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THE
LEGISLATIVE ASSEMBLY DEBATES
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(3rd February to 14th February, 1936)

THIRD SESSION
OF THE
FIFTH LEGISLATIVE ASSEMBLY,
1936



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1936.

Legislative Assembly.

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MR. M. S. ANEY, M.L.A.

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LEGISLATIVE ASSEMBLY.

Tuesday, 4th February, 1936.

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

MEMBER SWORN.

Sir Darcy Lindsay, Kt., C.B.E., M.L.A. (Bengal: European).

QUESTIONS AND ANSWERS.

LEVY OF EXCISE DUTY ON PALMYRA SUGAR.

1. ***Pandit Krishna Kant Malaviya:** (a) What duty under sub-section (1) of Act XIV of 1934 has been fixed by the Governor General in Council on palmyra sugar?

(b) Has any enquiry been made about the production of Palmyra sugar and, if so, what is the result of the enquiry?

(c) Are Government aware that five lakh maunds of Palmyra sugar is annually manufactured in Madras Presidency?

(d) Why has no excise duty been levied so far?

(e) Are Government prepared to see that this loss of revenue is stopped immediately?

Mr. A. H. Lloyd: (a) None.

(c) The average annual production in the Madras Presidency during recent years is understood to be between two and three hundred thousand maunds.

(b), (d) and (e). An enquiry was made last year. The Governments concerned were of opinion that the imposition of an excise duty on palmyra sugar would probably result in the extinction of the industry and this would throw a large number of workers out of employment. The position will be reviewed when figures of production during 1935 become available.

Mr. Lalchand Navalrai: May I know if there are any other sugar factories which do not pay this excise duty?

Mr. A. H. Lloyd: Yes, Sir. If a reference is made to the Act, it will be seen that smaller factories are exempted.

Mr. Lalchand Navalrai: May I know if these palmyra sugar factories are Indian concerns, or are they any other?

Mr. A. H. Lloyd: To the best of my belief, they are Indian concerns.

Mr. Lalchand Navalrai: Are there any other factories which are not being charged this excise duty which are also Indian?

Mr. A. H. Lloyd: To the best of my belief, they are all Indian. In the ordinary course of events, all, of what I may call cottage industries, are very naturally Indian.

†2. *

DUMPING OF WINDOW GLASSES BY JAPAN.

3. ***Pandit Krishna Kant Malaviya:** (a) Has the attention of Government been drawn to the extracts from the Report of the Director of Industries, United Provinces, published in the *Leader* of December 22nd, 1934, regarding the "dumping" by Japan of window glasses in this country?

(b) Are Government aware of the fact that window glasses are made at Bahjoi, which is said to be the only window glass manufacturing factory in Asia, excepting Japan?

(c) Are Government prepared to take steps to save this Indian industry from Japanese competition?

The Honourable Sir Muhammad Zafrullah Khan: (a) and (b). Yes, Sir, but Government have no reason to believe that Japan is dumping.

(c) The Honourable Member's attention is directed to the decisions of Government contained in paragraphs 3 and 4 of the Government of India, Department of Commerce, Resolution No. 458-T(14), dated the 22nd June, 1935. These decisions were taken after full consideration of all the relevant factors.

Mr. Lalchand Navalrai: May I know if there is any tariff bar or tariff wall against Japan in the matter of importation of glass?

The Honourable Sir Muhammad Zafrullah Khan: There are duties.

Mr. Lalchand Navalrai: Are there any duties to protect the Indian glass factories?

The Honourable Sir Muhammad Zafrullah Khan: The decision of the Government with regard to the protection of the glass industry is contained in the Resolution to which I have already referred.

Mr. Lalchand Navalrai: Will the Honourable Member please enlighten me about the Resolution?

The Honourable Sir Muhammad Zafrullah Khan: With your permission, Sir, I shall read out the Resolution:

"In response to the representations of certain glass manufacturers in India the Government of India in their Resolution in the Department of Commerce, No. 458-T(2), dated the 20th October, 1931, referred to the Tariff Board for examination the claim of

†Withdrawn by the questioner.

the indigenous Glass Industry for protection. The terms of reference directed that the Tariff Board should be guided by the principles laid down in the Resolution adopted by the Legislative Assembly on February 16, 1923, and that it should consider :

- (1) Whether the conditions laid down in the Report of the Indian Fiscal Commission were satisfied in the case of the industry and to what extent, if any, and in respect of what articles or class or description of articles protection should be afforded;
- (2) In what form and for what period protection, if any, should be given; and
- (3) How its recommendations, if any, would affect other industries.

2. The Report of the Tariff Board, which is published today for general information, shows that the Glass Industry has a wide geographical distribution in India and that there are as marked differences in the nature of its products and in the methods of their manufacture as in its location. But whatever differences may exist in these respects, the Report makes it clear that all branches of the industry have a common need for the same raw materials. In Chapter II of its Report the Board, in accordance with its terms of reference, has investigated the natural advantages possessed by the industry with a view to determining whether it satisfies the first condition prescribed by the Indian Fiscal Commission and in particular it has examined the resources of the industry in respect of raw materials. Of these by far the two most important are silica and soda ash, and while the Board is of opinion that ample supplies of the former in the form of sand of sufficiently good quality are available, it has found that satisfactory sources of soda ash are not yet in existence in India and that the industry is dependent on imported supplies. The Board does not, however, consider that this fact in itself invalidates the claim for protection and it finds that the first of the conditions prescribed by the Fiscal Commission is satisfied.

3. The Government of India regret that they are unable to accept this finding. They are of the opinion that the absence of indigenous supplies of a raw material which in the United Provinces, where the Glass Industry is to a great extent concentrated, represents 70-75 per cent. of the total cost of materials and which even at ports of entry represents 30-45 per cent. of that cost, constitutes a disadvantage to the industry which cannot possibly be balanced by any advantages which it possesses in other respects. The Government of India are unable to distinguish the present case from that of the manufacture of electric wires and cables in which the Tariff Board itself held that the absence of indigenous supplies of copper was a fatal obstacle to the grant of protection.

4. At the time when its Report was written, however, the Tariff Board expressed the opinion that supplies of soda ash would in the immediate future be available in this country. The Government of India were therefore reluctant to reject the claim of the industry for protection until it had been ascertained whether or not the anticipations of the Board were likely to be fulfilled. Enquiry has, however, shown that the Board was unduly optimistic and that no adequate source of Indian soda ash has yet been developed. It is possible, however, that a fresh source of supply may be available within the next few years at Khewra and the Government of India do not propose to take a final decision on the claim for protection until the possibilities of this new source have been more fully explored.

5. There are a number of other matters in respect of which the Government of India are unable to accept the Tariff Board's conclusions, but as they do not propose to take a final decision at present, it is unnecessary to discuss these now. In the meantime, until such final decision can be taken, the Government of India have decided to afford the glass manufacturing industry a certain measure of relief by way of rebate of the duty on imported soda ash. The proposed procedure for granting this rebate is as follows :

When a Collector of Customs is satisfied that any consignment or part of a consignment of soda ash imported at his port has been supplied, after the date of this Resolution, to a glass manufacturer for use, within a reasonable period, in the manufacture of glass, he will on the request of the importer pay to the glass manufacturer a refund of the entire duty in the case of soda ash of British or colonial origin and of the excess over 10 per cent. *ad valorem* in the case of other soda ash. The refund will be paid by cheque to the manufacturer or his authorized agent.

This concession will continue for three years at the end of which period, if it appears that a *prima facie* case for protection then exists, a further reference will be made to the Tariff Board."

Pandit Lakshmi Kanta Maitra: May I know if Government have adopted any measure for the protection of the glass industry in India?

Mr. President (The Honourable Sir Abdur Rahim): Order, order. The Chair cannot allow any further discussion.

TRAINING OF INDIANS IN GLASS TECHNOLOGY.

4. ***Pandit Krishna Kant Malaviya:** (a) Has the attention of Government been drawn to the recommendation in the Tariff Board's report on the Indian Glass Industry, relating to the need for facilities for research and training in glass technology and to the difficulties experienced by the glass manufacturers in this country owing to lack of adequate provision for the investigation of scientific problems connected with the industry and for the training of Indians for the posts of managers and scientific assistants?

(b) What is the attitude of Government towards the scheme suggested by the Tariff Board, regarding the establishment of a department of glass technology at the Harcourt Butler Technological Institute at Cawnpore, for the training of young men desirous of qualifying themselves for responsible positions in glass factories?

The Honourable Sir Frank Noyce: (a) Yes.

(b) As the Government of India were not satisfied with the claim of the industry for protection and as Technical Education is in any case a provincial transferred subject, they have not accepted the recommendation in question. The question of glass research has, however, engaged the attention of the Advisory Council for Industrial Intelligence and Research, and certain investigations relating to the glass industry are in progress in the Bureau of Industrial Intelligence and Research.

MANUFACTURE OF ARTICLES BY ELECTRICITY.

5. ***Pandit Krishna Kant Malaviya:** With the rapid progress that is being made in the electrification of the country, have Government considered the question of encouraging the establishment in India of major industries that will be able to manufacture articles in the electrical line for the requirements of the Railway and Military Departments?

The Honourable Sir Frank Noyce: I invite the attention of the Honourable Member to the rules for the supply of articles required for the public service, a copy of which is available in the Library of the House. These rules offer encouragement to the establishment of industries in India and permit the grant of price preferences in certain circumstances.

The Indian Stores Department encourages the development of factories manufacturing electrical materials in India by placing orders with them on behalf of the State Railways, the Army and other indenting authorities, and factories manufacturing the following articles of electrical equipment have been encouraged in this way:

- (1) Porcelain insulators
- (2) Copper conductors
- (3) Electric wires and cables
- (4) Electric fans
- (5) Electric lamps
- (6) Electric lighting fittings, and
- (7) Primary cells.

Mr. Lalchand Navalrai: I understood the Honourable Member to say that all electrical articles are not being produced in India and there are some that are being sent for. If that is so, is there any arrangement made for the training of any manufacturers so that they can produce everything? Now that we have got electrical business to such a large extent, why should not such opportunities be created by Government?

Mr. President (The Honourable Sir Abdur Rahim): That is arguing the question.

ENHANCEMENT OF DUTY ON JAPANESE BOTTLES AND PHIALS.

6. *Pandit Krishna Kant Malaviya: (a) Will Government be pleased to state if the Rupee-Yen exchange has come down from 120 to 77, or near about?

(b) Is there a specific provision in the Indo-Japanese Trade Convention, giving freedom to the Government of India to counteract the adverse effect of the fall of Yen on an Indian industry?

(c) Do Government propose to take advantage of this provision and enhance the duty on Japanese bottles and phials to save the Indian industry from the cut-throat competition of Japan?

(d) Are Government aware that in the case of bottles, *c. i. f.* price of 16 oz. tincture bottles from Japan is Rs. 9 per gross, against the cost of the Indian manufacturer of Rs. 15-12-2 per gross?

(e) Are Government aware that the present *c. i. f.* price of Japanese 4 oz. phials is Rs. 2-12-0 per gross, while the cost of manufacturing such phials to an Indian factory is Rs. 4-13-0 per gross?

(f) Is it a fact that these facts were brought to light by the Chamber of Commerce, United Provinces, and do Government propose to reconsider their attitude towards the Glass Industry and afford it some protection in order that it may at least exist?

The Honourable Sir Muhammad Zafrullah Khan: (a), (b) and (c). The present rate of exchange is about Rs. 77½ per 100 Yen. The Government of India have the right under Article 3 of the Indo-Japanese Trade Convention to impose such special customs duties on Japanese goods as may be found necessary to correct the effects of any variation of the Rupee-Yen exchange rate after December 31st, 1933, but, as there have been no serious variations in that rate since that date, Government do not consider any action necessary.

(d), (e) and (f). The Honourable Member's attention is directed to the Government of India, Department of Commerce, Resolution No. 458-T(14), dated the 22nd June, 1935. The decisions contained therein were arrived at after taking into consideration all the relevant factors.

SHIPS OF THE ASIATIC STEAM NAVIGATION COMPANY, LIMITED.

7. *Pandit Krishna Kant Malaviya: (a) Are Government aware that the Asiatic Steam Navigation Co., Ltd., has 16 ships, 15 of which are cargo steamers and one carries passengers also?

(b) Are Government aware that before the duty was imposed on foreign sugar, the ships of the Company brought more than 50 per cent. of the foreign sugar to this country, but since the time the duty has been imposed, these ships run mostly on Indian coast?

(c) Is it a fact that the passenger-cargo ship runs under Government contract and takes mails and convicts from India and Burma to Andamans and *vice versa*?

(d) Is it a fact that ships of this Company, when commissioned, have four officers on the executive side of the crew, which means that the 16 ships must have 64 officers, but actually 80 men have to be employed in order that extra men might take the place of men who are in "Sick Bay" or on leave?

The Honourable Sir Muhammad Zafrullah Khan: (a) As far as Government are aware, the Company has 18 vessels of which two carry passengers.

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

(c) Yes, the S.S. "Maharaja".

EMPLOYMENT AND TRAINING OF INDIANS BY SHIPPING COMPANIES.

3. ***Pandit Krishna Kant Malaviya:** (a) Is it a fact that the Indian Mercantile Marine Training ship was started by Government in 1927 in order to train Indian youths to become executive officers on Merchant ships?

(b) Do Government propose to instruct the shipping companies which receive their patronage that they should train the Dufferin Cadets and offer them posts of executive officers, when they have duly qualified themselves for the job?

(c) Is it a fact that the Asiatic Steam Navigation Company took two Dufferin Cadets of the first batch and they are now serving as third Mates on two ships of the Company?

(d) Is it a fact that this Company took two Dufferin Cadets from the second batch, and that these two cadets finished their period of training and obtained the second Mates Certificates in order that they may be employed as officers, but the Company told them that it could not employ them owing to the reduction of tonnage?

(e) Are Government aware that the Asiatic Steam Navigation Co., brings out men from Britain under an agreement by which the men have to serve four years at a stretch out-East, after which they are given six months' leave on full pay in Britain, and generally this agreement is renewed as soon as it is completed and the men come back to rejoin the service as soon as their leave is over, and that there is no chance of the employment in the near future of Dufferin Cadets whom the Company has itself trained?

(f) Are Government aware that this Company also trains Anglo-Indians and domiciled European youths, who join the Company as indentured apprentices, and these youths are employed as soon as their period of training is over?

(g) Is it a fact that in spite of the Dufferin Cadets wanting to join this Company as apprentices, this Company never takes more than two Dufferin Cadets, under the plea that they only wish to train as many cadets as they can safely employ? Is it a fact that they do not employ them and at the same time take more than four Domiciled European or Anglo-Indian youths for training every year?

(h) Do Government propose to take any steps to see that Dufferin Cadets get training and are employed by this Company?

(i) Are Government aware of the fact that *ex*-Dufferin Cadets trained by this Company itself have no chance of being appointed before two or three years when some commanders of the ships are expected to retire?

(j) Is it a fact that during the years 1931-32-33 the number of Dufferin Cadets taken for training by the Asiatic Steam Navigation Company was five whereas the Scindia Steam Navigation Co. took 19 Cadets?

The Honourable Sir Muhammad Zafrullah Khan: (a) Yes.

(b) and (h). It is not within the powers of Government to issue instructions to shipping companies regarding whom they should appoint as officers, but the influence of Government has been constantly used to extend the opportunities of employment of *ex*- "Dufferin" cadets.

(c) Yes, the Company engaged two *ex*- "Dufferin" cadets from the first batch as officers, but Government are not aware whether they are still in the service of the Company.

(d) Yes, the Company took two *ex*- "Dufferin" cadets from the second batch also who have completed their training and obtained their Second Mate's Certificates. Government understand that neither of these cadets has been employed by the Company.

(e), (f) and (i). Government have no authentic information in regard to these matters.

(g) The Company have not so far taken more than two *ex*- "Dufferin" cadets a year as apprentices and have not been able to employ all of them as officers. Government are not aware whether they take other Domiciled European or Anglo-Indian youths for training every year.

(j) While the first Final Passing-out Examination of the "Dufferin" took place in June, 1930, the Examination for the second batch was held in December 1931, with the result that the cadets passing out in 1931 were actually placed with the Shipping Companies for training in 1932. The first three batches of *ex*- "Dufferin" cadets were thus placed with the Shipping Companies in the years 1930, 1932 and 1933 and during these years the numbers of such cadets taken by the Asiatic Steam Navigation Company and the Scindia Steam Navigation Company were 5 and 22, respectively.

Mr. Lalchand Navalrai: With regard to clause (d), may I know whether these two Mates who got certificates were not taken because of the reduction in tonnage?

The Honourable Sir Muhammad Zafrullah Khan: I have no information.

Sir Muhammad Yakub: Are Government aware that the Governing Body of the "Dufferin" is not satisfied with the arrangements for the employment of their cadets, and that the attraction for the cadets to join the "Dufferin" is becoming less and less every day on account of the treatment which is meted out by the shipping companies?

The Honourable Sir Muhammad Zafrullah Khan: If by "treatment meted out by the shipping companies" is meant that a larger number of them have not been employed, it is correct that as a larger number of ex-"Dufferin" cadets have not found employment, it might, to some extent, have discouraged youngsters from taking up that career?

Sir Muhammad Yakub: Will Government consider whether the concessions which are granted by the Government of India to the different shipping companies should not be withdrawn if they do not follow the instructions of Government in the matter of taking more cadets from the "Dufferin"?

The Honourable Sir Muhammad Zafrullah Khan: If the Honourable Member will point out those concessions to me,—not necessarily on the floor of the House,—I shall certainly be very glad to look into them.

Mr. S. Satyamurti: Is it a fact that only the British India Steam Navigation Company have so far taken four trained officers having Second Mates' certificates on their staff, and that none of the other shipping companies has employed a single Indian cadet trained in the "Dufferin"?

The Honourable Sir Muhammad Zafrullah Khan: I think I shall require notice of that question.

Mr. S. Satyamurti: Can the Honourable Member give any information to this House as to how many of these officers trained in the "Dufferin", since it was started, are now employed as officers in ships plying between India and other countries or on the coast?

The Honourable Sir Muhammad Zafrullah Khan: I could not give the information immediately, but if notice is given to that effect, I shall collect and place the information before the House.

EMPLOYMENT OF *DUFFERIN* CADETS ON THE SHIPS OF THE ASIATIC STEAM NAVIGATION COMPANY, LIMITED.

9. ***Pandit Krishna Kant Malaviya:** (a) Is it a fact that during 1934-35, the Scindia Steam Navigation Co. took 12 cadets for training and the Asiatic Steam Navigation Company only four, out of which one left on account of alleged bad treatment?

(b) Is it a fact that the percentage of Dufferin Cadets employed by the Scindia Steam Navigation Company and Asiatic Steam Navigation Company works out at 16 and 8.5?

(c) Is it a fact that last year the Scindia Steam Navigation Co. not only employed as officers the Dufferin Cadets whom they themselves had trained, but also three others who could not get employment in the Companies in which they served, *viz.*, P. and O. S. N. Co. and the B. I. S. N. Co.?

(d) Are Government aware that under the present policy of the Asiatic Steam Navigation Company there is very little chance, or no chance, for the Dufferin Cadets?

(e) Are Government prepared to take steps to see that at least those of the Dufferin Cadets, who get training on the ships of the Asiatic Steam Navigation Company, are employed by that Company after they have qualified themselves?

The Honourable Sir Muhammad Zafrullah Khan: (a) No.

(b) I regret I have not been able to follow the Honourable Member's question.

(c) Yes.

(d) Government are not so aware.

(e) No. There is no ground for treating the Asiatic Steam Navigation Company differently from other companies in this matter, and the attempt to bind companies to find employment for all apprentices trained by them could only result in companies restricting the numbers whom they would be willing to train.

Mr. Lalchand Navalrai: Do Government send for a report from these companies every year to see how many cadets they have taken and how far they have progressed? If not, will Government do it?

Th Honourable Sir Muhammad Zafrullah Khan: Government have no power to enforce any such direction against the shipping companies.

FIRING BY TROOPS ON PEASANTS IN THE LOHARU STATE.

10. ***Pandit Krishna Kant Malaviya:** (a) Is it a fact that troops from British India opened fire on the poor peasants in Loharu State?

(b) How did these troops happen to be there? Were they sent there at the invitation of the Nawab?

(c) Who paid the cost of the troops? Has the amount been realized from Loharu State, or is it still due?

Sir Aubrey Metcalfe: (a) No.

(b) Yes.

(c) The cost has been recovered from the State.

RULES FOR LENDING OF INDIAN TROOPS TO INDIAN STATES.

11. ***Pandit Krishna Kant Malaviya:** Are there some rules or specified conditions according to which Indian troops are lent for services in Indian States? If so, what are they?

Sir Aubrey Metcalfe: No, there are no set rules or conditions. Requests from Darbars of Indian States for military assistance are complied with, if the Political authorities concerned are satisfied as to the need for such assistance.

Mr. S. Satyamurti: Is there any policy laid down by the Government, that the question of sending these troops should be examined in each case, as to whether the need is legitimate, and whether the Government should lend these troops?

Sir Aubrey Metcalfe: That is the substance of my reply. Each request is considered on its merits and decided.

Mr. S. Satyamurti: What are the considerations which Government take into account, before they decide to lend British or Indian troops to Indian States?

Sir Aubrey Metcalfe: I would suggest that the Honourable Member's question is now trenching upon a matter affecting the relations between the Governor General in Council and a prince or chief under the suzerainty of His Majesty.

Mr. S. Satyamurti: The Government of India are responsible to this House for the maintenance and conduct of these troops. When they send out troops, I want to know what are the considerations under which they do so. I want to know whether any considerations are taken on hand, or whether every request is complied with.

Mr. President (The Honourable Sir Abdur Rahim): If the Government Member can give a reply in general terms which does not affect the relations with the State concerned, then he is at liberty to do so. But if he is positive that any reply would affect such relations the Chair cannot help it.

Sir Aubrey Metcalfe: I am afraid, Sir, that it is impossible to give any general reply as to policy beyond what I have already given, which is that each case is carefully considered upon its merits before any troops are sent to the assistance of an Indian State.

Mr. S. Satyamurti: May I take it that every time a ruler wants troops sent, whatever his misdeeds may be, they are sent? The people of a State may have just grievances or not, and yet Government troops are sent whatever the merits of the case may be?

Mr. President (The Honourable Sir Abdur Rahim): That is arguing.

Sir Cowasji Jehangir: Who pays the cost?

Sir Aubrey Metcalfe: The cost is paid by the State as it has been in this case.

GRANT OF AN ALLOWANCE TO LABORATORY ASSISTANTS IN THE INDIAN MILITARY HOSPITALS.

12. *Pandit Krishna Kant Malaviya: (a) Is it a fact that laboratory assistants in the Indian military hospitals have to pass a special examination to qualify themselves for laboratory assistant surgeonship?

(b) Is it a fact that all along they were told that they would get higher pay and some allowance?

(c) Is it a fact that every single person in the laboratory from the officer in charge to the lowest menial, except the laboratory assistant, gets an allowance? If so, are Government prepared to remove this anomaly and grant some allowance to those hard worked assistants?

Mr. G. R. F. Tottenham: (a) Yes.

(b) No, Sir.

(c) The position generally is as stated by the Honourable Member. The question of the grant of an allowance to sub-assistant surgeons employed in laboratories has twice been considered by Government in recent years, but has not been proceeded with owing to lack of funds.

ORDERS REQUIRING NURSING ORDERLIES TO JOIN THE RESERVE.

13. *Pandit Krishna Kant Malaviya: (a) Is it a fact that orders have been promulgated from the Army Headquarters that those nursing orderlies, whose services range from 6 to 11 years, should join the reserve, should give up their present job and agree to be in reserve at Rs. 2 per month?

(b) Is it a fact that this order is accompanied by a threat that if these poor orderlies do not consent to join the reserves, their services will be dispensed with?

Mr. G. R. F. Tottenham: (a) and (b). Since 1929 nursing orderlies of the Indian Hospital Corps have been enrolled for five years' colour service and 15 years' reserve service. Some of them, like those referred to by the Honourable Member, have been allowed to extend their colour service by periods of two years at a time. They cannot claim such extensions as of right and are liable to be transferred to the reserve at any time. The pay of a reservist is Rs. 4 per mensem and not Rs. 2 per mensem as stated in the question. Up to 1929 nursing orderlies were enrolled for three years, without any liability for reserve service. Some of these orderlies also have been allowed extensions of service; but these extensions are liable to be terminated at any time. The conditions of service are fully explained to every individual before enrolment.

REMOVAL OF THE RAILWAY DIVISIONAL OFFICE FROM ALLAHABAD TO CAWNPORE.

14. *Pandit Krishna Kant Malaviya: (a) Is it a fact that Government are seriously considering the removal of the Railway Divisional Office from Allahabad to Cawnpore?

(b) Is it a fact that Railways have been running at a loss these days and that economy is most needed?

(c) Is it a fact that the removal of the Divisional Office to Cawnpore means an expenditure of about 10 to 15 lacs, and that if the Divisional office is allowed to remain at Allahabad and even new buildings are wanted, they can be erected at an expenditure of say two or three lacs only?

(d) Is it a fact that Allahabad is a healthier place as compared to Cawnpore?

(e) Is it a fact that the United Provinces Secretariat has been removed to Lucknow from Allahabad and have Government considered that the huge Secretariat buildings can be utilized by the Railway authorities, if necessary?

(f) Is it a fact that if the Divisional office is removed from Allahabad, the Government bungalows occupied by the officers will not fetch the rent they are fetching now and would mean an extra loss to the Railways?

The Honourable Sir Muhammad Zafrullah Khan: (a) No such proposal has been received by Government but it is understood that the removal of the divisional office from Allahabad to Cawnpore has been under consideration by the Agent, East Indian Railway, for some time.

(b) The net earnings of railways are at present insufficient to meet the full interest on their capital.

(c) It is believed that the cost of the move would be about ten lakhs. Government have no information of the cost of the new buildings that may be required if the divisional headquarters remain at Allahabad.

(d), (e) and (f). Government have no definite information on these points.

IMPORT OF SUGAR THROUGH KATHIAWAR STATES.

15. ***Pandit Krishna Kant Malaviya:** (a) Has the attention of Government been drawn to the reports which have appeared in the press stating that during 1934-35, 1,43,000 tons of sugar which left Java for India, had not been shown in the British Indian statistics, and that of this quantity 1,03,000 tons were recorded to have entered India through the Kathiawar ports and 40,000 tons of sugar is unaccounted for?

(b) If the answer to part (a) be in the affirmative, will Government be pleased to state what steps they propose taking to find out what has happened to these 40,000 tons of sugar?

(c) If the answer to part (a) be in the negative, do Government propose to have an enquiry made as to how the revenue of India has been affected by the entry of the above sugar in India and what steps are necessary to prevent the same in future?

(d) Is it a fact that whereas Government had estimated the import of sugar from Java during the whole year to be 90,000 maunds, so much as 40,000 tons of sugar from Java was imported during the months of April, May and June? What steps do Government propose taking to prevent such excessive import?

(e) Are Government aware that various States in Kathiawar are giving rebates in duty to importers of Java sugar? If not, are Government prepared to have an early enquiry made to find out which and how many of these States are giving rebates in duty?

(f) What is the extent of the loss which British India suffers by such import of sugar through Kathiawar ports and what steps do Government propose taking to prevent the same?

(g) Are Government aware that some prominent merchants in Bombay are carrying on a huge profitable business in sugar as a result of the rebates allowed to them from some Kathiawar ports? If so, what is being done to prevent this in future?

The Honourable Sir James Grigg: (a), (b) and (c). The Government of India have not seen the press reports to which the Honourable Member refers but they are aware that there is a difference between the amount of sugar stated to have been exported for India from Java during 1934-35 and the imports recorded in the Indian trade returns. The reasons for this difference are being investigated, but I would point out that the Java statistics include shipments to the foreign settlements in India as well as to other non-British-Indian ports, imports into which are not included in the Indian trade statistics.

(d) The Budget Estimates for 1934-35 were based on an estimated import of approximately 113,000 tons of sugar from all sources and the normal share of Java in such imports is about 75 per cent. The actual imports from Java during the first three months of the year amounted to 37,000 tons. As the Honourable Member is aware, a high protective duty is already levied on imports of foreign sugar and the fact that the revenue from this source is not declining at quite as rapid a rate as was anticipated does not of itself constitute a reason for taking any further steps.

(e), (f) and (g). I would refer the Honourable Member to the replies which I gave to the supplementary questions asked by Mr. Satyamurti on the 13th of September, 1935, in connection with his question No. 336.

Mr. S. Satyamurti: May I know if Government are now aware of the extent of loss up to date by the import of sugar through Kathiawar ports?

The Honourable Sir James Grigg: I am not quite sure I understand the question. Obviously, if sugar is imported even for consumption in the Kathiawar States, not through a British Indian port, we incur a loss of revenue on it. I have a general idea of the loss of revenue involved, but I cannot give it at all exactly. It is very serious of course.

Mr. S. Satyamurti: May I know, Sir, what is the definite answer to clause (g) of the question, whether some prominent merchants in Bombay are carrying on a huge profitable business in sugar, as a result of the rebates allowed to them from some Kathiawar ports?

The Honourable Sir James Grigg: That assumes that there are rebates.

Mr. S. Satyamurti: Are Government taking any steps, Sir?

The Honourable Sir James Grigg: Yes, Sir.

Mr. S. Satyamurti: What are they?

The Honourable Sir James Grigg: I will make a statement as soon as I can. I hoped to do so before now, but unfortunately I am not able to do so.

ALLOTMENT TO CENTRAL PROVINCES AND BERAR OUT OF THE RURAL DEVELOPMENT GRANT.

16. ***Mr. Ghansham Singh Gupta:** (a) Will Government please state the amount allotted to Central Provinces and Berar out of the Government of India grant of Rs. one crore for Rural Development?

(b) What is the basis followed in distributing the allotment?

(c) Have Government given any instructions to the various provincial Governments regarding the way in which those grants should be utilised?

(d) Are Government prepared to see that at least a decent portion of the grant is handed over to the District Councils to be spent in their respective areas for water supply and medical relief?

(e) Are Government aware of the urgent demand and great importance of consolidation of holdings in the Chhatisgarh Division of the Central Provinces, and are they prepared to advise the Central Provinces Government to spend a portion of the amount for that purpose?

(f) Are Government aware of the great scarcity of water for drinking and *nistar* in Chhattisgarh, that the same can be made available in many villages at a moderate cost, and are they prepared to advise the Central Provinces Government to spend a decent sum for this purpose in Chhatisgarh?

The Honourable Sir James Grigg: I would invite the attention of the Honourable Member to the statement laid on the table of the House on the 6th September, 1935, in reply to starred question No. 162 by Mr. Basanta Kumar Das. Copies of the statement were also circulated to all the Members of the House.

Mr. Ghansham Singh Gupta: Is any portion of that money given to District Councils?

The Honourable Sir James Grigg: The Honourable Member can see that if he looks under "Central Provinces" in the memorandum.

ABSENCE OF MUSLIM SUPERINTENDENTS IN THE ARMY HEADQUARTERS.

17. ***Mr. K. L. Gauba:** (a) What is the total number of Superintendents in the Army Headquarters?

(b) Is it a fact that the number of Superintendents is about 55?

(c) Is it a fact that not a single Superintendent is a Muslim?

(d) Is it a fact that Sikhs, Parsis and Hindus are represented in the cadre of Superintendents and not Muslims?

Mr. G. B. F. Tottenham: (a) and (b). 55, but two of these appointments are at present held in abeyance.

(c) and (d). Yes. One Muslim is now officiating as a Superintendent.

MUSLIM UPPER TIME-SCALE ASSISTANTS IN THE ARMY HEADQUARTERS.

18. ***Mr. K. L. Gauba:** (a) What is the number of appointments in the upper time-scale for First Division in the Army Headquarters?

(b) Is it a fact that only one, out of 30, is a Muslim?

Mr. G. R. F. Tottenham: (a) 29.

(b) No. There are two Muslims.

MUSLIM ASSISTANTS IN THE ARMY HEADQUARTERS.

19. ***Mr. K. L. Gauba:** (a) What is the total number of appointments in the First Division lower time-scale appointments in the Army Headquarters?

(b) Is it a fact that, out of fifty appointments, only six are Muslims?

Mr. G. R. F. Tottenham: (a) 156.

(b) No. Twelve are Muslims.

APPOINTMENT OF MEMBERS OF MINORITY COMMUNITIES TO THE POSTS LIKELY TO BE CREATED IN THE FOREIGN AND POLITICAL DEPARTMENT.

20. ***Mr. K. L. Gauba:** (a) Are Government at present considering, in view of the impending reforms, the conversion of the appointment of additional Deputy Secretary (Finance), Foreign and Political Department into a higher post and in this connection to create an additional post of Under Secretary (Finance)?

(b) Do Government intend to appoint officers from South India to these two posts?

