellations in this Assembly. We want to open out avenues of honourable employment in every direction, not merely Government service, not merely railway service, not merely the learned professions. We want all sorts of walks of life to be thrown open and educational facilities given for all these purposes. I look to the Industries Member: I have looked till now in vain, for opening fresh fields. I suppose his hands are tied. I do not know why it is so; we had the report of the great Industrial Commission, throwing out so many suggestions: a good many of them are still to come into the field. I think the country will submit even to additional taxation if really all these resources are honestly developed and if the money is used for starting new industries in this land. I do not think we will grudge this extra amount. I am sorry a great nationalist like my friend, Mr. B. Das, should stand up here to oppose this measure, a most beneficent measure. I am afraid he is taking too narrow a view. He is rather obsessed by the fact that only one single firm is given the benefit. By all means, let a single individual benefit; let one Indian concern benefit: whether it be a European or

[Diwan Bahadur T. Rangachariar.]

Indian who starts such industries in this country, I am prepared to shake hands with him, because I want industries to thrive in this land, and these products not to come from other countries. Speaking on behalf of educated India, I think we will welcome such measures and this protection is well deserved, and I strongly support this measure before the House.

Mr. Bhupat Sing (Bihar and Orissa: Landholders): Sir, I entirely agree with the views expressed by Mr. B. Das in his note of dissent attached to the Select Committee's Report on this Bill for the development of wire and the wire nail industry in India in so far that the proposed protection should not be granted to an only individual proprietary firm unless some advantage is derived by the country at large. But at the same time we must take into consideration the economic principle involved in the grant of protection to an indigenous industry. There are certain industries in which indigenous capital does not come into the field unless the capitalists are assured that the protection will be granted if they invest their capital in such industries. This is one instance of that particular class of industry in which capital was not forthcoming till the present proprietors of the firm in question invested a large sum of money by way of speculation. If once the protection is granted it may be that for the time being this particular firm will reap advantage but on the other hand, in the very near future there will be several firms established in India for the manufacture of these articles. Necessarily there will be competition amongst such manufacturers and the country as well as the shareholders at large will reap advantage from such protection. Only one thing I have in mind is that a particular date should be fixed when this Act should come into operation, giving the proprietor of the present firm some time in which he can convert it into a limited concern by floating shares of small value without premium to the public, and should definitely place orders for the machinery required for the manufacture of iron rods for making wire and wire nails. In the off-chance that the proprietor may invest a further sum in the purchase of such machinery the proposed protection cannot be agreed to by the Legislature. The main idea in the purchase of such machinery is the use of indigenous raw materials in the manufacture of these nails. I think that the firm should be given six months' time by which they can fulfil these two conditions, and if the Legislature is satisfied by that time that the present firm or any other new firm satisfies the conditions mentioned, the Bill may be brought into force. So I have given notice of the amendment. With these observations, I support the motion for consideration.

Mr. L. V. Heathcote (Nominated Non-official): On this occasion, Sir, I am afraid I cannot go with my Honourable friend on my right in opposing this measure, and as there were two other members of this group on the Select Committee, I am inclined to think that he must be in a considerable minority in this group. While we support the Bill, however, we do so only on conditions, and the conditions will be found in the Report of the Select Committee which have been dealt with by the Honourable the Commerce Member when he moved his motion, but I would like to deal with them in somewhat greater detail than he did. The first is in connection with the purchase and erection of a rod mill by this Indian company to

enable it to make use of products from the Tata Iron and Steel Company. It is definitely our opinion that if almost immediate steps are not taken by this concern to get itself into the position when it can make use of Indian steel, this House should have a very early opportunity of repealing this Bill, should it now be passed, and although we have had an assurance from the Government that any unnecessary delay on the part of the Indian concern to erect a rod mill will be brought to the attention of the Legislature at its next sessions, I would like to go further and say that we want an assurance from Government that they intend to repeal this Bill if now passed, should the House be satisfied that inadequate steps have been taken to secure the use of Indian steel in the manufacture of wire and wire nails. That is our first condition. The second condition is in connection with relief from the protective duty to any classes of wire which will not damage the local industry during this *interim* period while it is forced to use imported rods and cannot yet make use of Indian steel. It might be thought that what the Honourable Sir George Rainy said should be enough for us to accept his statement that it is the Government's intention to make an inquiry. Of that I have no doubt, but I am not quite certain whether our views necessarily coincide upon what does constitute a case for relief. In dealing with this, I think we should keep clearly in front of us what this measure intends to secure. It is definitely not intended to secure at present a great expansion of the local industry because it is not making use of Indian steel, but unless some protection is given to it, this industry will go to the wall, and because considerable sums of money have been spent in it, it is the considered opinion of the Tariff Board, and confirmed by the Government, that there is a case for *interim* protection. With that I agree, but I do not want to do more than what the Tariff Board consider should be done, namely to keep the industry alive. Now, we have heard a good deal to-day in regard to the present market for wire and wire nails. Roughly, the total comes to about 22,000 tons a year. The Tariff Board's case for temporary protection to the local industry is based on a production of 2,000 tons a year and although the definite statement is made, as my friend Mr. Mitra pointed out, that the capacity of the plant is 10,000 tons a year, I can find no suggestion in the Tariff Board's Report that everything is ready to produce 10,000 tons a year, and reading the evidence which was given in 1926-27 when the predecessor of the present Indian concern was examined, it seems fairly clear that while we may have machinery to make considerably larger quantities of wire and wire nails, it is not quite so easy to arrange suitably for the extra shifts by which means alone the maximum capacity of the machinery can be secured. It seems to be necessary to have three shifts a day in order to secure the maximum capacity of the plant. Sir, I think we must continue to examine this measure on the basis of the information provided by the Tariff Board. Now, if this Indian concern can produce only 2,000 tons of wire and wire nails a year, clearly there must be several classes of wire which, if imported at the continuing revenue rate, would not interfere with its existence during the coming period, let us say, of two years before the new plant can be erected, and consequently I want an assurance from the Government that they intend to relieve, to the maximum extent possible, all those classes of wire which can be easily distinguished administratively and which do not interfere with keeping the existing industry alive, and I find that there is here a slight analogy between what the Tariff Board recommended for the paper and bamboo pulp industry seven years ago and what they are now recommending for this wire and wire nail industry. The essential similarity of

[Mr. L. V. Heathcote.]

these two industries lies in the fact that it is hoped that with a suitable measure of protection, industries may be built up upon the use of raw materials made in this country, and if it were not for the possibility of Indian raw materials being used, I think neither of these industries would receive any recommendation for protection from the Tariff Board. But there are two considerable differences between the Indian wire and wire nail industry and the paper industry. In the case of the Indian wire and wire nail industry, there is no experiment necessary to ascertain what is the best class of machinery for the purpose of converting Indian steel into wire rods, from which wire is drawn. The plant can be obtained without difficulty,—I do not know how quickly but it does not require any great length of time; whereas in the case of the paper industry very little as yet seems to have been discovered with certainty in regard to the best machinery to use for the purpose of converting bamboo into pulp, and it was known that the experiment with machinery to convert bamboo into pulp would take a large number of years, and not only would it take a large number of years, but it would cost a lot of money, and owing to the previous losses incurred by the existing industry for paper manufacture, those losses would probably have to be recovered before any further money could be spent in experimenting with bamboo pulp; whereas in this wire and wire nail

industry it is only a matter of putting down money for plant
1 P.M. and you can use local material, so that that is one big difference.

A further difference lies, as I have already mentioned, in the market available. Whereas in this local industry it can at present only make about 2,200 tons of wire and wire nails a year against a market of 22,000 tons, the paper industry is meeting something like 70 per cent. of that portion of the paper market which is protected. So that explains why I am only anxious to carry this industry over during the next 18 months to two years, whereas I would be prepared to support the paper industry for a longer period while experiments are being made in finding out the best machinery for converting bamboo into pulp. I would like to make clearer what I mean with regard to the classes of wire which ought to be relieved. Let me take the example of galvanised iron wire. Here is what we might call a secondary product, we might say it is similar to paper. Paper is a secondary product from pulp, and galvanised iron wire is a secondary product from wire. You must make wire before you galvanise it. No reference is made in the Tariff Board's Report to galvanised iron wire, but I gather from the manager of this local concern, who came to see me, and from other sources, that they are in a position to make galvanised iron wire. They possibly have the plant, but I am not yet satisfied that they can make galvanised iron wire with any reasonable efficiency. It is a very technical process, and judging again from the evidence given in the statutory enquiry into the steel industry in 1926-27, it is by no means certain that the efficiency of Indian labour is sufficient to make galvanised wire so well as to justify protection. Consequently, I want some assurance from the Government of India that it is not the intention of this Bill to protect secondary products. This is not a galvanised iron wire protection Bill. In the same way as paper had to be manufactured in India without protection for several years before a claim could be substantiated that it required protection, so I think with other secondary products, such as, galvanised iron wire, that considerable experiments must yet be made to satisfy the Tariff Board and the Government that there is a future for the making of galvanised iron wire in India. But I do not want to limit the scope of the Government's enquiry to finding out which

classes of wire might be relieved. I feel myself that there may be many other classes of wire which, considering the smallness of the local production and the large demand, ought to be relieved, and quickly relieved, without detriment to the local industry, and in this connection I might suggest that the case of wire which is manufactured in the United Kingdom should be examined with a view possibly to its complete relief from the effect of this duty. I find from the evidence taken in 1926-27 when the steel industry was being examined, that out of the then import of 6,600 tons of wire, 1,400 tons came from the United Kingdom, and it was stated definitely that that wire was of a high class quality and did not compete with local manufacture; local manufacture competed with the cheap Belgian and Continental wire. I am not satisfied with the assurance that the Government intend to enquire into the matter. I want a definite assurance from the Government that not only are they going to enquire into it, but having enquired, they will use their powers under section 23 of the Sea Customs Act, immediately and relieve all classes of wire which, if imported under the revenue tariff, are not likely to interfere seriously with the maintenance of this industry over the short period until this rod mill is erected and a claim for protection on the grounds of its use of Indian materials is established.

Mr. R. K. Shanmukham Chetty (Salem and Coimbatore *cum* North Arcot: Non-Muhammadan Rural): To those of us who have taken part in various debates on measures for the protection of the steel and iron industry of India, the opposition of the Honourable Member from Burma would not come as a surprise at all. On every occasion when this House had to consider the question of affording protection to the iron and steel industry, we have had the voice of protest from Burma, and though the medium through which that voice is expressed might change from time to time in this House, yet the tenor of that voice has been one of uniform protest.

My Honourable friend, Mr. B. Das, to whose criticism on these matters I always listen with the greatest interest, for, though I am a strong protectionist, I welcome his advice of caution which is very valuable in the consideration of these measures—my Honourable friend Mr. B. Das objected to this measure on the ground that at present the industry was in the hands of one particular individual. My Honourable friend the Member from Burma objected to it on the ground that it imposed a very unjust burden upon the people living in Burma. But I would submit that, in considering this measure, the House must look to the wider interests of the country as a whole and not to the particular issues raised by these gentlemen. So long as Burma is an integral part of India, she cannot escape the burdens imposed for the welfare of India at large. This House must look at the question really from a wider point of view. We are importing now on an average over 25,000 tons of wire and wire nails per annum. Since the country is consuming such a considerable amount of wire and wire nails, it is for us to consider whether it would be worth while to give a proper encouragement for the development of this industry in India. Honourable gentlemen who have read the report of the Tariff Board would remember that even in the enquiry of 1924 the Tariff Board found that a case had been made out for the protection of the wire and wire nail industry provided the Tata Iron and Steel works undertook the supply of the necessary wire rods. It was found ultimately in the subsequent enquiries that the Tata Iron and Steel Company were not in a position to supply the wire rod necessary for the wire and wire nail industry. Since

[Mr. R. K. Shanmukham Chetty.]

the Tata Iron and Steel Company were not in a position to supply the raw material for this industry, this industry must be said to have failed to satisfy the first condition prescribed by the Fiscal Commission, that is, that the industry seeking protection must be able to utilise indigenous produce. (*Mr. B. Das*: "Hear, hear. Stick to that.") That was the position in 1924, and that was the position during the subsequent statutory enquiries of the Tariff Board. What is the position with which we are faced to-day? The Tariff Board have again found that, provided rods for the manufacture of wire and wire nails can be made in India, a very good case could be made out for the protection of this industry. If the Tata Iron and Steel Company will not supply the rods necessary for this purpose, somebody must supply them, and what this Bill seeks to create is a situation which will enable the manufacture of wire rods in this country. I look upon this Bill not so much as a measure of protection for the wire and wire nail industry, but as a Bill which will create conditions for the development of this industry in this country. It is because we on the Select Committee attached very great importance to this aspect of the question, that we have included in our report a paragraph drawing the attention of the Government to the need for the establishment of a wire rod mill by the company which has made an application for protection. Let the House be perfectly clear on this point, that unless the applicants who have asked for the protection of this industry straight away proceed to the erection of this mill for turning out wire rods, the case for the protection of this industry will absolutely fail. It is on this ground that we have asked the Government carefully to watch the situation and make a report to this House at a later stage, but in the meantime I would submit that, on the findings of the Tariff Board, a case has clearly been made out for creating at present the conditions for the coming into existence of the wire and wire nail industry in this country. Sir, it has been pointed out that this new mill which is proposed to be erected will have a total capacity of 45 thousand tons a year, of which 15 thousand tons will be wire rod and the rest will consist of steel bars of sections below half an inch in size. So if the wire rod mill is erected, the Tata Steel Works will be in a position to supply the billets necessary for the wire rods and we would have helped an industry which will satisfy all the conditions laid down by the Fiscal Commission. For these reasons, I support this measure.

Sardar Sant Singh (West Punjab: Sikh): Sir, I am not an economist. So, I will give my friend Mr. B. Das a chance of calling my economics crude. I look at this question from a layman's point of view, and I find that the countries which were free traders till to-day are erecting big tariff walls in their own countries, and yet Mr. B. Das, who was a protectionist in 1924, is turning into a free trader in 1932.

Mr. B. Das: I am still a protectionist, but I want discriminating protection.

Sardar Sant Singh: My friend Mr. B. Das, for whom I have very great respect, says that he wants discriminating protection. I accept his view, and I hope he will remain a protectionist in these days when the industries of India are coming to be developed. In this connection I may

point out that I have carefully read the Resolution of the Government on the Bill and I find that they clearly state :

"They agree with the Tariff Board that until the industry can obtain its principal raw material in India, the claim to protection cannot be substantiated. There is, however, a reasonable prospect that the firm now manufacturing wire and wire nails in India will before long be in a position to supply itself with indigenous raw material, and, taking into account all the circumstances, the Government of India consider that tariff assistance" (The word used is assistance, not protection) "for a limited period to afford the industry a further opportunity of removing the disability under which it labours would be in the national interest."

Sir, after reading this Resolution, the main issue on which the whole question turns is whether this Honourable House is prepared to grant assistance to an industry which later on has a chance of developing into a national industry. In order to decide the question, two considerations will arise. The first would be, is it a national industry and is it in the interests of the nation that this industry should be developed. Secondly, when the House stands committed to granting protection to the steel industry, is it not consistent for this House to continue to grant assistance to subsidiary industries as well in order to widen the scope of the steel industry? These are the two conditions which should determine the vote of the House. My Honourable friend has taken objection to the principle of the Bill in the Select Committee, and I find from his note appended to the Select Committee's report that he has confused the two ideas, protection and temporary assistance to make out a case for protection. In his minute of dissent I find that he says :

"The application for protection was confined to one firm, a private proprietary concern, on whose fair promises the protection has been given."

Again in the last paragraph he says :

"No case, in my opinion, has arisen to give protection to wire rod industry as the plants have not been purchased and as the present manufacturers depend entirely on foreign rod for manufacture of wire nails and wire."

The Honourable the Leader of the House in his opening speech made it very clear that he was not moving for the grant of protection to this industry, but for temporary assistance. In spite of it, my friend still persists in calling it protection. My Honourable friend has quoted a recommendation of the External Capital Committee in support of his note of dissent. I read this Committee's report. My friend did not proceed to quote the whole of recommendation, No. VI, which runs as follows :

"Where investment carries with it the control of an undertaking we consider it reasonable that when Government grants particular concessions to the industry of which that undertaking forms part it should exercise such control over the undertaking as will ensure that the benefits of the concession accrue primarily to the country.

(a) Where the concession is general, as in the case of a protective tariff (and this would include practically every industry in India, as a revenue tariff without a corresponding excise has a protective effect) it is impracticable to effect any discrimination. No feasible suggestions for such discrimination have been suggested to us, nor have any occurred to us during our discussions."

Now, this part of the report clearly lays down, as I read it, that in the case of the protective tariff no discrimination can be made. While writing a minute of dissent to this recommendation, our esteemed and revered leader, Pandit Madan Mohan Malaviya, who was a member of this External Capital Committee, laid down certain rules which really represent

[Sardar Sant Singh.]

the views of the country in the matter of granting protection to industries :

“When we Indians asked for protection we did so in order to promote Indian enterprises with Indian capital and under Indian control. The Government of India understood us correctly and agreed with us. Speaking in 1916, on the resolution which led to the appointment of the Industrial Commission, Sir William Clarke, the then Member of Commerce, said : ‘The building up of industries where the capital, control and management should be in the hands of Indians is the special object we all have in view.’”

Now, may I ask whether the three conditions mentioned by Pandit Madan Mohan Malaviya and cited above are or are not fulfilled by the present concern. If they are fulfilled, then my submission is that a strong case has been made out for the grant of temporary assistance in order to bring about protection later on. Or, again, have the conditions mentioned by Sir William Clarke and quoted by me above been fulfilled? My submission is that a sufficient case has been made out for passing the present Bill. In this connection it will not be out of place to quote Professor Bastable, whose quotations have in fact already been given by Pandit Madan Mohan Malaviya in his minute of dissent. He says :

“The claims of the nation as a whole are accentuated and regarded as far more important than those of the individual or the world at large. How perfectly this attitude harmonises with the actual policy of the European, and indeed of all protectionist states, is apparent. A particular industry is suffering under the pressure of foreign competition, i.e., a national interest is affected. The State then steps in by imposing additional duties on the foreign product, the loss to individual consumers and to the world as a whole being disregarded as unimportant.” “Again, protection is justified because it increases the national capacity to produce. Complete commercial freedom may give the greatest amount of value at a given time, but a wise restrictive policy will increase the production of wealth in the future; present loss will in this way be more than recompensed by subsequent gain. The use of protection is substantially a *national* apprenticeship and should be judged in that light.”

Mr. B. Das: Yes.

Sardar Sant Singh: My friend entirely agrees with this, Sir, and I may point out to him that this particular industry is a national apprenticeship for two years so that the case on its behalf for further protection may be made out. With these words, Sir, I support the Bill.

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

The Assembly re-assembled after Lunch at Half Past Two of the Clock, Mr. President in the Chair.

THE INDIAN AIR FORCE BILL.

EXTENSION OF TIME FOR PRESENTATION OF THE REPORT OF THE SELECT COMMITTEE.

Mr. G. M. Young (Army Secretary): With your permission, Sir, I move that the time appointed for the presentation of the Report of the Select Committee on the Bill to provide for the administration and discipline of the Indian Air Force be extended to the 7th March.

The motion was adopted.