(c) Are Government aware of the practically total absence of any members of the minority communities from the important financial posts at the Headquarters of Government, and are they prepared to consider, if suitable officers from such communities be available, to appoint to the two proposed posts, when created, members of the minority communities?

(d) Are Government aware that their policy of practically restricting selection to these posts to officers belonging to one part of the country, has given rise to dissatisfaction amongst other officers of all communities, who feel that their claims are seldom properly considered?

Sir Aubrey Metcalfe: (a) No decision has yet been reached as to the precise reorganisation to be made in connection with the impending Reforms.

(b) and (c). Communal and provincial considerations are not taken into account in making appointments to these posts which are filled strictly by selection after consideration of the merits of individual officers.

(d) No.

CERTAIN POSTS UNDER THE FINANCE DEPARTMENT HELD BY SOUTH INDIAN BRAHMSINS.

21. ***Mr. K. L. Gauba:** (a) Is it a fact that the following posts under the Finance Department are held by South Indian Brahmins:

(i) Financial Commissioner, Railways.

(ii) Director of Finance, Railways.

(iii) Controller of Railway Accounts.

(iv) Financial Adviser, Posts and Telegraphs.

- (v) Deputy Secretary (Finance), Foreign and Political Department,
- (vi) Deputy Financial Adviser, Military Finance, and
- (vii) Budget Officer, Finance Department?

(b) Are Government prepared to consider, when vacancies occur in these offices, the question of appointing non-South Indian officers to some of these posts?

(c) If the reply to part (b) be in the negative, are Government prepared to state that no suitable officer is available among non-South Indian officers for appointment to these posts?

(d) Are Government aware of the feeling amongst these officers that this preponderance of one section of the officers leads generally to further appointments to these posts of officers belonging to South India?

The Honourable Sir James Grigg: (a) (i), (ii) and (v) to (vii). Yes.

(iii) and (iv). No.

(b) Communal and provincial considerations are not taken into account in making appointments to these posts which are filled strictly by selection after consideration of the merits of individual officers.

(c) Does not arise.

(d) No.

Mr. S. Satyamurti: Sir, I do not put my question No. 22.

†22.*

SYSTEM OF SINGLE NON-TRANSFERABLE VOTES IN THE PLURAL CONSTITUENCIES IN MADRAS.

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

- (a) whether their attention has been drawn to the recommendation of the Madras Provincial Delimitation Committee, accepted by the Local Government, to the effect that in the plural member constituencies, including seats for the Harijans, the system of single non-transferable votes finds a place;
- (b) whether Government are aware of such a system in any other country;
- (c) whether Government have considered that the adoption of this system means the creation of separate electorates in the so-called joint electorates;
- (d) whether Government have considered that this system goes against the spirit, if not the letter, of the Poona Pact, to which His Majesty's Government is a party;
- (e) whether Government have considered that this system deprives the voter of as many votes as he should have as there are seats for which elections are to take place; and
- (f) whether Government will consult the opinion of this House, and place it before the authorities concerned, before the final decision is taken?

†Not put by the questioner.

The Honourable Sir Nripendra Sircar: (a) Yes.

(b) Government are not aware of any country where conditions exist similar to those prevailing in Madras.

(c), (d) and (e). The assertions made are expressions of opinion and Government are unable to comply with the demand for expression of their opinion, particularly because the question of the adoption of the single non-transferable vote for election under the new constitution is specifically included in the terms of reference given to the Indian Delimitation Committee and their Report has not yet been published.

(f) Government do not propose to consult the House on this matter so far as it relates to Provincial Legislatures. But in so far as it may be found to relate directly to the composition of the Federal Legislature the Honourable Member will have the opportunity of discussion which I have fully described in the answer given on the 10th September, 1935. to his question No. 228 (c).

Mr. S. Satyamurti: In elucidation of the last answer of the Honourable the Law Member, may I ask him whether Government will give an opportunity to this House, to discuss the proposals for election to the Provincial Legislatures in so far as those Legislatures are made constituencies for indirect election to the Federal Lower House?

The Honourable Sir Nripendra Sircar: I am afraid I am not in a position to make any further statement; but if my Honourable friend will put down a question, I will not ask for the usual notice—I shall answer it at short notice.

Mr. S. Satyamurti: With reference to the answer to clause (b) of the question, may I know whether, apart from similarity of conditions, Government are, as a matter of fact, aware of such a system of single non-transferable vote, in any civilised country in the world?

The Honourable Sir Nripendra Sircar: Part (b) is whether Government are aware of such a system in any other country.

Mr. S. Satyamurti: That is in plural member constituencies.

The Honourable Sir Nripendra Sircar: Yes; but that goes with part (a). In any case, the answer is "no".

Mr. Lalchand Navalrai: Will the Honourable Member enlighten this House if Government have laid down any definition of "Harijan" in each province?

The Honourable Sir Nripendra Sircar: Will the Honourable Member kindly enlighten me as to how it arises from this question?

Mr. Lalchand Navalrai: The Honourable Member will see that this question requires answers affecting the Harijans, therefore I put it.

The Honourable Sir Nripendra Sircar: I leave it to the Chair to decide whether it arises or not.

Mr. President (The Honourable Sir Abdur Rahim): In part (a) of the question, it is said "including seats for the Harijans".

The Honourable Sir Nripendra Sircar: Government have given no definition of Harijans; but in the schedules, the Harijan castes are specifically mentioned as to who they are: they are long documents, and my friend can read them.

CIRCULAR RE SUPPORT TO EMPIRE SHIPPING.

24. ***Mr. S. Satyamurti:** (a) Will Government be pleased to state whether it is a fact that they have issued a circular to all Local Governments and Administrations, asking them to advise the municipalities and local bodies under them to import the materials and goods required by them in Empire vessels, in order to assist and support Empire shipping?

(b) If the answer to part (a) be in the affirmative, will Government be pleased to state whether such a circular was issued by them in response to the suggestion of Mr. Runciman, the President of the Board of Trade to the Secretary of State or the Government of India to help British shipping at the present time?

(c) Will Government be pleased to state whether under the existing circumstances, support to Empire shipping in the overseas trade of India does not mean support to British shipping only?

(d) Will Government be pleased to state whether Indian shipping has any share in such overseas trade of India and if so, what is that share?

(e) Will Government be pleased to state whether they, or the people of India, receive or will receive any *quid pro quo* for the preference shown to Empire shipping and whether any concession in freights would be given to Indian shippers and merchants?

The Honourable Sir Muhammad Zafrullah Khan: (a) Yes. The attention of the Honourable Member is in this connection invited to the reply given on the 13th September, 1935, to starred question No. 369, asked by Pandit Sri Krishna Dutta Paliwal on the subject.

(b) The Honourable Member is referred to the statement made by the President of the Board of Trade in the House of Commons on the 3rd July, 1934, in which he referred to the difficulties experienced by British shipping and stated that it was essential to have the co-operation of the Dominions and India, whose views as to possible lines of action would be sought. It was in pursuance of this statement that the Government of India were addressed on the subject by the Secretary of State. For the sake of clearness, I may add that the term "British shipping" includes Indian and other Empire shipping.

(c) The term British shipping is synonymous with the term Empire shipping and includes all ships wholly owned by British subjects, wherever they are domiciled.

(d) Yes. The information is being collected and will be laid on the table in due course.

(e) India has the same interest as the rest of the British Empire, both in peace and war, in the well-being of Empire shipping, and the question of the grant of any special concession does not arise.

Mr. S. Satyamurti: With reference to the answer to clause (c) of the question, may I take it that, today so far as the facts go, this preference simply means British shipping, and so far as passenger service goes, only the P. & O.?

The Honourable Sir Muhammad Zafrullah Khan: I have already replied to that question.

Mr. N. M. Joshi: May I ask Government whether, in giving preference to Empire shipping, they will insist that those parts of the Empire will not prohibit Indian seamen being employed on their ships?

The Honourable Sir Muhammad Zafrullah Khan: I am afraid I am unable to follow the question.

Mr. N. M. Joshi: My question is, wherever Government gives preference to the shipping of the dominions and colonies and Great Britain, whether Government insist that there should be no prohibition of the employment of Indian seamen on the ships of those dominions.

The Honourable Sir Muhammad Zafrullah Khan: What preference have Government given which the Honourable Member refers to?

Mr. N. M. Joshi: You are recommending to Local Governments and administrations that their goods should be brought by Empire shipping; and, if you are giving them some concession, I want to know whether you insist upon Indian seamen being employed on their ships?

The Honourable Sir Muhammad Zafrullah Khan: No concessions are being given.

Mr. S. Satyamurti: With reference to the answer to clause (d) of the question, may I know whether the answer means that today the Indian shipping has no share in this kind of preference, that is to say, the recommendation to local administrations to import goods, they require, being imported by means of Empire shipping?

The Honourable Sir Muhammad Zafrullah Khan: I have said nothing which implies that Indian shipping will have no share in it. I have taken pains to explain that Empire shipping means and includes ships owned by British subjects wherever they might be domiciled.

Mr. S. Satyamurti: But, as a matter of fact, is there any part of Empire shipping which imports these goods which is owned or controlled by Indians?

The Honourable Sir Muhammad Zafrullah Khan: That is to say, are there any ocean-going Indian ships? My reply has been "yes", but detailed information is being collected.

Mr. S. Satyamurti: With reference to the answer to clause (e) of the question, apart from good will and similar phrases may I know whether, as a matter of fact, in brass tacks, we have received or are receiving any *quid pro quo* for this preference to Empire shipping recommended by the Government?

The Honourable Sir Muhammad Zafrullah Khan: May I submit that Government are not granting any preference to any particular company? There has been a letter to Local Governments and municipalities bringing to their notice the need of using Empire shipping in these matters.

Mr. S. Satyamurti: What is the consideration for it?

The Honourable Sir Muhammad Zafrullah Khan: The consideration is the need of the whole Empire together in their joint interests.

Mr. S. Satyamurti: *Minus India!*

The Honourable Sir Muhammad Zafrullah Khan: Including India.

Mr. N. M. Joshi: May I ask, in view of the fact that the Government of India have issued a circular saying that they should use materials imported by Empire shipping, whether the Government of India will exclude from the circular those dominions whose ships do not employ Indian seamen?

The Honourable Sir Muhammad Zafrullah Khan: No.

Mr. N. M. Joshi: May I ask, why not?

The Honourable Sir Muhammad Zafrullah Khan: There are several Indian companies that do not employ British seamen.

FREIGHT PAID TO THE BRITISH SHIPPING COMPANIES FOR THE IMPORT OF STORES AND MATERIALS.

25. ***Mr. S. Satyamurti:** Will Government be pleased to lay on the table a statement showing the total amount of freight per year paid by them to the British shipping companies for the import of Government and Railway stores and materials and for the carriage of species and bullion on Government account for the last five years?

The Honourable Sir Frank Noyce: The collection of complete information would necessitate a detailed examination of a large number of documents which Government are not prepared to undertake. The only figures readily available are those for the freight paid by the India Store Department, London, and I lay on the table a statement giving these figures.

Statement showing the payment for freight made by the India Store Department, London, to British Shipping Companies during the period 1930-31 to 1934-35. The figures exclude departmental surcharges.

	£
1930-31	229,359
1931-32	87,014
1932-33	40,320
1933-34	27,386
1934-35	30,482

AGREEMENT WITH THE BRITISH INDIA STEAM NAVIGATION COMPANY FOR THE CARRIAGE OF GOVERNMENT AND RAILWAY MATERIALS.

28. ***Mr. S. Satyamurti:** (a) Has there ever been an agreement between the Secretary of State for India and the British India Steam Navigation Co., Ltd., for the carriage of Government and Railway materials between ports on the coast of India?

(b) If so, when and on what terms?

(c) Is it a fact that there was such an agreement, dated the 14th February, 1906, on the subject?

(d) If so, what are the terms of the said agreement and is it still in operation?

(e) Will Government be pleased to lay on the table copies of any such agreements that might have been entered into between the Secretary of State or the Government of India on the one hand and shipping companies engaged in the coastal trade of India on the other for such purpose?

The Honourable Sir Muhammad Zafrullah Khan: The Honourable Member is referred to the information laid on the table of this House on the 30th August, 1934, in reply to Mr. Gaya Prasad Singh's question No. 599 asked on the 5rd April, 1934.

Subsequent to that date a contract for the transport of coal for the Burma Railways from Calcutta to Rangoon during 1935-36 was entered into by the Railway Board with Messrs. Mackinnon Mackenzie and Company. The relevant documents concerning that contract are laid on the table.

GOVERNMENT OF INDIA.

RAILWAY DEPARTMENT.

(RAILWAY BOARD.)

Conditions for Tenders for the transport of coal for State-managed Railways from Calcutta to Rangoon during 1935-36.

1. The quantity of cargo placed on board each steamer at Calcutta is to be decided by two Surveyors—one appointed by the Shippers and the other by the Shipping Company—and should the Surveyors disagree the decision of an Umpire appointed by them to be considered final. The fee of the Umpire is to be paid by the party against whom his decision is given.

2. No range of loading dates will be accepted. The Chief Mining Engineer, Railway Board, will declare about the 15th of each month his programme for the following month stating the number of steamers required and the actual dates on which they are to be ready to commence loading.

Failure on the part of the Tenderers to supply steamers on the dates named will render them liable to a penalty of Rs. 1,000 per running day for every day late.

3. Lay days for steamers loading in Kidderpore Docks and discharging at Rangoon combined to be on the basis of 21 weather working days—Sundays and Holidays excepted—for a 7,500 tons steamer subject to proviso regarding discharge contained in Clause 7. Delivery to be commenced and taken at the Port of discharge after the steamer is ready in every respect to discharge and after the usual twentyfour hours' notice has been given.

Lay days to be counted from the day the steamer has been actually berthed and is ready for loading coal after the usual twentyfour hours' notice of readiness has been given.

4. Shipping Companies are expected to load steamers up to their full carrying capacity and will not be allowed to carry coal or other cargo for other consignees. Delivery to be given in Rangoon in shipments of not less than 7,000 tons.

5. The Contract shall not be assigned or sub-let by the Contractor without the written permission of the Railway Board and in the event of the Contractor assigning or sub-letting the contract or any part thereof without such permission the Railway Board may by notice in writing to the Contractor terminate the contract.

6. The Shipping Company shall at their own cost provide all necessary baskets and shovels for the discharge of the said coal at Rangoon.

7. The Railway at the Port of discharge shall supply trucks or wagons or lighters to receive the coal *ex-ship*, but shall not be bound to accept the delivery at the rate of more than 1,000 tons per working day *and from only one steamer at a time*.

8. In order to provide a guarantee for the Government for the due fulfilment of the Contract the freight on one cargo shall be deducted and retained from the Contractor's first bill. This amount will be refunded when the full quantity contracted for has been transported.

9. The quantity of coal to be transported shall be "more or less", i.e., the Railway Board shall have the option of requiring transportation ten per cent. in excess of or ten per cent. less than the contracted quantity within the period of the contract, such option to be declared before the expiration of the first seven months of the period of the contract.

10. The Shipping Company will be required to enter into an agreement for the transportation of this quantity.

Calcutta 15th February, 1935.

No. 4.

To

The Commanding Officer of a British India Steam
Navigation Company's Steamer or other steamer.

RECEIVE on board from The Chief Mining Engineer, Railway Board, Calcutta,
the undermentioned Coal for A/c Burma Railways, Rangoon.

Full requirements of seaborne coal in bulk, estimated at 2,00,000 tons 1st April, 1935, to 31st March, 1936, Calcutta to Rangoon, to be shipped as mutually arranged at Kidderpore Docks.

Full freight at the rate of Rs. 3-14-0 per ton to be paid in Calcutta after completion of loading. The quantity of cargo coal placed on board each steamer at Calcutta to be decided by two Surveyors one appointed by the shippers and the other by Master or Agents of the steamer; and should the Surveyors disagree the decision of an Umpire appointed by them to be considered final. The fees for the Umpire to be paid by the party against whom his decision is given.

Conditions as per Tender.

Steamer is not accountable for weight or condition.

To be shipped as above

Freight Rs. 3-14-0 per ton of 20 cwt. payable here by shipper. Bills of Lading must state contents, and must be presented at this Office within four days of the Steamer's clearance, failing which any penalty levied by Customs in consequence of the non-entry in Export Manifest of the Goods, will be levied from shipper before signing Bills of Lading as also any penalty which may be incurred through erroneous description in Bill of Lading. No Bill of Lading signed for less than Rs. 5.

This Shipping Order is issued subject to the clauses appearing in British India Steam Navigation Company's Bill of Lading to be signed for Coal.

(Sd.) Mackinnon Mackenzie & Coy.

Mg. Agents.

RACIAL DISCRIMINATION IN THE MASTER-GENERAL OF THE ORDNANCE BRANCH.

27. *Mr. S. Satyamurti: (a) Will Government please state the number of (i) Indians, and (ii) Britishers, holding Superintendents' and First Division assistants' posts in the M. G. O. Branch, and the number in each category who, according to their confidential reports, are considered as fit for promotion to the next higher grades?

(b) Is it a fact that none of the British clerks in the M. G. O. Branch had passed the Public Service Commission examination, but entered Army Headquarters service with a mere educational certificate in their hands, not recognized by any University? If so, will Government please explain the reason for this racial discrimination between Indians and non-Indians, i.e., clerks belonging to Indian race, even though possessing the highest University degree, are made to pass the Public Service Commission for Army Headquarter service, while British clerks are exempted from such an obligation?

Mr. G. R. F. Tottenham: (a) There are eleven British and nine Indian Superintendents and eleven British and 54 Indian Assistants. I am not prepared to supply the confidential information asked for in the second part of the question.

(b) It is true that soldier clerks do not have to pass the Public Service Commission examination, but, as I have often explained before, the reason is that a certain proportion of the clerical establishments in Army Headquarters are required to possess military knowledge in addition to a satisfactory standard of general education. The latter is ensured by requiring them to obtain a first class Army school certificate, which has been accepted as sufficient by the educational authorities of the Government of India.

Mr. S. Satyamurti: May I know if such qualifications of military knowledge, apart from general educational knowledge, will be made applicable to Indian clerks also, and not only to British clerks?

Mr. G. R. F. Tottenham: Does the Honourable Member suggest that we might take Indian soldiers and employ them as clerks?

Mr. S. Satyamurti: What I want to know is why this distinction should be based on race?

Mr. G. R. F. Tottenham: There is no racial discrimination. As I said, it is a matter of requiring a certain amount of military knowledge in a proportion of the clerical establishments of Army Headquarters; at present that military knowledge combined with a sufficient standard of general education is only forthcoming from British soldiers.

Mr. S. Satyamurti: But have Government taken any steps to make it possible for Indians of similar qualifications to get these jobs?

Mr. G. R. F. Tottenham: That is why I started by asking whether it was the Honourable Member's intention to ask whether we were taking any steps to employ Indian soldiers as clerks: that matter is under consideration.

SUPERSESSION OF ASSISTANTS IN THE MASTER-GENERAL OF THE ORDNANCE BRANCH.

28. ***Mr. S. Satyamurti:** (a) Is it a fact that several First Division assistants in the M. G. O. Branch have recently been superseded in connection with the-filling of two vacancies in the upper time-scale? If so, why?

(b) Is it a fact that a very junior British assistant has been given charge of a section in preference to senior Indians? If so, why?

(c) Is it a fact that during the time of the former M. G. Os. and Officer Supervisor in charge of office establishment, there had not been a single case of supersession among clerks in the M. G. O. Branch?

(d) Will Government please state the number of cases of supersession during the last two years among clerks serving in (i) the various Secretariat offices of the Government of India. and (ii) the Army Headquarters Branches?

Mr. G. R. F. Tottenham: (a) The two vacancies were filled by Indian clerks who superseded certain other clerks who were not considered fit for promotion.

(b) and (c). No.

(d) The collection of the information asked for would entail an expenditure of time and labour which would be incommensurate with the value of the result.

Mr. S. Satyamurti: May I know, Sir, if this supersession is based only on merits, and not on racial considerations at all?

Mr. G. R. F. Tottenham: Yes, Sir; on merits.

ARTICLE IN THE *INDIAN EXPRESS* OF MADRAS ENTITLED "PROPAGANDA FILMS PLANS".

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

(a) whether their attention has been drawn to the accompanying extracts† from the *Indian Express* of Madras, dated the 30th August, 1935, entitled "Propaganda Films Plans";

(b) whether they are aware that one of the main objects of the campaign is to carry on an indirect propaganda in favour of the various Imperialist Governments in the West to emphasise the White Man's mission and burden in the Colonial countries;

(c) whether they are aware that this campaign has the blessings of several missionary societies working in India;

(d) whether they are aware that these films will portray the 'miserable life', the 'superstitious belief', the 'unwholesome habits', the 'dogmatic religions', etc., of Indians; and

(e) whether Government have taken any action or propose to take any action, and if not, why not?

†Sent to the Department concerned.

The Honourable Sir Henry Craik: (a) I have seen a copy of the *Indian Express*, dated the 30th August, 1935, but it does not contain any article headed "Propaganda Film Plans". Presumably the article was similar to that which appeared in the *Madras Mail* of the 23rd of November to which the Honourable Member drew my attention.

(b), (c) and (d). A reply to the article, which appeared in the *Madras Mail* and to which I have referred, was published by the Chairman of the Missionary Film Committee in the *Madras Mail* of the 30th November, from which it will be seen that the account of the film given in the previous articles was incorrect. Government are making further enquiries from the Government of Madras regarding the film, but so far I have received no information tending to show that the film would be in any way objectionable. There is, therefore, no need for Government to take any action at present.

Mr. S. Satyamurti: Will Government pursue their inquiries further and satisfy themselves before the film is released, that it is not actually objectionable from any relevant Indian point of view?

The Honourable Sir Henry Craik: Yes, Sir; we are pursuing our inquiries.

WORKING OF THE REFORMS OFFICE.

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

- (a) how long the Reforms Office has been working and what the cost of working the same up to date is;
- (b) the superior staff now working in the Reforms Office;
- (c) the nature and scope of the work now being done by the Reforms Office, after the passing of the Government of India Act;
- (d) what part of the work of implementing the Reforms is being done by the Local Governments;
- (e) how long the Reforms Office is proposed to be kept up; and
- (f) whether Government have considered the possibility of abolishing the office, and getting the work done by the departments of the Government in the course of their ordinary duties?

The Honourable Sir Nripendra Sircar: (a) and (e). I invite the attention of the Honourable Member to the replies given by me to parts (a), (b) and (c) of starred question No. 910 on the 21st March, 1935. The estimated expenditure of the Reforms Office during the year 1935-36 is Rs. 3,15,350.

(b) I lay a statement on the table.

(c) The Reforms Office is now engaged on the work connected with the creation of the new provinces of Sind and Orissa, the separation of Burma, the inauguration of Provincial Autonomy and the transitional Central Government including electoral arrangements for the Provinces and the Centre and the revision of all Statutes, laws, bye-laws and rules in order to bring them into line with the new constitution.

(d) The Provincial Governments are dealing, under the guidance and direction of the Government of India, with questions connected with the establishment of Provincial Autonomy in their respective Provinces including the preparation of provisional electoral rolls for the new Provincial Legislatures and the revision of Provincial enactments.

(f) Full use is being made of the departments of the Government of India in dealing with subjects relative to the introduction of the new constitution with which they are immediately concerned, but it would not yet be practicable to do without the Reforms Office.

Statement.

Superior staff working in the Reforms Office.

One Reforms Commissioner.
 One Additional Secretary.
 Two Joint Secretaries.
 One Officer on Special Duty (Law Revision).
 One Under Secretary.

Mr. S. Satyamurti: With reference to the answer to part (e) of the question, may I know how long this Reforms Office is proposed to be kept up?

The Honourable Sir Nripendra Sircar: I am unable to give a definite date or even an approximate date when we shall be able to do without the Reforms Office. I have indicated the matters which they are taking up, and it is not possible to form an exact estimate of the length of time this office will have to be kept.

Mr. S. Satyamurti: May I know, Sir, when the Provincial elections are likely to take place, according to the time-table of the Reforms Office?

The Honourable Sir Nripendra Sircar: The dates for Provincial elections have not been fixed at all.

Mr. S. Satyamurti: May I know what the Reforms Office is working at with regard to the Provincial elections? Have they any idea themselves as to when the Provincial elections are likely to take place? What are they doing?

Mr. M. Ananthasayanam Ayyangar: Was there a conference of Reforms Officers from several provinces held in the month of January this year in Delhi?

The Honourable Sir Nripendra Sircar: Yes, Sir.

Mr. M. Ananthasayanam Ayyangar: For what purpose? On what business?

The Honourable Sir Nripendra Sircar: Business of dealing with reforms?

Mr. M. Ananthasayanam Ayyangar: Were there any special conclusions arrived at?

(No reply).

POSITION IN RESPECT OF EXPORT OF SILVER.

31. ***Mr. S. Satyamurti:** Will the Honourable the Finance Member be pleased to state:

- (a) whether he is watching the silver situation, especially in the Bombay market, and what steps Government propose to take;
- (b) whether any attempt is to be made to control or prohibit the export of silver from the country; and
- (c) what the latest position in the matter is?

The Honourable Sir James Grigg: (a) The answer to the first part is in the affirmative. As regards the second the Government will take whatever action they think necessary whenever they think it necessary.

(b) and (c). Conditions have completely changed since the Honourable Member put his question on the paper.

Mr. S. Satyamurti: What is the latest position?

The Honourable Sir James Grigg: Bombay prices are at London import parity so that there are not exports of silver, but imports.

Mr. S. Satyamurti: Are Government going to control the import of silver?

The Honourable Sir James Grigg: An import duty is already in existence.

Mr. S. Satyamurti: Are they going to increase it?

The Honourable Sir James Grigg: I could not tell you that.

Seth Govind Das: Don't they think it necessary to take some action in this respect? Don't they think that the time has come when they should take some steps in this matter, and, if they think that the time has not come even now, when do they think that the time will come?

The Honourable Sir James Grigg: I have already answered that question.

GOVERNMENT OF INDIA SECURITIES AND THEIR POSITION IN THE MARKET.

32. ***Mr. S. Satyamurti:** Will the Honourable the Finance Member be pleased to state:

- (a) whether he is watching the situation with regard to the Government of India securities and their position in the market;
- (b) if any steps are proposed to be taken to stabilise the same; and
- (c) what the latest position in the matter is?

The Honourable Sir James Grigg: (a) Yes.

(b) I regret I do not follow the Honourable Member. The prices of the securities will naturally vary from time to time with reference to various factors.

(c) The commercial columns of almost any newspaper will give the Honourable Member what, I presume, he wants.

ARREST OF CERTAIN INDIAN AND BRITISH SUBJECTS BY ITALIANS.

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

(a) whether their attention was drawn to a message from Eritrea to the effect that fifteen Indians and British subjects had been arrested by Italians for alleged sending a despatch to Aden, advising merchants there not to ship further merchandise to Massawa (Eritrea);

(b) whether Government took any action in this matter;

(c) what the result of that action is; and

(d) if they have not taken any action, the reasons why they have not done so?

Sir Aubrey Metcalfe: (a) Yes.

(b) and (c). Enquiries which have been made, show that no Indians were arrested in Eritrea. As a measure of public order, however, two Indian traders were detained at Massawa for two days and their business was ordered to be closed for five days on the ground that they had artificially increased the prices of essential foodstuffs.

(d) Does not arise.

Mr. S. Satyamurti: Are they carrying on their business now?

Sir Aubrey Metcalfe: I understand that they had been only kept under detention for two days, and their business was stopped for five days. That all occurred a good many weeks ago.

ADULTERATION OF DRUGS.

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

(a) whether they have received any representation from the Secretary, Federation of Indian Chambers of Commerce and Industry, on the subject of adulteration of drugs; and

(b) whether they propose to take any action in the matter, and if so, what?

Sir Girja Shankar Bajpai: (a) and (b). The position of the Government of India in the matter is stated in a letter, dated the 27th November, 1935, addressed to Local Governments, a copy of which has been placed in the Library of the House. Replies to this letter were called for by the 31st of January and are not yet complete. The Government of India have already signified their willingness to make a beginning with a Section of the Central Laboratory for the testing of biochemical drugs and provision for this will be made in next year's budget, subject to the Assembly voting the funds. Whether any further action on their part is needed will be determined on receipt of the replies to the letter of the 27th November.

Mr. S. Satyamurti: Are Government contemplating any legislation?

Sir Girja Shankar Bajpai: No, Sir, they are not contemplating any legislation.

Dr. T. S. S. Rajan: When are their replies likely to be received by the Government of India?

Sir Girja Shankar Bajpai: I have already stated that we had asked the Local Governments to send their replies by the 31st of January last, but many of the Local Governments, unfortunately, have not kept to that time.

Dr. T. S. S. Rajan: So you cannot give us an idea?

Sir Girja Shankar Bajpai: I only hope that the Local Governments will be as prompt in their replies as Honourable Members wish the Government of India to be prompt in taking action.

Dr. N. B. Khare: Are you not hurrying them up?

Sir Girja Shankar Bajpai: My Honourable friend might share the labour with me. We have already addressed them in November.

ORGANISATION OF MARKETING METHODS IN AFGHANISTAN.

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

- (a) whether their attention has been drawn to the accompanying note† in the *Statesman* about the need for organising marketing methods in the bazars of Afghanistan on behalf of India; and
- (b) whether Government propose to take any action in the matter, and if so, what?

Sir Aubrey Metcalfe: (a) Yes.

(b) The suggestion in the article is that Indian merchants should send representatives to Afghan markets to study conditions there. This in itself does not call for any action by Government.

DISTURBANCES IN SECUNDERABAD.

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

- (a) what the latest position is with regard to the recent disturbances in Secunderabad;
- (b) what the causes of the disturbance were; and
- (c) whether Government propose to take any action to prevent recurrence of such disturbances in the future?

Sir Aubrey Metcalfe: (a) Normal conditions have prevailed since the 29th August.

(b) The cause of the disturbance was communal friction arising from a dispute over the route to be taken by a temple car. The route usually taken was blocked by a pandal, and the Muslim community objected to the use of an alternative route which led past a mosque.

(c) The local authorities have taken action which it is hoped will prevent recurrences of such disturbances.

Mr. S. Satyamurti: Has that action the consent of both the communities concerned?

Sir Aubrey Metcalfe: So far as I know, it has, but I cannot tell for certain.

Mr. S. Satyamurti: Will Government make enquiries and find out, so as to prevent future disturbances, that such action as the local authorities take has the consent of at least the better minds of both the communities?

Sir Aubrey Metcalfe: I will make enquiries, but I have no doubt that the local authorities have fully consulted both the communities before arriving at a conclusion in the matter.

TRADE AGREEMENT WITH GERMANY.

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

- (a) whether their attention has been drawn to the accompanying note[†] in the *Hindu* of the 24th August, 1935, regarding making a direct trade agreement with Germany;
- (b) whether in concluding agreements with other powers, Great Britain took into account how those agreements affected India's trade position; and
- (c) whether Government have considered the effect of such agreements by Britain without consulting India, and what action they propose to take in the matter?

The Honourable Sir Muhammad Zafrullah Khan: (a) Yes.

(b) Government have no reason to think that His Majesty's Government in the United Kingdom have been unmindful of India's interests or that these interests have been in any way prejudiced by any of the agreements recently concluded between the United Kingdom and other countries.

(c) Does not arise.

Mr. S. Satyamurti: Will Government make any specific enquiry, apart from their assumption, and find out whether, in concluding this agreement with Germany, the question how far that agreement is likely to affect India's trade position has been taken into account?

The Honourable Sir Muhammad Zafrullah Khan: That is a matter for the Government of India themselves to decide and the Government of India find that the agreement is not likely to affect India's trade position adversely.

Mr. S. Satyamurti: Have they examined the agreement and satisfied themselves that, as a matter of fact, it does not affect India's trade position adversely?

The Honourable Sir Muhammad Zafrullah Khan: So they hope.

[†] Sent to the Department concerned.

Mr. S. Satyamurti: I am not asking for a hope, but for an honest belief arrived at after an examination of all relevant factors.

The Honourable Sir Muhammad Zafrullah Khan: Yes.

ACTION TAKEN ON THE RECOMMENDATIONS OF THE TRANSPORT ADVISORY COUNCIL.

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

- (a) whether any action has been taken on the recommendations formulated by the Transport Advisory Council at its meetings on the 7th, 8th and 9th January, 1935;
- (b) the results of such action; and
- (c) whether it is proposed to review these recommendations with a view to evolve a more acceptable policy of co-ordinating rail and road transport?

The Honourable Sir Frank Noyce: (a) Yes.

(b) The Concise Statement of Policy adopted by the Council has been accepted by the Government of India and five Local Governments. It has been accepted with certain reservations by the remaining Local Governments. The question of amending the Indian Motor Vehicles Act, 1914, and the other questions on which the Council made subsidiary recommendations, have been taken up.

(c) It is too early yet to say whether the recommendations require review. A meeting of the Transport Advisory Council will probably be held in July or August next, and matters relating to road-rail co-ordination will doubtless be discussed then and at subsequent meetings.