The Honourable Sir George Rainy: Sir, I do not think it will be necessary for me to make any lengthy reply to the debate which has taken place on the motion I moved because there were speakers on both sides and they have answered each other. There are, however, two or three points raised by various speakers to which I should like to refer. My Honourable friend Mr. Das has opposed the motion on grounds which have practically amounted to the rejection of the whole scheme of protection altogether. These were answered by other speakers and also the House has already accepted the principle of the Bill. On these points, therefore, I do not propose to say anything. But one of the points which he has mentioned in his minute of dissent, and which he also referred to in his speech, is the desirability of imposing conditions as regards Indianisation, and he also insisted that the firm should constitute itself into a public company. He also maintained that the result of the protective policy has been the payment of very high dividends to those terrible people, the capitalists, the fear of whom is always before his eyes. Now, Sir, I was a little surprised to hear that the result of our protective policy has been the payment of very high dividends because I had not myself noticed these dividends. On the other hand, the complaint that has reached my ears from people who are interested in protected industries is that these high profits are not materialising as fast as they could wish. And, indeed, my Honourable friend Mr. Das himself has recognised that, because in a latter portion of his speech he asked indignantly: "Have we received any advantage in the shape of a larger income-tax from these industries?" "No", he said. (Laughter.) "What then has become of those large dividends and why has my Honourable friend Sir George Schuster not succeeded in getting a share of them"?

As regards the question of Indianisation, that question hardly arises in the present case. There is no doubt at all that this firm at Jamshedpur is an Indian firm. There is no dispute about that. And if the question is that it is a single individual and not a public company, then I would merely put this question to my Honourable friend. What has the proprietor been doing during the last three years? Has he been earning very large profits or has he not, in fact, been carrying the baby and taking the losses upon his own shoulders? I put it to my Honourable friend Mr. Das whether it is his desire that there should always be a public company so that as many people should lose the money as possible? If that is his opinion, I hope it will not be largely shared in this House.

Now, Sir, my Honourable friend Haji Abdoola Haroon told us about the firm which had recently established itself at Karachi for the manufacture of wire and wire nails, and he mentioned that they had put in an application for exemption from the customs duty on their raw material on the basis of the concession given to the firm at Jamshedpur. That application will certainly be considered very carefully. But the difficulty I see about it at present is that, since the basis of the whole thing is the ability to use Indian material ultimately Karachi is the wrong place for the manufacture of wire and nails because the freight on the raw material will be very heavy owing to the long distance. I have, however, not yet seen the application itself, and I have no doubt that it will be fully considered by Government.

My Honourable friend Mr. Chetty has dealt pretty fully with the objections raised by the Honourable Member from Burma as regards the

[The Honourable Sir George Rainy.]

injury which that province suffers when protective duties are imposed for the benefit of India, and when the conditions are such that the products of the Indian industries cannot and do not penetrate into Burma. That question, as the Deputy President pointed out, has come before the House on several occasions before, and I am afraid the position is still unchanged. In a country of the size of India, it is inevitable that anomalies of that kind should arise if you are going to adopt a protective policy at all. Exactly the same thing happens, for instance, in the United States of America. I understand that on the Pacific coast a good deal of objection is felt to the very heavy tariff on iron and steel when the Pacific States are so remote from the producing districts. Indian pig-iron, for instance, has often been imported into the ports on the Pacific coast because the freight from Pittsburg and other iron and steel manufacturing centres in the United States is so heavy. Therefore, I fear that I can offer no consolation to my Honourable friend on that particular point. He himself pointed out that, under the Maritime Ports Convention, we have no option in the matter and cannot have different rates of duty at different ports.

Then, Sir, my Honourable friend Mr. Heathcote asked for certain assurances from Government. What I feel inclined to say about that is that as a signatory to the Report himself, he is hardly entitled to ask for additional assurances now. One of the assurances he wanted was that, if the firm at Jamshedpur took no steps to install the machinery for making wire rods Government should promise to repeal the Act or, at any rate, bring in a repealing Bill. I should like to point out that there may be an alternative form of procedure supposing it was felt that the duty was serving no object. That alternative would be to bring a Resolution in the Assembly recommending the suspension of the duty until the rod mill was installed. I think speakers on both sides have made it plain that in all sections of the House the feeling is that the ability to use Indian steel in the manufacture of wire and nails is an essential part of the case, and that if there was definite evidence that the condition was not likely to be fulfilled, the House should not be in favour of the continuance of the duty. That being so, Government will take note of it and it is clearly incumbent upon Government in the event, which I hope is unlikely, that no steps are taken to acquire the new machinery, they will have in some appropriate form to bring the matter before the House.

Then as regards the other recommendation of the Select Committee, my Honourable friend desired an assurance that our object and aim would be to extend the exemptions from the duty as widely as possible. Now, what I feel rather strongly is this. When the facts are unascertained as to what the firm can produce and what the demand for the various kinds of wire may be, it seems to me doubtful and unwise to give an assurance which must in the circumstances be hypothetical. Take this point. It is not possible from one centre in India, in any industry with which I am acquainted, to supply the needs of the whole country. There is only a limited economic area within which a firm at a particular centre can meet the demand. I have very little doubt that the comparatively low output of the firm has in fact been due to this fact, because, with only a revenue duty, the area within which they could sell their products without incurring an actual loss was a comparatively small one. If this

duty is imposed, one of the results that is likely to follow is to widen the area within which the firm could sell its products profitably. If that is so, it will mean two things. In the first place the output will go up. On the basis of the figures given by my Honourable friend without working more than one shift, it would be possible to raise it considerably above 2,000 tons a year. The other point is this, that if you are selling within a limited area it may be necessary, in order to sell your output, to sell a wider variety of products than would be necessary if you were in a position to sell your products all over India, because within that limited area, the demand for any one class of wire, let us say, of galvanised wire, would be comparatively small. Now, in circumstances of that kind, I do not see how I can go further than I have already gone. Nobody wants to impose an unnecessary burden upon the consumer, and Government will certainly examine the question as fully and thoroughly as they can, but in the last resort, we have got to weigh one thing against another. On the one hand if we exempt particular kinds of wire from the duty, will the result be to impair the protection intended to be given? On the other hand, will the result be to impose an unnecessary burden upon the consumer? The two things will have to be weighed against each other. For that reason, I do not think I can add any further assurance to what I have already said. That, Sir, I think covers all that I need say in reply to the debate. It is true that my Honourable friend Mr. Heathcote did put in a request for an assurance about secondary products, but I do not feel myself that you can, in this industry, discriminate or classify products in that particular way. The position is that none of the wire products will be excluded from the scope of inquiry, but I think it would be a mistake to single out particular products as if they were to be the sole or particular object of the enquiry. That concludes what I have to say.

Mr. President: The question is:

"That the Bill to provide for the fostering and development of the wire and wire nail industry in British India, as reported by the Select Committee, be taken into consideration."

The motion was adopted.

Clauses 2 and 3 were added to the Bill.

The Schedule was added to the Bill.

Mr. President: Clause 1.

Mr. Bhuput Singh: I beg to move that after clause 1 the following be added:

"That it shall come into force from 1st September 1932."

I have already explained in the consideration stage why six months time should be allowed before the Bill comes into force. I do not think that the industry will very much suffer if the duty comes into effect after six months. In the Select Committee it was also said that:

"If the Bill is passed we consider that Government should satisfy themselves on the point whether the industry has taken definite steps to put itself in a position to manufacture wire and wire nails from indigenous material and, if it has not done so, should bring the matter to the notice of the Legislature at its next session."

[Mr. Bhuput Sing.]

I want that it should be definitely laid down in the Bill, that after they import the machinery required for using indigenous materials, the duty should be imposed and not before that. We should also wait and see that the company is converted into a joint stock company, and that it does not continue as a private concern. If it fulfills all these conditions, we will be in a better position to decide whether the protection proposed in this Bill should be afforded. Sir, I move.

Mr. President: Amendment proposed :

“That after clause 1 the following be added :

, ‘That it shall come into force from 1st September 1932’.”

Mr. B. Das: I second the amendment. I entirely agree with the arguments advanced by my Honourable friend Mr. Bhuput Sing.

Mr. N. R. Gunjal (Bombay Central Division: Non-Muhammadan Rural): (speaking in Marathi): Sir, I support the amendment moved by the Honourable Mr. Bhuput Sing.

Mr. S. C. Mitra: I think the Honourable Member has not understood the main purpose of this Bill. If the industry is already killed, after its death what is the purpose of giving protection? I think there is a fundamental difference. As a matter of fact, as I have already said, this Bill itself is not for the protective duty. As my Honourable friend Sardar Sant Singh said, it was merely giving assistance to continue the industry till the proper time comes for considering the question of real protection. If this amendment is passed, nothing will be gained by passing this Bill.

Mr. R. K. Shanmukham Chetty: There is one point which I would like to bring to the notice of my Honourable friend, and on a consideration of which I expect he will withdraw his amendment. In all cases where a protective duty is imposed, if a considerable time is allowed to lapse between the imposition of the duty statutorily and the coming into effect of that duty, the tendency will always be for the foreign importers to import into the country as much quantity of material as possible to escape the duty when the duty comes into operation. Therefore if this interim period of six months is given, during those six months, wire and wire nails which are to be consumed in the course of the next two or three years will be dumped into the country, and when the duty becomes operative, then it will fail to achieve its purpose. In view of this, I hope my Honourable friend will withdraw his amendment.

Mr. Bhuput Sing: I beg leave to withdraw the amendment.

The amendment was, by leave of the Assembly, withdrawn.

Clause 1 was added to the Bill.

The Title and the Preamble were added to the Bill.

The Honourable Sir George Rainy: I move that the Bill, as amended, be passed.

The motion was adopted.

THE WORKMEN'S COMPENSATION (AMENDMENT) BILL.

The Honourable Sir Joseph Bhore (Member for Industries and Labour):
Sir, I move that the Bill further to amend the Workmen's Compensation Act, 1923, be circulated for the purpose of eliciting opinion thereon.

We have tried, Sir, to explain with some care and in some detail the intentions and the scope of this piece of legislation, and the Statement of Objects and Reasons and the notes appended thereto, for the length of which I offer an apology to this House, are I think evidence of that endeavour. I do not think therefore that it will be necessary for me to do more than summarise very briefly the main provisions which this measure seeks to place upon the Statute-book. The first important change lies in the general enlargement of the various existing classes of workmen who are entitled to compensation. Apart from that we have added only one entirely new clause of any importance, namely, the class of workmen on plantations. The Royal Commission on Labour estimated that the result of the addition of new classes would be to add approximately two millions to the four million workmen who it is estimated are now covered by the existing Act. But, Sir, I would point out that the risk of accident on plantations is so extremely limited that the increase here in the number of workmen covered should not be taken as any index to the number of possible claims.