Mr. S. Satyamurti: Have Government examined the position that railways can never pay, so long as roads are a provincial subject and railways a Central subject, and have Government considered the possibility of effecting some kind of reconciliation before Federation comes into being and they start fighting amongst themselves?

The Honourable Sir Frank Noyce: My Honourable friend is raising very wide questions of policy, but I can assure him that the fact that roads are a provincial subject and railways are a Central subject is very poignantly brought home to the Government of India when they study the returns of railway earnings.

Mr. S. Satyamurti: Have Government considered the question of co-ordinating transport and avoiding competition, at least unhealthy competition, between rail and road transport, and co-ordinating them with a view to getting the maximum benefit for this country from both forms of transport?

The Honourable Sir Frank Noyce: We are doing our best within the limits of the present and, may I add, the future constitution.

Mr. S. Satyamurti: Are Government going to alter those limits, and make it easier for them to reconcile these two apparently conflicting interests?

The Honourable Sir Frank Noyce: I am sorry I did not quite catch my Honourable friend's question.

Mr. S. Satyamurti: I am asking—the phrase used by my Honourable friend is “within the limits”—I am asking whether Government have considered or propose to consider altering these limits, with a view to evolving a really beneficent policy for the country as a whole, and not to make the centre and the units fight.

The Honourable Sir Frank Noyce: That would mean an alteration in the Government of India Act.

Mr. S. Satyamurti: And why not?

The Honourable Sir Frank Noyce: That is hardly a question for this Government.

Mr. S. Satyamurti: I wish to know if this Government may not address His Majesty's Government and ask for a revision of the Government of India Act. We are helpless, but the Government of India are not helpless I thought.

The Honourable Sir Frank Noyce: I must confess that that is hardly a question I feel competent to answer.

SECURING OF JUST TREATMENT FOR INDIAN EXPORTS AND IMPORTS.

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

- (a) whether their attention has been drawn to the speech of the President of the Indian Merchants' Chamber at the second quarterly meeting of that Chamber held on the 30th July, 1935;
- (b) whether Government have come to any conclusions on the points referred to therein;
- (c) whether they are aware that in many directions Indian interests have suffered through omission of any action on the part of Government;
- (d) whether they have come to any conclusions on the suggestion of an exchange pool, or of a system of licences both for imports and for exports; or assisting the export trade of the country by agreeing to place orders for some of their requirements with those countries which are capable of supplying them, and which are also in need of Indian produce;
- (e) whether it is a fact that India has been selling her produce abroad, and, with the price realised, is paying for more British goods imported into India than that purchased by Britain;
- (f) whether it is due to this factor that some of those countries have been obliged to place restrictions on Indian exports to them; and
- (g) whether Government have pressed or propose to press upon the Government of the United Kingdom to co-operate with them in securing just treatment for Indian exports and imports?

The Honourable Sir Muhammad Zafrullah Khan: (a) Yes.

(b) and (d). Yes. The Government of India are of opinion that the adoption of the suggestions referred to would not be in the interests of India.

(c) No.

(e) If the purport of the Honourable Member's question is to ascertain whether the value of imports from the United Kingdom into India exceeds the value of imports into the United Kingdom from India, the answer is in the affirmative.

(f) No.

(g) The Government of India do not agree with the Honourable Member's assumption that Indian exports and imports are the subject of unjust treatment.

Mr. S. Satyamurti: With reference to the answer to part (d) of the question, may I ask if the Honourable Member has had any consultation with the President of the Indian Merchants' Chamber or any representative of that Chamber, before rejecting all those suggestions?

The Honourable Sir Muhammad Zafrullah Khan: No personal consultation, but the Government of India are constantly in receipt of views of various Chambers on these questions.

Mr. S. Satyamurti: May I know whether the Honourable Member will discuss with the representatives of this very distinguished and representative Chamber, why they press these suggestions, and why Government feel they cannot accept them?

The Honourable Sir Muhammad Zafrullah Khan: I shall have to await a request from these Chambers for a discussion on the subject before I can answer the question of my Honourable friend.

DEVELOPMENT OF INDIAN INDUSTRIES.

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

- (a) whether their policy in respect of Indian industries still continues to be based on the recommendations of the Fiscal Commission of 1922;
- (b) whether it is a fact that the Chambers of Commerce in India as well as Non-Official Members of this House of all parties have complained that the policy was inadequate; and
- (c) whether Government propose to take any action to bring the policy into line with the real requirements of Indian industrial development?

The Honourable Sir Muhammad Zafrullah Khan: (a) and (c). Government's fiscal policy in respect of India's industries continues to be based on the principles laid down in the Resolution adopted by this House on February the 16th, 1923. No change is contemplated in that policy.

(b) Government are aware that certain Indian Chambers of Commerce as well as some Members of this House have complained of the above policy being inadequate.

Mr. S. Satyamurti: Have the Government of India, since the date of that Resolution,—that is, since 1923,—based on the recommendation of the Commission of 1922, re-examined this question in all its bearings any time?

The Honourable Sir Muhammad Zafrullah Khan: The Government of India have had to consider the question on various occasions when the question of protection to various industries came up.

Mr. S. Satyamurti: Apart from any individual industry asking for or obtaining or being refused protection, may I know whether the whole question of the entire policy of protection of Indian industries has ever been re-examined by the Government, since that Commission reported and this House adopted the Resolution of 1923?

The Honourable Sir Muhammad Zafrullah Khan: If my Honourable friend by re-examination means whether the Government have examined the question by going into it and seeing whether any change is or is not necessary by setting up an investigation into the matter, no.

Mr. S. Satyamurti: May I know if Government contemplate a re-examination of the whole matter in the near future?

The Honourable Sir Muhammad Zafrullah Khan: I have replied to that already. I have said that no change is contemplated in that policy.

Mr. Lalchand Navalrai: May I know from the Honourable Member whether, realising as the Government do the view of Members of this House and of the different Chambers of Commerce that the protection is inadequate, the Government have considered the question in that light?

The Honourable Sir Muhammad Zafrullah Khan: Yes. All the factors on which that view is based have been considered.

REVISION OF REVENUE DUTIES.

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

- (a) whether they are considering the question of revising revenue duties with a view to reducing them;
- (b) whether they have considered the effect of such reduction on Indian industrial development; and
- (c) whether, before coming to any conclusion on the subject, they propose to consult this House in the matter?

The Honourable Sir James Grigg: (a) and (b). I have nothing to add to the remarks which I made in this House on the 6th of March last (page 1777) and again on the 11th of March (pages 2152-2153).

(c) Any changes which may be proposed will be incorporated in a Bill which will be placed before the House.

Mr. S. Satyamurti: Charging my memory back just now—my Honourable friend will correct me if I am wrong—may I know if this question of revision of revenue duties is merely to evolve a scientific system, or is there any method behind that madness?

The Honourable Sir James Grigg: I find it a little difficult to answer questions about a non-existent revision, but I hope the answer to his questions will be when the revision ultimately takes place that it will be found to be a scientific revision and that there will be some method in the madness.

Mr. S. Satyamurti: May I know if that method is the Honourable Member's fondness for free trade?

The Honourable Sir James Grigg: Obviously whatever my theoretical views may be, they are not completely applicable to India.

PREVENTION OF THE LEAKAGE OF CUSTOMS REVENUE THROUGH INDIAN MARITIME STATES.

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

- (a) whether they have taken steps to prevent leakage of British Indian customs revenue through Indian maritime States;
- (b) what steps they have taken in this direction; and
- (c) whether adequate steps have been taken to secure effective administration of such arrangements so as to secure uniformity and prevent leakage?

The Honourable Sir James Grigg: (a), (b) and (c). I can assure the Honourable Member that the question to which he refers is receiving very careful consideration, but I am not yet in a position to make a statement, with regard to the arrangements made with individual States.

Mr. S. Satyamurti: What is the total loss of Indian customs revenue which will compel the Honourable the Finance Member to take prompt action? How long does he propose to wait, what is the maximum he is prepared to lose?

The Honourable Sir James Grigg: As a matter of fact, I think the Honourable Member is slightly unfair. In some of the cases, action has been taken, and I hope, effective action, but action in regard to all the States is not complete, and I would prefer not to make any public statement until it is.

Mr. S. Satyamurti: May I know if the Honourable the Finance Member's hands are absolutely free, and if there are no political considerations being forced upon him to go slow in this matter?

The Honourable Sir James Grigg: No. There are no political considerations, Sir.

INCREASE IN FACILITIES FOR THE UNIVERSITY TRAINING CORPS.

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

- (a) whether their attention has been drawn to the Report of Interview and Record Board constituted for the Indian Military Examination held in March and April, 1935;
- (b) whether their particular attention has been drawn to a feature mentioned in the Report, namely, the increasing desire on the part of well-to-do business and professional classes to launch their sons on a military career;
- (c) whether in spite of their pre-existing handicaps, several of these youths impressed the Board as quite suited for a career in the Army;
- (d) whether in many cases the candidates had neglected all opportunities of playing games and profiting from the training imparted in the University Training Corps; and
- (e) whether Government propose to take steps to remedy this defect by increasing the facilities for the University Training Corps in the various Universities?

Mr. G. R. F. Tottenham: (a) to (d). Yes. I would add that Government have forwarded to the Information Bureaux of all Universities in India and Burma, extracts from the report of the Interview and Record Board on the points mentioned by the Honourable Member, and have requested those Bureaux to bring the matters mentioned to the notice of the Principals and Headmasters of all Colleges and Schools within their jurisdiction.

(e) The remedy for the shortcoming to which the Honourable Member refers lies with parents and educational authorities, and not with Government.

Mr. S. Satyamurti: May I know with reference to the answer to part (e) of the question, whether the Military Department are always willing to increase the facilities for the University Training Corps, whenever there is a legitimate demand for such increase of facilities?

Mr. G. R. F. Tottenham: That is a hypothetical question, but I do not think there is any reason for increasing the facilities, merely because certain people apparently have not taken advantage of the existing facilities. That is what was pointed out by the Interview and Record Board.

Mr. S. Satyamurti: So far as the province from which I have the honour to come is concerned, may I know if it is a fact that the Madras University Training Corps is always full up and they have been asking for increased facilities from the Army Department, and the Army Department is not willing to grant those facilities?

Mr. G. R. F. Tottenham: That seems hardly to arise out of the question. I am not aware of the facts. If the Honourable Member will put down a question, I will give him an answer.

SETTLEMENT OF THE INSTRUMENTS OF ACCESSION AND STATES WILLING TO JOIN THE FEDERATION.

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

- (a) whether negotiations are going on between the Government of India and individual States for the settlement of the Instruments of Accession;
- (b) how many States have so far agreed to join the Federation; and
- (c) at what stage the matter stands?

The Honourable Sir Nripendra Sircar: (a) and (c). The Government of India have not yet entered into negotiations with the States as various preliminary matters require to be settled before that stage is reached.

(b) Does not arise.

Mr. S. Satyamurti: Have the Government of India been considering any model Instruments of Accession?

The Honourable Sir Nripendra Sircar: Yes.

Mr. S. Satyamurti: At what stage does the consideration stand?

The Honourable Sir Nripendra Sircar: It is in the stage of consideration. We have not come to any final conclusion.

Mr. S. Satyamurti: Have such models been sent to the Rulers for their opinion?

The Honourable Sir Nripendra Sircar: To the best of my belief "No".

SHORT NOTICE QUESTION AND ANSWER.

AMENDMENT OF THE INDIAN COMPANIES ACT.

Mr. G. Morgan: Will the Honourable the Law Member be pleased to inform the House as to the subsequent procedure he has in mind regarding the contemplated reform of the Indian Companies Act, 1913?

The Honourable Sir Nripendra Sircar: The Committee of representatives of Mercantile Associations on the amendment of the Company Law concluded their deliberations at Delhi on the 26th January, 1936. As the result thereof considerable changes may have to be made in the suggestions provisionally put forward by Government before that Committee, for forming a basis for discussion and not as final conclusions. The drafting of the Bill will take a considerable time of which it is difficult to form an accurate estimate owing to the uncertain factor of the amount of work which the draftsman will find it necessary to handle during the progress of this Session of the Assembly.

I believe that it is likely that this House will decide to refer the Bill to a Select Committee.

Considering that the deliberations of the Select Committee are likely to be protracted on account of the nature of the Bill it will be inconvenient for Select Committee to meet while the Assembly is in Sessions.

As the amendment of the Insurance Law, which is a matter which ought not to be delayed, is being held up pending the amendment of Company Law, the only desirable course is to introduce the Bill and ask for a Select Committee during the present Session in order to enable the Select Committee to meet later on say in July or August 1936, leaving ample time for circulation of the Bill before the meeting of the Select Committee.

I am making every possible effort to ensure the drafting of the Bill being completed in time to permit its introduction during the present Session—and I have very strong hopes that this will be done.

After introduction of the Bill, the House will be in seisin of the matter, but I would request the House to help me by disposing of the motion for Select Committee this Session. I need hardly add that ample time will be given to the House for discussion before it is asked to give its decision on the motion for a Select Committee on the Bill.

UNSTARRED QUESTIONS AND ANSWERS.

INCOME AND EXPENDITURE OF THE CANTONMENT BOARDS AND CORPORATIONS IN THE EASTERN COMMAND.

1. **Pandit Krishna Kant Malaviya:** (a) Will Government be pleased to state the annual income and expenditure of the Cantonment Boards and Corporations in the Eastern Command for the following years:

- (1) 1920-1921,
- (2) 1921-1922,
- (3) 1922-1923,
- (4) 1923-1924,
- (5) 1931-1932,
- (6) 1932-1933,
- (7) 1933-1934, and
- (8) 1934-1935?

(b) Are Government prepared to exercise powers under section 280 of the Cantonments Act (1924) and further amend Chapter V of the Cantonment Account Code, 1924 by making rules for maintaining progress report executed by Cantonment Authority in such form as may be prescribed for the purpose?

Mr. G. R. F. Tottenham: (a) It would entail a great deal of clerical work to collect the information required by the Honourable Member and the result would not be commensurate with the time and labour involved.

(b) No, Sir: A rule, as suggested by the Honourable Member, is not a matter for incorporation in the Cantonment Account Code, 1924. A progress report can be called for in individual cases under section 46 (c) of the Cantonments Act, 1924.

DEFENCE OF BURMA AFTER SEPARATION FROM INDIA.

2. **U Thein Maung:** (a) Will Government please state:

- (i) whether they have considered the question of the defence of Burma after separation from India; and
 - (ii) whether they have formulated any scheme therefor?
- (b) If they have formulated such a scheme, will they please lay it on the table and state whether the Legislature of Burma would be given an opportunity to discuss it before its final adoption?

Mr. G. R. F. Tottenham: The question of the future defence of Burma is still under consideration, and no information can be given at present.

BURMANISATION OF THE DEFENCE FORCES IN BURMA.

†3. **U Thein Maung:** (a) Will Government please state if they have considered the question of Burmanizing the defence forces for Burma?

- (b) If the answer to part (a) be in the affirmative, will they please lay their scheme on the table and make a statement as to how and at what pace they propose to Burmanize them and state whether they would make a beginning before separation of Burma from India, *e.g.*, by training some Burmans for the army, the navy and the air force?

BURMANISATION OF THE MILITARY POLICE FORCE IN BURMA.

4. **U Thein Maung:** Will Government please state:

- (a) the strength of the military police force in Burma;
- (b) how far it has been Burmanized if at all; and
- (c) what their scheme is for its further Burmanization?

The Honourable Sir Henry Craik: (a) 11,812.

(b) Burmans—621; Karens—984; Other indigenous races—968.

(c) The scheme for further Burmanisation is under the consideration of the Government of Burma.

FINANCIAL SETTLEMENT BETWEEN BURMA AND THE SHAN STATES.

5. **U Thein Maung:** (a) With reference to the last sentence in paragraph 461 of the Report of the Joint Select Committee on Indian Constitutional Reform, will Government please state:

- (i) who are the officers on the Committee to advise the Governor of Burma as regards financial settlement between Burma and the Shan States;
- (ii) whether they have submitted their report; and
- (iii) whether the Legislature of Burma would be given an opportunity to discuss the report before its adoption by the Governor?

† For answer to this question, see answer to question No. 2.

(b) Will Government please lay the Committee's Report on the table now or when it is ready?

The Honourable Sir James Grigg: (a) (i) The members of the Committee are Mr. Clague, who is at present on duty with the Boundary Commission, the Finance Secretary to the Government of Burma and the Reforms Secretary to the Government of Burma.

(ii) They have not yet submitted their Report.

(iii) The settlement is to be made by Order-in-Council—*vide* section 386 (2) of the Government of India Act, 1935, and it will be for His Majesty's Government to decide what opportunity the Burma Legislature is to be given to discuss the settlement. The Committee has been appointed to advise the Governor of Burma and its Report may not be a suitable document for discussion by the Legislature.

(b) In view of the facts stated in (iii) above this also is a matter for the decision of His Majesty's Government.

REPAIRS AND RESTORATION OF THE MAHABODHI TEMPLE AT BUDDHA GAYA.

6. U Thein Maung: Will Government please state:

(a) whether the Mahabodhi Temple at Buddha Gaya was excavated, repaired and restored at the expense of

(i) the Government of India, and

(ii) the Government of Burma; and

(b) what was the cost of such excavation, repairs and restoration?

Sir Girja Shankar Bajpai: (a) The temple was restored at the expense of the Government of Bengal and the late King of Burma.

(b) The Government of Bengal spent about Rs. 2,00,000. The amount contributed by the King of Burma is not known.

PUBLIC WORKS DEPARTMENT OFFICER IN CHARGE OF MAHABODHI TEMPLE AT BUDDHA GAYA.

7. U Thein Maung: Will Government please state:

(a) whether an officer of the Public Works Department was in charge of the Mahabodhi Temple at Buddha Gaya after the said excavation, etc.; and

(b) when and why such an officer ceased to be in charge of it?

Sir Girja Shankar Bajpai: (a) and (b). The matter is not primarily the concern of the Government of India, but I understand that at one time the Government of Bengal appointed an officer of the Public Works Department to look after the temple and rest-house and in later years the local Public Works Department and the Mahant of the temple have acted jointly in this behalf, an arrangement which still continues.

CONTRIBUTIONS MADE TO BURMA OUT OF THE ROAD DEVELOPMENT FUND.

8. U Thein Maung: Will Government please state what contributions have been made to Burma out of the Road Development Fund during the last five years?

The Honourable Sir Frank Noyce: It is not quite clear what the Honourable Member means by "the last five years". Since March 1929 Burma and the Shan States have received as their share, and in grants from the Government of India's Reserve, in the Road Account, a total of Rs. 69.44 lakhs.

SUPPLY OF OPIUM TO BURMA.

9. **U Thein Maung:** (a) With reference to paragraph 1 in Annexure I (revised) to Howard-Nixon Memorandum, will Government please state whether India would cease, at the end of the calendar year 1935, to supply Burma with opium for purposes other than medical or scientific?

(b) If India would not cease to do so then, will Government please state the reason or reasons for continuing the supply and the time when the supply would be stopped?

Mr. A. H. Lloyd: (a) Paragraph 1 in Annexure I to the Memorandum quoted refers to the discontinuance of the export of opium to Far Eastern Countries, other than Burma, and not to the supply of opium from India to Burma after separation. It is not the intention of the Government of India to refuse after separation to supply opium to the Government of Burma for purposes other than medical or scientific, if the Government of Burma ask for such supplies.

(b) The declaration of 1926 was made at a time when Burma was an integral part of the Indian Empire, and referred to the discontinuance of exports of opium from the Indian Empire, as it then stood, to Far Eastern Countries. There is thus no reason for discontinuing the supply of opium to Burma.

MILITARY GRANTS AND REWARDS.

10. **Seth Haji Abdoola Haroon:** Will Government be pleased to state:

- (a) what is the definition of "Military Grants" and to whom are the grants made;
- (b) whether the Rewards are granted to the eligible persons in recognition of their services during the Great War, and, if so what Rewards in addition to their pensions or gratuities were given to *ex*-Military Officers and Soldiers whose names were mentioned in Despatches from Lieutenant General W. R. Marshall, K.C.B., K.C.S.I., dated the 15th April 1918, and those mentioned in Despatches by other Officers;
- (c) whether they are aware that the above-mentioned and other eligible Officers and Soldiers were, in recognition of their gallant and distinguished services in the Field, promised the awards of "Jangi Inam" or Land, etc., but they have not so far been awarded anything and their claims have been rejected on the grounds that lands or other Rewards allotted to Units concerned have been distributed;
- (d) whether they are prepared to allot fresh Land to the Units for distribution amongst the eligible persons or allow Jagir Allowance to the persons entitled, and if not, why not;

- (e) whether they are aware that "Military Grants" in Sind in Umarkot Taluka are in the form of plots of land given on instalment basis, and that no facilities in the payment of land revenue and instalment money are given to them, as in the Punjab, but on the other hand, if a particular instalment or land revenue for a particular year is not paid by the grantees even owing to loss of crops, their lands are forfeited and their pension money is attached;
- (f) whether they are prepared to refund their pensions and return their forfeited Lands, and if not, why not;
- (g) whether they are aware that *ex*-Military men who are granted lands in the British territory in recognition of their war services are required to obtain the permission of the Ruling Prince before they are allowed to migrate to the British territory to occupy such granted lands; and
- (h) if so, whether they are prepared to obtain the permission of the native States for the migration of the grantees of land; or to commute the land grants into pension according to paragraph 213-A of the Pension Regulations for the Army in India, and if not, why not?

Mr. G. R. F. Tottenham: (a) "Military Grants" of land are grants made to Indian military ranks and civilians permanently employed by the military authorities from an area placed at the disposal of the military authorities by Local Governments, or Indian States, in connection with their colonization schemes.

The grantees have to pay for the land and comply with the conditions laid down by the Local Government or States as regards tenure.

(b) 9,000 grants of land and 11,000 cash *inams* were awarded in 1920—1922 to selected Indian soldiers and followers who rendered distinguished service during the Great War. These awards are not to be confused with the "Military Grants" referred to in (a).

(c) The Honourable Member has been misinformed. No such promises were given.

(d) No. Government consider that the services of those who rendered distinguished service in the Great War have been adequately recognised by the awards referred to in (b).

(e) and (f). The Honourable Member has again been misinformed. Grants to military colonists were made in Umarkot Taluka in 1933 on the ordinary conditions of payment of ten per cent. of the value of the land in cash and the balance in ten equal instalments. The grants were subject to cancellation in case of failure to pay the instalments due. Several grantees have not paid a single instalment during the last two years although all possible concessions were made to them including the extension of the number of instalments from ten to twenty. No pensions have been attached, and only five grants have been cancelled for failure to pay the instalments. The liability to cancellation was one of the terms accepted by the colonists.

(g) and (h). Yes, and in some cases the Rulers were not prepared to allow their subjects to take up land grants in British India. In such cases the individuals in question were subsequently awarded *jangi inams* instead

of land. The war reward scheme is closed and Government are not prepared to reopen it.

DISABILITY PENSION TO MILITARY EMPLOYEES INVALIDED DURING THE GREAT WAR.

11. Seth Haji Abdoola Haroon: Will Government be pleased to state:

- (a) how many cases of pensions have been admitted by the Government since the publication of War Pensions Committee Report and what facilities are being given to the persons whose cases are governed by the items V, XII, XIX and XXI of the Committee's Report;
- (b) whether a holder of a *War Badge* and a *Sanad* of disablement in the Great War, signed by His Majesty the King and Emperor of India which reads as "No..... Served with honour and was disabled in the Great War.....Honourably discharged on....." and was discharged on account of illness or incapacity at his own request is entitled to draw a disability pension under item Nos. VIII or XII of the War Pensions Committee Report;
- (c) why Sub-Assistant Surgeons of the Indian Medical Department are not being given advantage of disability Pension Rules of 1922 [*vide* Army Instructions (India) No. 1056 of 1922], as per Government Orders on Item No. V of the War Pensions Committee Report; and
- (d) when they intend to apply items Nos. XV and XX of the War Pensions Committee Report?

Mr. G. R. F. Tottenham: (a) Though every possible facility has been given to pensioners to represent their cases, only 31 such cases put up as a result of the War Pensions Committee recommendations have proved to have substance.

(b) Ordinarily a man who is discharged at his own request has no claim to pension, but if it was subsequently proved that he was suffering from a pensionable disability attributable to military service his case for the grant of a disability pension would be sympathetically considered by Government.

(c) They are being given the advantage of these rules. In this connection please see Army Instruction (India) No. B.-204 of 1926.

(d) *Item XV* of the War Pensions Committee is still under discussion with the Secretary of State, but a decision is expected shortly.

Item XX—parts (a) and (b).—It has been decided that there is no necessity to define the term more precisely or to alter existing orders.

Part (c).—Paragraph 184 of Pension Regulations was amended in February, 1934, to accord with this Recommendation, and instructions were also issued to military formations.

PENSION TO SOLDIERS WHO REMAINED PRISONERS DURING THE GREAT WAR.

12. **Seth Haji Abdoola Haroon:** Is it not a fact that paragraph 1029-B (iv), Army Regulations (India), Volume I (1915 edition), as amended by October Appendix to India Army Orders, 1918 and paragraph 186 (iv) of the Pension Regulations for the Army in India provide pension for soldiers who remained as prisoner of war during the Great War and whose pay and allowances for the period of absence were restored and who were acquitted by the Court of Inquiry?

Mr. G. R. F. Tottenham: Yes.

DEMOBILIZATION CONCESSIONS TO CERTAIN SOLDIERS.

13. **Seth Haji Abdoola Haroon:** (a) Is it not a fact that during the period of Demobilization commencing from 1919 to 1921 all soldiers were informed that they can go on pension after ten years' service in the Military Department and that on their willingness for pension or gratuity they were permitted to go home, but when after patiently waiting for a certain period they applied for their pension, they were informed that as they were discharged at their own request no pension could be granted to them?

(b) If the answer to part (a) be in the affirmative, are Government prepared to grant Demobilization concessions to the individuals discharged under Demobilization period notwithstanding the entry, "Discharged at his own request", on their respective Discharge Certificates? Are Government aware that such entries were due to the misunderstanding of the clerks concerned?

(c) Will Government be pleased to state whether the present Pension Rules of the Indian Army equally apply to personnel of the Imperial Service Troops?

(d) Will Government please state why "Jangi Inam" allowance admissible for three lives is not allowed to the son of first and second recipient and is withheld in the case of female on re-marriage?

(e) Are Government aware that no advantage of orders contained in Army Instructions (India) Nos. 805 of 1920 and 1056 of 1922 has been given to Military pensioners who, at the time of their retirement have received the commuted value of their pensions at old Pension Rules? If so, are Government prepared to re-assess their pensions under the provisions of these Army Instructions?

(f) Are Government also aware that no commuted value of both the service and disability pensions is being given to the entitled retired soldiers, but instead thereof the commuted value of a single pension is being allowed? If so, why so?

Mr. G. R. F. Tottenham: (a) No.

(b) Does not arise.

(c) No.

(d) No *Jangi inam* is payable for three lives. The first holder nominates a second holder who must be in one of the prescribed degrees of relationship to the deceased soldier in recognition of whose services.

the *inam* was awarded, viz., widow, father, mother, son, daughter, grandson or grand-daughter. In the case of a female the *jangi inam* ceases on marriage or re-marriage on the analogy of the rule in the case of family pensions.

(e) and (f). No Indian troops with the exception of those whose homes are in Afghanistan are, or ever have been, allowed to commute their pensions.

COMPENSATION TO THE DEPENDANTS OF THE VICTIMS OF COLLISION OF MOTOR LORRY AND MAIL TRAIN NEAR BHADOI RAILWAY STATION.

14. Seth Haji Abdoola Haroon: Will Government be pleased to state whether any compensation has been allowed to the distressed and poor dependants of the victims of collision of Motor Lorry and 5-Up Mail Train at level crossing Gate No. 31, near Bhadoi Railway Station on the East Indian Railway, on the 6th June, 1933? If not, why not?

The Honourable Sir Muhammad Zafrullah Khan: No compensation was paid as the Railway Administration was not responsible for the accident.

EXAMINATION FEE CHARGED FOR CERTAIN POSTS IN THE ROYAL INDIAN ARMY SERVICE CORPS.

15. Seth Haji Abdoola Haroon: (a) Is it not a fact that applicants for the posts of clerks, storekeepers and checkers in the Royal Indian Army Service Corps are being charged an examination entrance fee of Rs. 5 (Rupees five only) with no surety of providing a job to the successful candidates and that till the occurrence of a vacancy they are always required to appear in each half-yearly competitive Departmental Examination, after payment of aforesaid fee for each Examination? If so, why?

(b) Is it not a fact that *ex*-Indian Superior Personnel of the Royal Indian Army Service Corps when applying for a job in the same Department are also being charged the Departmental Examination fee of Rs. 5 like new candidates and that in recognition of their services during the Great War no preferential treatment is being given to them in respect of age-limit and their appearance in the competitive Departmental test examination though they have sufficient experience of the post applied for?

(c) If the answer to part (b) be in the affirmative, are Government prepared to re-employ such personnel without any restriction of age-limit and their appearance in the aforesaid examination, provided they have more than three years approved service at their credit?

Mr. G. R. F. Tottenham: (a) A candidate who appears at a departmental entrance examination has to pay a fee of Rs. 5. If he obtains the minimum number of marks prescribed for qualifying for clerical and storekeeping appointments, he only has to pay half that fee if he appears at subsequent examinations which are normally held only once a year. A similar system is adopted for most open competitive examinations for entry to Government service.

(b) No. Though *ex*-Indian Superior Personnel of the Royal Indian Army Service Corps are charged a fee of Rs. 5, they are allowed to deduct the period of their service in that Corps from their age if they are over

the age-limit, time spent on active service counting double, and are also awarded grace marks for honours and awards, active service and ordinary service in the Corps.

(c) Does not arise.

NON-AGRICULTURIST POPULATION.

16. **Mr. Amarendra Nath Chattopadhyaya:** Will Government be pleased to lay on the table a statement showing the total non-agriculturist population of each province?

The Honourable Sir Henry Craik: The information asked for by the Honourable Member may be obtained from the provincial Census reports, copies of which are in the Library of the House.

UNEMPLOYED PERSONS.

17. **Mr. Amarendra Nath Chattopadhyaya:** Will Government be pleased to lay on the table a statement showing the total number of persons who are without any employment province by province?

The Honourable Sir Frank Noyce: I would refer the Honourable Member to the answer given by the Honourable Mr. Mitchell on the 11th September, 1935, to Mr. Asaf Ali's starred question No. 265.

SLAUGHTER OF COWS, OXEN, ETC.

18. **Mr. Amarendra Nath Chattopadhyaya:** Will Government be pleased to lay on the table a statement showing province by province the total number of cows, oxen, calves, goats, she-goats, lambs, slaughtered on an yearly average from the last five years for the consumption of Military population *per capita*?

Mr. G. R. F. Tottenham: The information asked for is not readily available and its collection will involve time and labour incommensurate with the result aimed at.

TINNED MILK AND TINNED MEAT IMPORTED TO INDIA.

19. **Mr. Amarendra Nath Chattopadhyaya:** Will Government be pleased to lay on the table a statement showing province by province the total quantity of tinned milk and tinned meat imported to India and the total cost of such imported articles on the average during the last five years?

The Honourable Sir Muhammad Zafrullah Khan: The available information is contained in the Annual Statement of the Seaborne Trade of British India, a copy of which is in the Library of the Legislature.

YARNS USED BY THE WEAVERS BY HANDLOOMS IMPORTED FROM ENGLAND AND OTHER FOREIGN COUNTRIES.

20. **Mr. Amarendra Nath Chattopadhyaya:** Will Government be pleased to lay on the table a statement showing province by province the total quantity of yarn used by the weavers by handlooms imported from England and other foreign countries and the total cost of such yarn?

The Honourable Sir Muhammad Zafrullah Khan: The information asked for by the Honourable Member is not available.

YARN EXPORTED TO FOREIGN COUNTRIES.

21. Mr. Amarendra Nath Chattopadhyaya: Will Government be pleased to lay on the table a statement showing province by province the total quantity of yarn exported to foreign land?

The Honourable Sir Muhammad Zafrullah Khan: The available information is contained in the Annual Statement of the Seaborne Trade of British India, a copy of which is in the Library of the Legislature.

COST OF SILK YARN IMPORTED FROM CERTAIN COUNTRIES.

22. Mr. Amarendra Nath Chattopadhyaya: Will Government be pleased to lay on the table a statement showing province by province the quantity and cost of silk yarn imported from England, France, Germany, Japan and China for wearing silk cloth?

The Honourable Sir Muhammad Zafrullah Khan: With your permission, Sir, I propose to reply to questions Nos. 22 and 23 together.

The available information is contained in the Annual Statement of the Seaborne Trade of British India, a copy of which is in the Library of the Legislature.

COTTON TEXTILE ARTICLES IMPORTED FROM CERTAIN COUNTRIES.

†23. Mr. Amarendra Nath Chattopadhyaya: Will Government be pleased to lay on the table a statement showing province by province the total quantity of cotton textile articles and their total cost imported from Great Britain, Ireland and Japan separately?

SPINNERS AND WEAVERS IN INDIA.

24. Mr. Amarendra Nath Chattopadhyaya: Will Government be pleased to lay on the table a statement showing the total number of (i) spinners (in cottage industries and mill industries), and (ii) weavers (in cottage industries and mill industries) in India and the average duty wages caused by them respectively *per capita*?

The Honourable Sir Frank Noyce: *First part.* The attention of the Honourable Member is invited to (a) page 257 of Part II of the Census of India, Volume I, 1931, and (b) Statement IV of Statistics of Factories, 1932. Copies of both these publications are available in the Library of the House. Statistics giving the numbers of spinners and of weavers separately are not available.

Second part. The attention of the Honourable Member is invited to Appendix IX of the Report of the Indian Tariff Board regarding the grant of protection to the Cotton Textile Industry, 1932, copies of which are available in the Library of the House. A statement, showing the average

† For answer to this question, see answer to question No. 22.

daily earnings in four selected occupations in the cotton mills in the Bombay Presidency in 1933, is appended. Similar information is not available for other provinces.

Average daily earnings in four selected occupations in the Cotton Mills in the Bombay Presidency in 1933.

Average daily earnings of					Remarks.
Centres.	Spinners (1 side).	Weavers (2 looms).	Reelers.	Winders.	
	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	
Bombay .	0 14 10	1 8 1	0 11 5	0 9 11	
Ahmedabad .	(a) 1 1 0	1 14 4	0 11 8	0 11 11	(a) Siders side, men and women.
Sholapur .	(b) 0 10 7	1 8 0	0 5 6	0 5 6	(b) Do., men.
Southern Maharastra countries.	(c) 0 8 1	0 15 3	0 6 8	0 6 3	(c) Do., men and women.
Khandesh .	(d) 0 10 4	1 4 2	0 8 3	0 7 2	(d) Do., men.
Gujarat .	(e) 0 12 9	1 10 6	0 9 8	0 8 7	(e) Do., men and women.

INDIANISATION OF ORDNANCE FACTORIES.

25. **Mr. Amarendra Nath Chattopadhyaya:** (a) Will Government please state what efforts are being made for the Indianisation of the Ordnance Factories?

(b) Will Government be pleased to lay on the table a list of Indians holding the posts of Assistant Foreman, Foreman and Assistant Works Manager, in the Ordnance Department? Are all these men departmentally promoted?

Mr. G. R. F. Tottenham: (a) The staff for the Ordnance Factories is now ordinarily recruited through the Public Service Commission, and there is no bar to the employment of Indians in these factories provided they possess the requisite technical qualifications. An improved scheme for the training of apprentices has been started in the factories with a view to securing a supply of qualified candidates for appointment to subordinate posts in them, and this will facilitate the process of Indianisation.

(b) There are at present 22 Indian (including six Anglo-Indian) Assistant Foremen and one Foreman, while one man who was recruited through the Public Service Commission is under training for appointment as Assistant Works Manager. With the exception of this man and one Assistant Foreman, all of these were departmentally promoted.

REVISION OF GRADES OF THE CHEMICAL AND PHYSICAL ASSISTANTS EMPLOYED IN THE ORDNANCE DEPARTMENT.

26. **Mr. Amarendra Nath Chattopadhyaya:** (a) What is the grade of the Indian Chemical Assistants in different Ordnance Factories and Ordnance

Inspection Department? Is it not a fact that, save and except the Ordnance Department, the Local as well as the Imperial Government have introduced the grade of Rs. 150 to Rs. 500, or somewhat modified grade for every Chemical Assistant irrespective of his nature of work? Why is this anomaly in the grade of Chemical Assistant in the Ordnance Department? Is it not that the present Metal and Steel Factory Laboratory is the oldest Metallurgical Laboratory in India? Why is it that the Chemical Assistant of Metal and Steel Factory is getting practically half the pay of the Chemical Assistant employed in the Alipore Test House and the Government Metallurgical Laboratory, Jamshedpur?

(b) Is it not a fact that the Ordnance Authority charge for their Chemical and Physical Report at the same rate as that of Test House, but they pay much less to their Chemical and Physical Assistants?

(c) Is it not a fact that the Stage Chemists of Metal and Steel Factory who are serving for the last 15 years are not yet made permanent?

(d) Is it a fact that they have not got any increment for the last ten years? If so, why?

(e) What steps have been taken by the Ordnance Authority for the gradual abolition of the lower grade permanent posts of Indian Chemists sanctioned by the Indian Munition Board?

(f) Will Government be pleased to state that when a Metallurgical Inspector has been provided in the Department, why is it that the Physical and Chemical Laboratory of Ishapore has not been placed under the Inspector?

(g) Do Government propose to consider the revision of grades of the Chemical and Physical Assistants employed in the Ordnance Department, so that their scale of pay may be brought in the same rank with those employed in other Government Departments?

Mr. G. R. F. Tottenham: (a) The grades of pay of Indian Chemical Assistants in the Ordnance Factories and Inspection Section establishment appointed to Government service before the 27th September, 1931, are as follows:

Ordnance Factories—

- 1st grade—Rs. 200—10—250, after 5 years Rs. 270.
- 2nd grade—Rs. 150—5—175, after 5 years Rs. 190.
- 3rd grade—Rs. 100—5—125, after 5 years Rs. 140.
- 4th grade—Rs. 70—5—100.

Inspection Section Establishment—

- 1st Chemist—Rs. 350—10—450.
- 2nd Chemist—Rs. 200—10—300—50/5—350.
- 3rd Chemist—Rs. 200—12½—250.
- 4th Chemist—Rs. 52½—7½—150 plus charge pay of Rs. 25 per mensem.

The Metal and Steel Factory Laboratory, old as it may be, deals almost entirely with routine work and manufacturing and informative tests and is on quite a different footing from the Test House at Alipore, or the Metallurgical Inspector's testing establishment at Jamshedpur. The grades of pay quoted by the Honourable Member are certainly correct for the personnel appointed to these establishments under the old scale which corresponds to those quoted above for the Ordnance Factories, but for the reason just given the question of any anomaly does not arise.

(b) No. Ordinarily no outside tests are carried out in the Factories' laboratories.

(c) and (d). Two temporary Stage Chemists are employed in temporary posts in the Metal and Steel Factory. One of them was entertained in 1921 and the other in 1935. The former reached the maximum of his grade in 1927, but the other has not yet qualified for his first increment.

(e) Of the seven posts concerned, two on Rs. 70—5—100 and two on Rs. 50—5/2—75 have already been abolished. The remaining three will be replaced by men on the extra establishment when the present incumbents vacate.

(f) An Assistant Inspector for the inspection of metals was appointed in March 1935. The question of what part of the Chemical Laboratory at Ishapore should be transferred to him is under consideration.

(g) The existing grades are considered adequate for the class of work undertaken and no revision is contemplated.

INTERMITTENT AND CONTINUOUS WORKERS ON CERTAIN RAILWAYS.

27. **Mr. V. V. Giri:** With reference to the reply to unstarred question No. 160 asked by Mr. B. B. Varma on the 9th March, 1935, regarding the staff classified as intermittent on the East Indian Railway, will Government be pleased to lay on the table same information regarding the Great Indian Peninsula, Eastern Bengal, Madras and Southern Mahratta, North Western and Bombay, Baroda and Central India Railways both in regard to intermittent workers and continuous workers separately?

The Honourable Sir Muhammad Zafrullah Khan: The information is not readily available and Government regret their inability to collect it as they do not consider that the expense and labour involved in getting it will be justified by the results to be obtained.

OVERTIME HOURS WORKED AND THE AMOUNT OF OVERTIME PAID UNDER HOURS OF EMPLOYMENT REGULATIONS ON EACH RAILWAY.

28. **Mr. V. V. Giri:** Will Government be pleased to lay on the table a statement showing the number of overtime hours worked and the amount of overtime paid under Hours of Employment Regulations during 1934-35, on each of the Railways where Regulations are in force?

The Honourable Sir Muhammad Zafrullah Khan: The information is not readily available. Government regret their inability to collect it as they do not consider that the expense and labour involved in getting it will

be justified by the results to be obtained. I would, however, give for the Honourable Member's information the following figures which were collected for 1932-33:

Railways.	Number of emp'oyces paid overtime.	Amount of over- time paid during 1932-33.
		Rs. a. p.
North Western	1,473	4,877 11 0
Eastern Bengal	1	0 11 0
Great Indian Peninsula	17	67 13 0
East Indian	620	3,170 0 0

ADDITIONAL STAFF RECRUITED ON EACH RAILWAY UNDER THE HOURS OF EMPLOYMENT REGULATIONS.

29. **Mr. V. V. Giri:** Will Government be pleased to state the number of additional staff actually recruited on each of the Railways where Hours of Employment Regulations have been enforced to implement the Regulations?

The Honourable Sir Muhammad Zafrullah Khan: The information asked for is not readily available and its compilation will involve an amount of labour and expense which will not be commensurate with the results likely to be achieved. I would, however, add that the approximate number of additional posts created to implement the Hours of Employment Regulations were as follows:

Railways.	No. of approximate additional posts created.
Madras and Southern Mahratta	429
North Western	1,644
East Indian	1,620
Bombay, Baroda and Central India	581
Eastern Bengal	553
Great Indian Peninsula	

LETTER ISSUED BY THE CENTRAL BOARD OF REVENUE RE RECRUITMENT FOR CUSTOMS PREVENTIVE SERVICE.

30. **Mr. V. V. Giri:** Will Government be pleased to lay on the table a copy of the letter issued by the Central Board of Revenue, dated the 4th October, 1935, addressed to the Collector of Customs, Calcutta, Bombay, Karachi and Madras on the subject of recruitment for Customs Preventive Service?

Mr. A. H. Lloyd: I regret that I do not see my way to comply with the Honourable Member's request.

NON-MATRICULATE PREVENTIVE AND ASSISTANT PREVENTIVE OFFICERS IN THE CUSTOMS DEPARTMENT OF CERTAIN PORTS.

31. Mr. V. V. Giri: Will Government be pleased to lay on the table a statement showing the names of Preventive and Assistant Preventive Officers in the Customs Department in Madras, Bombay, Karachi and Calcutta Ports not having the minimum educational qualification of Matriculation or equivalent standard?

Mr. A. H. Lloyd: Since the Government of India have been in direct control of the Customs Department no minimum educational qualification has been prescribed for Preventive Officers and Assistant Preventive Officers nor had such qualifications been prescribed prior to that date by any Local Government except that of Madras. Twelve officers serving in that port had not the minimum educational qualification mentioned by the Honourable Member at the time of their appointment and some of these were exempted from possessing the qualification by the Government of Madras when in control of the Customs Department of that province.

AVERAGE COST OF A POST IN TIME-SCALE OF PAY AND IN GRADED SCALE.

32. Mr. V. V. Giri: Will Government be pleased to state the formula given by the Government Actuary for working of average cost of a post in time-scale of pay and in graded scale respectively for pensionable and non-pensionable servants of Government?

The Honourable Sir James Grigg: I would invite the attention of the Honourable Member to the formulæ given in the Government of India's orders given below Fundamental Rule 9 (31) (c) on pages 25-26 of the Posts and Telegraphs Compilation of the Fundamental Rules, a copy of which is available in the Library of the House. Only the pay of the post is taken into the calculation and the average cost of pensionable and non-pensionable posts are calculated on the same formula.

SAVINGS EXPECTED BY INTRODUCTION OF NEW SCALES OF PAY.

33. Mr. V. V. Giri: (a) Will Government be pleased to lay on the table a statement showing the amount of ultimate savings expected by introduction of new scales of pay for inferior service, subordinate, workshop and gazetted service employees on each State-owned Class I Railway?

(b) Will Government be pleased to lay on the table the information on the above lines for each department of the Government of India together with particulars regarding percentage of expected savings in the pay bill on the present costs?

The Honourable Sir James Grigg: (a) Certain information is being collected by the Railway Board and such figures as are readily available in respect of savings on State-owned Class I Railways will be placed on the table of the House in due course.

(b) Government will also in due course place on the table such estimates as have been, or can readily be, made in respect of other departments of the Government of India.

STAFF EMPLOYED UNDER THE NEW AND OLD SCALES OF PAY.

34. Mr. V. V. Giri: Will Government be pleased to lay on the table a statement showing the number of staff in each class of service employed in each Department within the jurisdiction and control of the Central Government including Railways, Posts and Telegraphs, Commerce, Finance, Military, Customs, etc., under the new scales of pay and the old scales respectively?

The Honourable Sir Henry Craik: I regret I am unable to undertake to collect the information asked for by the Honourable Member as the labour involved would be incommensurate with the results.

STAFF ELIGIBLE TO JOIN THE STATE RAILWAY PROVIDENT FUND BUT NOT JOINED THE SAME.

35. Mr. V. V. Giri: Will Government be pleased to lay a statement on the table showing the number of staff eligible to join the State Railway Provident Fund membership but have not elected to join the same on each Class I Railway?

The Honourable Sir Muhammad Zafrullah Khan: With your permission, Sir, I propose to reply to questions Nos. 35 and 36 together. The information asked for is not readily available and Government regret their inability to collect it as they do not consider that the expense and labour involved in getting it will be justified by the results to be obtained.

MENIAL STAFF NOT ELIGIBLE TO JOIN THE STATE RAILWAY PROVIDENT FUND.

† **36. Mr. V. V. Giri:** Will Government be pleased to state the number of "menial" staff as defined by the State Railway Provident Fund Rules, not eligible to join the fund on each Class I Railway?

RETRENCHED STAFF AND EX-STRIKERS OF THE GREAT INDIAN PENINSULA RAILWAY AWAITING EMPLOYMENT.

37. Mr. V. V. Giri: Will Government be pleased to state the number of retrenched staff and the Great Indian Peninsula Railway *ex*-strikers respectively awaiting employment on each Class I Railway on 31st December, 1935, and the number of staff recruited after 1st July, 1935, upto 31st December, 1935?

The Honourable Sir Muhammad Zafrullah Khan: I am collecting information and will lay a reply on the table of the House in due course.

† For answer to this question, see answer to question No. 35.

RECOGNITION OF TRADE UNIONS AS PARTIES TO A DISPUTE UNDER THE TRADE DISPUTES ACT.

38. **Mr. V. V. Giri:** Will Government be pleased to state whether they propose to accept the Recommendation of the Railway Court of Inquiry of 1931, to recognise Trade Unions as parties to a dispute under Trade Disputes Act, and when they propose to amend the Act in the light of Whitley Commission Recommendations?

The Honourable Sir Frank Noyce: The matter is being considered in connection with the amendment of the Trade Disputes Act which is at present under examination. I am unable to say when an amending Bill will be ready for introduction in this House.

OFFICERS IN RECEIPT OF LEE CONCESSIONS ON CERTAIN RAILWAYS.

39. **Mr. V. V. Giri:** Will Government be pleased to lay on the table a statement showing the number of gazetted and non-gazetted officers respectively in receipt of Lee Concessions on each Class I Railway for the year 1934-35 and the respective amount of Lee Concessions received by each class for the same period?

The Honourable Sir Muhammad Zafrullah Khan: Government regret that the information required is not readily available and its collection will involve a considerable amount of labour. The following information, regarding officers of non-Asiatic domicile in Class I Railways (excluding the Jodhpur Railway and His Exalted Highness the Nizam's State Railway) was however collected for the year 1931-32 for the Railway Retrenchment Committee and may be taken as approximately correct for that year.

	In lakhs. Rs.
Cost of sterling overseas pay for officers of non-Asiatic domicile	41
Passages for officers of non-Asiatic domicile	7
Passages for subordinates of non-Asiatic domicile (Overseas pay is not admissible to subordinates).	2/3

LIST OF CERTAIN REGISTERED TRADE UNIONS.

40. **Mr. V. V. Giri:** Will Government be pleased to lay on the table a list of registered Trade Unions in each Province catering for railway workers, seamen, dock workers and motor and other transport workers separately for the period 1934-35 together with particulars regarding their respective membership, the annual income and expenditure of each Union and whether they are recognised by the employers concerned?

The Honourable Sir Frank Noyce: A statement containing the information required by the Honourable Member is placed on the table. Government have no information whether trade unions, other than those of the railway employees, are recognised by the employers concerned.

Statement showing particulars of membership, income and expenditure of registered trade unions in certain industrial groups during the year 1934-35.

Province.	Industrial Group.	Name of Union.	Membership as at the end of the year.	Income during the year.	Expenditure during the year.	Whether recognised or not.
Madras . . .	Railway . . .	The Madras and Southern Mahratta Railway Employees' Union, Madras.	7,858	Rs. 5,168	Rs. 6,276	Not recognised by the Agent, M. and S. M. Railway.
		The All-India and Burma Covenanted Non-gazetted Railway Services Association, Madras.	57	932	673	Recognised by the Agents, E. I., E. B. and G. I. P. Railways.
		The South Indian Railway Workers' Union, Trichinopoly.	2,922	3,065	2,737	Not recognised by the Agent, S. I. Railway.
	Seamen . . .	The South Indian Seamen's Union, Madras.	Registration cancelled in October, 1935. Particulars not available.			
	Dock Workers . . .	The Madras Port Trust Workers' Union, Madras.	96	260	512	
		The Cochin Labour Association, Calcutty, British Cochin.	82	622	569	
	Motor and other transport.	The Madras Electric Tramways and Supply Corporation Employees' Union, Madras.	173	1,064	1,354	
		The Gordon Woodroffe Dubosh Transport Workers' Union, Madras.	45	63	59	
Bengal . . .	Railway . . .	Bengal-Nagpur Railway Employees' Union.	1,055	1,074	1,313	Recognised by the Agent, B. N. Rail.
		Kanchrapara Railway Workmen's Union.	1,326	116	131	Recognised by the Agent, E. B. Rail.
		Eastern Bengal Railway Indian Employees' Association.	16,029	16,408	16,671	Ditto.
		Bengal-Nagpur Railway Indian Labour Union.	15,702	13,967	14,356	Recognised by the Agent, B. N. Rail.

Province.	Industrial Group.	Name of Union.	Membership as at the end of the year.	Income during the year.	Expenditure during the year.	Whether recognised or not.
<i>Bengal—contd. Railway—contd.</i>						
		Assam-Bengal Railway Indian Employees' Association.	579	Rs. 1,120	Rs. 1,463	Not recognised by the Agent, A. B. Rail- way.
		Eastern Bengal Railway Workers' Union.	Particulars not supplied by the Union.			
		East Indian Railway Workers' Union.	111	207	208	Not recognised by the Agent, E. I. Rail- way.
		East Indian Railway Employees' Association.	5,844	3,495	3,618	Recognised by the Agent, E. I. Rail- way.
		Railway and Factory Workers' Union.	493	216	211	No information.
<i>Seamen</i>						
		Indian Seamen's Union.	16,713	1,778	1,684	
		Indian Quartermasters' Union	2,393	11,960	11,655	
		Indian Seamen's League	Particulars not supplied by the Union.			
		Seamen's Welfare League of India	4,108	1,214	1,226	
		Bengal Mariners' Union	12,108	2,580	13,501	
		Calcutta Port Trust Employees' Association.	2,973	1,280	1,285	
		Dock Workers				
		Motor and other transport.				
		Calcutta Tramway Workers' Union.	3,147	921	915	
		Bengal Motor Workers' Union	174	264	269	
		Norfolk Motor Association	54	370	370	
		Gholsapur Drivers' and Conductors' Association.	113	206	206	
		Corporation Motor Vehicle Em- ployees' Association.	Registration cancelled in September 1935. Particulars not available.			
		Motor Transport Workers' Union, Bengal.	Particulars not supplied by the Union.			

United Provinces.	Pro-Railway	Bengal Rickshaw Union Cossipore Garriwan Sangha The East Indian Railway Men's Union, Lucknow.	68 108	171 49	166 48	Recognised by the Agent, E. I. Railway.
		} Particulars not supplied by the Unions.			} Recognised by the Agent, B. and N. W. Railway.	} Not recognised by the Agent, Burma Railways.
Burma .	Railway	The Bengal and North Western Railway Men's Association, Gorakhpur. The Burma Railways Employees' Union.	1,648	3,514	3,508	
	Seamen and other motor transport.	The Seamen's Union, Burma. The Burma Motor Drivers' Association.	259 106	227 137	227 160	
Bihar and Orissa.	Railway	The Rickshaw Owners' and Pullers' Association. East Indian Railway Union, Khatgaol.	422 487	1,213 1,395	1,161 683	Not recognised by the Agent, E. I. Railway.
Central Provinces.	Motor and transport.	The Central Provinces and Berar Motor Drivers' Association, Nagpur.	625	2	11	
Delhi .	Ditto	Taxi Owners and Drivers Union	202	Particulars not supplied by the Union.		

NOTE 1.—The statement is blank in respect of Aden, Ajmer-Merwara, Assam, Baluchistan, Coorg and the North-West Frontier Province.

NOTE 2.—Particulars of trade unions in Bombay and the Punjab are not available at present.

PREDOMINATION OF ONE COMMUNITY OVER OTHERS IN THE STAFF OF THE HOWRAH RAILWAY STATION.

41. Dr. N. B. Khare: (a) Will Government please place on the table a statement showing the number, pay with scales of the Gazetted and non-Gazetted Staff, communitywise, with the period of stay, employed on the East Indian Railway at Howrah Junction Station with reasons of predomination of any one community over the other communities?

(b) What action do Government propose to take to remove the predomination of one community? If none, why not?

The Honourable Sir Muhammad Zafrullah Khan: (a) and (b). The information is not readily available and Government do not consider any useful purpose will be served by collecting it. The posting of staff at a station depends among other factors on the suitability of staff and is a matter of detailed administration which must be left to the Railway Administration to decide. Government are not prepared to interfere.

STRENGTH OF STAFF ON THE EAST INDIAN RAILWAY.

42. Dr. N. B. Khare: Will Government please place on the table a comparative statement of the strength of Gazetted officers and non-Gazetted Supervising Staff on the East Indian Railway as it stood on 1st January, 1925, 1st October, 1925, and on 1st April, 1935?

The Honourable Sir Muhammad Zafrullah Khan: The information in respect of gazetted staff readily available will be found in the "Classified Lists of State Railway Establishment and Distribution Return of Establishment of all Railways" for the years 1925 and 1934, copies of which are in the Library of the House. The information regarding the non-gazetted supervising staff is not readily available and Government do not consider that the labour and expense involved in compiling it will be commensurate with the results likely to be obtained.

INCREASE IN WORKING EXPENSES ON THE EAST INDIAN RAILWAY.

43. Dr. N. B. Khare: Will Government please state the reason of the increase in working expenses on the East Indian Railway by '73 lakhs?

Mr. P. R. Rau: Unless my Honourable friend tells me to what period he is referring, I am unable to reply to this question.

RESERVATION OF NON-GAZETTED SUPERVISING POSTS FOR EUROPEANS AND ANGLO-INDIANS ON THE EAST INDIAN RAILWAY.

44. Dr. N. B. Khare: Will Government please state whether it is a fact that the non-Gazetted Supervising posts are exclusively reserved for European *cum* Anglo-Indians? If not, will Government please lay on the table a statement communitywise of the strength of the Supervising Staff recruited through the medium of Selection Board on the East Indian Railway on 1st January, 1934 and on 1st January, 1936 both temporary, and officiating or substantive permanent with pay and scale and in case of temporary or officiating, their substantive post with pay and scale?

The Honourable Sir Muhammad Zafrullah Khan: The answer to the first part of the question is in the negative. As regards the latter part,

Government understand that no Selection Boards were held in any of the offices on the East Indian Railway on the 1st January, 1934 and 1st January, 1936.

POWERS OF THE AGENT OF THE EAST INDIAN RAILWAY EXERCISED BY HIS PRINCIPAL OFFICERS.

45. **Dr. N. B. Khare:** (a) Has the attention of the Governor General in Council been invited to the East Indian Railway Agent's Circular No. 466, dated the 10th May, 1927, and if so, will Government please state whether the powers of an Agent of a State Railway are vested in the Agent, East Indian Railway alone, or in the Agent in Council (of principal officers)?

(b) Is it a fact that the Agent, East Indian Railway, has never exercised solo the powers vested in him; and if he has, when and where?

(c) Is it a fact that all the powers vested in the Agent, East Indian Railway, are exercised in his name by the:

- (i) Chief Operating Superintendent;
- (ii) Chief Commercial Manager;
- (iii) Chief Accounts Officer;
- (iv) Chief Engineer; and
- (v) Superintendent, Watch and Ward?

(d) Is it a fact that in order to carry out the policy and to exercise the powers vested in the Agent by these principal officers, a separate staff (senior and junior scale officers with clerks entailing an expenditure of several thousands rupees) is maintained by each principal officer over and above that employed in the Agent's office?

(e) Will Government state the reasons for the expenditure under the head Establishment of the said principal officers on abolition of the departmental system from February 1925?

(f) Do Government propose to have it investigated by an Independent duly elected Committee of the Members of this House; and if not, why not?

The Honourable Sir Muhammad Zafrullah Khan: I am collecting information and will lay a reply on the table of the House in due course.

WITHDRAWAL OF THE POWERS OF THE AGENT EXERCISED BY THE HEADS OF DEPARTMENTS ON THE INTRODUCTION OF THE DIVISIONAL SYSTEM ON THE EAST INDIAN RAILWAY.

46. **Dr. N. B. Khare:** Is it a fact that on introduction of divisional system on the East Indian Railway, the powers exercised by the Heads of Departments were withdrawn? If so, will Government please state:

- (a) whether the Divisional Superintendents are responsible directly to the Agent in establishment matters;
- (b) whether the following officers are empowered to intervene or override the Divisional Superintendents in establishment matters:
 - (i) the Chief Operating Superintendent;
 - (ii) the Chief Commercial Manager;

- (iii) the Chief Engineer;
 - (iv) the Chief Accounts Officer; and
 - (v) the Superintendent, Watch and Ward;
- and if so, under what notification?
- (c) if the answer to part (b) be in the affirmative, what justification is for abolishing the departmental system and having Divisional *cum* Departmental system on a higher expenditure during these hard days of financial stringency;
 - (d) the economy effected by introducing the Divisional System; and
 - (e) whether Government propose to revert to the District systems; and if not, why not?

The Honourable Sir Muhammad Zafrullah Khan: I am collecting information and will lay a reply on the table of the House in due course.

POWERS OF THE AGENT OF THE EAST INDIAN RAILWAY EXERCISED BY HIS PRINCIPAL OFFICERS.

47. Dr. N. B. Khare: Is it a fact that more than once Government informed this House that appeals addressed to the Officers on the East Indian Railway are dealt with by the said officer in person? If so, will Government please state:

- (a) whether it is a fact that the appeals addressed to the Agent, East Indian Railway, are always disposed of by his principal officers in terms of his Circular No. 466, dated the 10th May, 1927;
- (b) whether it is a fact that the principal officers on the East Indian Railway never gave any chance to the Agent to go through the appeals which were in order under the rules;
- (c) what justification Government have in having an Agent on the East Indian Railway in addition to principal officers; and
- (d) who is responsible for the acts of the Agent or the principal officer, when orders are signed by a principal officer for the Agent?

The Honourable Sir Muhammad Zafrullah Khan: The reply to the first part of the question is in the negative. Appeals addressed to officers on the East Indian Railway are dealt with by them personally when they lie to them under the rules. As regards the second part, the reply is as follows:

- (a) No.
- (b) Appeals are dealt with in accordance with the "Rules regulating discipline and rights of appeal of non-gazetted Railway servants". If under these rules an appeal lies to the Agent it is dealt with by him.
- (c) Principal officers do not carry out all the duties of the Agent, but only those in which powers have been delegated to them.

- (d) The principal officers are responsible to the Agent for their action and the Agent accepts responsibility on behalf of the Railway.

ESTABLISHMENT BRANCHES UNDER CERTAIN OFFICERS OF THE EAST INDIAN RAILWAY.

48. **Dr. N. B. Khare:** Will Government please state:

- (a) the justification in having an Establishment Branch by the following officers on the East Indian Railway:
- (i) Agent;
 - (ii) Chief Operating Superintendent;
 - (iii) Chief Commercial Manager;
 - (iv) Chief Engineer;
 - (v) Chief Mechanical Engineer;
 - (vi) Deputy Chief Mechanical Engineers, Lillooah and Jamalpur;
 - (vii) Chief Electrical Engineer;
 - (viii) Deputy Chief Electrical Engineer, Jamalpur;
 - (ix) Chief Accounts Officer;
 - (x) Deputy Chief Accounts Officer (Traffic);
 - (xi) Superintendent, Watch and Ward;
 - (xii) Divisional Superintendents, Howrah, Asansol, Dinapore, Jamalpur, Allahabad, Lucknow and Moradabad;
 - (xiii) Traffic Manager (Coal);
 - (xiv) Assistant Divisional Superintendent, Dhanbad; and
 - (xv) Divisional Accounts officers;
- (b) the strength of each Establishment Branch of the said 15 officers;
- (c) the expenditure of each Establishment Branch of the said 15 officers; and
- (d) the number of staff files maintained and dealt with by each Establishment Branch of the said 15 officers?

The Honourable Sir Muhammad Zafrullah Khan: (a), (b) and (c). Government have no information whether there are separate establishment branches under all the officers referred to in the question, the strength of such branches and the expenditure incurred thereon, but these are matters of detailed administration entirely within the competence of the Agent to whom I am sending a copy of the question for information and such action as he may consider necessary.

(d) The information required is not readily available and Government consider that its collection would involve an amount of labour and expense not likely to be justified by results.

SETTLEMENT OF DUES OF STAFF ON THE EAST INDIAN RAILWAY ON DISCHARGE.

49. **Dr. N. B. Khare:** (a) Will Government please state the policy and procedure of settlement of dues of staff on the East Indian Railway on discharge as per terms of agreement?

(b) Will Government please state whether it is a fact that on the East Indian Railway in general and in the Moradabad Division in particular the staff discharged as per terms of agreement are never paid on the date of termination of service but after months and years?

The Honourable Sir Muhammad Zafrullah Khan: (a) The policy is to arrange settlement as soon as practicable.

(b) Government have no reasons to believe that the staff on the termination of service on the East Indian Railway are harassed and not paid their dues as early as practicable.

DEPUTY AGENT DEALING WITH ESTABLISHMENT MATTERS ON THE EAST INDIAN RAILWAY.

50. Dr. N. B. Khare: (a) Is it a fact that in the Classified List of State Railway Establishment and Distribution Return of Establishment of all Railways corrected up to 31st December, 1934, the posts of Deputy Agents, Personnel, on the State-Managed Railways have been shown as "8 years tenure posts"?

(b) Is it also a fact that the Deputy Agent who deals with the establishment matters on the East Indian Railway has been exempted from holding a tenure post? If so, why?

(c) If the answers to parts (a) and (b) be in the affirmative, will Government please state the reasons for this exemption?

The Honourable Sir Muhammad Zafrullah Khan: (a) Yes.

(b) The orders declaring the posts of Deputy Agents on State-managed Railways as tenure posts were issued on the 28th February, 1934, and were not applicable to officers who had been confirmed as Deputy Agents prior to that date. The present Deputy Agent of the East Indian Railway having already been confirmed in that post from the 4th November, 1931, the orders referred to do not apply to him.

(c) Does not arise.

DOWN DUPLICATE DARJEELING MAIL FROM SILIGURI TO CALCUTTA RUN ON THE 30TH JUNE, 1935.

51. Dr. N. B. Khare: (a) Will Government please state whether a Down Duplicate Darjeeling Mail was run by the Eastern Bengal Railway from Siliguri to Calcutta, on the 30th June, 1935?

(b) Is it a fact that the travelling public were not permitted to travel by this Duplicate Mail?

(c) Is it also a fact that orders were issued for 2 Down Darjeeling Mail (the regular service) to act as Advance Pilot from Siliguri to Calcutta for the Down Duplicate Darjeeling Mail?

(d) Is it further a fact that a printed Notice, Special Train Notice No. 40 of 1935, marked 'Confidential', was issued over the signature of the Traffic Manager giving detailed instructions regarding the composition, advance pilot, setting of points, etc. of the Down Duplicate Darjeeling Mail?

(e) If the answers to parts (a) to (d) be in the affirmative, will Government please state whether the train that was run on the 30th June, 1935, from Siliguri to Calcutta was a Special Train or was it a Duplicate Mail Train run to clear the passengers left behind by the Mail Train?

(f) What action do Government propose to take to recover the amount due on this Special Train and against that staff who are responsible for this?

The Honourable Sir Muhammad Zafrullah Khan: (a) to (d) Yes.

(e) It was a duplicate mail train arranged to clear a large party and their luggage which could not be cleared by the ordinary train, the traffic offering for which was considerable.

(f) Does not arise.

SPECIAL CASUAL LEAVE GRANTED TO THE INFERIOR STAFF OF THE WATCH AND WARD DEPARTMENT OF THE EAST INDIAN RAILWAY.