The next change of importance is the enlargement in the scales of compensation. The effect of the new scales will be to increase largely the compensation to the most poorly paid and to the best paid worker, and they will also have the result of increasing in varying degrees in all cases compensation in the case of temporary disablement. Then again, Sir, under the existing Act the employer's liability is limited by certain provisos laid down in section 3, sub-section (1) of the Act. We propose to remove those provisos in the case of fatal accidents. The result will be that certain defences, as for instance, that the deceased workman was drunk or had himself removed a safety device, will no longer be available in the case of fatal accidents. We propose, Sir, a number of smaller but none the less important changes in the Act; for instance, we propose to enlarge the term "dependants" so as to make it possible to include widowed sisters and widowed daughters. We propose to reduce the period of waiting for the payment of compensation in cases of temporary disablement from ten days to seven days. We propose to add a number of occupational diseases to the list already covered by the existing Act. If Honourable Members of this House will be so good as to turn to the notes appended to the Statement of Objects and Reasons, they will find the various innovations which this Bill seeks to bring about dealt with seriatim.

Now, Sir, in undertaking labour legislation, Government have almost invariably had to face attacks from exactly opposite angles. On the one hand we have been charged with moving too rapidly for Indian conditions, while exactly the reverse complaint comes from those eager and impatient representatives of labour who charge us with lagging behind with leaden feet. If I may be permitted a confession of my personal faith in this matter, I would say that any Government, which failed to recognise that the welfare of the workers of the State was one of its primary obligations and failed to progress steadily towards the liquidation of that obligation, would be in danger of losing one of the strongest moral justifications for its existence. At the same time, Sir, it is absolutely essential for us not

[Sir Joseph Bhore.]

to turn a blind eye to the other side of the picture. We have to realise that social and industrial conditions in this country are different from conditions in the West and we must be careful not to impose prematurely upon a young industrial country burdens which may crush or attenuate its growth and so may recoil upon the workers themselves. I claim, Sir, for the Government of India that we have always steadily adhered to the principle which inspires the whole of the Royal Commission's report and I claim, Sir, that that principle it is that makes that report so valuable a guide to future practical progress in this field. I claim that the Government of India have gone forward for many years steadily and firmly, but that they have never departed from that principle of gradualness in progress which is forced upon us by the sober logic of facts as they are. We recognise, Sir, that this Bill seeks to introduce a number of important changes in the existing law, and we are therefore moving for circulation so that criticism may be available from all interested parties. Sir, I move.

Mr. N. M. Joshi (Nominated Non-Official): Sir, before I offer any detailed remarks on the recommendations contained in the Bill, I would like to say a few words about the recommendations of the Royal Commission. Sir, the Royal Commission on Indian Labour, of which you were a distinguished member, has made recommendations on several subjects. I admit that the recommendation on which the present Bill is based is one of the important recommendations. But I feel that the other recommendations contained in the Report are as important, and in some cases more important, and more urgent, than the recommendation on which the present Bill is based. I would like therefore to know from the Government of India what they propose to do about those recommendations. I am glad that they have introduced this Bill, though not immediately after the publication of the report, still not very late; but if the Government of India propose to take up each recommendation in one session, then I am afraid they will take several years to deal with the whole report. I would therefore like to know from the Government of India what programme they have made to give immediate effect to the recommendations of the Royal Commission on Indian Labour.

There is the question of the hours of work; the Royal Commission has made a recommendation on that subject; they have also made several recommendations about the other changes required in the Factories Act. They have made recommendations about the maternity benefits. They have also made certain recommendations about an inquiry for preparing some scheme for providing against sickness and for the relief of unemployment. I would like to know what programme of legislation they have in mind to give effect to these recommendations at an early date.

I feel, Mr. President, that the Government of India were too late in the appointment of that Royal Commission. The need for an inquiry was felt for a very long time, and the Government of India waited and waited; they were afraid of an inquiry, and I remember Sir Charles Innes stating in this House that if the Government of India undertook an inquiry into the conditions of railway workers, there would be a sort of rebellion or revolt in India among the railway workers. But it was left to Sir Charles Innes to ask the Royal Commission, when the Commission were doubtful

if they should visit Burma or not, to send an invitation to the Commission to visit Burma without delay. I therefore feel that the Government of India were too late in the appointment of that Royal Commission. They waited; they waited till the discontent came to a head; they waited till there arose in the country the danger of the growth of communism, and it is a matter of regret to me that the Royal Commission should have been appointed as a compliment to the communists in India rather than as a result of the desire of the Government of India to do well by the working classes of this country. And now I feel that the Government of India should not wait too long in giving effect to the recommendations of the Royal Commission. I would therefore like to know from them what their programme is in this connection.

I quite realise that my friend, Mr. Clow, has been placed on special duty

An Honourable Member: It is not true.

Mr. N. M. Joshi: I read that in the papers; I am told that it is not true. I am sorry to hear that it is not true. I feel that the Government of India should do everything in its power to give effect to these recommendations. I thought, very wrongly as I now learn, that a capable officer like my friend, Mr. Clow, was on special duty; now I am told he is not. If the Government of India will not make proper provision for giving effect to the recommendations, the result will be—I will not say disastrous—that the people for whom they intend to pass this legislation will not be very thankful to them. I therefore feel that immediate provision should be made for giving effect to the recommendations of the Royal Commission without delay.

I know that the Government of India may plead that the present is a time of retrenchment and economy. But in the first place, there are many recommendations in the Report which do not require much money to be spent by Government. The burden will be thrown on some others, and in the case of some of the recommendations there will be no burden thrown upon any one. I therefore feel that there is not much force in the argument that the present is a time of retrenchment and economy. Even if there is some difficulty about money, I feel that this is an object on which economy should not be exercised at any time.

The Honourable Member in charge of the Department stated the general policy of the Government of India on labour matters. He said there is a danger of some people accusing the Government of India of moving too rapidly. I have never heard of this accusation against the Government of India. I have never heard of any one saying that the Government of India was capable of moving too rapidly in the matter of labour legislation

Sir Cowasji Jehangir: It has been said.

Mr. N. M. Joshi: I have not heard it. The Honourable Member also said that the policy of the Government of India was that of gradualness in progress. I am not a revolutionary. I believe also in the policy of gradualness; but gradualness may be carried too far. I believe in gradual evolution; but if you make evolution too slow, it is the too slow pace.

[Mr. N. M. Joshi.]

of evolution that makes revolution possible and practicable. I therefore warn Government that although they may follow a policy of gradualness and evolution, they should not make too much of that policy of gradualness.

The recommendations of the Royal Commission are now before the public. As a member of that Commission it is rather difficult for me to speak about those recommendations, having signed that Report of the Commission. But as the Report itself makes clear, the Report of the Commission gives the collective view of the Commission, and it is quite possible that individual members like myself may have views which may go a little beyond the collective view. I am therefore on this occasion going to place before the Assembly my individual views on some questions which are before the Assembly.

The Honourable Member stated what the main features of the present Bill are. The original Act, called the Workmen's Compensation Act, was itself a very timid and half-hearted and halting measure; the Government of India at that time thought that this was the first Bill of this kind and they should go slow. Not that I agree with that policy, but some people may say that there was justification for that policy at that time, but now we have had a good deal of experience of this legislation, we need not necessarily be too cautious. I am glad that the Commission has recommended a more extensive application of this Act, but I feel that the recommendation of the Commission does not go far enough. The Commission itself has admitted that when you want to give compensation for accidents to workmen, there is no logical justification for excluding any one class of workmen from the benefits of that legislation. If you give compensation for accidents to one class of workers you cannot logically exclude some other classes of workmen from the benefits of that legislation. The Commission has admitted that fact, but they state that if you extend the application of this Act more widely than they have recommended, there will be some practical difficulty. They state that if you extend the application of the Act beyond what they have recommended, there will be necessity for compulsory insurance by the employers for the payment of compensation. There may be some employers who may be too poor to pay the compensation unless they insure for this risk. It is quite true that if the Bill is made applicable to all the workers in the country there will be some employers who will be too poor to pay the compensation against, say, the death of an employee; they will not have the lump sum in their possession; but I do not think that the setting up of a system of compulsory insurance is an impracticable measure. I feel that compulsory insurance is a practicable measure if we only give up our timidity and follow a bolder policy.

Then the second argument of the Commission against the wider application of the Act beyond what they have recommended is that you may give a right to people which they will not be able to enforce due to ignorance and other difficulties. I do not agree with that argument also. It is quite possible that on account of the ignorance of our working classes and on account of various other difficulties some people may not be able to enforce the right which the law will create, but I feel that is not an argument which should prevent some others who can enforce their rights from enjoying the benefits of this legislation. I feel, therefore, that the Commission and the Government should have adopted a bolder policy in

widening the application of the Workmen's Compensation Bill. I personally hold that a compulsory system of insurance could be established by Government. It is true that a compulsory system of insurance should not be left to private enterprise. The Government of India have undertaken many undertakings which few Governments in the world have undertaken. We run the State Railways to an extent which few Governments in the world do. So why should not the Government of India be in a position to establish a compulsory system of insurance?

Secondly, although I am not in favour of private individuals monopolising insurance business, I shall not be against employers by their co-operative effort establishing insurance agencies. I feel that by means of the State insurance system and mutual insurance system it is possible to establish sufficient insurance agencies and provide for all risks which we want to provide for.