52. Dr. N. B. Khare: (a) Is it a fact that the inferior staff of the Watch and Ward Department of the East Indian Railway are given special casual leave?

(b) Is this privilege extended to the inferior staff of the other departments on that Railway?

(c) If the answer to part (b) be in the negative, will Government please state the reasons for this differential treatment to one class of their employees?

(d) Are there any other privileges granted to the inferior staff of the Watch and Ward Department which are denied to the inferior staff of other Departments? If so, what?

(e) Are there any privileges granted to the subordinate staff of the Watch and Ward Department which are denied to the subordinates of other Departments, and if so, what?

(f) Do Government propose to extend the privilege of special casual leave to the inferior staff of the other Departments on the East Indian Railway, and if not, do Government propose to withdraw this preferential treatment with immediate effect, and if not, why not?

The Honourable Sir Muhammad Zafrullah Khan: (a) Yes.

(b) No.

(c) In the interests of efficiency the policy is to recruit the inferior staff for this Department at some distance from the locality in which they are to be employed but as leave admissible under the ordinary rules, is not sufficient to attract the particular type of men required, Government have sanctioned special casual leave.

(d) and (e). No.

(f) The reply to the first part of the question is in the negative. As regards the latter part, the question whether the concession granted to the Watch and Ward staff should continue is under consideration.

DISPOSAL OF APPEALS AGAINST ORDERS OF DISCHARGE ON STATE RAILWAYS.

53. Dr. N. B. Khare: (a) Will Government be pleased to state whether appeals against orders of discharge from the subordinate staff on the State-Managed Railways are disposed of on *prima facie* evidence?

(b) If the answer to part (a) be in the negative, will Government please state whether the Railway Department, when entertaining appeals, dispose of these appeals on the *prima facie* reasons for the action taken by the authorities concerned?

The Honourable Sir Muhammad Zafrullah Khan: The procedure for dealing with the appeals from non-gazetted railway staff is laid down in the "Rules regulating discipline and rights of appeal of non-gazetted Railway Servants", a copy of which is in the Library of the House.

POST OF DEPUTY CHIEF COMMERCIAL MANAGER, CLAIMS AND REFUNDS
EAST INDIAN RAILWAY.

54. **Dr. N. B. Khare:** (a) Is it a fact that in the Revised Estimate, 1934-35, and Budget Estimate, 1935-36. issued by the Railway Board and supplied to Members of this House, it is shown in Statement I, Commercial Branch, of the East Indian Railway, that the post of Deputy Chief Commercial Manager, Claims and Refunds, Rs. 1,750—50—2,000 or Rs. 1,950 fixed, has been "held in abeyance"?

(b) If the answer to part (a) be in the affirmative, will Government please state whether the post of Deputy Chief Commercial Manager, Claims and Refunds, has been successively filled by Messrs. D. H. Keelan and E. E. Ellis, and on the retirement of Mr. Ellis, by Mr. U. C. Sandys *vide* Railway Board's Notification No. E.II.-35. N.O.-13.I, published in the *Gazette of India*, dated the 17th August, 1935?

(c) Will Government please state how the Chief Accounts Officer of the East Indian Railway has passed the pay bill when it is distinctly stated that the post has been "held in abeyance"?

(d) What action do Government propose to take in the matter?

(e) Do Government propose to recover the amount paid against budget sanction from the pay and property of the Chief Accounts Officer? If not, why not?

The Honourable Sir Muhammad Zafrullah Khan: The post actually held in abeyance was that of Commercial Manager (Claims and Refunds) and not that of a Deputy Chief Commercial Manager (Claims and Refunds) and the remark 'held in abeyance' against the latter post was an error made in compilation. However, just as the mere provision made for an item in a budget does not constitute a sanction for expenditure, so also a mere statement in the budget 'held in abeyance' does not constitute an order to the railway concerned that the post should be held in abeyance. Separate formal orders are always issued to create or abolish a post or to hold it in abeyance, and it is these orders that constitute proper authority in the matter to the railway administration and to accounts and audit officers.

WATCH AND WARD DEPARTMENT ON THE EAST INDIAN RAILWAY.

55. **Dr. N. B. Khare:** (a) Arising out of the reply given in this House to starred question No. 1443 on the 4th April, 1935, will Government please state whether the following instructions were sent by the Railway Board to the Agent of the East Indian Railway:

"I am directed to say that after a careful consideration of the question the Railway Board have come to the conclusion that there are no substantial grounds for maintaining the Watch and Ward organisation on your railway in the existing form and that steps should be taken to bring the organisation into line with that on the Great Indian Peninsula Railway.

The Board have also decided that the posts of Superintendent, Watch and Ward, and Assistant Superintendent, Watch and Ward, should be abolished from the date of final retirement of Mr. L. Withinshaw, i.e., 22nd August, 1935, as they consider that two gazetted officers should be sufficient for the organisation on the East Indian Railway, viz., one Deputy Superintendent in the scale Rs. 1,250—1,500 and one Lower Gazetted Service Officer in the scale of Rs. 350—30—800”?

(b) If the answer to part (a) be in the affirmative, will Government please state whether their orders have been given effect to from the 22nd August, 1935?

(c) Will Government please state the reasons for keeping the scales of pay of the Deputy and the Lower Gazetted Officer on the old scale of pay instead of the revised scale? Is this in keeping with the policy of Government in the other departments on the State-Managed Railways?

(d) Is it a fact that a proposal has been put forward to retain the post of Superintendent but to abolish that of the Deputy?

(e) Will Government please state whether the Watch and Ward organisation on the East Indian Railway will be placed under the Traffic Department as is done on the other State-Managed Railways, and if not, will Government please state the reasons for this departure of procedure?

The Honourable Sir Muhammad Zafrullah Khan: I am collecting information and will lay a reply on the table of the House, in due course.

GRANT OF LEAVE TO THE STAFF OF THE IMPERIAL LIBRARY, CALCUTTA.

56. Dr. N. B. Khare: (a) Will Government please state whether a leave reserve staff is provided for the purpose of replacing casualties as well as to enable the staff of the Imperial Library, Calcutta, to get recorded leave?

(b) Is it a fact that leave is frequently refused to the clerical staff on the plea that no relief is available or that funds are not available?

(c) Is it further a fact that over Rs. 1,000 are earned annually by the Imperial Library in the shape of interest on deposits placed with it against loan of books?

(d) If the answers to parts (a) to (c) be in the affirmative, are Government prepared to consider the advisability of utilising some of the amount received as interest so as to enable the staff to readily obtain leave? If not, what arrangements do Government propose to make?

Sir Girja Shankar Bajpai: (a) and (b). No.

(c) No. a sum of Rs. 440 approximately is received annually on account of interest on deposits placed with the Imperial Library, Calcutta, as security against books issued from it on loan. Government have decided to add an approximately equal amount, namely, Rs. 500 to the Library budget every year.

(d) In view of the answer to part (b) this does not arise.

HEAVY CONSUMPTION OF COAL BY DRIVERS ON THE EASTERN BENGAL RAILWAY

57. Dr. N. B. Khare: (a) Will Government please state whether it is the procedure on the Eastern Bengal Railway to take disciplinary action against drivers “for being heavy on coal”?

(b) Is it a fact that "heavy on coal" can be due to mechanical defects in the engine, such as, smoke-boxes drawing in air, joints in the smoke-boxes blowing, defects in the boiler, etc., as well as to the use of inferior quality of coal?

(c) If the answer to part (b) be in the affirmative, will Government please state whether drivers have logged the mechanical defects found in their engines in the Engine Repairs Book?

(d) If the answers to part (a) and the second part of part (c) be in the affirmative, will Government please state whether:

(i) a proper inquiry is held by the District Loco. Superintendent with a view to ascertaining the actual causes of the heavy consumption of coal before inflicting any punishment on the driver;

(ii) the driver is called upon to explain in writing the reasons for the increased consumption of coal before any disciplinary action is taken;

(iii) drivers have been punished for heavy consumption of coal without first obtaining their written defence;

(iv) there is any rule which lays down that when an engine is heavy on fuel consumption, the District Loco. Superintendent must travel on the engine to locate the defects, and if so, whether this rule is observed;

(v) the Loco. Foreman, the Fuel Inspector, the Loco. Inspector and the District Loco. Superintendent are technically qualified to give expert opinion on the quality of coal supplied to the Loco. Sheds;

(vi) the coal is supplied from the State Railways collieries or from privately owned collieries; and

(vii) any systematic check is maintained on the quality of the coal supplied and whether proper records are maintained?

(e) Is it a fact that punishments "for being heavy on coal" take the form of:

(i) fines;

(ii) withholding of increments for at least six months;

(iii) transfer from mail and express trains to passengers or goods trains; and

(iv) withholding promotions from the passengers or goods trains to mails and express trains?

(f) Is it also a fact that the Loco. Shed at Chitpore supply 5 cwts. of coal in addition to 9 tons per trip for the use of the steam man to light the engine?

(g) If the answer to part (f) be in the affirmative, will Government please state the reasons why a similar supply is not made by the Loco. Shed at Calcutta?

The Honourable Sir Muhammad Zafrullah Khan: (a), (c), (d), (i), (ii), (iii), (iv), (v), and (vii), (e) (f) and (g). Government have no information. These are matters of detailed administration which must be left to the Local Administration, whom a copy of the question has been sent for information and such action as may be considered necessary.

(b) Yes.

(d) (vi) Both.

**SAFETY OF THE TRAVELLING PUBLIC ON THE EASTERN BENGAL RAILWAY
AGAINST DEFECTIVE DIAGRAMS.**

58. Dr N. B. Khare: (a) Is it a fact that:

- (i) the drivers on the Eastern Bengal Railway stationed at Calcutta have been working for the past year under rest at out-stations;
- (ii) the rest as laid down by the rules is eight hours;
- (iii) it now averages four hours;
- (iv) the period of rest is calculated after the driver has made over his engine at the Loco. Shed and up to the time the Call Book is sent out;
- (v) (as instances) the engine crews of 21-Up which arrives at Ishurdih at 17-55 hours are required to leave again at 23-15 hours by 26-Down and that of 11-Up which arrives at 21-30 hours are required to return with 28-Down at 2-00 hours for all night trips;
- (vi) the diagram has been so arranged as to increase the engine mileage;
- (vii) as a result of this diagram the engine crews are out mostly at nights;
- (viii) this frequent night trips are likely to adversely affect the health of the man on the look out for signals and cause him to nod while on the look out; and
- (ix) the Loco. Inspector, Organising Section, who drew up this diagram has been promoted as Assistant Loco. Superintendent?

(b) Will Government please state whether an accident recently took place at Barrackpore when the driver of 38-Down ran against signals and crashed into a Goods train?

(c) Is it a fact that the driver urged in his defence that as a result of the diagram he had been excessively on night duty with the result that nature supervened at an awkward moment and the accident occurred?

(d) Will Government please state what disciplinary action do they propose to take against the officials responsible for sanctioning such a diagram? If none, why not?

(e) Is the Government Inspector of Railways required to approve of diagrams before they are put into operation?

(f) What action do Government propose to take to ensure the safety of the travelling public?

The Honourable Sir Muhammad Zafrullah Khan: I am collecting information and will lay a reply on the table of the House, in due course.

RISK OF ACCIDENTS TO PASSENGERS AT CERTAIN STATIONS ON THE EASTERN BENGAL RAILWAY.

59. **Dr. N. B. Khare:** (a) Is it a fact that on the Eastern Bengal Railway at stations where trains carrying passengers cross, the first train is received on the line off the platform and the other train from the opposite direction is received on the platform line?

(b) Are Government aware that it is dangerous to detrain passengers on the track when another train is due to arrive on the platform line?

(c) Is it also a fact that the trains crossing stand parallel to each other instead of crossing and standing brake to brake?

(d) If the answers to parts (a) to (c) be in the affirmative, will Government please state what action do they propose to take to reduce the risk of accidents to passengers? Do Government propose to consult the Government Inspector of Railways, and if not, why not?

(e) Is it a fact that 5 Up, 6 Down, 7 Up, 8 Down, 29 Up, 33 Up, 31 Up and 32 Down cross 420 Down, 419 Up, 24 Down, 407 Up, 35 Up, 23 Up, 96 Down, 278 Down, 34 Down, 378 Down, 97 Up, 34 Down and 99 Up?

The Honourable Sir Muhammad Zafrullah Khan: (a) This is not the normal procedure. I am placing on the table an extract of Rule 37m(ix) of the Eastern Bengal Railway's General and Subsidiary Rules which prescribes the procedure for berthing passenger trains crossing at a station where there is only one platform when both trains are booked to halt at that station. If one of the trains is not booked to stop at the station, it is run through on the straight line which at some stations is the platform line: the other train standing on an adjacent line.

(b) Yes, but steps are taken to warn passengers against standing on the track on which the other train is to pass or be received.

(c) No.

(d) I understand that so far as can be ascertained from the records readily available for the past three years, there has been no accident to justify the adoption of the only other alternative procedure which would result in the slowing down of the train services.

(e) The time-table does not show that all the trains detailed in the first part cross all the others shown in the second part. Most trains, however, in the course of their journey cross one or more trains *en route* on the single line.

Supplementary Rule 37m (ix) reads as follows :

"Berthing passenger trains crossing at a station.—When two passenger trains cross at a station where there is only one platform, the train, which is expected to arrive first, shall be received on the station platform line, and that which is expected to arrive second shall be received on the second lines. Both trains shall be taken far enough forward to leave a space between the rear brake-vans, where this is possible, without fouling the crossing at either end of the loop. Even if the train expected first is delayed and the train expected last actually arrives first, both trains shall still be received on the lines first arranged for them and no change in this arrangement is permissible. But if, owing to the train expected first being delayed, the train in the opposite direction is actually received first, the delayed train, which is to be received on the platform line, shall be detained outside the Outer signal until all passengers leaving by or alighting from the train on the second line have respectively been entrained or brought on to the platform and the platform line is clear of passengers".

APPOINTMENT OF STAFF ON OLD SCALES OF PAY INSTEAD OF NEW SCALES ON THE EASTERN BENGAL RAILWAY.

60. Dr. N. B. Khare: (a) Is it a fact that the Classified List of subordinate staff of all departments on the Eastern Bengal Railway on pay of Rs. 250 and above or on scale of pay rising to Rs. 250 and above, corrected up to 30th September, 1934, shows that thirteen men were appointed during 1933 and 1934 on the old scales of pay instead of the revised scales of pay?

(b) Is it a fact that Government have introduced the revised scales of pay with effect from the 16th July, 1931?

(c) Is it also a fact that all these appointments were made by the officials attached to the Head Office at Calcutta and that all the establishment sections are under the direct control of the Deputy Agent, Personnel?

The Honourable Sir Muhammad Zafrullah Khan: I am collecting information and will lay a reply on the table of the House, in due course.

RULES GOVERNING THE GRANT OF DUTY AND PRIVILEGE PASSES TO CERTAIN OFFICERS OF THE EASTERN BENGAL RAILWAY RESIDING AT BARRACKPORE, KANKINARA, ETC.

61. Dr. N. B. Khare: (a) Is it a fact that certain gazetted officers of the Eastern Bengal Railway, employed in the offices at Calcutta, reside at Barrackpore, Kankinara, etc.?

(b) If the answer to part (a) be in the affirmative, will Government please state whether these officers travel on the Duty Passes issued to them while travelling to attend office at Calcutta daily?

(c) Will Government please state whether the time and travel from residence to office is a duty?

(d) If the answer to the second part of part (b) be in the affirmative, will Government please state whether this action of theirs is in accordance with the rules governing Free Passes?

(e) If the answer to the second part of part (b) be in the negative, will Government please state whether they travel on monthly tickets issued at public rates, or on monthly tickets issued at the Railway employees concession rates, or on tickets purchased daily and of the class in which they travel?

The Honourable Sir Muhammad Zafrullah Khan: (a) and (b). Yes.

(c) No.

(d) Yes: the practice was authorised by the Agent in the exercise of his discretionary powers.

(e) Does not arise.

RECORDING OF VERBAL WARNINGS IN THE SERVICE BOOKS OF SUBORDINATES ON THE EASTERN BENGAL RAILWAY.

62. Dr. N. B. Khare: Will Government please quote the rule which permits the officers of the Eastern Bengal Railway to verbally warn subordinates and then to record such censures in their Service Records without obtaining their written defence first and advising them of the action taken?

The Honourable Sir Muhammad Zafrullah Khan: There is no such rule.

ALLEGATIONS AGAINST THE DEPUTY AGENT, PERSONNEL, AND THE TRAFFIC MANAGER, EASTERN BENGAL RAILWAY.

63. Dr. N. B. Khare: (a) Arising out of the reply given in this House to parts (c) and (d) of starred question No. 1337 on the 2nd April, 1935, will Government please state whether the Deputy Agent, Personnel, and the Traffic Manager of the Eastern Bengal Railway, acted against the rules referred to in reply to starred question No. 1016 on the 18th September, 1933, which reads:

“(b) There are instructions already in existence laying down that the salary of a Government servant should not be charged against any post other than that in which he is working”?

If so, what action do Government propose to take against those officials?

(b) Is it a fact that the advertisements issued by the Eastern Bengal Railway invited applications for the posts of “Inspectors for the Crews”; and that the Traffic Manager, in his notification No. 272 in that Railway’s Gazette No. 9 of 1935 issued in May 1935, has described these men as ‘Special Inspectors’?

(c) If the answers to part (b) be in the affirmative, will Government please state when the change in the nature of work and the designation of these men took place and when were they given the salary referred to in part (e), (ii) of starred question No. 1337 asked on the 2nd April, 1935?

(d) Is it a fact that these men were also described as Commercial Inspectors and that their salary was disallowed by the Accounts Department on the ground that there was no sanction for the posts of Commercial Inspectors?

(e) Is it also a fact that a Selection Board was convened to interview certain outsiders who had applied for the posts of Inspectors for Crews in January, 1935, and that four men who are employed on the Eastern Bengal Railway have been promoted to those posts?

(f) If the answer to part (e) be in the affirmative, will Government please state why men without previous railway experience were not appointed on this occasion; and why the public were put to the unnecessary expense and trouble of applying for the posts and appearing before the Selection Board; and also state the designations and substantive salaries the men were in receipt of prior to their promotions?

(g) Is it a fact that rule 64 of the Rules for Recruitment and Training of Subordinate Staff on the State-Managed Railways provides that the Agent personally or when one Deputy Agent deals with staff or personnel matters may “in special circumstances and for reasons to be recorded, relax or modify the provisions of these rules”?

(h) If the answer to part (g) be in the affirmative, will Government please state the reasons for which the Agent or the Deputy Agent, Personnel, relaxed the rule so as to permit of the advertisement to issue in June 1934 (i) for applications for the posts of Inspectors for the Crews; (ii) their appointments on the maximum pay of the posts; (iii) the selection of men without previous railway experience; (iv) their services to be utilised in posts other than the posts for which they were to be recruited; (v) the alteration of their emoluments which originally were Rs. 200 plus travelling allowance to Rs. 200 which includes travelling allowance; and (vi) the recruitment of staff in the service for the posts advertised in January 1935?

(i) What amount comprises in Rs. 200 as travelling allowance?

(j) Is it a fact that the Deputy Agent, Personnel, was one of the members of the two Selection Boards that interviewed candidates on the two occasions when men were appointed?

The Honourable Sir Muhammad Zafrullah Khan: I am collecting information and will lay a reply on the table of the House, in due course.

POWER OF DISCHARGE OF A SUBORDINATE EMPLOYEE BY A SENIOR SCALE OFFICER ON THE EAST INDIAN RAILWAY WITHOUT CONSULTING THE DIVISIONAL SUPERINTENDENT.

64. **Dr. N. B. Khare:** (a) Arising out of the reply given in this House to starred question No. 555 (1) to (3) on the 26th February, 1935, will Government please state whether a Senior Scale Officer on the East Indian Railway can discharge a subordinate employee without consulting the Divisional Superintendent at any stage of the case?

(b) Will Government please state whether the order of discharge must be passed by the Superintendent, Transportation, Commercial, Power, as the case may be, under whom the employee is working, or by the Superintendent, Staff?

(c) In such instances, should the letter of discharge be signed by the officer who has passed the order or by the Superintendent or Assistant Superintendent, Staff?

(d) Will Government state whether the letter of discharge be signed with the designation of the officer passing the order or be signed 'for Divisional Superintendent'? If "for Divisional Superintendent" who is the authority for passing orders—Divisional Superintendent or the officer signing it?

The Honourable Sir Muhammad Zafrullah Khan: (a) Yes.

(b) An order of discharge may be passed either by the senior scale officer under whom the employee is working or by the Superintendent Staff.

(c) The letter intimating an order of discharge may be signed by any officer so long as a properly authorised officer has passed the actual orders.

(d) All such letters which are not signed by the Divisional Superintendent are signed "for Divisional Superintendent". In the latter case they merely convey the order which has been passed by the properly authorised officer and the fact that the letter is signed "for Divisional Superintendent" does not make it a personal order of the Divisional Superintendent.

DISPOSAL OF APPEALS OR MEMORIALS FORWARDED BY THE RAILWAY BOARD TO THE AGENT, EAST INDIAN RAILWAY.

65. **Dr. N. B. Khare:** (a) Arising out of the reply given in this House to part (b) of starred question No. 567 on the 28th March, 1934, will Government please state whether the appeals or memorials which have been forwarded by the Railway Board to the Agent of the East Indian Railway for disposal are required to be carefully considered by the Agent?

(b) If the answer to part (a) be in the affirmative, will Government please state whether the Agent is required to inform the appellant or memorialist, as the case may be, of the decision he has arrived at on the appeal or memorial?

(c) If the answers to parts (a) and (b) be in the negative, will Government please state the reasons for the unnecessary clerical labour which is involved in the office of the Railway Board and in that of the Agent of the East Indian Railway?

The Honourable Sir Muhammad Zafrullah Khan: (a) Government are informed that when an appeal or memorial is forwarded to the Agent by the Railway Board for disposal and when an appeal lies to the Agent, it is carefully considered by the Agent, before final orders are issued. When under the rules no appeal lies to the Agent, it is ordinarily forwarded for disposal to the authority to whom the appeal lies.

(b) In all cases in which an appeal lies to the Agent and it is addressed to him or is forwarded to him by the Railway Board, the final orders of the Agent are communicated to the appellant after the appeal has been carefully considered.

(c) Does not arise.

DISCHARGE OF SUBORDINATE RAILWAY EMPLOYEES

66. **Dr. N. B. Khare:** (a) Is it a fact that the Agent, East Indian Railway, in his Minute Sheet No. C.A.O.'s-E./S./10/35, Pt. II, dated the 4th April, 1935, has stated:

"Submitted with reference to the decision of the Joint Committee—*vide* pages 48—65 of file No. A.T.-784, Vol. 2—put up below. As the men of Outstanding Section belong to the Commercial Department those of them who are surplus and are not required by the Chief Accounts Officer should be transferred to the Chief Commercial Manager who should fit them into his office by discharging a corresponding number of men based on shortness of service. The men so discharged should be got rid of in terms of their agreements as the Special retrenchment terms are no longer available.

D. CARMODY,—18-4-35."?

(b) What are the terms of agreements under which an employee is discharged and who is the competent authority to terminate the service as per agreement?

(c) If the answer to part (a) be in the affirmative, will Government please state whether the act of discharging employees with short service without making any attempts to absorb them in vacancies in the offices at Calcutta, Howrah, and the Divisions, is in accordance with the rules laid down by Government, and if not, do Government propose to discharge the official responsible in the office of the Agent for breach of rules? If not, why not?

(d) Are officials who deal with establishment matters required to be well acquainted with establishment rules?

(e) How many men have been discharged?

(f) Will Government please state whether attempts will now be made to provide the men referred to in (a) with employment?

The Honourable Sir Muhammad Zafrullah Khan: I am collecting information and will lay a reply on the table of the House, in due course.

SITTING OF RELATIVES OF SUBORDINATES IN THE GAZETTED SERVICE AS MEMBERS OF SELECTION BOARDS ON THE EAST INDIAN RAILWAY.

67. **Dr. N. B. Khare:** Do Government propose to issue instructions to the Agent of the East Indian Railway to discontinue immediately the

practice of sitting of relatives of railway subordinates who are in the gazetted service as members of Selection Boards before which their relatives appear as candidates? If not, why not?

The Honourable Sir Muhammad Zafrullah Khan: Government are issuing instructions to the Agent, East Indian Railway, that in order to inspire full confidence in Selection Boards, it is desirable that officers whose relatives are to be considered for appointment should not be members of the Selection Board.

RULES FOR THE RECRUITMENT AND TRAINING OF SUBORDINATE STAFF ON STATE-MANAGED RAILWAYS.

68. Dr. N. B. Khare: (a) Arising out of the reply given in this House to parts (a) to (e) and (g) of starred question No. 1442 on the 4th April, 1935, will Government please state whether the Railway Board issued rules for the recruitment and training of subordinate staff on the State-managed Railways for the guidance of the officials concerned?

(b) Is it a fact that in these rules provisions have been made for selection posts or selection grades and are described as Annexure II?

(c) Are Government now prepared to frame necessary rules in the light of the questions asked in starred question No. 1442 of 4th April, 1935, for the information and guidance of the staff? If not, why not?

The Honourable Sir Muhammad Zafrullah Khan: (a) Yes.

(b) Provision has been made for selection posts or selection grades in Annexure II of the 'Rules for the recruitment and training of subordinate staff' issued by the East Indian Railway, a copy of which is in the Library of the House.

(c) The reply to the first part of the question is in the negative. As regards the latter, I would invite the Honourable Member's attention to the reply given by Mr. Rau in this House on the 4th April, 1935 to parts (b) to (e) of Mr. Sham Lal's starred question No. 1442.

UNOFFICIAL TRAINING OF THE SONS OF GAZETTED OFFICERS AND SUBORDINATE EMPLOYEES ON STATE-MANAGED RAILWAYS.

69. Dr. N. B. Khare: (a) Arising out of the reply given in this House to starred question No. 1338 on the 2nd April, 1935, will Government please state whether the sons of the two gazetted officers of the East Indian Railway who were unofficially trained in railway working have since been provided with jobs?

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

- (i) whether they have been appointed in the Departments where they were unofficially trained;
- (ii) the salaries and grades in which they have been appointed; and
- (iii) whether they had to appear before Selection Boards before they were appointed?

(c) Will Government please state whether other men were appointed at the same time, and if so, how many and on what salaries, whether these men had any previous railway experience, and whether they are retired or retrenched hands?

(d) Has any provision been made in the Rules for Recruitment and Training of Subordinate Staff on the State-Managed Railways for the unofficial training of the sons of gazetted officers and subordinate employees?

(e) If the answer to part (d) be in the negative, will Government please state whether the Agent has powers to alter or to relax the rules referred to in part (d) and if so, was his sanction obtained before these men were put on to learn railway working?

(f) If the answer to the second part of part (e) be in the negative, will Government please state whether they propose to take disciplinary action against the officers concerned who sanctioned the unofficial training of the men concerned?

(g) Are gazetted officers on the East Indian Railway exempt from being punished when they have committed breach of rules framed by Government?

(h) Will Government please state whether it is a fact that under the Public Service Commission Rules canvassing is a disqualification for service? If so, is the Governor General in Council prepared to take action against the officer under the Government Servants Conduct Rules and to summarily dismiss and disqualify the candidates? If not, why not?

The Honourable Sir Muhammad Zafrullah Khan: (a) Government are informed that the two men referred to have been appointed temporarily as clerks.

(b) (i) Yes.

(ii) Rs. 65 in the scale of Rs. 65—5/2—85.

(iii) No.

(c) Five other men were appointed at the same time on the same pay. Four of them had no previous railway experience and one was a retrenched hand of the East Indian Railway.

(d) No.

(e) The reply to the first part of the question is in the affirmative and to the second in the negative.

(f) and (h). I would refer the Honourable Member to the reply given by Mr. P. R. Rau to part (c) of question No. 1338 in this House on the 2nd April, 1935. Government do not consider any further action is necessary.

(g) No.

PAUCITY OF FACILITIES FOR SUBORDINATE INSPECTING STAFF ON THE EAST INDIAN RAILWAY.

70. **Dr. N. B. Khare:** (a) Arising out of the reply given in this House to starred question No. 1335 on the 2nd April, 1935, will Government please state the designations of the 35 administrative officers and the 17 heads of departments (including the Agent) on the East Indian Railway?

(b) Is it a fact that there are 25 bogie; 1 six-wheeler and 101 four-wheeler inspection carriages for 35 administrative officers and nearly 300 executive and assistant officers?

(c) How many executive and assistant officers there are on the East Indian Railway?

(d) Are inspection carriages provided for the subordinate inspection staff?

(e) What facilities have these subordinate Inspectors when they are inspecting stations where there are no rest houses? Is it a fact that numerous stations have not even been provided with Waiting Rooms?

(f) Will Government please state the designations of the officers required to perform inspection in early hours of the morning?

The Honourable Sir Muhammad Zafrullah Khan: (a) A statement showing the designations of the 35 administrative officers referred to by the Honourable Member is laid on the table. Eleven Heads of Departments (including the Agent) and six Divisional Superintendents are included among these 35 administrative officers and are not additional thereto.

(b) Yes.

(c) 297.

(d) Yes, for the subordinate staff whose duties necessitate such provision.

(e) Subordinate inspecting staff for whom carriages are not provided are permitted to so arrange their inspections that nights need not be spent at stations at which no rest facilities exist. There are numerous stations at which waiting rooms are not provided.

(f) All officers may be required to perform inspections during the early hours of the day but officers of the Engineering Department are principally affected.

Statement showing the designations of the 35 Administrative officers on the East Indian Railway.

Agent,
 Controller of Stores,
 Chief Operating Superintendent,
 Chief Commercial Manager,
 Chief Engineer,
 Chief Electrical Engineer,
 Chief Mechanical Engineer,
 Chief Medical Officer,
 Divisional Superintendents,
 Superintendent, Watch and Ward,
 Colliery Superintendent,
 Chief Accounts Officer,
 Deputy Agents,
 Deputy Agent (Organisation),
 Deputy Chief Operating Superintendent (Movement),
 Deputy Chief Operating Superintendent (Power),
 Deputy Chief Commercial Manager (Claims),
 Deputy Chief Commercial Manager (Rates),
 Deputy Controller of Stores,
 Deputy Chief Engineers,
 Deputy Chief Engineer (Signals),
 Deputy Chief Mechanical Engineers, and
 Deputy Chief Accounts Officers.

OVERCROWDING OF THIRD CLASS CARRIAGES ON THE EAST INDIAN RAILWAY.

71. **Dr. N. B. Khare:** (a) Has the attention of Government been drawn, in this House and through complaints received from various bodies, to the overcrowding of third class carriages on the East Indian Railway?

(b) Is it a fact that if additional carriages are attached to passenger and express trains, the overcrowding of passengers travelling in the third class will be reduced, if not done away with?

(c) If the answer to part (b) be in the affirmative, will Government please state why additional bogies are not attached?

(d) With reference to the reply to starred question No. 1335 (f) asked on the 2nd April, 1935, are Government prepared to consider the advisability of increasing the load of express and passenger trains on the East Indian Railway by one bogie carriage? If not, why not?

The Honourable Sir Muhammad Zafrullah Khan: (a) I understand there have been certain cases of overcrowding which have been discussed at various meetings of the East Indian Railway's Local Advisory Committees, but Government have not received any specific complaint. On the general question of overcrowding, I would refer the Honourable Member to the reply given by Mr. P. R. Rau to Prof. Ranga's question No. 55 on the 6th February, 1935.

(b) Obviously the provision of additional carriages must mean an increase in the accommodation available.

(c) The actual composition of each train is governed by the requirements of traffic normally carried by such train, subject to the load not exceeding the hauling capacity of the locomotive.

(d) I will convey the Honourable Member's suggestion to the Agent, East Indian Railway, for consideration. While, however, an overload may be permitted occasionally to meet special circumstances, to allow it as a regular measure must militate seriously against operating efficiency.

CONDITIONS TO BE FULFILLED BY AN EMPLOYEE OF THE EAST INDIAN RAILWAY TAKEN OVER FROM THE COMPANY BY GOVERNMENT IN CERTAIN RESPECTS.

72. Dr. N. B. Khare: (a) Will Government please state what the conditions are that must be fulfilled by an employee of the East Indian Railway who has been taken over from the Company by Government, and who has been recruited since Government have taken over the management, to qualify for gratuity?

(b) Is it a fact that in the cases of employees taken over from the Company by Government:

(i) the service for gratuity must be verified by the Accounts Officer who may, however, rely on a certified copy of the service sheets;

(ii) Form G. 198-A, must be filled by the head of the department and certified by the Chief Accounts Officer that gratuity is admissible before payment is made;

(iii) in Form G. 198-A, the reasons for the termination of service and any special remarks as to the quality of service must be clearly stated; and

(iv) the only power delegated to the Agent is that he is permitted to condone breaks in service of subordinate servants under certain conditions?