Now, I would like to say a few words about the classes to which the Act is now intended to be applied. I shall first take up the class of transport workers. Here the Government of India propose to extend the Act to a few more classes than in the previous Act, but here again I feel that the application of the Act could have been much wider than what is proposed in the Act. The Government of India propose that the Act should be applied to vehicles which are conducted by some mechanical means such as motor cars and buses, but they restrict the application only to those vehicles which are run for commerce or for carrying passengers for hire, but why Government should not apply that Act to private motor cars, I cannot understand. People who own motor cars are not poor people; they are not ignorant people, and I do not know why the chauffeurs employed by those people who own cars should not get the benefit of this legislation. Then I will take the class of people who are working in factories. Here again the Government of India should have gone much further than they propose to do. I would suggest that the Act should be applied to every factory irrespective of the number of people employed which is run either by steam power or electrical energy or any other motive power of this nature. The Government of India want to restrict the application of this Bill to larger factories which are covered by the Indian Factories Act, but we need not necessarily restrict the application of this Act to those factories only.

Then, Sir, the Government of India propose to restrict the application of this Act to those workshops where 50 or more persons are employed. Here again I feel that its application should have been made much wider. Workshops, which employ 10 persons or more, should be brought within the scope of the Bill.

Then, Sir, the application of the Act is also limited to those people who work on ships having a capacity of 50 or more tons. I feel that this restriction is also unnecessary. There should be no difficulty in securing compensation from the owners of ships who could get them registered.

(At this stage Mr. President vacated the Chair, which was taken by Mr. Deputy President.)

I would even extend the application of this measure to all people engaged on all ships plying in Indian waters, whether the ships are registered or not. Then, Sir, the Government of India have restricted the operation of this Bill to buildings which have more than one storey or buildings which are

[Mr. N. M. Joshi.]

more than 20 feet high. I feel that this restriction is unnecessary. This Bill could be extended to all buildings at least within some areas. Again the restriction of height placed upon people who are engaged in constructing dams and embankments and digging excavations is also unnecessary. The Bill proposes that only people employed in constructing dams and embankments and digging excavations of more than 20 feet in height or depth should get compensation. This is too much of a restriction. I feel this limit could also be reduced to a great extent.

There is a recommendation made by the Royal Commission on Labour about people engaged in cutting forests. I would like to know from the Government of India what they propose to do with that recommendation. There are obvious risks undertaken by people who are engaged in cutting forests or sawing wood. In these operations there is danger from the operation of cutting itself, and there is also the danger from wild beasts, reptiles, etc., and therefore these risks should be provided for. The Royal Commission on Indian Labour have also recommended to the Government of India that they should make enquiries how people engaged on large scale agriculture should be protected against accidents. I do not wish to go into the details of this question, but I feel that the Government of India should make every effort to make the application of this Bill as wide as possible. If at all the Government of India want to restrict the operation, I would suggest that where they find that its application would be made impracticable on account of the people who will be included, being in villages and being very poor—I suggest when they begin to widen the application, they may in the beginning widen it fully within municipal limits. They may not go to villages in the beginning, but it is quite possible to cover every class of workmen if they restrict the wider application to definite areas, such as municipal areas.

Then, there are a few other important questions which I would touch upon very briefly. The first question that I would like to touch upon is the question of waiting period. In accordance with the provisions of this Bill, the man has to wait for 7 days before he becomes eligible for compensation. In the original measure the period was 10 days. I am glad that the Government of India has made gradual progress and they have now cut it down to 7 days. But I feel that even 7 days is too long a period for waiting. In England the waiting period is only 3 days, and I do not know why in India we should have a period of 7 days. I cannot see any justification for this difference between the English legislation and Indian legislation. Then, the Honourable Member in charge of the Bill stated that the Government of India have agreed to remove the defence of wilful misconduct in the case of those accidents where death is caused. I am glad they have taken a forward step, but they should have done this even in the original Act. I remember having pleaded this course to the Legislative Assembly at that time, and I am glad that the Government of India have seen the wisdom of that course though rather late. But, it seems to me that the Government of India, even in this matter, does not go sufficiently far. As a matter of fact, the majority of the members of the Royal Commission recommended that this defence of wilful misconduct should be removed also in the case of those accidents where permanent disablement is caused. Now, I do not know why the Government of India should not accept the view of the majority of the members of the Royal Commission and should accept the view of the

minority in this matter. They do not give sufficient justification for this step. I hope that the Government of India will accept the view of the majority in this matter.

The next important subject in connection with this Bill is the subject of the rates of compensation. I am glad that the Royal Commission has recommended that the scales of compensation for the lowest paid workers should be raised. This is quite a satisfactory thing, but I feel that it is not enough. I think in India, especially in a city like Bombay, the number of people who get more than Rs. 20 is very large, and I do not know why we should not increase the rates of compensation for these people. Similarly, in the case of temporary disablement, they have made recommendations for increasing the rates of compensation in the case of people getting Rs. 30 and less. There again I feel that the rates of compensation for all classes of workers should be raised. I am glad that the Government of India have agreed to raise the rates of compensation for certain classes of highly paid men. I am glad that they have done it, but I am very sorry that they have omitted from this beneficent action of theirs those people who are neither the lowest paid nor the highest paid. I can realise that on account of the re-grouping of the different scales there may be a slight increase in the case of all people, but this slight increase will be absolutely negligible. I feel that the rates of compensation which we are proposing are very meagre. If we compare the rates of compensation paid in England, our rates are very meagre. Originally these rates may have been kept meagre because we had no experience, but we have now sufficient experience and I feel that when the Bill is taken into consideration later the Government of India will agree to increase these rates considerably. I do not propose to go into the details of these rates. I am quite sure that when the Bill is circulated for the expression of public opinion, recommendations will be made for the increase in the various rates of compensation, and I hope that the Government of India will take into consideration the recommendations that may be made and will not be hard upon those people who are neither the worst paid nor the most highly paid. I hope that the Government of India will agree not to go too slow, nor to be too halting, but that they will take a bolder attitude in the matter of legislation, and I am quite sure if they take up a bolder attitude in the matter of labour legislation and labour welfare that both the industry and the Government of India will benefit.

Mr. K. Ahmad (Rajshahi Division: Muhammadan Rural): I have listened with great interest to the speech regarding the further amendment of the Workmen's Compensation Act, 1923, delivered on the motion for circulation by the Honourable Member for Industries and Labour. This motion is at present simply for circulation for opinion. My friend Mr. Joshi has given an outline of the subjects on which compensations should be given to workmen and I am grateful to him for that, but there are certain matters which came before the Royal Commission on Labour of which I was a member also. Now, Sir, Sir Joseph Bhore was a Secretary here for many years before he took up the portfolio of Labour and Industries and he must have been watching how the promises were given in connection with this subject by the Government of India. Sir, the Royal Commission on Labour considered the subject of the compensation to Indian seamen employed by shipping agencies here in India for

[Mr. K. Ahmad.]

the sea-going vessels both British and foreign registered outside India. The Chairman of the Royal Commission on Labour was the Right Honourable Mr. J. H. Whitley, and there are some members from England also. We were there in that Commission working for about two years. Now, Sir, this Workmen's Compensation Act was passed in 1923, and since then there have been some amendments in some directions. The Statement of Objects and Reasons in the present Bill says:

"A few amendments which were designed to remedy admitted defects or to embody improvements. . . . These proposals which involved the modification of the principles underlying the Act or its more important features were referred by the Government of India to Local Governments for opinions in a circular letter in 1928. Copies of this circular letter and of the replies received thereto were supplied to the Royal Commission on Labour who have, after reviewing the question in the light of further evidence supplied to them, made a number of recommendations on the subject in Chapter XVI of their Report. This Bill follows these recommendations closely."

Now, Sir, I cannot agree with the Honourable Member when he says that Chapter XVI follows the recommendations of the Commission "closely", because he has made an omission. There are about two lakhs of people working in the sea-going vessels registered in foreign countries and also Great Britain that ply between the ports of Bombay, Calcutta, Chittagong, Rangoon, London, New York, China and other Eastern countries. Now, Sir, there are certain articles of agreements, rules and conditions of recruitment. Government have been very slow in moving towards the right direction in the matter of these rules, conditions and articles of agreements entered into between the seamen and the ship owners during recruitment. Everybody knows the great hardship that these seamen, lascars, have to undergo. They work in the middle of the sea. They work in the engine room. They cut their finger, some portion of their body is burnt, some people die, ships are torpedoed, some are taken prisoners, some are drowned, and yet the amount of compensation that is given to these people is not adequate and Government have been very slow to move in the matter. Our Commission consisted of old and experienced men from England. All of them in a body agreed and we have said that the Government of India should try their utmost to expedite the matter of getting these seamen's relatives and dependants claim satisfied in Indian courts which should have the jurisdiction of deciding the amount of compensation for injury done on the sea during the voyage and to give relief to these people. The majority of the seamen are engaged in British vessels registered in foreign countries. About 75 per cent. of the total number of seamen are engaged by British ships that are registered in England and in Great Britain. About one-eighth of them is registered in this country. That is in coastal and inland vessels. Therefore about seven-eighths of them do not get proper help and relief. These people are poor and needy and come chiefly from East Bengal and Assam. Some of them are illiterate, some can read and write and almost all of them are unsophisticated and they undergo a lot of hardship. Their relatives and dependants in this country are not allowed, for want of jurisdiction, to bring any suit in Indian courts for recovery of their workmen's compensation, as a suit will only lie against the shipping company in the country where their ships are registered and a suit for compensation against such ship-owners will not lie in India. No court in India has got any authority, and it is not within the jurisdiction of any

court for any one here to file a suit under the law for compensation. Nor have the Government taken any trouble to make proper arrangements for relief. In this country there is a Commissioner; and probably several of our friends know that in the Writers' Buildings in Calcutta, there is an I. C. S. Officer like the Honourable Mr. Clow who has some discretion, and who, without any evidence on record or without going into any particular document, might offer both on behalf of the employer, as well as of himself, a certain amount of money to be paid as compensation to the relation of any person whose hand probably is fractured, or to the family of a man drowned in the midst of the Mediterranean Sea, owing to a fire in the engine room. Possibly a paltry sum of Rs. 50 is considered sufficient for the relatives, and they have got no voice in the determination of this sum. They have got no help to appeal, and they have got no chance to bring in a suit. Suppose Mr. Rangachariar's client one seaman's relation in Madras wanted to sue a company which registered the ship in Great Britain or in any foreign country, no cause of action either in Madras or at Cawnpore or in Bombay or anywhere else in India would lie and a suit would lie only in England or in some foreign countries where these poor people are dragged on board the vessels registered in those places. That is the law. I am sure my friend, Sir Cowasji Jehangir, if he were the proprietor or a shareholder of any such concern, would not allow his Indian seamen to go there under those conditions. But, Sir, here are my European friends. I do not find here the Honourable Mr. Browne, representing the B. I. S. N. Company who is in the Council of State. I wish he were here. I do not find the Burra Sahib of Hoare Miller & Co., Sir Campbell Rhodes, who was a member here about 5 or 6 years ago and is now at Whitehall, and I do not find any other shipping representatives. But I ask, will this sort of thing be continued in the régime of my Honourable friend, Sir Joseph Bore? Sir, I may here mention I put certain questions to my Honourable friend's predecessor, Sir Bhupendra Nath Mitra, about three or four years ago. Sir, he was a very good gentleman, but he was always hoping against hope. He made all sorts of promises—they are all in the debates. He said, "Well, we shall write to the Secretary of State, we shall write to the Board of Trade in England, without whose sanction we cannot move because these registered companies in England are the only persons who can do anything in that direction and the Government of India have got no control and no power to do anything". (Laughter.) Well, if the front benches of the Treasury Benches conform to that description, I may say they are no better than masters of slaves. What happens with regard to the justice that one expects on the subject? There are six or seven Departments here. Even the landholders come under the Department of Education, Health and Lands. The poor people of this country will simply have to groan under them, and here promises after promises are given. At the same time I must tell these three Honourable Members of the Executive Council representing this country—some of them perhaps represent the better half of the Indian section—that if they are treated like this or if they allow themselves to be treated like this, and if they cannot make up their minds, to do any good to the country, well, it is a very great pity! My friend, Mr. Joshi, says that it is "too slow". But if the European Association on my right says that you Indian Members representing the people of India are going and moving too rapidly and that you should crawl on the floor of this House and roll, otherwise you will get a fracture of your leg and of your arm, what shall I say? I ask, in all seriousness, will you allow any Englishman, will

[Mr. K. Ahmad.]

you allow those people working in the interior of those English countries to do this sort of work and get their hands and feet fractured without getting the compensation allowed by the law of every country? Certainly not! My Honourable friend, Mr. Clow, borrowed certain lines from the text book of international law, I believe, to show that there is some material for him in this international law to oppose me. Now what does that do? Mr. Clow thinks the law goes on board the ship to the foreign country and that law is such that you cannot do anything because, though these Indian crews and lascars are recruited from India by the shipping agency provided by the Act, nothing is done to safeguard their interests. Why in the analogous case of the supply of recruits for the tea plantations or mills from the Central Provinces is the law different? These poor people are recruited through the help of the Shipping Act, because there are certain agencies in every part and the British Government supply those people, but I complain that they do not take any trouble for these poor seamen to see that their interests are safeguarded. These people are lured there, and they leave their wives and children and families behind, and if they die or are shot or are injured, the Compensation Act will have no application on the vague ground mentioned by Mr. Clow that, "No, there is an international law,—the law of the country in which the ships are registered, that moves with that on board the steamer and therefore the shipping agencies which supply the Indian seamen will not be able to secure the damage". I "explored" that point myself because I happened to be a member of the Royal Commission on Labour that has also "explored" the same including my friend Mr. Clow. There, Sir, when certain witnesses from Whitehall came, my Honourable friend never "explored" that question, because as I think he never had the courage to put that question and get it cleared because people came there not only from the Home Government but from the Board of Trade Office in England. Well here also the Advocate General of Bengal who is now the Law Member here, and his Secretary who is now a lawyer, were consulted I believe—because I did see Mr. Clow consult them about international law, but I do not think he would have got much protection,—because I happened to be a student of international law myself. (Laughter.) I shall read a few lines of Mr. Clow :

"It is a general principle of international law that on a ship belonging to a particular country the law applicable while on the high seas of that country and those embarking whether they are seamen or passengers of foreign ships go outside the protection of their own law for the time being."

Can my friend Mr. Clow or any other person point out to me what right they have or how they can supply these men on board a foreign vessel without getting some sort of protection for them? Certainly not with that kind of notion of Mr. Clow. Three-fourths of these men come on British vessels registered in Great Britain and therefore their excuses are lame. Then further on they point out why it was not done. The answer is given in the Report at page 301 :

"The majority of these Indian seamen serve on British ships. We recommend that the possibilities of giving Indian seamen the right of compensation while serving on ships registered outside India should be further explored by the Government of India and the Home Office. Special attention should be given to the possibility of extending the Indian Act to Indian Seamen while serving on all ships in the Indian territorial waters and on British Ships engaged in the coastal trade of India. . . and the Merchant Shipping Legislation gives some reason for hoping that an advance will be possible in this direction."

Well, Sir, we examined the witnesses and we did not find anything against such protection of Indian seamen. The Report was written out and signed in March last year and it was published in last June and it is now certainly some time elapsed already that the Report had been in the hands of Sir Joseph Bhore. In the meantime, Mr. Clow was enjoying his holiday. He became a special officer for some months and as a result of his labours only this Bill has been brought here out of hundreds and hundreds of recommendations made by the Royal Commission on Labour. That being the case, I hope Government will immediately send this Bill for circulation with these observations and criticisms of mine. They will get sufficient time to consult all those bodies that are mentioned in the Report. Government will also find that there is no excuse or practical force in the possibility of these men's getting their claim satisfied with the double payment one here in India and another in a country where the ships are registered, because every action lies for these damages in Great Britain or in foreign countries where the ships are registered as well. Therefore, if these uneducated and illiterate people from East Bengal and Assam institute a suit there, in England and elsewhere in foreign countries, it is quite natural that they should be allowed to institute a suit here as well. And if a man is injured, the suit will be instituted in a foreign country also. Is that possible? Well, Sir, I have also written some recommendation on this subject in my note appended in the Report of the Royal Commission (pages 490 to 492) which I should like to read to the House:

"I cannot agree to the interpretation of our terms of reference which takes away from our purview conditions of seaman on ships registered outside India. If the foreign shipping companies have any branch offices in India, and the Articles of Agreement are signed either in these branch offices or in the Employment Bureaux, the establishment of which I have recommended, then I consider that it will be perfectly within the jurisdiction of the Government of India to regulate the condition under which such foreign companies engage Indian seamen. My second recommendation therefore is that the officer-in-charge of the Government Employment Bureaux should draw up model Articles of Agreement detailing hours of work, and living conditions on board, and that these Articles be signed by the representatives of the shipping companies and by the seamen on Indian soil. Indian courts should have jurisdiction in the matter of enforcing these agreements.

* * * * *

I do not agree with the observation made in Chapter XVI at pages 299-301 with regard to the applicability of the Workmen's Compensation Act for injury and loss of life to Indian seamen engaged on ships registered outside India, nor do I agree that the principle of International Law can debar claims for such damages in any court in India by the seamen's relatives or dependants, since the seamen are recruited on Indian soil under the supervision of the shipping master appointed by the Government of India. I have recommended that seamen's Articles of Agreement in all cases should be signed on in the Employment Bureaux at the shipping office and not on board the ship, and I would also insist that the printed forms of agreement supplied by the shipping office include a clause entitling a seaman to enforce his claim for compensation in any court in India in the same manner as other claims such as a claim for arrears of salary, etc."

For arrears of salary even when they are recruited in ships registered in Great Britain or in foreign countries, they can institute a suit, that is to say, the captain of the ship can be sued. But the curious part of it is that compensation for injuries received cannot be claimed for want of jurisdiction. Under these circumstances, I do not like to make a lengthy speech because the whole subject has already been set out by my friend in pages 299-301 of the Report of the Royal Commission on Labour. But before they get the opinion from outside bodies, I hope they will be able to find sufficient time to enable those people who are

[Mr. K. Ahmed.]

recruited by the Indian shipping agents here to foreign countries to make a claim for their compensation here in India. This matter has been under the consideration of the Government of India for some time now and they have already received a number of resolutions from the representatives of these poor people. The Government has made no such arrangement, in England, America and other countries as it is necessary. Nor there are any unions of them to take up their work for recovery of the damages and compensation for their relatives and dependants in the foreign countries.

An Honourable Member: You go there and stay there.

Mr. K. Ahmed: You cannot stay there also. I know a number of seamen who have been to America on board the ship. On the pretence of purchasing something they keep themselves hidden somewhere in New York and the C. I. D. people are engaged by the captains of the ships to find them out. I know some of these poor people were working in the Ford Car Company and they returned to India with Rs. 10,000 to Rs. 15,000 in the form of cheques after a few years. They could not get any help even to cash those cheques after they came back from America.

The American bankers give these poor people drafts and when they go home to the district of my friend Mr. S. C. Mitra or to
 4 P. M. the district of my friend, Mr. Abdul Matin Chaudhury, these poor people cannot get these drafts encashed. Seeing the incomes they made at New York, I may tell the House that they would be much better off if they were allowed to remain in that country and so Mr. Jog's question will be answered in the affirmative and he will be greatly welcomed by these people.