Mr. P. B. Rau: (a) The Rules for the grant of gratuity to the staff taken over from the East Indian Company and also to staff recruited by Government for railway service are available in the Library of the House.

(b) (i) to (iii). Yes.

(iv) No. The Honourable Member's attention is invited to rules 2 and 30 of the East Indian Railway Rules referred to above.

RULES REGULATING THE DISCHARGE, DISMISSAL AND APPEALS OF THE SUBORDINATE STAFF ON THE EAST INDIAN RAILWAY.

73. Dr. N. B. Khare: (a) Is it a fact that Railway Board, *vide* their letter No. 4080-E, dated the 15th November, 1929, forwarded Rules regulating the discharge, dismissal and appeals of the subordinate staff to the Agent, East Indian Railway; and that these rules were not retrospective in their application?

(b) If the answer to the second part of part (a) be in the negative, will Government please quote the rule which permits of the application of these rules with retrospective effect?

The Honourable Sir Muhammad Zafrullah Khan: (a) The reply is in the affirmative.

(b) Does not arise.

INTRODUCTION OF A POST OF SPECIAL INVESTIGATING INSPECTOR ON THE EAST INDIAN RAILWAY.

74. Dr. N. B. Khare: (a) Arising out of the reply given in this House to part (b) of starred question No. 1358 on the 26th January, 1935, will Government please state the reasons why the Agent, East Indian Railway, considered it necessary to introduce a new post of Special Investigating Inspector in Grade Rs. 160—10—220?

(b) Will Government please state whether this post was sanctioned after the Job Analysis had been completed?

The Honourable Sir Muhammad Zafrullah Khan: The reasons for the creation of the post of special Investigating Inspector were given in reply to Mr. Bower's question No. 1358 placed on the table of the House on the 26th January, 1934. As regards the rest Government have no information. These are matters of detailed administration which must be left to the local Administration to decide.

PRIVILEGES IN THE MATTER OF PAY, ALLOWANCES, ETC., TO TRAVELLING TICKET EXAMINERS ON THE NORTH WESTERN RAILWAY.

75. Dr. N. B. Khare: With reference to the statement laid on the table of the House on the 21st January 1935 in reply to starred question No. 690 asked on the 20th August, 1934, regarding privileges in the matter of pay, allowances, etc., to Travelling Ticket Examiners on the North Western Railway, will Government please state:

(a) the datum or considerations under which Mr. Bishen Singh drawing Rs. 75, was temporarily given Rs. 140 and daily allowance admissible under the rules;

- (b) whether such datum or considerations were also accorded to all other Travelling Ticket Examiners on transfer from the Accounts Department to the Operating Department on the Eastern Bengal, the East Indian, the North Western and Burma Railways, and if not, the reasons for such preferential and prejudicial treatments;
- (c) whether the pay of the Travelling Ticket Examiners on transfer from the Accounts Department to the Operating Department was fixed in accordance with Fundamental Rule 22 (a); and
- (d) whether the Travelling Ticket Examiners on transfer from the Accounts Department to the Operating Department were given the option to retain their old scales of pay with benefits of increments and grade promotion therein in accordance with Fundamental Rule 23?

The Honourable Sir Muhammad Zafrullah Khan: I am collecting information and will lay a reply on the table of the House, in due course.

**NON-PAYMENT OF GRATUITY TO TWO PERSONS OF THE DINAPORE DIVISION,
EAST INDIAN RAILWAY.**

76. Dr. N. B. Khare: With reference to the information laid on the table of the House in reply to starred question No. 694, asked on the 20th August 1934, regarding non-payment of gratuity to two persons of the Dinapore Division, East Indian Railway, will Government please state what steps have been taken by the Governor General in Council against the recurrences of such delay, and if none, why not?

The Honourable Sir Muhammad Zafrullah Khan: As already stated in reply to question No. 694 referred to by the Honourable Member, only one employee was eligible for a gratuity. No further action was called for as the delay in the payment of the gratuity in this case was due to unavoidable circumstances.

**RECTIFICATION OF MISTAKES AND ERRORS IN CERTAIN MATTERS BY THE
RAILWAY BOARD.**

77. Mr. Muhammad Azhar Ali: Is it a fact that the Railway Board have never rectified any mistake or error, if and when detected or brought to their notice? If not so, will Government lay a statement on the table of the House in respect of rectification of mistakes and errors in matters of establishment, discipline, pay and allowances?

The Honourable Sir Muhammad Zafrullah Khan: The answer to the first part of the question is in the negative. As regards the rest the information is not readily available and Government do not consider any useful purpose will be served by collecting it.

ORDERS WITH RETROSPECTIVE EFFECT ISSUED BY THE RAILWAY BOARD.

78. Mr. Muhammad Azhar Ali: Will Government please lay on the table a statement showing the nature of orders issued during 1933-34 and 1935-36 by the Railway Board which have retrospective effect?

The Honourable Sir Muhammad Zafrullah Khan: The information is not readily available and Government regret their inability to collect it as they do not consider that expense and labour involved in getting it will be justified by the value of the results likely to be achieved.

POSITION OF THE RAILWAY BOARD.

79. **Mr. Muhammad Azhar Ali:** Will Government please state:

- (a) whether the Government of India in the Railway Department means the Railway Board;
- (b) whether the Railway Board is an attached office to the Government of India in the Railway Department, and if so, what is the strength of staff of each office;
- (c) whether the Railway Board is subordinate to the Government of India in the Railway Department, or independent thereof and directly under the Governor General?

The Honourable Sir Muhammad Zafrullah Khan: (a) No, the Railway Board is a body of three members, the Chief Commissioner of Railways, the Financial Commissioner and one other member.

(b) No.

(c) The Railway Board is subordinate to the Government of India in the Railway Department.

RULES AND ORDERS MADE UNDER SUB-SECTION (2) OF SECTION 40 OF THE GOVERNMENT OF INDIA ACT.

80. **Mr. Muhammad Azhar Ali:** Will Government please lay on the table a copy of the rules and orders made under the provision of sub-section (2) of section 40 of the Government of India Act?

The Honourable Sir Henry Craik: The Rules made under sub-section (2) of section 40 of the Government of India Act are made by the Governor General. They cannot be laid on the table.

NON OBSERVANCE OF RULES FOR THE RECRUITMENT AND TRAINING OF NON-GAZETTED STAFF BY THE EAST INDIAN RAILWAY.

81. **Mr. Muhammad Azhar Ali:** (a) Is it a fact that the Railway Board have made rules for the recruitment and training of non-gazetted staff on the State-managed Railways?

(b) Is it a fact that the said rules are binding on the East Indian Railway?

(c) Is it a fact that the said rules provide the following appointments to be made by selection:

- (i) Transportation Inspectors;
- (ii) Station Superintendents;
- (iii) Controllers; and
- (iv) Assistant Running Shed Foremen?

(d) Is it a fact that the said rules provide for all other appointments to be made by normal channel of promotion?

(e) If the answers to parts (a) to (d) be in the affirmative, will Government please state:

- (i) the difference between an appointment to be made by selection and an appointment to be made by normal channel of promotion;
- (ii) the rule under which an unselected appointment is to be made by selection;
- (iii) whether appointments provided in the rules to be made by normal channel of promotions are made by selection, and if so, how, what and why;
- (iv) whether appointments to be made by normal channel of promotions, if made by Selection, are not within the category of an abuse of power;
- (v) what is the punishment provided for an abuse of power; and
- (vi) whether Government propose to lay a statement of punishments inflicted for abuses of power during preceding two years?

The Honourable Sir Muhammad Zafrullah Khan: (a) Yes.

(b) I would invite the Honourable Member's attention to rule 64 of the Rules for the recruitment and training of subordinate staff under which the Agent can relax or modify the provisions of these rules and also make subsidiary rules to give effect to them.

(c) Yes, according to the subsidiary rules issued by the East Indian Railway.

(d) Not necessarily.

(e) I would invite the Honourable Member's attention to Annexure II of the 'Rules for the recruitment and training of subordinate staff on the East Indian Railway', a copy of which is in the Library of the House, which gives the available information. These are matters of internal administration which have been left to the Agents of Railways to decide.

APPOINTMENTS MADE IN THE TRANSPORTATION GROUP OF THE EAST INDIAN RAILWAY.

82. **Mr. Muhammad Azhar Ali:** Will Government be pleased to lay a statement on the table of this House showing the appointments both Gazetted and non-Gazetted made since general economy campaign, 1931, in the 'Transportation (Traffic, Power and Commercial) Group of the East Indian Railway together with the names of employees with their academical and professional qualifications, and also the names *cum* appointments held on the East Indian Railway by the relatives, if any, of such employees?

The Honourable Sir Muhammad Zafrullah Khan: Recruitment for State-managed Railways to the superior services is not made for individual Railways but for all these Railways taken together. A statement showing the names and qualifications of officers recruited direct for the Transportation (Traffic) and Commercial Departments and the Mechanical Engineering and Transportation (Power) Departments since 1931 and posted to the East Indian Railway is placed on the table of the House. As regards the non-gazetted staff appointed since 1931, their names and

qualifications and the names and appointments held by the relatives of such gazetted and non-gazetted staff on the East Indian Railway, Government have no information and do not consider any useful purpose will be served by compiling it.

List of Officers recruited direct to the Transportation (Traffic) and Commercial and Mechanical Engineering and Transportation (Power) Departments of the Superior Revenue Establishment on the East Indian Railway.

Name.	Academic and Professional qualifications.
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Transportation (Traffic) and Commercial.

Mr. Anand Mohan	. B.Sc.
Mr. Ratan Lal	. Diploma of Thomason Civil Engineering College, Roorkee.
Mr. A. F. M. Smith	. B.A. (Cantab.) (Hons.).
Mr. S. V. M. Sundaram	. M.A.
Mr. B. C. Lack	. B.Sc.
Mr. P. E. M. Padwick	. B.Sc. (Hons.).
Mr. R. A. Sidique	. M.Sc.
Mr. G. D. Khandelwal	. M.A.

Mechanical Engineering and Transportation (Power):

Mr. M. M. Khan	. I.Sc.	} Received 4 years training in India and 2 years training in the United Kingdom. Passed Associate Membership examination of the Institute of Mechanical Engineers.
Mr. B. Basu	. Senior Cambridge with Hons.	
Mr. P. S. Venkataraman	. Intermediate Examination.	
Mr. L. T. Madnani	. F.A.	
Mr. W. A. Shaikh	. F.A.	
Mr. J. Muncherjee	. F.Sc.	
Mr. S. Chakravarty	. I.Sc.	
Mr. H. L. Khanna	. F.Sc.	
Mr. A. N. Mukherjee	. I.Sc.	
Mr. R. Subbiah	. I.Sc.	
Mr. K. Swarup	. I.Sc.	
Mr. S. Islam	. I.Sc.	

QUALIFICATIONS FOR POSTS OF TRANSPORTATION INSPECTORS, COMMERCIAL, ON THE EAST INDIAN RAILWAY.

83. **Mr. Muhammad Azhar Ali:** (a) Arising out of the reply given in this House to part (a)(x) of starred question No. 1441 on the 4th April, 1935, and to starred question No. 201 on the 13th February, 1935, will Government please state whether there are standing orders issued by the Agent, reproduced by the Divisional Superintendents for the information and guidance of the staff, that those employees who aspire for the posts of Transportation Inspectors, Commercial, must qualify themselves by passing the Goods Audit Examination (now described as the Higher Goods Accounts Examination)?

(b) If the answer to part (a) be in the affirmative, will Government please state whether the Chief Accounts Officer of the East Indian Railway has addressed a protest to the Chief Commercial Manager, the Chief Operating Superintendent and the Agent, against the practice of promoting men who have not passed the required examination?

(c) Will Government please state how many men who were promoted and officiated as Transportation Inspectors, Commercial, in the seven posts that were recently sanctioned by the Agent have passed the Goods Audit Examination?

(d) Was the fact that these men had not passed the Goods Audit Examination considered by the Selection Board, and if so, will Government please state the reasons why this Selection Board contravened the orders of the Agent?

(e) Is it a fact that no such Selection Board was held and that the appointments were made by the Senior Scale Officer, Staff, Calcutta, who has since proceeded on leave preparatory to retirement?

(f) What action do Government propose to take to see that men who have passed the Goods Audit Examination should replace the unqualified Inspectors?

(g) Are Government prepared to take disciplinary action against the officials who formed the Selection Board? If not, why not?

(h) Is it a fact that in reply to starred question No. 1342, asked in this House on the 21st November, 1932, Government have stated that the candidates are required to pass an examination in goods and coaching working, known as the 'Goods Accounts Examination'? If so, what action has been taken by Government against the violation of their policy and procedure; and if not, why not?

The Honourable Sir Muhammad Zafrullah Khan: I am collecting information and will lay a reply on the table of the House, in due course.

LAW SECTIONS ATTACHED TO THE OFFICES OF THE AGENT AND THE CHIEF COMMERCIAL MANAGER, EAST INDIAN RAILWAY.

84. **Mr. Muhammad Azhar Ali:** (a) Will Government please state whether the East Indian Railway have a Law Section with a Vakil in charge attached to the office of the Agent?

(b) If the answer to part (a) be in the affirmative, will Government please state whether there is also a Law Section under the Chief Commercial Manager?

(c) Is it a fact that this Law Section works under the direct supervision of an Assistant Commercial Manager, and has a staff consisting of Court Clerks, Court Inspectors, Clerks, etc.?

(d) If the answer to part (c) be in the affirmative, will Government please state whether:

- (i) the Assistant Commercial Manager is a qualified Pleader, Vakil, Advocate, etc.;
- (ii) there are four Court Clerks and four Court Inspectors attached to this section;
- (iii) the grade of the Court Inspectors was raised by the Agent, *vide* his No. C/E/S.-120/27, dated 14th February, 1934, from Rs. 80—10—150 to Rs. 160—10—220; and why the scales were increased;
- (iv) the revised scale of pay for Court Inspectors is Rs. 100—10/2—120, with effect from 16th July, 1931:

- (v) the enhancement of the grade after the introduction of the revised scales of pay is in accordance with the policy of Government;
 - (vi) Government realise the extent in the increase of the working expenses;
 - (vii) the Job Analysis Staff under the Deputy Agent, Organisation, has made any recommendation regarding the combining of the two Law Sections and placing the same under the control of the Agent; and
 - (viii) the Chief Accounts Officer approved of the enhancement of the grade or insisted on the grant of personal pay?
- (e) Do Government propose to consider the advisability of combining the two Law Sections and placing the same under the control of the Agent with a view to affecting uniformity, efficiency, and greater utility by the other Departments? If not, why not?

The Honourable Sir Muhammad Zafrullah Khan: I am collecting information and will lay a reply on the table of the House in due course.

INVESTIGATION OF THE CASES OF CLAIMS PREFERRED AGAINST THE EAST INDIAN RAILWAY.

85. **Mr. Muhammad Azhar Ali:** (a) Arising out of the reply given in this House to part (a)(vii) of starred question No. 1441, on the 4th April, 1935, will Government please state whether the Special Inspector is required to investigate cases of claims preferred against the East Indian Railway which are suspected to be false, inflated, etc.?

(b) If the answer to part (a) be in the affirmative, will Government please state why this kind of work is not made over to the Watch and Ward Department of that Railway?

(c) Is it a fact that the Special Inspector has no police experience and that the Watch and Ward have a large staff of ex-police officers in charge of a Superintendent who is an official from the Imperial Police lent to the East Indian Railway?

(d) Is it a fact that the post of Special Inspector was created in 1933 after the Job Analysis of the Chief Commercial Manager's Office had been completed? If so, was it recommended by the Deputy Agent, Organisation?

(e) Is it also a fact that the grade was originally Rs. 160—10—2½ in 1933 and that it has since been enhanced to Rs. 160—10—260?

(f) Will Government please state why this enhancement of the grade has been sanctioned in 1935 when the revised scale of pay of this post is Rs. 180?

(g) Is any check exercised by the Accounts Department regarding the raising of the pay of posts?

(h) Do Government propose to consider the advisability of attaching him under the orders of the Watch and Ward Department? If not, why not?

The Honourable Sir Muhammad Zafrullah Khan: I am collecting information and will lay a reply on the table of the House, in due course.

QUALIFICATIONS FOR PROMOTION TO THE POSTS OF GOODS CLERKS AT THE HOWRAH GOODS SHED.

86. **Mr. Muhammad Azhar Ali:** (a) Will Government please state whether the Divisional Superintendent, East Indian Railway, Howrah, issued a circular letter to the staff on the division informing them that those who do not qualify by passing the Goods Accounts Examination (now described as the Higher Goods Accounts Examination) will not be promoted to the posts of Goods Clerks, at the Howrah Goods Sheds?

(b) Is it a fact that orders were also issued that juniors would be promoted over seniors, if the latter failed to pass this examination and that this order received the approval of the Agent?

(c) Is it also a fact that the Chief Accounts Officer has addressed a protest against the promotion of men who have not passed the Higher Goods Accounts Examination?

(d) If the answers to parts (a) to (c) be in the affirmative, will Government please state:

- (i) whether any employees have recently been promoted to the posts of Goods Clerks, within the Division of Howrah;
- (ii) whether these promotions were through the medium of a Selection Board;
- (iii) whether the Selection Board were aware of the fact that several of the candidates who appeared had not passed the Higher Goods Accounts Examination;
- (iv) whether these unqualified men were permitted to appear at their own request or were summoned by the Selection Board;
- (v) whether it is the duty of the Establishment Section to point out to the Selection Board the fact that these men had not qualified themselves and also the Circulars on the subject;
- (vi) whether the employees selected have not passed this examination;
- (vii) whether these promotions have violated the orders laid down in the Weekly Gazette Notification No. 21 of 23rd May, 1928;
- (viii) whether the Selection Board were aware that these applicants had not duly qualified themselves; and
- (ix) who comprised this Selection Board?

(e) If the answers to parts (d), (i) to (ix) be in the affirmative, will Government please state what departmental remedies those employees, who have qualified themselves, have against these promotions?

(f) Do Government propose to take disciplinary action against the members of the Selection Board for this breach of rules? If not, why not?

The Honourable Sir Muhammad Zafrullah Khan: I am collecting information and will lay a reply on the table of the House, in due course.

MONOGRAPH ON THE GENERAL CLASSIFICATION OF GOODS AND ASSOCIATED TOPICS WRITTEN BY MR. C. A. CRAWFORD AND PRINTED IN THE EAST INDIAN RAILWAY PRESS.

87. **Mr. Muhammad Azhar Ali:** (a) Is it a fact that:

- (i) a Monograph on the General Classification of Goods and Associated Topics written by Mr. C. A. Crawford has been printed in the East Indian Railway Press in 1935;
- (ii) this Monograph which consists of 46 pages, 153 paragraphs and 4 Appendices is marked "Confidential";
- (iii) this is a private contribution;
- (iv) it has been printed without the previous approval of the Agent; and
- (v) the cost has been borne by Government?

(b) If the answers to parts (a), (i) to (v) be in the affirmative, will Government please state why State revenue has been utilised to print the monograph by an individual employee?

(c) Is it a fact that the following criticisms appear in the Monograph:

- (i) para. 143 : "A few years ago this matter was dealt with in a very general way at a meeting of Commercial Heads of Railway Administrations in Simla but nothing material developed as is generally the case when mere resolutions are passed";
- (ii) para. 89 : "Classification questions however do not always receive that degree of careful and meticulous examination that they should, with the result that decisions are often made and changes effected on the basis of very inadequate data or on grounds that are not above criticism"; and
- (iii) para. 150 : "In 1930 the Heads of Railway Administrations assembled at Simla recorded, among others, a resolution that competition by routes more than 33 per cent. longer than the shortest should not be indulged in but the resolution is not binding and therefore of little use, if it is at all remembered"?

(d) If the answer to part (c) be in the affirmative, will Government please state whether it is open to employees to publish criticisms about the official decisions of their superiors? If not, what disciplinary action do Government propose to take against the offending official? If none, why not?

(e) Is it a fact that a relative of Mr. Crawford, employed as a subordinate in the same department, has recently published a pamphlet in the East Indian Railway Press on the working of a Railway in England?

(f) Do Government recover from the authors the State revenues spent on the printing of the opinions of officials and subordinates embodied in the Pamphlet and the Monograph? If not, why not?

(g) Is it a fact that Government do not pay either in advance or afterwards the expenses incurred by officials and subordinates in obtaining Patents for any inventions made by them?

The Honourable Sir Muhammad Zafrullah Khan: I have called for certain information and will lay a reply on the table of the House in due course.

OVERLAPPING OF WORK BETWEEN THE DEPUTY AGENT, ORGANISATION, THE RESEARCH OFFICER AND THE PUBLICITY OFFICER, EAST INDIAN RAILWAY.

88. Mr. Muhammad Azhar Ali: (a) Is it a fact that the Commercial Branch of the East Indian Railway has:

- (i) a Chief Commercial Manager;
- (ii) a Deputy Commercial Manager, Rates;
- (iii) a Deputy Commercial Manager, Claims;
- (iv) a Publicity Officer; and
- (v) a Research Officer?

(b) Is it also a fact that there is an official described as "Deputy Agent, Organisation" under the orders of the Agent?

(c) If the answers to parts (a), (i) to (v), and part (b) be in the affirmative, will Government please state whether there is an overlapping of work between the Deputy Agent, Organisation, the Research Officer and the Publicity Officer?

(d) Is it a fact that Job Analysis is still proceeding on the East Indian Railway? If so, will Government please state what purpose is served by the Research Officer and the large staff allotted to him?

(e) Are Government prepared to consider the advisability of abolishing the post of Research Officer and amalgamating his work with that of the Chief Commercial Manager, and his Deputy, Rates? If not, why not?

The Honourable Sir Muhammad Zafrullah Khan: (a) The organization of the Commercial Department is:

- (1) Chief Commercial Manager.
- (2) Deputy Chief Commercial Manager, Goods.
- (3) Deputy Chief Commercial Manager, Coaching.
- (4) Publicity Officer.
- (5) Research Officer.

(b) Yes.

(c) No. The nature of the work of three officers is entirely distinct.

(d) The reply to the first part is in the affirmative. As regards the latter part the Research Officer is occupied in endeavouring to find new avenues for traffic development and better means of handling traffic.

(e) The suggestion is impracticable.

SCALES OF PAY OF STENOGRAPHERS OF HEADS OF DEPARTMENTS ON THE EAST INDIAN RAILWAY.

89. Mr. Muhammad Azhar Ali: (a) Is it a fact that the Agent of the East Indian Railway has raised the grade of his Stenotypist to Rs. 280—10—350 in the beginning of this year? If so, why?

(b) Is it also a fact that the grade of the Stenotypist was, prior to its enhancement, Rs. 180—10—250?

(c) If the answers to parts (a) and (b) be in the affirmative, will Government please state whether the grades of the Stenotypists of the Head of Departments on the East Indian Railway are:

1. Operating Department	... ..	Rs. 275—15—380
2. Mechanical Department	... ..	Rs. 250—20—350
3. Stores Department	... ..	Rs. 200—15—290
4. Accounts Department	... ..	Rs. 230—10—270
5. Engineering Department	... ..	Rs. 180—10—250 ?

(d) If the answer to the second part of part (c) be in the affirmative, will Government please state when the Stenotypists referred to in parts (a) and (c) reached the maximum pay of their posts?

(e) Is it a fact that the Agent has an Establishment Section with an Assistant Secretary in charge under the direct control of the Deputy Agent, Personnel, and that all these men are required to be fully conversant with all establishment matters?

(f) Do Government propose to adopt a uniform scale of pay for the Stenotypists of the Heads of Departments by raising the grades in the Engineering, Accounts and Stores Departments in keeping with that of the Agent?— If not, will Government please state the reasons for this differential treatment?

The Honourable Sir Muhammad Zafrullah Khan: I am collecting information and will lay a reply on the table of the House, in due course.

PROMOTION TO THE POSTS OF ASSISTANT AND HEAD GOODS CLERKS ON THE EAST INDIAN RAILWAY.

90. Mr. Muhammad Ashtar Ali: (a) Is it a fact that in the Rules for Recruitment and Training of Subordinate Staff on the State-Managed Railways, framed by the Railway Board and in operation on the East Indian Railway, it is laid down:

“the duties of selection posts call for special abilities. In making their recommendations for promotion to selection posts, Selection Boards shall make a definite act of selection after giving due weight to seniority and other relevant factors”?

(b) Is it also a fact that the Divisional Superintendent, Howrah, has treated the posts of Assistant Goods Clerk and Head Goods Clerk as ‘Selection Posts’ and that these posts are filled through the medium of Selection Boards?

(c) If the answers to parts (a) and (b) be in the affirmative, will Government please state whether any orders are in existence which require that candidates who aspire to the posts of Assistant Goods Clerk and Head Goods Clerk must first pass the Goods Accounts, Lower, and the Goods Accounts, Higher, Examinations respectively?

(d) If the answer to the second part of part (c) be in the affirmative, will Government please state whether the employees promoted to the posts of Assistant Goods Clerk and Head Goods Clerk have passed the requisite examinations and were promoted through the medium of Selection Boards?

The Honourable Sir Muhammad Zafrullah Khan: I am collecting information and will lay a reply on the table of the House, in due course.

REVIVAL OF THE POST OF CHIEF COMMERCIAL MANAGER ON THE EAST INDIAN RAILWAY.

91. Mr. Muhammad Azhar Ali: (a) Is it a fact that the Railway Board, *vide* their letter No. 6112/E/30, dated the 13th February, 1932, held the post of Chief Commercial Manager, grade Rs. 2,500, in abeyance from the 28th March, 1932; and that, in their letter No. 6112/E/30, dated the 6th March, 1934, they revived the post with effect from the 19th March, 1934?

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

(i) whether the arrangements sanctioned by the Railway Board for carrying on the work of the Chief Commercial Manager during the period it was held in abeyance, were found satisfactory.

(ii) whether any mention to the contrary has been made by the Railway Board in their Report on Indian Railways;

(iii) whether the official selected for the post had ever worked in any 'commercial' post on the Railway; and

(iv) the reasons for this revival of the post?

(c) Was any recommendation made by the Job Analysis Committee for the revival of the post of the Chief Commercial Manager?

(d) What action do Government propose to take against the expenditure of public money to provide an official with a highly paid post? If none, why not?

The Honourable Sir Muhammad Zafrullah Khan: (a) Yes.

(b) (i). The post was kept in abeyance as an experimental measure on the 28th March, 1932, and a special pay of Rs. 150 per mensem was sanctioned for the two Deputy Chief Commercial Managers in consideration of the additional work and responsibility that devolved on them. The position was, however, reviewed in March, 1934, and it was decided after very careful consideration to revive the post in the interests of efficiency.

(ii) No.

(iii) The officer selected to fill the post on its revival belonged to the Transportation (Traffic) and Commercial Departments of the East Indian Railway and was fully competent to hold it.

(iv) The post was revived in the interests of efficiency.

(c) No.

(d) In view of my reply to part (b) (i) this does not arise.

CHECK ON THE PRINTING WORK DONE IN THE EAST INDIAN RAILWAY PRESS.

92. Mr. Muhammad Azhar Ali: (a) Will Government please state whether the Accounts or the Audit Department of the East Indian Railway exercise any check on the printing work done in that Railway's Press?

(b) If the answer to part (a) be in the affirmative, will Government please state whether the printing at State expense of a Monograph on the General Classification of Goods and Associated Topics by Mr. C. A. Crawford and a Report on the workings of a railway system in England by Mr. Crawford's cousin, Mr. T. J. Ryan was questioned by the Accounts or Audit Department, and if so, with what results? If not, why not?

(c) What is the amount involved in the printing of these two private pamphlets?

(d) Do Government propose to recover the cost incurred in printing the literature referred to in part (b) from the individuals concerned? If not, why not?

(e) Is it a fact that Government do not grant financial assistance to their employees to enable them to take out Patents? If so, will Government please state why they permit their revenue to be utilised by gazetted officers attached to the Head Office of the East Indian Railway for the purpose of giving publicity to their private opinions?

(f) Do Government propose to consider the advisability of having a more detailed check by the Accounts or Audit Department on the working of the East Indian Railway Printing Press?

The Honourable Sir Muhammad Zafrullah Khan: The information is being collected and will be laid on the table in due course.

IRREGULARITIES IN CHARGING SALARIES OF SUBORDINATES ON THE EAST INDIAN RAILWAY.

93. Mr. Muhammad Azhar Ali: (a) Arising out of the reply given in this House to starred question No. 1016 on the 18th September, 1933, that there are instructions already in existence laying down that the salary of a Government servant should not be charged against any post other than that in which he is working, will Government please state whether the Agent of the East Indian Railway sanctioned, *vide* his No. C/C/E/S/224, dated the 10th July, 1934, a post of Inspector (Claims) in lieu of the post of a Head Audit Clerk, grade Rs. 160—10—220, on the condition that "he will also exercise the function of surveyor which is abolished from 9th May, 1934, the extra money Rs. 3,000 required is to be met by re-appropriation from Head 'Office Staff' as sanctioned by the Agent"?

(b) Is it a fact that the post of Surveyor, since abolished, was graded Rs. 400—20—600?

(c) If the answers to parts (a) and (b) be in the affirmative, will Government please state whether the grade of the Claims Inspector (Survey) has been raised to Rs. 240—20—460, and if so, when?

(d) Is it a fact that the post of Surveyor, grade Rs. 400—20—600, was attached to the Howrah Goods Sheds? If so, will Government please state whether the Claims Inspector (Survey) is posted at Howrah, and if not, where is he posted and what work is he doing?

(e) Is it a fact that a junior hand in receipt of a much smaller pay is performing the duties of the Surveyor at the Howrah Goods Sheds? If so, what disciplinary action do Government propose to take against the officials responsible for breach of rules? If none, why not?

(f) Do Government possess powers to take disciplinary action against the officers on the East Indian Railway?

The Honourable Sir Muhammad Zafrullah Khan: I am collecting information and will lay a reply on the table of the House, in due course.

NATURE OF EMOLUMENTS CLASSIFIED AS PAY BY THE GOVERNOR GENERAL IN COUNCIL UNDER SUB-CLAUSE 3, CLAUSE 21 (a) OF FUNDAMENTAL RULE 9 ON STATE RAILWAYS.

94. Pandit Sri Krishna Dutta Paliwal: Will Government please state the nature of emoluments which the Governor General in Council has classified as Pay under sub-clause 3, clause 21 (a) of Fundamental Rule 9 on the State Railways in India?

The Honourable Sir Muhammad Zafrullah Khan: So far as railway servants are concerned no emoluments have been classified by the Governor General in Council as pay under Rule 9 (21) (a) (iii) of the Fundamental Rules.

OFFICERS TRANSFERRED TO THE ACCOUNTS DEPARTMENT OF THE EAST INDIAN RAILWAY.

95. Pandit Sri Krishna Dutta Paliwal: (a) Is it a fact that the Controller of Railway Accounts has transferred one Accounts Officer and one Assistant Accounts Officer from his establishment to fill up two permanent vacancies on the East Indian Railway?

(b) Will Government please state how these vacancies caused by transfer are filled? If the answer to part (a) be in the affirmative, will Government please state whether the transfers of these two officers have caused the reversion of two subordinates of the East Indian Railway who were officiating against these vacancies?

(c) Is it the policy of Government to deprive the subordinates of the Accounts Department of the East Indian Railway of opportunities for promotion to the gazetted service of that Railway? If not, will Government please state the reasons for the transfer of the officers referred to in part (a)?

(d) Is it a fact that there has been a continuous introduction of officers both gazetted and non-gazetted from other sources which have caused a block in promotion in the Accounts Department of the East Indian Railway? If so, what action do Government propose to take in the matter?

(e) Will Government please lay a statement on the table of the House showing the number of officers both gazetted and non-gazetted separately, who have been transferred to the Accounts Department of the East Indian Railway since 1925?

The Honourable Sir Muhammad Zafrullah Khan: (a) One Accounts Officer from the Controller of Railway Accounts Office and one Assistant Accounts Officer from Railway Clearing Accounts Office have recently been transferred to the East Indian Railway.

(b) The Assistant Accounts Officer was sent in place of another Assistant Accounts Officer who had been transferred to the Railway Clearing Accounts Office from the East Indian Railway Office. Both these officers had been

promised repatriation from the offices to which they were attached. The Accounts Officer was recently promoted to the Indian Railway Accounts Service and the temporary appointment which he previously held in the Controller of Railway Accounts office has been abolished as a measure of economy. He is now borne on an All-India list.

(c) No. The transfers were made in the interest of public service and to fill existing vacancies.

(d) No.

(e) The information required is not readily available and Government do not consider its collection will be justified by results.

RULES FOR THE REMOVAL OF STAFF FROM ONE POST TO ANOTHER ON STATE-MANAGED RAILWAYS.

96. **Pandit Sri Krishna Dutta Paliwal:** Arising out of the reply given in this House to unstarred question No. 319 on the 9th April 1935, that it is obligatory to follow the procedure laid down for the discharge and dismissal of subordinates on the State-Managed Railways, will Government please state whether it is also obligatory to observe the rules prescribed for the removal of staff from one post to another, promotions in the normal channel, promotions outside the normal channel, fines, punishment for definite specific periods, etc.?