Mr. Abdul Matin Chaudhury (Assam: Muhammadan): This Bill is being sent out for circulation. This is not the occasion to make any very detailed criticism of the Bill. I want to refer only to one or two points, so that the attention of those who are competent to give expert opinion may be drawn to them. This Bill is based on the recommendation of the Royal Commission on Labour. Very high authority attaches to the recommendations of this Commission. But it is not expected that we should take the recommendations of my Honourable friend Mr. K. Ahmed and his colleagues as sacrosanct, as above criticism. This Bill is satisfactory so far as it goes, but I should think it does not go far enough. In 1923 when the Workmen's Compensation Act was passed, it included workers in Indian railways and mines and factories and docks and building operations and other things. The criterion adopted in those days was the organised character of the industry and the hazardousness of the occupation. The Commission has recommended that an advance should now be made in the direction of including all organised industry, whether hazardous or not, and then towards the less organised industry where the hazardousness is the greatest. If we accept that principle, there is no justification for excluding a certain class of workers who are employed in railways or in factories because they are engaged in a clerical capacity. As the Commission itself has pointed out, if a man is killed in a non-hazardous occupation, the suffering of his dependants is not the less on that account. It is a matter for consideration, as Mr. Joshi pointed out,

whether the limit of ten or more persons in the case of factories using power and of 50 in the case of factories not using power, whether that limit should not be further reduced. I think it should also be considered whether the limit of 50 in the case of cinchona, tea, rubber and other plantations, should not also be reduced, because it is not very logical that a tea planter employing 50 workmen should pay compensation, while another employing 40 workmen should escape payment.

There is only one other matter to which I wish to draw the attention of the House, the matter to which Mr. K. Ahmed referred, but the House laughed at it. It is not a matter for laughter, but it is a very serious matter. It is the question of the Indian seamen. I am particularly interested in the seamen, because most of the Indian crew in the port of Calcutta come from my own district of Sylhet. This present Act covers Indian seamen who are engaged in vessels registered under the Indian Acts and employed in inland vessels. Most of the Indian seamen are engaged in the P. & O., B. I. S. N. Co., and in the Bib^h, and Anchor lines, and all these companies are registered outside India. These seamen can get legal relief only in court of Great Britain where the companies are registered. But it is very difficult for the dependants of these seamen to prosecute their claims in foreign courts. Therefore the present arrangement is that when the seaman enters into service, a clause is inserted in that article of employment by which he is entitled to claim compensation according to the Indian Act. But the Royal Commission has itself pointed out that this is a defective procedure. The seamen lose the right of appeal to the High Court. It does not give them a legal claim, and the companies may themselves refuse to enter into an agreement. Therefore it was suggested that the Government of India, in consultation with the Home Government, should explore the possibility—that is what my friend Mr. K. Ahmed read out—of giving them the right to compensation. They also recommended that the Government should consider whether those Indian seamen serving in Indian territorial waters and in all the British ships engaged in coastal traffic, whether they cannot be brought under the Indian Act, and I should like to know from the Honourable Member whether any steps have been taken in that connection.

Mr. A. G. Glow (Government of India: Nominated Official): I gather, Sir, that none of the Honourable Members who have spoken was opposed to the Bill, and I do not propose, therefore, to traverse the ground at any length. If I may deal with the last point first, the point with which my Honourable friend Mr. Abdul Matin Chaudhury and, so far as I was able to follow him, my Honourable colleague on the Commission, Mr. Kabir-ud-din Ahmed were dealing, the question of giving compensation to seamen who serve on foreign ships is an extremely difficult one. From what my Honourable friend Mr. Ahmed said, he seemed to be under the impression that seamen who go on these ships do not receive compensation at present. But as the Honourable Member who followed him pointed out, that is not the case. They do receive compensation, but they do so under a rather peculiar arrangement, that is, under a clause in the Articles of Agreement. I am glad to say that although this agreement is not obligatory at the present moment, my information is that all the shipping companies, which engage Indian seamen, enter into this agreement and fulfil it. The difficulty in the case is that of bringing the workmen not under that agreement, which is an agreement made under the Merchant Shipping Act,

[Mr. A. G. Clow.]

but under the Workmen's Compensation Act itself. Any law relating to the sea is a matter of extreme intricacy, as lawyer Members in this House know, and the matter is being examined by the legal experts of the Government of India. By the time the Bill reaches a later stage, it will be possible for the House to consider whether anything can or should be done in the matter.

Before I deal with the main point made by my Honourable friend Mr. Joshi, I might say a word as regards the extension of the Act to agriculture and forests. We are consulting Local Governments and public opinion in the matter. It is obviously rather a big question, whether you should extend an Act of this kind to agricultural labour and its consideration may take a little time.

I confess I listened to the main part of Mr. Joshi's speech with a considerable amount of surprise. I wondered whether in fact I was listening to a severe critic of the Commission or to a gentleman who had been a member of it. He attacked the Government of India on a large number of grounds. He attacked them for not including certain types of transport work, or factories employing fewer persons than ten; he attacked them for not including workshops where less than 50 workers were employed; he attacked them for not applying the Act to certain buildings. He has attacked Government for fixing a 50 ton limit for ships; he has attacked Government for fixing arbitrary heights to dams and embankments; he has attacked Government for not accepting a lower waiting period; he has attacked them for not making a large extension of the Act and for not adopting compulsory insurance. In every case these clauses of the Bill follow the unanimous recommendations of the Commission; and my surprise was heightened when, at a later stage, Mr. Joshi made it a subject of attack that on one small item of detail Government had failed to follow the majority of the Commission and had preferred the recommendation of the minority. Surely then it is a little hard that Government should be attacked strongly for following not merely the majority, but the unanimous opinion including that of Mr. Joshi, of the Commission. In fact at a later stage Mr. Joshi really answered his own argument. It is perfectly true that it is difficult to draw a line between one set of workmen and another, to say that this man shall get compensation and that man shall not. It is probably also true that without a system of compulsory insurance,—and I leave it to the House to judge whether that is practicable at this stage in India,—you cannot extend an Act like this to all and sundry who are employed. And so Mr. Joshi, coming towards the end of his speech, said, "Do not extend the Act to the rural areas but extend it to every one within the municipalities". But surely he was guilty of the same lack of logic which in his opinion underlies the Bill. I admit that it is a question of degree how far you should go. The Commission did not intend that this should be the last extension that the Act would ever have, but I believe that both the country and this House will endorse the view which underlay this, as it underlay a good many of the Commission's recommendations, that it is better to proceed gradually and surely.

Mr. B. Das (Orissa Division: Non-Muhammadian): Sir, any measure that comes from the Government side for ameliorating the conditions of labour and humanising the conditions of working classes has the approval of this side of the House. But, I entirely agree with and endorse the

remark of my Honourable friend Sir Joseph Bore when he says that labour legislation should be such that it will fit in into the social life in India and economic conditions of industries in India. That is a point which my labour friends should bear in mind when they offer opinions on the Bill which is going to be circulated. I know the gentlemen who have spoken do not represent the extreme wing of labour . . .

Mr. N. M. Joshi: Are you a capitalist?

Mr. B. Das: No! If my friend Mr. Joshi does not want my sympathy or the sympathy of this side of the House, I am sorry for the working classes. Sir, my friend Mr. Joshi represents the vested interests of the labouring classes, while the capitalists represent the vested interests of the capitalist classes. Each is looking after his own interests but what I understand, is the Indian capitalist is as much interested in the welfare of the Indian worker as my friend Mr. Joshi is. But what the capitalist condemns, and what I was going to lead to, is that it is the foreign transplanted ideas that are working havoc in the conditions of the Indian working classes and in the development of the Indian industries. My friend Mr. Joshi may be happy now, but he was not happy two years ago when at the Trade Union Congress at Nagpur they parted company and a certain section wanted to drive the Indian Labour Federation into the Third International of Russia. I want indigenous labour organisations, and if I could influence the capitalist section of India, I would like them to give proper conditions of living to workers. But what has happened? Look at the works at Jamshedpur and the labour organisation there. Look at the Railways. They are getting less and less income. With the foreign idea transplanted, every worker demands more money, but can a particular industry stand those wages? And then the idea of labour to have sympathetic strikes to paralyse not only particular industries but even the Government is a state of things which is quite foreign to the Indian conditions of working and Indian culture and Indian sentiment. So while I offer the sympathy of this side of the House, I hope my Honourable friend Mr. Joshi will bring in the sober views for which he is held in such high respect and not connive with his friends who want to transplant foreign ideas here.

Mr. N. R. Gunjal (Bombay Central Division: Non-Muhammadan Rural): (Made a speech in Marathi, a translation of which will appear as an appendix to these debates later.)

Mr. Deputy President: The question is:

"That the Bill further to amend the Workmen's Compensation Act, 1923, be circulated for the purpose of eliciting opinion thereon."

The motion was adopted.

RESOLUTION *RE* DUTIES ON GALVANISED IRON AND STEEL PIPES AND SHEETS.

The Honourable Sir George Rainy (Member for Commerce and Railways): Sir I beg to move:

"This Assembly recommends to the Governor General in Council that the increased import duties imposed by Notification No. 260-T. (127) Tariffs, dated the 30th December 1930, as amended by Notification No. 260-T. (127) Tariffs, dated the 21st March,

[Sir George Rainy.]

1931, in exercise of the powers conferred by section 3 (4) of the Indian Tariff Act, 1894, on galvanized iron and steel pipes and sheets for the period from the 30th December, 1930, to the 31st March, 1932, be continued for the remainder of the period of protection covered by the Steel Industry (Protection) Act, 1927, that is, up to the 31st March, 1934, and that the duties should not be reduced unless, at any time before that date, the Governor General in Council is satisfied that circumstances have changed so radically as to render the maintenance of the duties at the increased rates clearly unnecessary and undesirable."

Honourable Members will no doubt remember that this subject came up for discussion during the cold weather session of 1931. At some date in 1930—in July I think,—the Tata Iron and Steel Company drew the attention of Government to the position in which they were placed by the level to which the prices of galvanized sheet had fallen, and the Government of India referred this application to the Tariff Board for inquiry. The Tariff Board submitted their Report in October 1930, and after considering the recommendations in that Report, the Government of India, by notification under the Steel Industry Protection Act, increased the duty on galvanized sheet from Rs. 30 to Rs. 67 a ton in accordance with the recommendation of the Tariff Board. That action was taken in exercise of the special powers which had been vested by the Act I have named in the executive Government.

(At this stage Mr. President resumed the Chair.)