The Honourable Sir Muhammad Zafrullah Khan: I am collecting information and will lay a reply on the table of the House, in due course.

GUARDS ON THE EASTERN BENGAL RAILWAY.

97. **Pandit Sri Krishna Dutta Paliwal:** (a) Is it a fact that there are two classes of guards on the Eastern Bengal Railway, viz., 'A' and 'B', and that the maximum pay of these two classes is Rs. 100 and Rs. 210, respectively?

(b) If the answer to part (a) be in the affirmative, will Government please state whether promotion to 'B' class is made from 'A' class or by direct recruitment?

(c) Is it a fact that there is a considerable number of guards, 'A' class, who have been on the maximum pay of the post between three to ten years and who have not been promoted to 'B' class in order to keep down working expenses?

(d) Is it further a fact that no promotions have been made from 'A' class to 'B' class since 1929?

(e) Will Government please state the number of vacancies in 'B' class guards since 1930 and the reasons for not filling up the vacancies in that class?

(f) Are the promotions of gazetted officers on the Eastern Bengal Railway to higher classes or grades held in abeyance in order to keep down working expenses? If not, will Government please state the reasons for this differential treatment to one class of their employees?

(g) What is the actual number of guards in class 'A' and 'B', separately, and the number provided for in the Establishment Rolls and Working Expenses for the year 1934-35 and 1935-36?

(h) Do Government propose to take any action to remove this invidious treatment to one class of their employees? If not, why not?

The Honourable Sir Muhammad Zafrullah Khan: I am collecting information and will lay a reply on the table of the House, in due course.

TICKET COLLECTORS AND CREW STAFF REQUIRED TO WORK AS GUARDS ON THE EASTERN BENGAL RAILWAY.

98. Pandit Sri Krishna Dutta Paliwal: (a) Will Government please state whether ticket collectors and crew staff on the Eastern Bengal Railway are required to work as guards to replace casualties in the guard's list?

(b) Is it a fact that ticket collectors and crew staff are taken off their legitimate duties on a notice of an hour or two and are compelled to work as guards?

(c) Is it also a fact that:

(i) they have worked for several months at a time as guards;

(ii) in some cases the men have worked off and on for five or six years without being appointed substantively as guards; and

(iii) it is cheaper to utilise ticket collectors and crew staff as guards instead of appointing 'A' class guards?

(d) Are Government prepared to order the transfer of these ticket collectors and crew staff to work as guards? If not, why not?

The Honourable Sir Muhammad Zafrullah Khan: I am collecting information and will lay a reply on the table of the House, in due course.

IRREGULARITIES IN CHARGING SALARIES OF RAILWAY SUBORDINATES.

99. Pandit Sri Krishna Dutta Paliwal: (a) Is it a fact that in the Report of the Public Accounts Committee on the accounts of 1933-34, Volume I, Part II, Railways, it has been stated on page 29:

"Employment of staff on works other than those to which their pay is charged—
The Railway Board regret to notice from the report of the Director of Railway Audit that this irregularity has not disappeared entirely"?

(b) Is it also a fact that Government have stated in this House on the 19th September, 1933 in reply to starred question No. 1016 that "there are instructions already in existence laying down that the salary of a Government servant should not be charged against any post other than that in which he is working"?

(c) If the answers to parts (a) and (b) be in the affirmative, will Government please state:

(i) the rule of the Classification, Control and Appeal Rules of Railway Services under which mere expression of regret is classed as punishment; and

(ii) whether it is a fact that questions giving specific instances with names of the staff utilised on other than their legitimate duties were asked in this House which have never been enquired into by the Financial Commissioner for Railways or his department?

(d) Under whose authority the amount of pay of such staff was passed and paid?

(e) What purpose is served by having the internal check and audit by the Financial Commissioner for Railways and his department on separation of Accounts from Audit?

(f) Does the Governor General in Council propose to direct the prosecution of the Financial Commissioner for Railways and other officers responsible under Section 124 of the Government of India Act for violation of rules and regulations? If not, why not?

(g) Does the Governor General in Council propose to order an independent inquiry into the state of affairs of the Railway Accounts Department? If not, why not?

The Honourable Sir Muhammad Zafrullah Khan: (a) and (b). Yes.

(c) (i). There is no such rule.

(ii) No.

(d) The pay of the staff was passed by the Accounts Office on the authority of bills drawn by the executive authorities which they had no reason to doubt the correctness of.

(e) The Accounts Department generally audits bills before payment; but it cannot in all cases check the facts on which the bill is based. The irregularity referred to could be detected only at the time of a local inspection, which in this case happened to be made by the Audit Department.

(f) and (g). No. Government can see no reason whatever for the action suggested.

REDRESS OF GRIEVANCES OF THE RAILWAY STAFF.

100. **Pandit Sri Krishna Dutta Paliwal:** (a) Arising out of answer laid on the table of this House on 2nd September, 1935, to starred question No. 856 asked on the 12th March, 1935, will Government please state whether it is a fact that the Superintendent Staff is not specifically delegated with the powers of discharge as per terms of agreement?

(b) If the answer to part (a) be in the negative, will Government quote the clause of the agreement under which delegation is agreed to?

(c) Is it a fact that the rules for discharge and dismissal do not authorise the Head of the Department or Divisional Superintendent or any other officer below to pass an order as per terms of agreement?

(d) If the reply to part (c) be in the negative, will Government quote the clause of the agreement under which these rules were agreed to?

(e) Is it a fact that the terms of agreement are only exercised by the parties referred to in the agreement?

The Honourable Sir Muhammad Zafrullah Khan: I am collecting information and will lay a reply on the table of the House, in due course.

CONVICTION OF CONSIGNORS AND THEIR AGENTS FOR MIS-DECLARATION OF GOODS DESPATCHED FROM THE HOWRAH GOODS SHEDS.

101. **Pandit Sri Krishna Dutta Paliwal:** (a) Is it a fact that the consignors and their Agents were prosecuted at the Howrah Criminal Courts for mis-declaration of goods despatched from the Howrah Goods Sheds of the East Indian Railway in the years 1932, 1933 and 1934 and that

convictions were obtained in each case? If so, will Government please state whether the accused were all Indians and whether it is a fact that:

- (i) a case of misdeclaration of goods was detected at Howrah Goods Sheds, East Indian Railway, in which an European firm (French Motor Car Co.) dealing in motor cars was concerned;
- (ii) this consignment was booked from Delhi to Howrah, and that the wagon was padlocked by the sender;
- (iii) the contents were booked as furniture;
- (iv) the Head Office of this firm at Calcutta gave a written declaration that the consignment consisted of *bona fide* furniture not intended for sale;
- (v) this written certificate entitled the firm to a lower rate of freight;
- (vi) at the time of delivery only motor accessories were found; and
- (vii) this firm was called upon to pay the freight on the carrying capacity of the wagon plus penalty charges?

(b) If the answers to parts (a) (i) to (vii) be in the affirmative, will Government please state whether it is a fact that the Chief Commercial Manager, ordered that freight should be collected on 120 maunds at the classified rate instead of the carrying capacity of the wagon and that no penalty charges were to be realised?

(c) Why was this firm not prosecuted as was done in the case of Indians?

(d) What was the amount claimed by the Goods Sheds staff at Howrah and what was the amount realised?

(e) Will Government please state the reasons for this invidious treatment by a European Officer?

(f) Do Government propose to recover the loss from the pay of the officers who caused this loss to revenue? If not, why not?

(g) Does the Governor General in Council propose to prosecute these officers for abetment of cheating and fraud? If not, why not?

The Honourable Sir Muhammad Zafrullah Khan: (a) The reply to the first part is in the affirmative: as regards the second part, the Agent, East Indian Railway, states that as some of the files relating to these cases have since been destroyed, it is not now possible to say whether all those prosecuted were Indians or not.

- (i) }
(ii) } Yes.
(iii) }

- (iv) A representative of the Company who called for delivery of the consignment at Howrah station endorsed the railway receipt to the effect that the consignment consisted of *bond fide* personal property not for sale.

- (v) }
 (vi) } Yes.
 (vii) }

(b) and (c). The case was dealt with by both the Deputy Chief Commercial Manager and the Chief Commercial Manager and the latter also discussed it with a responsible representative of the French Motor Car Company. As a result of this discussion and of other enquiries made, it appeared that the mis-declaration was due to a mis-understanding and not to any deliberate intent to defraud, the nature of the consignment being openly displayed at the forwarding station. The Chief Commercial Manager, therefore, issued instructions for the consignment to be charged at the higher rate correctly applicable.

(d) The amount claimed by the Goods Shed staff at Howrah, treating the case as one of mis-declaration, amounted to approximately Rs. 6,000. The actual amount correctly due and recovered was Rs. 411-14-0.

(e) and (g). Do not arise.

(f) There was no loss of revenue.

REVISED SCALES OF PAY FOR SUBORDINATE STAFF ON THE EAST INDIAN RAILWAY.

102. **Sardar Mangal Singh:** (a) Is it a fact that:

- (i) the Divisional Superintendent, East Indian Railway, Howrah, issued Circular No. E. T./P/41-34, dated the 20/24th April, 1934, regarding 'Revised Scales of pay for subordinate staff';
- (ii) in this circular the 'old' and 'new' scales of pay have been shown for all the posts in the Division; and
- (iii) the old scales of pay of the Head Ticket Examiners, Head Ticket Collectors and Assistant Head Ticket Collectors have not been shown in this circular?

(b) If the answers to part (a) (i) to (iii) be in the affirmative, will Government please state the old scales of pay for the posts of Head Ticket Examiners, Head Ticket Collectors and Assistant Head Ticket Collectors?

The Honourable Sir Muhammad Zafrullah Khan: I am collecting information and will lay a reply on the table of the House, in due course.

REVISED SCALES OF PAY FOR SUBORDINATE STAFF ON THE EAST INDIAN RAILWAY.

103. **Sardar Mangal Singh:** (a) Will Government please state whether the new scales of pay circulated in the Divisional Superintendent, East Indian Railway, Howrah, Circular No. E. T./P/41-34, dated the 20/24th April, 1934, are applicable to subordinates who were in permanent service on the East Indian Railway prior to 1st November, 1928?

(b) If the answer to part (a) be in the negative, will Government please state why the Ticket Collecting and Examining staff have been brought under the new scales of pay?

(c) Is it a fact that with the exception of the staff referred to in part (b) none other who were in permanent service prior to the 1st November, 1928, have been brought under the new scales of pay?

(d) Are Government aware that this reduction in the pay of the Ticket Examining and Collecting staff only has caused considerable discontent amongst the staff concerned?

(e) Have Government realised that this staff is primarily employed to prevent leakage to revenue? If so, will Government please state why this staff in particular should be selected for such treatment?

(f) What action do Government propose to take in the matter? If none, why not?

The Honourable Sir Muhammad Zafrullah Khan: I am collecting information and will lay a reply on the table of the House, in due course.

GAZETTE PUBLISHED BY THE EASTERN BENGAL RAILWAY WITH INSTRUCTION FOR THE GUIDANCE OF STAFF.

104. **Sardar Mangal Singh:** (a) Will Government please state whether the Eastern Bengal Railway publish a Gazette in which instructions are issued for the information and guidance of the staff?

(b) Is this Gazette issued weekly, fortnightly or monthly?

(c) Is it a fact that only one copy of the Gazette is supplied to each Station Master at stations where guards are posted for their information and guidance?

(d) If the answers to parts (a) to (c) be in the affirmative, will Government please state whether:

(i) the one copy supplied is placed under the custody of a clerk or whether it is placed on a table or Notice Board; and

(ii) this copy is regularly kept open for the staff every day and hour?

(e) Are Government prepared to consider in the interest of efficiency and safety the advisability of providing every guard with a copy of the Gazette?

The Honourable Sir Muhammad Zafrullah Khan: Government have no information. These are matters of detailed administration which must be left to the Agent to decide. I have, however, sent him a copy of the question for such action as he may consider necessary.

GUARDS IN THE CALCUTTA DISTRICT OF THE EASTERN BENGAL RAILWAY.

105. **Sardar Mangal Singh:** (a) Is it a fact that:

(i) the number of Guards in the Calcutta District of the Eastern Bengal Railway is maintained below the sanctioned strength;

(ii) due to this shortage, the services of ticket collectors, crew staff, tally clerks, etc., are utilised as guards; and

(iii) as a result of this shortage the permanent guards are unable to obtain leave as and when required?

(b) Will Government please state the sanctioned strength and the actual number of guards in the Calcutta District?

(c) Is the gazetted staff on the Eastern Bengal Railway maintained below the sanctioned strength? If not, will Government please state the reasons for this preferential treatment to one class of their employees?

The Honourable Sir Muhammad Zafrullah Khan: I am collecting information and will lay a reply on the table of the House in due course.

GRIEVANCES OF PASSENGERS ON THE BENGAL AND NORTH WESTERN RAILWAY.

106. **Maulvi Badrul Hasan:** (a) Are Government aware that:

- (i) the Bengal and North Western Railway Company has lately increased the fare of the steamer between Pahleza Ghat and Digba Ghat, and if so, why;
- (ii) the third class compartments in the said railway are out of date and uncomfortable to the passengers;
- (iii) the said railway is running old-typed intermediate class compartments with rotten cushions in most of the trains;
- (iv) the supply of drinking water at small stations of the said railway is scanty and inadequate;
- (v) there is no arrangement for fans in higher class waiting rooms at even important stations of the said railway;
- (vi) the third class waiting rooms at even important stations of the said railway are unprotected and open to hot and cold winds and rains; and
- (vii) in almost all the Muhammadan refreshment rooms of the said railway there is no Muhammadan cook?

(b) If the answers to some or all parts of part (a) be in the affirmative, will Government be pleased to state what steps they have taken, or propose to take, to remove the grievances?

The Honourable Sir Muhammad Zafrullah Khan: (a) (i). No. The present fares have been in force since November 1931.

(ii) No. They are similar in design and comfort to those on other railways.

(iii) The type of intermediate class compartments has been greatly improved in recent years, and leather cushions are being substituted for canvas.

(iv) Water is supplied from station wells at small road-side stations, and watermen are appointed at all stations where trains halt for an appreciable time.

(v) Fans are provided in waiting rooms at certain stations; for example, Gorakhpur. Where fans are not provided, there are *punkhas*.

(vi) There are no third class waiting rooms, but large waiting sheds are provided where necessary.

(vii) This is being investigated.

(b) As the Bengal and North Western Railway have Advisory Committees, Government do not consider that their intervention is called for in regard to these matters. The Agent's attention has, however, been drawn to the Honourable Member's question.

TAKING OVER OF THE BENGAL AND NORTH WESTERN RAILWAY UNDER THE STATE MANAGEMENT.

107. **Maulvi Badrul Hasan:** Will Government be pleased to state:

- (a) when the lease of the Bengal and North Western Railway Company terminates;
- (b) what dividend the company has given to the shareholders in 1932-33, 1933-34 and 1934-35; and
- (c) whether they intend to bring the Bengal and North Western Railway under the State management; and if not, what are the reasons therefor?

The Honourable Sir Muhammad Zafrullah Khan: (a) Under the terms of the contract Government has the option of purchasing the Company's railway on the 31st December, 1937, or the 31st December, 1942, on giving 12 calendar months' previous notice in writing.

(b) Dividends declared annually by the Bengal and North Western Railway Company (including bonus) during the three years ending the 30th September, 1934 are as follows:

30th September, 1932	16 per cent.
30th September, 1933	16 per cent.
30th September, 1934	16 per cent.

I would point out, however, that the ordinary (profit-sharing) Capital of the Company is only £3 million whereas the total capital outlay is over £8 million, the balance being met from preference capital, debentures and reserves.

(c) The matter is under consideration.

TAKING OVER OF THE TIRHUT RAILWAY UNDER THE STATE MANAGEMENT.

108. **Maulvi Badrul Hasan:** Will Government be pleased to state whether they are prepared to take the Tirhut State Railway under State management; and if not, what are the reasons therefor?

The Honourable Sir Muhammad Zafrullah Khan: The matter is under consideration.

CONSTRUCTION OF CHAKIA-TRANS-GANDAK-SIDHWALIA CHORD LINE OF THE BENGAL AND NORTH WESTERN RAILWAY.

109. **Maulvi Badrul Hasan:** Will Government be pleased to state if they have decided to sanction the construction of a branch line of the Bengal and North Western Railway to be known as Chakia-Trans-Gandak-Sidhwalia Chord Line; and if not, when are they going to do so?

The Honourable Sir Muhammad Zafrullah Khan: The answer is in the negative. As the project after consideration has proved to be unremunerative and the Bihar and Orissa Government are not agreeable to put up the necessary guarantee, it appears unlikely that this project will be sanctioned in the near future, if at all.

**GRIEVANCES OF PASSENGERS TRAVELLING ON THE PATNA-GAYA BRANCH OF
THE EAST INDIAN RAILWAY.**

110. Maulvi Badrul Hasan: Will Government be pleased to state:

- (a) if they are aware that only one intermediate class compartment is attached to the Patna-Gaya line of the East Indian Railway Company and that it becomes over-crowded, resulting in inconvenience to intermediate class passengers; and if so, whether they intend to advise the authorities to attach two intermediate class compartments in the said line; and
- (b) if it is a fact that no fast train is run on the said line; and if not, whether they have considered the desirability of introducing such a train in mid-day in winter and in the night in summer; and if not, whether they are now prepared to advise the said railway administration accordingly? If not, why not?

The Honourable Sir Muhammad Zafrullah Khan: (a) No: I am, however, bringing the Honourable Member's question to the notice of the Agent, East Indian Railway, for consideration.

(b) The actual speed of the present train services on this branch varies from about 25 to 29 miles per hour. Acceleration of any of these services is not possible as, on account of track restrictions, the maximum permissible speed is 30 miles per hour.

REDUCTION OF THE PRICE OF ENVELOPES.

111. Maulvi Badrul Hasan: Will Government be pleased to state:

- (a) if they are aware of the inconvenience felt by the people on account of the different rates being charged on postal envelopes, and
- (b) whether they intend to reduce the price of envelopes, and if not, why not?

The Honourable Sir Frank Noyce: (a) and (b). The question put by the Honourable Member is not quite clear. The different classes of embossed envelopes issued by the Department and their prices are given in clauses 5 and 5-A of the Indian Posts and Telegraphs Guide. Government are not aware of any inconvenience felt by the public in this connection. The question of reducing the price of embossed envelopes can arise only when the rates of postage on letters are reduced.

STATEMENTS LAID ON THE TABLE.

Information promised in reply to unstarred questions Nos. 166 to 169, asked by Mr. M. Maswood Ahmad, on the 10th March, 1934.

**MEMORIAL FROM THE MEMBERS OF THE DELHI EX-ROYAL FAMILY RESIDING IN
LUCKNOW.**

166. (a) Yes.

(b) No money was invested by the Wazirs of Oudh for pensions to the ex-Royal family.

(c) The Government of India have rejected the various requests made in the memorial, except that they have consented to the Government of the United Provinces forwarding a limited number of proposals for the grant of educational scholarships in deserving cases, and that they have agreed to the allowances granted to the descendants of the ex-Royal family being called "Political Life Pensions" in future.

(d) A copy of the memorial is attached.

Memorial.

To His Excellency the Viceroy and Governor General of India.

Through the Deputy Commissioner, Lucknow.

May it please Your Excellency,

We the descendants of Ale Gohar Shah Alam, the late Emperor of Delhi, at present resident at Lucknow most respectfully beg to approach you with the following representation and we venture to hope that it will receive your Excellency's gracious and most sympathetic consideration :

2. That at the out-set, we respectfully beg your Excellency's permission to give a short history of our family. Your Excellency is probably aware that we come of a family which reigned over the destinies of millions of people of India for a couple of centuries, but to our misfortune, time has come when misery itself is ruling over us, and we have been reduced to such a helpless condition that we cannot lead our lives easily. We beg to assure your Excellency that in spite of all pecuniary embarrassments we have remained most loyal to the British throne and ardent supporters of Government during the Great War, and non-co-operation movement.

3. That we beg to submit that after the demise of our late ancestor, Shah Alam Bahadur, Emperor of Delhi, three of his sons, viz., Prince Mirza Jahandar Shah, Prince Mirza Sulaiman Shikoh, and Prince Mirza Sikandar Shikoh came one after another to Oudh and settled down at Lucknow. The Nawab Wazir of Oudh in view of their family dignity and position, allotted to them handsome pensions detailed below as an honorarium for their upkeep. A mention of this fact has been, made in Aitchison's Treatise Vol. II (1892) Edition as well as other annals of the Kings of Oudh.

	Rs.
Prince Mirza Jahandar Shah . . .	25,000
Prince Mirza Sulaiman Shikoh . . .	12,000
Prince Mirza Sikandar Shikoh . . .	1,000
Total .	<u>38,000</u>

4. That your Excellency will be kind enough to see that out of this sum of Rs. 38,000 only one thousand is now distributed amongst the heirs of the forementioned princes and the amount is dwindling day by day. At this juncture we look to our benign Government for preserving our rights and interest. But we crave your Excellency's pardon to express our grief and sorrow over the matter that we have not been fortunate in receiving from the Government due regard and consideration which we thought we deserved.

5. That we beg to submit that we are treated differently at different places, for instance :

- (a) The children of our family are awarded Educational Scholarships at Benares but no sympathy is shown to them in this direction at Lucknow and Delhi.
- (b) At some places we are given hereditary pensions, while at others we are deprived of this right.
- (c) Some of us draw small sums entitled as Political Pensions while monthly allowances of some are stigmatised as charitable though all of us are of the same descent.
- (d) We are not given access to papers concerning our pensions in the Wasiqua Office, Lucknow and Benares Agency and we cannot be represented by pleaders and thus we cannot bring our grievances to the notice of the higher authorities.

- (e) At places where we have the head of our family, he is officially recognized and we beg that at other places also when we appoint one he may be so treated.
- (f) Formerly the educated members of our family were preferably provided with Government posts but now no sympathy is shown towards us in this respect.
- (g) That it will not be out of place to lay before your Excellency the fact that the grievances of the family of the Kings of Oudh at Calcutta have been mostly removed while those of the descendants of the Emperors of Delhi have not yet received the same attention.

6. That we do not wish to embarrass the Government in any way especially in these anxious days. We know that the Government inaugurating a new constitutional era in India and we hope that our interests would be properly safeguarded. We, the members of the *ex-Royal* family of Delhi have formed Family Associations at Delhi, Benares and Lucknow, which aim at maintaining our prestige and honour and to unite the scattered scions of the *ex-Royal* family in one bond.

7. That our requests are :

- (i) That an inquiry committee be appointed by the Government of India to investigate the conditions of all the members of the *ex-Royal* family of Delhi. One of its members should be taken out of our Associations, and K. B. Nawab Syed Hamid Husain Khan Wasiqedar and Taluqdar of Lucknow, descendant of the family of the Prime Minister of Oudh who has been unanimously elected to represent All-India *Ex-Royal* family of Delhi should also be appointed on the Committee.

This enquiry should be made specially at Lucknow, Benares and Delhi.

- (ii) That the amounts of our pensions should be adequately increased so that we may spend our lives honourably in comfort, and pensions which have been stopped should be continued.
- (iii) That our family should be represented in both the Houses of the new Legislative Assembly and also in the United Provinces Legislative Council.
- (iv) The newly imposed condition at Benares regarding the refund of the scholarships from the pension of their parents in case the students fail at the Examinations, should be removed.
- (v) That adequate scholarships should be awarded to all the students of the *Ex-Royal* family at Lucknow, Delhi, Farrukhabad as is done at District Benares for promotion of education amongst us.

8. That in conclusion we most respectfully beg to submit that we entertain most sanguine hopes that the Government of India will consider our case in a sympathetic attitude.

9. The total population in whole India of the Delhi *Ex-Royal* family is about *Fifteen Hundred* and in the Province of the U. P. there are over *Five Hundred*.

10. Finally we express our sincere and deep-felt gratitude to your Excellency for having granted us an opportunity to approach your Excellency with the memorial and laying our grievances before the Imperial Government.

May God save our King.

H. M. George Vth & the Queen.

We beg to remain,
Your Excellency,
Your most humble,
Memorialist,

Members of the Alay Taimur Association,
(*Ex-Royal* Family of Delhi),
Lucknow, U. P. (India).

Dated 25th November, 1933.

FACILITIES FOR THE EDUCATION OF THE CHILDREN OF THE MEMBERS OF THE DELHI *EX-ROYAL* FAMILY RESIDING IN LUCKNOW.

- 167. (i) No special facilities exist.

(ii) None have hitherto been granted, but as will be seen from the answer given to question No. 166(c), the Government of India will be prepared to consider applications.

REPRESENTATION IN THE LEGISLATIVE ASSEMBLY AND THE UNITED PROVINCES LEGISLATIVE COUNCIL FOR THE MEMBERS OF THE DELHI EX-ROYAL FAMILY RESIDING IN LUCKNOW.

168. (a) Yes. The Government of India do not consider that the claims of the Benarès and Lucknow Branches of the ex-Royal family of Delhi for special representation in the Central Legislature are justified. The question of their representation in the Legislative Council of the United Provinces is a matter which is the concern of the Local Government.

(b) No; they are not prepared to accept any such proposal.

EMPLOYMENT IN GOVERNMENT SERVICE OF THE MEMBERS OF THE DELHI EX-ROYAL FAMILY RESIDING IN LUCKNOW.

169. No special facilities exist.

Information promised in reply to part (a) of starred question No. 1114 asked by Maulvi Syed Murtuza Sahib Bahadur on the 28th March, 1935.

CESSES REALISED IN THE ISTIMRARI AREAS OF AJMER-MERWARA BY THE ISTIMRARDARS.

(a) The cesses realized by Istimrardars from the tenants and other residents in the various Istimrari areas of Ajmer-Merwara are shown in the list below. It is however not in every estate that all these cesses are realized.

Serial No.	Name.	Description.
1	Sarak or Sarak bab	Tax charged for construction and repairs of private roads and cart tracks.
2	Pesh Kashi or Halsara or Kholri or Barar or Khalond or Jhunpi	Property tax—more appropriately classed as a ground tax.
3	Bab Awab	A cess on land revenue.
4	Parao Lag	Camping ground fees.
5	Adhat or Arat or Mopa	Export and import duty on commodities for sale.
6	Hablak Bhanbi	Tax in kind recovered by the Gaon Banbi from the joint stock that remains after the division of the grain between the Istimrardar and the tenant.
7	Lag Dori	The right of the servants of the Istimrardar to pluck the standing crops at the time of measurement of the field.
8	District Fund	A cess recovered by the Istimrardar towards payment of the District Fund.
9	Chungi Darzi	Payment to the tailor from the joint corn in return for work done for the Istimrardar.
10	Dholi-par-ghugri or Khalek	A tax on muafis realised by the Istimrardar.
11	Lag talab	Irrigation tax.
12	Nazar Kunta	A rupee from each village presented to the Istimrardar at the commencement of the measurement in each village.
13	Oda	Appears to be a tax for irrigation by lifts.

Serial No.	Name.	Description.
14	Haq Kanungoi	Payment in kind by the villagers towards the maintenance of the field staff.
15	Akhradi	A sort of penalty charged from those villagers who delay in throwing out the corn on the threshing floor.
16	Bhat ka Chuna	Lime-tax.
17	Mer (Mend)	Tax for cutting grass grown on embankments of fields.
18	Dhada	A part of Hansil (rent) which is collected with rent as settled.
19	Ginti	Compensation for grazing in the jungle.

Information promised in reply to starred question No. 1451, asked by Seth Govind Das, on the 4th April, 1935.

IMPERIAL MAILS (FOREIGN MAILS) RUN ON THURSDAYS AND FRIDAYS TO DIFFERENT PARTS OF INDIA FROM AND TO BOMBAY.

(a) (1) There are two special trains which are run in connection with the foreign mails. One of these is the Imperial Indian Mail which carries mails and passengers and runs once a week each way between Bombay and Howrah. The other is an express train conveying mails only which runs from Bombay to Madras once every alternate week.

(2) Based on the average cost of hauling a passenger train per mile, the cost of running the Imperial Indian Mail is estimated at approximately Rs. 4.04.000 in the year 1934 and the cost of the Bombay-Madras Postal Express is similarly estimated at Rs. 54,068 during the same year.

(3) Special trains are run for the conveyance of foreign mails in France between Marseilles and Calais or Boulogne, and in England between Folkestone, or Dover and London. Information as regards other similar services in these and other countries is not available.

(4) The average number of passengers carried by the Imperial Indian Mail trains during the year 1934 was 28 each way. No passengers are carried by the Bombay-Madras Postal Express.

(5) The income derived from the carriage of passengers and luggage by the Imperial Indian Mail trains during 1934 was approximately Rs. 5.12.000.

(6) The amount paid by the Posts and Telegraphs department during 1934 for the Imperial Indian Mail trains was Rs. 2,14,902 being 53 per cent. of the estimated cost of the service and for the Postal Express from Bombay to Madras Rs. 41,288 being 76 per cent. of the total cost of the service;

(b) As regards the first part of the question, it will be seen from the reply given to part (a) that the running of these special trains is not a costly affair to Government.

As regards the second part, the reply is in the negative;

(c) Except during a short period of the year when traffic is slack, the mail trains between Bombay and Calcutta cannot take the additional coaches carrying passengers and mails which have to be conveyed after the arrival of the P. & O. mail steamers at Bombay or in the reverse direction to connect with the outward mail steamers. The quantity of mails to be carried by the Bombay Madras Postal Express is too heavy to be carried by the ordinary trains running between Bombay and Madras. This latter train conveys not only the mails intended for delivery in India but also the through mails to the Straits Settlements for the conveyance of which the Postal Department receives payment from the foreign administrations whose through mails are carried;

(d) Government have considered the question on more than one occasion. The timings of the ordinary daily trains are arranged to suit the requirements of the internal mails of the country and of normal passenger traffic. As stated in the reply

to part (c), of the question, the volume of foreign mails and the number of passengers arriving by the P. & O. mail steamers is such that it cannot be carried by the ordinary mail trains during the greater part of the year. The time of the arrival of the mail steamer at Bombay is also not definite and the time of departure of the special trains are so fixed as to enable the mails to be sorted and loaded in Bombay and the passengers to clear their luggage through the customs and to board the trains.

Information promised in reply to starred question No. 1618, asked by Mr. Sri Prakasa, on the 6th April, 1935.

TERMS OF THE AGREEMENT BETWEEN RAJA MAHIPNARAIN AND THE GOVERNOR GENERAL IN COUNCIL.

(a) The agreement provided that the surplus should be "annually expended in this district, and applied, under the authority of the Company's Government, towards the charges of the civil and judicial establishments in the support of the new and old Courts, and for the maintenance of the pautsalla or Hindoo College, and for repairing the roads and constructing bridges, and promoting the cultivation, etc."

The Honourable Member has omitted the charges relating to civil and judicial establishments.

(b) and (c). The information is not readily available, revenue and expenditure of the tract in question having been merged in the general Provincial account.

(d) Government are not aware of any deviation from the agreement.

(e) These matters are primarily the concern of the Local Government.

Information promised in reply to starred question No. 27, asked by Mr. Sham Lal, on the 2nd September, 1935.

CONTROL OVER THE AGRA CANAL.

(a) The Agra Canal takes off from the Jumna river about 120 miles below Tajewala where the Headworks of the Eastern and Western Jumna Canals are situated. No provision was made for the Agra Canal in the distribution of water at Tajewala.

(b) The Punjab Government controls the supplies at Tajewala and distributes them between the Eastern and Western Jumna Canals according to a definite agreement between the Governments of the Punjab and the United Provinces. Canal irrigation in the Gurgaon district is not under the control of the Punjab Government; but that Government watches the interests of its irrigators and makes representation to the Government of the United Provinces when necessary.

(c) The supplies in the Agra Canal are very limited at certain periods of the year. The canal draws most of its supply from the Ganges Canal. The supply is made on a definite share basis and not haphazard.

(d) "Abiana" is collected by the Revenue officials, who are employed by the Punjab Government. Remissions are sanctioned under fixed rules by the canal officials of the United Provinces in consultation, when required by the rules, with the Punjab Government officials. No other arrangement is possible on a canal supplying water in two provinces.

(e) In 1930 the Agra Canal rates in the Gurgaon district were brought into line with the Punjab Canal rates so as to secure uniformity in rates in the Punjab.

(f) No. In the United Provinces two rates are charged for water—an occupier's rate and an owner's rate. The occupier pays the usual water rate; the owner pays about $\frac{1}{3}$ of the occupier's rate. The owner's rate is collected, either directly or indirectly as land revenue, the method depending on whether a land revenue settlement was made before or after the introduction of irrigation in the area. In respect of Agra Canal irrigation, if the owner's rate is added to the occupier's rate, the United Provinces rates would be about annas 0-4-0 and annas 0-12-0 higher than the Gurgaon

rates for sugarcane and wheat respectively. On the other hand the rate for cotton in Gurgaon is about Rs. 1-8-0 per acre above the combined rate in the United Provinces.