But Government recognised the desirability and the necessity that, when action of that kind is taken, it should be submitted for the confirmation of the Legislature as soon as possible. The increase therefore was originally sanctioned only up till the 31st March 1931. A Resolution was moved in this House about this time last year recommending the continuance of the duty for a further period. I think the terms of the Resolution as I originally moved it were that the increased duty should remain in force up to the 31st March, 1934. During the course of the discussion on that Resolution, however, two things became evident. On the one hand the House generally seemed to accept the recommendation of the Tariff Board, that circumstances had so changed, owing to the fall in prices, that additional protection was necessary to the extent recommended. On the other hand it appeared to Government that there was considerable doubt in the minds of a good many Members on the question whether it was better that the protection proposed to be given should be given in the form of an increase in the duty or, as an alternative, in the form of a bounty. Finally, at the close of the debate, endeavouring to interpret the opinions which had been expressed, with your permission, Mr. President, and with the permission of the House, I modified the terms of my Resolution to this effect, that the increased duty should remain in force only up till the 31st day of March, 1932, and I undertook that meanwhile the Government would have the question of a bounty examined, in order to see whether a practicable and suitable scheme could be devised which might be adopted if the financial circumstances were favourable in the current year. As the general principle of additional protection in this case was unquestionably accepted by the House last year, I do not think it is necessary for me to develop that point again at length. It was very fully examined by the Tariff Board and very fully discussed in the House, and I do not think there is much question about it. Therefore I pass on at once to the action which we took to carry out the undertaking which had been given to this House.

The question whether a bounty scheme could be devised which was practicable has been investigated by an officer of the Audit Department working in consultation with the Metallurgical Inspector at Jamshedpur. They examined the difficulties fully, and they came to the conclusion that a satisfactory scheme could be devised, the cost of which would not be excessive, and they thought that any danger there might be—a danger always existing in such cases—of overpayment of the bounty could be averted by suitable precautions. On that ground therefore there was no insuperable difficulty in adopting the alternative plan. But unfortunately, instead of finding financial conditions more favourable than they were in 1931, they have become as Honourable Members of this House know, what they are today—that is to say, they have become very much less favourable, and to proceed by way of bounty in the present financial conditions the Government of India felt to be entirely impossible. The sum involved is a fairly substantial one, and at a time when every item of expenditure which cannot establish a claim to be absolutely necessary is being ruthlessly pruned away, it is extraordinarily difficult to justify a payment by way of bounty to a particular firm. Government felt that these arguments arising from the financial situation were very formidable indeed and they could not feel themselves justified in recommending to the Legislature a scheme of that kind. For that reason they had to fall back upon the original plan of the continuance of the duty for a further period of two years, up to the 31st day of March, 1934; that is, up to the date when the Steel Industry Protection Act expires. Before it does expire, there will be an inquiry by the Tariff Board, and no doubt the Legislature will have made provision for such duties as are considered necessary for the period after the 31st day of March, 1934.

That will explain to the House the reasons which have influenced Government, notwithstanding what was said last year, in persevering with the original plan of giving supplementary protection in the form of a duty, and not in the form of a bounty. The reason as I have said is that the financial circumstances are such as absolutely to preclude it.

I understand that last year during the course of an inquiry before the Tariff Board when the point was raised that the Jamshedpur Company were producing only a small proportion of India's requirements, they undertook that they would take steps to increase their output, so that the share of the market falling to them would be substantially increased. The information that I have on that point is this. The company anticipate that from the end of April 1932 they will be producing galvanised sheets at the rate of 4,000 tons per month, which is a very substantial increase over the amount which they were producing last year.

Mr. B. K. Shanmukham Chetty: From what date?

The Honourable Sir George Rainy: From the end of April 1932, that is, this year. At present if you add the Jamshedpur consumption to the imports from abroad, the total consumption averages about 10,000 tons a month. If, therefore, the Jamshedpur output is raised to 4,000 tons a month, then the company will be producing something like 40 per cent. of India's requirements.

Mr. B. Das: I think you are comparing the 1931 figure of import?

The Honourable Sir George Rainy: I am not giving a comparison for 1931. The point I am trying to make is that the figure of 4,000 tons a month is in fact a substantial proportion of the actual consumption of galvanised sheet in India at present. The proportion must be substantially higher than it was last year not only because the production has gone up but also because the total consumption was seriously reduced. That is the explanation why the percentage works out a good deal higher than it did last year. I have thought it worth while to mention that point because an undertaking was given by the company last year that they would take steps to increase their production and it has some bearing on the general question of whether assistance should be continued or not.

Now, Sir, before I sit down, it might be convenient perhaps if I should say something on the subject of the amendment which I understand it is the intention of my friend, the Honourable Mr. Morgan, to move. The effect of his amendment would be to remove the surcharge which would otherwise be leviable under the provisions of the Supplementary Finance Act passed last November. The method by which this result is proposed to be attained is this, to recommend in the Resolution that the rate of duty imposed by the notification should be reduced from Rs. 67 to Rs. 54 a ton and then on that lower figure the surcharge would continue to operate amounting to Rs. 13-8-0 a ton, which would bring the duty actually collected back to Rs. 67-8-0 a ton. I do not wish at this stage to argue the case at length on that point, but there is one aspect of the case to which I would draw attention. Since the Tariff Board made its inquiry and reported, there has been quite a substantial further fall in the price of galvanised sheet. The price they took as the basic price for the purpose of determining the additional protection required was Rs. 169 a ton, which is equivalent to something like £12-15-0 in sterling. Since then the c. i. f. price free of duty in Bombay has fallen as low as £10 a ton which in rupees would be Rs. 133 a ton, and today is a little higher at £10-10-0, the rupee equivalent of which would be about Rs. 140 a ton; that is Rs. 140 instead of Rs. 169. Therefore, the point I want to make is this, that, if the amendment is carried, the practical effect will be to deprive the industry of part of the additional protection which the Tariff Board considered it ought to receive. In ordinary circumstances, the necessity might have arisen of taking up the matter specifically and imposing an increased duty by notification, but as the surcharge was to be imposed by the Supplementary Finance Bill upon all the duties in force, it was not considered necessary to take up this case afresh. But quite apart from any considerations of revenue, the fact remains that the price of galvanised sheet has fallen to such an extent since the Tariff Board inquiry was made that the surcharge does no more than bring back the protection given by the duty to about the figure at which it stood at the time the notification was originally issued. That is pretty clear from the fact that whereas in January 1931 the wholesale price of galvanised sheet in Calcutta with a duty of Rs. 67 a ton was quoted at Rs. 11-12-0 a cwt., in January 1932, although the duty has gone up to Rs. 83-12-0 a ton, the price of galvanised sheet is actually Rs. 11-12-0 a cwt., which is exactly what it was in January last year. Therefore, it is not the case that the imposition of a surcharge has resulted in giving the Tata Iron and Steel Company or the steel industry generally in respect of this article a greater amount of protection than the Tariff Board considered necessary. I thought it was fair to the House that I should make that point before the amendment is moved, as in the ordinary course I shall not have an

opportunity of speaking again upon the subject till near the end of the discussion. That, I think, Sir, exhausts what I need say to-day, and I move my Resolution.

Mr. G. Morgan (Bengal: European): I beg to move:

“That at the end of the Resolution the following be added:

‘Provided that the figure of Rs. 67 in the fourth column of the table appended to notification 260-T. (127), dated 30th December, 1930, against the item 148 (b) Iron or Steel Sheets, no fabricated, galvanized, shall be reduced to Rs. 54.’”

Sir, after what has fallen from the Honourable the Leader of the House, it is rather difficult for me to do more than to call attention to what happened last year. The Honourable the Leader of the House in his opening speech last year said:

“We have found, however, in these post-war years, the only thing which is certain to happen is the unexpected.”

That I think we have found, because at the end of the Honourable Member's speech in January 1931 with regard to bounties, he said, having given his reasons for not going into the question of bounties last year, that “Both from the administrative point of view and from the financial point of view, the position, we may hope, will be a good deal easier next year than it is now”. The unexpected has happened because it is evident, from what the Leader of the House has just said, that it is now a good deal worse. I do not quite agree with my Honourable friend in saying that the position is practically the same, so far as the protective duty is concerned, as it was last year, and that the amount of surcharge which has been put on by the Emergency Finance Bill does not alter the situation. The fact remains—I need not go into the details of prices—the fact remains, that the galvanised sheets made in this country are selling below the imported price of sheets at the present rate of duty, which is Rs. 83-12-0 including surcharge and taking the Tariff Board figure of Rs. 169 *plus* Rs. 83-12-0—the price is Rs. 252-12-0 per ton—the selling price to-day of Indian sheets is Rs. 216 per ton, so that the difference is very considerable. The difference I am making in my amendment is only Rs. 16. If you take Rs. 169 *plus* Rs. 67, the present duty, excluding surcharge it will give Rs. 236. If you take Rs. 169 and a difference of Rs. 46, it will come to Rs. 215, so that to-day the full duty of Rs. 83-12-0 is out of all proportion to the difference which was estimated by the Tariff Board to be the proper amount of protective duty. The question of bounties has been gone into quite clearly by my Honourable friend, but in taking the date 31st March, 1934, I think, although I see no amendment has been moved and I did not move one myself, the Honourable the Leader of the House is asking too much. The Honourable the Leader of the House said last year:

“The Government, however, did not feel that they and the Legislature should be committed quite so deeply as that. Circumstances may change so radically that the retention of the duty would be clearly unreasonable.”

We are living in continually changing times, and every few months something happens of the “unexpected” which the Honourable the Leader of the House mentioned last year. The “unexpected” is always happening. Therefore as the surcharge is certain up to 1933—and I am sure that the

[Mr. G. Morgan.]

Honourable the Finance Member will say it is almost certain up to 1934— I see no reason at all why my amendment should not be accepted even on the figures that have been put forward by the Honourable Member with which I do not agree. Sir, I move my amendment.

The Assembly then adjourned till Eleven of the Clock on Tuesday, the 23rd February, 1932.