The rates on the Punjab Government Canals have recently been lowered as a temporary measure. The portion of the Agra Canal in the Gurgaon district has not received this concession.

Information promised in reply to starred question No. 136, asked by Mr. S. Satyamurti, on the 5th September, 1935.

RETURN ON THE TOTAL CAPITAL COST OF NEW DELHI.

New Delhi is not, and was never intended to be, a source of direct profit to Government. Revenue accrues from some of the works and services financed from capital—such as the houses and quarters belonging to Government, and the electric supply undertaking which now belongs to the New Delhi Municipal Committee. But the great bulk of the expenditure is obviously unremunerative, and on New Delhi as a whole (if interest charges are taken into account) there was no return either in 1933-34 or in 1934-35.

Information promised in reply to supplementary question by Dr. Khan Sahib to starred questions Nos. 197, 210 and 213, asked by Mr. S. Satyamurti, on the 9th September, 1935.

TRIBAL VENDETTA ON THE NORTH-WEST FRONTIER.

It has been verified from the North-West Frontier Government that the answer is in the negative.

Information promised in reply to unstarred questions Nos. 23 and 53 asked by Srijut N. C. Bardaloi on the 9th September, 1935.

APPOINTMENT OF ASSAMESE IN CERTAIN APPOINTMENTS IN THE COMPTROLLER'S OFFICE, ASSAM.

23. (a) No. The number of permanent, temporary and officiating appointments in the different cadres as they stood on the 30th August, 1935, is as follows :

Kind of service.	No. of posts.	Hindus of Bengali race including Sylhet Bengali.	Others.
(i) Central Services, Class I .	2	1	1 (Anglo-Indian).
(ii) Central Services, Class II	2	2	—
Temporary .	1	1	—
(iii) (a) Superintendents and Senior Accountants of the All India List.	16	17	1 (Anglo-Indian).
Temporary .	2		
(b) Subordinate Account Service Apprentice.	1		1 (Muslim).

Kind of service.	No. of posts.	Hindus of Bengali race including Sylhet Bengali.	Others.
(iv) Divisional Accountants	3	3	—
(v) Clerks	106	91	23
Temporary	8		Indian Christian 4 Sylhet Muslim 9 Assamese Muslim 4 Khasi 1 Anglo-Indian 3 Assamese Hindu 2 <hr/> 23
(vi) Typists and Stenographers	4	3	1 (Indian Christian).
(vii) Record clerks	12	7	6
Temporary	1		Indian Christian 1 Khasi 2 Sylhet Muslim 1 Assamese Muslim 2 <hr/> 6

(b) No.

A competitive examination for the recruitment of clerks was held from time to time up to 1926. This examination was open to all.

(c) No.

From 1929 to 1934 recruitment has been made direct as well on the result of the competitive examination held in 1926 in the proportion of two Hindus to one member of a minority community (the latter term including Muslims, Anglo-Indians, Indian Christians and Khasis).

The present recruitment is made in the proportion of seven of the majority community to four Muslims and one from the other minority communities in every 12 vacancies.

(d) Yes.

(e)

Kinds of Service.	Hindus of Surma Valley.	Assamese Hindus.	Assamese Muslims.
(i) Central Services, Class I	Nil	Nil	Nil
(ii) Central Services, Class II	2	Nil	Nil
(iii) Superintendents and Senior Accountants	14	Nil	Nil
Subordinate Accounts Service Apprentice	Nil	Nil	Nil
(iv) Divisional Accounts	2	Nil	Nil
(v) Clerks	75	2	4
(vi) Typists and Stenographers	3	Nil	Nil
(vii) Record Clerks	6	Nil	2

(f) Recruitment is made according to prescribed proportions from communities within the area designated as providing personnel for the particular central office but no distribution of recruitment is ordinarily made between classes of the majority community in any area.

(g) The Selection Board consists of the Deputy Comptroller, one Assistant Accounts Officer and the Superintendent in charge of Establishment. The recommendation of the Board is subject to the approval of the Comptroller. The three last mentioned officers are Bengalees at present.

(h) It is the policy of the Government of India to reserve vacancies not for territorial or tribal sub-sections of the population but only for communities which form a distinct minority by virtue of the fact that they profess a religion distinct from Hinduism. Accordingly no vacancies are reserved for Assamese as such, but those Assamese who belong to a minority community, e.g., Muslims or Christian, are eligible for the percentages of vacancies reserved for "Muslims" or "Other minority communities".

Recruitment in the office of the Comptroller, Assam, is confined to Assam Province, and the Comptroller has appointed two Assamese Hindus and four Assamese Muslims in temporary vacancies in his office during 1934-35 and 1935-36 of whom three Assamese Muslims still continue in service. He has also registered names of several Assamese candidates for appointment in future vacancies in his office.

MAIL SORTERS IN EAST BENGAL AND ASSAM.

53. (a) Eleven, but the recruitment was not made by competitive examination. The examination held was a purely qualifying one and gave no right of employment to those who qualified by passing it.

(b) No.

(c) Yes.

(d) Yes, but in an officiating capacity.

(e) Yes, in view of the impending retrenchment campaign and call for strict economy.

(f) Yes. These vacancies were kept unfilled in view of the contemplated reduction of establishment.

(g) Yes, as recruitment was then open only to the lower grade.

(h) Government have seen the Circular.

(i) No, as this is inadmissible under the Government's orders published in the Circular mentioned above.

Information promised in reply to a supplementary question in connection with starred question No. 260, asked by Mr. C. N. Muthuranga Mudaliar, on the 11th September, 1935.

RESULTS OF EXCAVATIONS AT NAGARJUNAKONDA IN THE GUNTUR DISTRICT.

The following orders were issued by Government in 1930 regarding the distribution of antiquities discovered in the course of excavation by the Archaeological Department :

"The museums which have to be considered are of three kinds, viz., national museums maintained by the Government of India at present only at Delhi and Calcutta, Provincial museums maintained by the different provincial Governments and local museums established by the Archaeological Department on or in the vicinity of actual excavation sites. The distribution of antiquities to these three classes of institution will in future be regulated as follows. When local museums are opened, the whole of

the antiquities discovered at the adjoining excavation site will be exhibited in them, so as to ensure that collections of antiquities discovered at important excavation sites are displayed in proper focus and amid their natural surroundings. The Government of India will not remove such collections or any part of them from local to national museums, other than duplicate individual objects which are superfluous to local requirements, and no portion of such collections will be made over to the provincial museum of the local Government concerned, which will already enjoy the advantage of having the local museum within its borders. But when no such local museums are established the method of distribution will be as follows :

- (a) Half of each set of antiquities excavated will be offered to the local Government or Administration of the province in which it has been found, and the offer will be subject only to the stipulation that the collection shall be properly exhibited and adequately protected and shall not be split up without the consent of the Government of India.
- (b) The division of the antiquities will be made by the Archæological Department and the local Government or Administration concerned will be allowed to choose whichever half it prefers.
- (c) If, in any case, the Archæological Department considers it desirable not to break up a collection to the extent indicated above, the party which obtains the smaller share will be entitled to claim a proportionately larger share on the next occasion. For this purpose, the objects which either party may receive in excess of its 50 per cent. share will be treated as a loan from the other party and taken into account on the next occasion when a collection of antiquities has to be divided.
- (d) The half-and-half method of distribution outlined above will be applied also to cases, if any, in which the Archæological Department abandons a local museum. Should the Archæological Department close down any such museum, the objects which the museum contained would be divided and the local Government concerned would be allowed to retain which half of them it preferred.
- (e) If in any cases the Archæological Department does not require the whole of the antiquities which are allotted to it under the system described, it will be at liberty to loan any portion of them to individual local Governments which do require them, on such conditions as it imposes."

Information promised in reply to parts (b) to (f) of starred question No. 516, asked by Mr. B. B. Varma, on the 19th September, 1935.

DRIVERS IN THE JHANSI DIVISION OF THE GREAT INDIAN PENINSULA RAILWAY.

- (b) Drivers employed in the highest grade on the Jhansi Division are either Europeans or Anglo-Indians.
- (c) No. There are at present Indian Christian and Parsi guards,
- (d) Yes, except that Indian Christians are to be found in the higher grades.
- (e) Yes.
- (f) The reply to the first part of the question is in the affirmative.

As regards the latter portion, as stated in reply to part (c) above, there are Indian Christian and Parsi drivers working passenger trains on the main line. There are no permanent Indian Passenger Guards working these trains but all "A" and "B" grade

Indian Goods Guards work in spare and relieving turns on passenger trains on the main line on the Jhansi Division. The reasons why Indian guards have not reached the higher grades of guards are that, prior to 1930, only Europeans and Anglo-Indians were recruited directly to higher grades and with the retrenchment since 1931 owing to the abolition of certain posts, promotion of Indians to higher grades has been retarded. The Indian guards are not debarred from promotion and they will, no doubt, rise to higher grades in due course.

Information promised in reply to starred question No. 592, asked by Mr. Muhammad Azhar Ali, on the 23rd September, 1935.

RESIDENTIAL ACCOMMODATION FOR GOVERNMENT SERVANTS IN NEW DELHI AND SIMLA.

(a) The number of married quarters is :

New Delhi	2,251
Simla	319

Single quarters are *not* included in these figures.

(b) The percentages for *applicants* were :

New Delhi 1934-35	80
Simla 1935	27

(c) The percentages for *applicants* are or will be :

New Delhi 1935-36	87
Simla	25

(d) Exact figures cannot be given without the collection of particulars from all Departments. The quarters in Simla suffice for considerably more than 5 per cent. of the personnel.

(e) Yes, but allowances are paid to members of the Secretariat staff who do not obtain Government accommodation.

(f), (g) and (h). Government have no information and do not propose to institute a special enquiry.

(i) and (j). House allowances are paid which should enable clerks to obtain suitable accommodation.

(k) No. It would be impossible to build on a very large scale in Simla, and future arrangements there are uncertain.

(l) and (m). Attention is invited to the reply given in this House by the Honourable the Home Member to starred question No. 721 by Mr. S. Satyamurti, on the 7th March, 1935.

Information promised in reply to part (b) of starred question No. 704, asked by Babu Baijnath Bajoria, on the 26th September, 1935.

ALLOTMENT OF SUMMER HILL QUARTERS, SIMLA.

16, 33 and 24 'A' class quarters at Summer Hill, Simla, were allotted during the years 1932, 1933 and 1934 respectively, to officers entitled to rent free accommodation. The total amount of rent realised for the rest of the quarters during these years was Rs. 4,967, Rs. 2,711 and Rs. 5,279, respectively.

Information promised in reply to starred question No. 731 asked by Pandit Govind Ballabh Pant on the 26th September, 1935.

INDIANS, EUROPEANS AND ANGLO-INDIANS IN THE VARIOUS PORT TRUSTS.

Statement showing the number of Indians, Europeans and Anglo-Indians in the various Port Trust services in posts carrying pay of more than Rs. 400 p.m. during the last ten years.

Port Trust.	1925-26.	1926-27.	1927-28.	1928-29.	1929-30.	1930-31.	1931-32.	1932-33.	1933-34.	1934-35.	1935-36.
	E. A. I. I.	E. A. I. I.	E. A. I. I.	E. A. I. I.	E. A. I. I.	E. A. I. I.	E. A. I. I.	E. A. I. I.	E. A. I. I.	E. A. I. I.	E. A. I. I.
1. Chittagong .	4 1 ...	6 1 ...	6 1 ...	9 1 ...	9 1 ...	9 1 ...	9 1 ...	9 1 ...	8 1 ...	8 ...	... ..
2. Bombay* .	104 40 41 100 39 37		98 37 36	95 36 39	92 37 45	80 37 45	84 37 46	77 36 45	75 36 42	71 32 44	... ..
3. Calcutta .	143 95 15 138 101 17		141 93 20	146 100 22	150 105 28	149 104 32	150 100 31	141 91 32	130 80 33	119 83 33	... ..
4. Karachi .	... ..	27 1 7	27 1 7	26 1 8	20 1 8	24 1 9	21 1 12	21 1 11	21 1 11	21 1 11	20 1 12
5. Rangoon .	60 14 12	65 24 15	70 23 15	68 25 16	72 26 16	71 27 16	68 26 17	63 22 16	62 19 16	60 19 15	... ..
6. Madras .	... ..	12 2 5	13 2 5	13 2 6	16 5 5	17 5 7	17 5 7	17 5 7	16 5 7	14 5 7	12 4 6
7. Aden .	10 1 ...	9 1 1	9 1 2	10 ... 2	11 ... 2	10 ... 2	10 ... 2	10 ... 2	10 ... 2	10 ... 2	... ..

E.—Europeans.

A. I.—Anglo-Indians.

I.—Indians.

* Figures include posts carrying a maximum pay of Rs. 500 or over.

† (1) Figures relate to posts carrying a maximum pay of Rs. 500 or over. (2) Figures in column 1 include Burmans, etc.

Information promised in reply to parts (c), (d) and (e) of starred question No. 735, asked by Mr. Anugrah Narayan Sinha, on the 26th September, 1935.

ELIGIBILITY OF TELEPHONE OPERATORS TO PENSION.

(c) Six.

(d) No, as they were appointed substantively after the 8th July, 1919, with retrospective effect from 1st March, 1919.

(e) Does not arise.

DEATHS OF MR. DEEP NARAYAN SINGH, KHAN BAHADUR ALIMUZZAMAN CHAUDHURI AND MR. KAMINI KUMAR CHANDA.

The Honourable Sir Nripendra Sircar (Leader of the House): It is my painful duty to bring to your notice and to the notice of this House the death of an Honourable Member of this Assembly, Mr. Deep Narayan Singh. I had the good fortune of knowing him when I started life in Bhagalpur and he was practically my next door neighbour. Those of us who have come across him know him as a man of culture, obliging and considerate to others, and in every sense of the term a gentleman. I have been informed that he did extremely good work as a member of the Road Committee and the speeches that he made here, though they were not too many, were in language to which no one could take exception, although he put forward his views as vigorously as possible. It is rather difficult to realise that Mr. Deep Narayan Singh, whom we met in the last Delhi Session and who was apparently in good health and of a very cheerful disposition, is no more with us. I request you to convey to the family of the late Mr. Deep Narayan Singh our sincere grief and our condolence on this occasion.

I have also to mention the death of two persons who were Members of this Assembly, but whom I have not the good fortune of knowing. One is Khan Bahadur Alimuzzaman Chaudhuri. I am sure, other Members of the Assembly will be able to tell you about him. The same applies to Mr. Kamini Kumar Chanda who, I am told, was a Member of this House. In connection with both these gentlemen, I make the same request.

Mr. Bhulabhai J. Desai (Bombay, Northern Division: Non-Muhammadan Rural): It is my somewhat melancholy duty at the commencement of the Sessions of this House to have to refer to the deaths of those who were our active Colleagues and those who were associated with the work of this Assembly before. So far as our friend, Mr. Deep Narayan Singh, popularly known as Deep, is concerned, it is almost difficult to realise that he has passed away. In his death, this House, I venture to say, has suffered an almost irreparable loss. At all events, speaking for those on this side of the House, his place is difficult to fill, though we have a successor who has been returned by his constituency almost in the same unanimous manner in which Deep was. He was above all a popular man, but his popularity was not based on a mere facile temperament. It had a much deeper foundation—an almost infectious good cheer and a temperament which refused to acknowledge defeat under all circumstances. More than that, he was a patriot who considered no sacrifice too great, whenever his services were demanded in the cause of his country. He was a really learned and cultured man. The more one

[Mr. Bhulabhai J. Desai.]

knew him, the more one loved him. He has departed, but his memory would always remain behind as a great example of steadfast loyalty to the cause for which he stood. I join the Leader of the House in the request that he has made to convey our earnest sense of loss and our deep sense of sorrow to his bereaved widow and the other members of his family. As regards the other two gentlemen, they belonged to a period of time when I had no occasion to be in this Assembly; and all I can say, in the spirit of the observation which I made yesterday, is that, whatever party they belonged to, the circumstances of their death bring them, in any expressions of sorrow on our part, on a level of the common humanity in which each of us and all of us share.

Mr. Akhil Chandra Datta (Chittagong and Rajshahi Divisions: Non-Muhammadan Rural): Sir, I should like to say a few words about the death of Mr. Kamini Kumar Chanda. He was a Member of this House, I believe, for two consecutive terms. He was also a Member of the old Imperial Legislative Council, and he was also a Member of the Provincial Council of Assam. Sir, his activities were not confined merely to the Legislature. He had a long, and distinguished public life and he rendered great services to the political, social and economic advancement of the country. Sir, he was a well-known Advocate of the Calcutta High Court. He commanded an extensive practice, especially in Eastern Bengal and Assam. Although a very brilliant practitioner, he always took a prominent and active part in all the progressive movements of the country. He was a distinguished member of the Congress, the most powerful political organisation of the country. Certainly, by his death, Sir, the country has suffered an irreparable loss.

Sir, with regard to the death of our late lamented friend, Mr. Deep Narayan Singh, I do not wish to add to all the observations made by the Honourable the Leader of the House and the Honourable the Leader of the Opposition. I wish only to content myself by saying this, that, to know him was to love him.

Sir Cowasji Jehangir (Bombay City: Non-Muhammadan Urban): Sir, once again we have to mourn the loss of a sitting Member of this Honourable House and to condole with his family and also with the Congress Party on the loss of one more of their members. Sir, Mr. Deep Narayan Singh had a most charming personality which attracted to him men of all communities and all classes. I had known him for many, many years. I remember him visiting my City of Bombay on more than one occasion during the last thirty years, and there was something about Mr. Deep Narayan Singh which attracted towards him people of divergent classes and divergent views. He was a charming companion, a most interesting conversationalist, a man who had travelled all over the world, in fact every nook and corner of the globe, and who had taken advantage of his travel by personal observation and wide reading. Mr. President, perhaps some of my Honourable friends do not know that Mr. Deep Narayan Singh, when he was at Cambridge, was one of the most popular Indians Cambridge ever had. It was before my time, but I can remember hearing of Mr. Deep Narayan Singh at Cambridge as a most distinguished Indian. He was a Zamindar in a fairly big way, and gave of his plenty to the poor of all classes, and I see now from the papers that he has left the

whole of his fortune for the benefit of his province. Mr. President, I join with the others and associate the Independent Party with this Resolution and request you to convey to Mrs. Deep Narayan Singh, to whom the loss will be irreparable, our sincerest condolences, and we trust and hope—which we know she will—that she will follow in the footsteps of her noble husband in philanthropy, and sympathy and active co-operation with all classes and creeds.

Sir Leslie Hudson (Bombay: European): Sir, I wish to associate myself and my Party with all that has fallen from the other Leaders of Parties in this House. Mr. Deep Narayan Singh, whom I had the pleasure to know for the last two years, became, with his culture and with his charming manner, an object of very kindly regard, I may say affectionate regard, of all those Honourable Members who sit behind me. I associate my Party with the Resolution of the Honourable the Leader of the House.

Mr. President (The Honourable Sir Abdur Rahim): In accordance with the request of the Honourable Members, it will be my duty to convey to the bereaved families of the three deceased Members of this House the expressions of sympathy and condolence which have been made. I knew Mr. Deep Narayan Singh for a long time and, as has been said, all those who came across him could not help being attracted by the charm of his personality. He was a prominent Zamindar of the district of Bhagalpur in the Province of Bihar, where an important college was founded by his father and the greater portion of the income of the Zamindari was devoted to the maintenance of that college. Mr. Deep Narayan Singh gave very largely out of his income towards charities and educational institutions and he was an extremely popular and respected figure in his Province. As regards his work in this Assembly, as has been stated by the Leader of the House, though he spoke seldom, whenever he did speak, he spoke with effect. I feel it a personal loss that he should have disappeared from our midst so soon after he joined this Assembly. As regards Khan Bahadur Alimuzzaman Chaudhuri, I did not know him as a Member of this Assembly. He was an inhabitant of my province and a Zamindar and he was also a member of the local Council. All those who knew him, knew him to be a perfect gentleman. Mr. Kamini Kumar Chanda was also in this Assembly before my time. I associate myself with what all has been said by Mr. Akhil Chandra Datta regarding him. I shall convey the expression of condolence and sympathy of this House to the bereaved families of these gentlemen, and, as Sir Cowasji Jehangir very well said, our special sympathy goes out to Mrs. Deep Narayan Singh to whom the death of her husband must have been a grievous loss indeed.

MOTIONS FOR ADJOURNMENT.

LACK OF DISCIPLINE IN THE KING'S REGIMENT STATIONED AT JUBBULPORE.

Mr. President (The Honourable Sir Abdur Rahim): I have received notice of a motion for adjournment of the business of the House by Mr. Akhil Chandra Datta. He proposes to move for the adjournment of the

[Mr. President.]

House to discuss a matter of urgent public importance, namely, the lack of discipline in the King's Regiment as evidenced by the conduct of some soldiers of that Regiment in the village of Benda near Jubbulpore.

Since then, I have received a message from His Excellency the Viceroy and Governor General that, in the exercise of the powers vested in him under sub-rule 2 of Rule 22 of the Indian Legislative Rules, he has disallowed this motion on the ground that the motion cannot be moved without detriment to the public interest.

RIOTING OF THE SOLDIERS OF THE KING'S REGIMENT STATIONED AT JUBBULPORE.

Mr. President (The Honourable Sir Abdur Rahim): The next motion of which notice has been given is also by Mr. Akhil Chandra Datta. It also relates to the same subject* and is, therefore, barred.

EXTERMENT ORDERS ON CERTAIN INDIAN SHOPOWNERS AND TRADESMEN IN IRAQ.

Mr. President (The Honourable Sir Abdur Rahim): The third motion for adjournment given notice of by Mr. Akhil Chandra Datta is to the effect that he proposes to discuss a definite matter of urgent public importance, *viz.*, the situation created in Iraq by the passing of externment orders on certain Indian shopowners and tradesmen.

I should like to know what the Honourable Member has to say as to whether the situation created in Iraq is definite enough within the meaning of the rule.

Mr. Akhil Chandra Datta (Chittagong and Rajshahi Divisions: Non-Muhammadan Rural): Mr. President, it is definite in this sense that the externment order has been passed upon several Indians asking them to leave the country within a few days.

Mr. President (The Honourable Sir Abdur Rahim): What is the situation created? No particular facts are mentioned.

Mr. Akhil Chandra Datta: As far as I have been able to gather information from the letters received from men in that country, an order has been passed without any particular or adequate reason externing the Indians from that country. It is said to be part of the programme for expelling Indians from Iraq.

Mr. President (The Honourable Sir Abdur Rahim): I do not think I made myself understood to the Honourable Member. What is the situation created? That is what I want to know.

*"I propose to move a motion for adjournment of the business of the Assembly on the opening day of the next Session for the purpose of discussing a matter of urgent public importance, namely, the situation created by the rioting of the soldiers of the King's regiment stationed at Jubbulpore in the village of Benda near Jubbulpore, Central Provinces".

Mr. Akhil Chandra Datta: The situation created is this: that these people from India who have settled down there for a long time, who have invested a lot of money and who have been doing business, have been turned out from that country.

Mr. President (The Honourable Sir Abdur Rahim): The rule requires that it must be a definite matter of urgent public importance. The situation described by the Honourable Member is rather general and vague and no particular facts are mentioned as to the situation that has been created.

Mr. Akhil Chandra Datta: I do not think I have any other facts beyond this, that notice has been served extorning several people without any reason whatsoever.

Mr. President (The Honourable Sir Abdur Rahim): There is another point on which I should like to know what the Honourable Member has to say. Iraq, I take it, is a foreign country within the meaning of the Rules and Standing Orders governing motions like this.

Mr. Akhil Chandra Datta: I do not think in my motion the question about a foreign country arises at all. The relationship is there, and, on the basis of that relationship, my information is that the Indians settled in Iraq have great grievances and the Government of India are at least in a position to redress those grievances. In a situation like that, the question of foreign relationship does not arise. That relationship should continue as it is, and, on the foundation of that relationship, the Government of India should try to redress the grievances of these Indians who have been externed.

Sir Aubrey Metcalfe (Foreign Secretary): All I have to say is that I take formal objection to the motion on the ground which the Chair has already mentioned, namely,

Mr. President (The Honourable Sir Abdur Rahim): I simply wanted to know what the Honourable Member, Mr. Akhil Chandra Datta, has to say on that point.

Sir Aubrey Metcalfe: The objection that I take is based on Rule 12 and Rule 22 of the Indian Legislative Rules which lay down that no motion for adjournment may be moved with regard to a subject on which a Resolution will not be permitted. My contention is that, in this particular case, it would be impossible to discuss this affair without trenching upon matters which affect the relations of His Majesty's Government with a foreign state. I may, however, make it quite clear that the Indian public—and even the Honourable the Mover of this motion—appear to be extremely ill-informed on this subject. If you, Sir, decide to over-rule my objection, I should be very happy to meet—and I hope to meet successfully—any criticisms which the Honourable the Mover may put forward.

Mr. President (The Honourable Sir Abdur Rahim): I suggested this difficulty, because it seemed to me that the rulings were not quite uniform. I wish to point out that there is a ruling (No. 536, Vol. II

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of the Decisions from the Chair) by Sir Shanmukham Chetty that, in such cases, so far as a motion raises the question of protection of Indians in foreign countries, there is no prohibition. I propose to follow that ruling.

Sir Aubrey Metcalfe: I have not seen the ruling, Sir, but I am perfectly prepared to bow to any decision which the Chair may take in the matter.

Mr. President (The Honourable Sir Abdur Rahim): Did the Honourable Member object to this motion?

Sir Aubrey Metcalfe: I raised an objection on formal grounds.

Mr. President (The Honourable Sir Abdur Rahim): As objection has been taken, those who are in favour of leave being granted will rise in their places.

(A count was then taken.)

As not less than 25 Members are in support of leave being granted, the motion will be taken up at 4 o'clock.

PANEL OF CHAIRMEN.

Mr. President (The Honourable Sir Abdur Rahim): I have to inform the House that, under rule 3(1) of the Indian Legislative Rules, I nominate Pandit Govind Ballabh Pant, Sir Cowasji Jehangir, Sir Leslie Hudson and Sir Muhammad Yamin Khan on the Panel of Chairmen for the current Session.

COMMITTEE ON PETITIONS.

Mr. President (The Honourable Sir Abdur Rahim): I have to announce that, under Standing Order 80(1) of the Legislative Assembly Standing Orders, the following Honourable Members will form the Committee on Petitions:

- (1) Sir Leslie Hudson,
- (2) Mr. B. Das,
- (3) Dr. Ziauddin Ahmad and
- (4) Mr. M. S. Aney.

According to the provision of the same Standing Order, the Deputy President will be the Chairman of the Committee.

ELECTION OF A MEMBER TO THE SELECT COMMITTEE ON THE AMENDMENTS OF THE STANDING ORDERS.

Mr. President (The Honourable Sir Abdur Rahim): Honourable Members are aware that the proposed amendments of the Standing Orders moved by Mr. C. N. Muthuranga Mudaliar and Dr. G. V. Deshmukh were referred, during the last Simla Session, to a Select Committee consisting of the President, the Deputy President and seven

members who were selected by the Assembly in accordance with the requirements of Standing Order 56(2). Since then, one of the selected members, Sir Lancelot Graham, has resigned his seat in the Assembly, and a vacancy has, therefore, taken place among such members of the Select Committee. In order that the provisions of Standing Order 56(2) may be complied with, it is necessary that this vacancy should be filled.

I have, therefore, to announce that nominations for filling up the vacancy will be received in the Notice Office up to 12 noon on Wednesday, the 5th February, and the election, if necessary, will, as usual, be held in the Secretary's Room in the Council House on Friday, the 7th February, 1936, between the hours of 10-30 A.M. and 1 P.M. by means of the single transferable vote.

GOVERNOR GENERAL'S ASSENT TO BILLS.

Mr. President (The Honourable Sir Abdur Rahim): I have to inform Honourable Members that the following Bills which were passed by both Chambers of the Indian Legislature during the Simla Session, 1935, have been assented to by His Excellency the Governor General under the provisions of sub-section (1) of section 68 of the Government of India Act:

1. The Aligarh Muslim University (Amendment) Act, 1935.
2. The Indian Army (Amendment) Act, 1935.
3. The Central Provinces Courts (Supplementary) Act, 1935.
4. The Provincial Small Cause Courts (Amendment) Act, 1935.
5. The Provincial Insolvency (Amendment) Act, 1935.
6. The Factories (Amendment) Act, 1935.
7. The Repealing and Amending Act, 1935.
8. The Jubbulpore and Chhattisgarh Divisions (Divorce Proceedings Validation) Act, 1935.
9. The Indian Coffee Cess Act, 1935.

RESOLUTION RE APPOINTMENT OF A JOINT STANDING ARMY COMMITTEE.

Mr. President (The Honourable Sir Abdur Rahim): I understand that Nawab Sahibzada Sir Sayad Muhammad Mehr Shah has authorised Sardar Mangal Singh to move the Resolution which stands in his name, and I call upon him to do so.

Sardar Mangal Singh (East Punjab: Sikh): Sir, I move:

"That this Assembly recommends to the Governor General in Council to appoint a joint Standing Army Committee, consisting of Members from both the Houses, to advise the Government on all matters connected with the defence of India."

Belonging as I do to a province which contributes the biggest share to the Indian Army, I am moving this Resolution with the fullest sense of responsibility. Before I proceed further, I wish to assure the Army Secretary that the object of this motion is not to create difficulties for the Army Headquarters in the administration of this important department, nor to embarrass the military authorities in the carrying on of their difficult and delicate task. I hold, Sir, that we want an efficient and strong

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army that would be able to meet any conceivable emergency and should be competent to protect the country from external as well as internal dangers. The army is not a joke; to its care are committed the lives and properties of 35 crores of human beings. Nothing should be done or said in this House or outside which would impair or tend to impair the efficiency and the discipline of the armed forces. It is, therefore, in the spirit not of obstruction but of sincere co-operation, it is in the spirit not of destructive criticism but of offering constructive proposals with a view to improve the position, that I am bringing forward this Resolution for the appointment of a joint Standing Army Committee.

Sir, a very important experiment in the direction of Indianisation of the army is going on. We feel that that experiment is not being carried on on proper and sound lines. We are very anxious that that experiment should succeed and that the foundation of the future Indian Army should be well and truly laid on a sound basis. It is in this spirit that I want to approach this question, and I hope and trust that my observations on this motion will be taken in that light.

Now, Sir, assurances have been given by the Government spokesmen both in this House as well as in the other House that the Indian Legislature would be consulted before Government took any decision to send out troops outside this country. Speaking on the Indian Navy Bill in 1934, the Army Secretary said:

"At the same time, we are fully alive to the desirability, both I may say in our interests and also in the interests of the tax-payer, of taking the elected representatives of the people into our confidence in these matters to a far larger extent than we have done in the past. (Hear, hear.) With the approval of the Secretary of State, I am, therefore, authorised to announce that it is the intention to consult the Indian Legislature, so far as may be possible, whenever any question arises of lending the Indian Navy to the Admiralty for operations other than in the defence of India. That, Sir, is all that we can do for the moment; but I do hope it will go some way, in fact I hope a considerable way, to satisfy my Honourable friends opposite that we do really appreciate their point of view in this matter and are anxious to go as far as we can to meet it. I can assure them that we intend to carry out that pledge not only in the letter, but in the spirit."

I wish that he would mark his own words which he uttered at the end of the quotation. Again, Sir, the same pledge was repeated in the Simla Session by his successor, Colonel Lumby. Speaking on the same Indian Navy Bill, he said:

"I assure the House that this is a definite pledge, and not merely a formula of words."

After these pledges, the Government of India decided last year to send out a small contingent to Abyssinia without consulting the Legislature, and the plea was put forward that the Legislature was not in Session. During the discussion on the Adjournment Motion last year, the same question was also taken up in the Council of State. In the Council of State, Sir, Member after Member rose from his seat and demanded the appointment of a Joint Standing Army Committee, so that the Committee might be consulted when the Legislature was not in Session. Referring to this demand, His Excellency the Commander-in-Chief said:

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

Some days after that, some of us considered this question and put up this Resolution as an agreed measure, concurred in by all the parties. Some of the Members of the Council of State also undertook to send notice of a similar Resolution to that House. I do not know whether they have done so or not, but it was agreed amongst all of us that we should send the Resolution to both the Houses. Sir, after these assurances and after we have put forward an agreed proposal, now how can the military authorities come forward and say "Oh, we did not mean that, we meant this, we meant that". That sort of lame logic, I am sorry to say, would not help them and would not satisfy the public opinion of this country. I think, Sir, that the Government should, like soldiers, come straight forwardly and say 'yes or no' whether in military affairs they want to consult us or whether they do not want to consult us. What is the method they are going to adopt? We have been hearing during the last several years a lot of these things. From 1917 we have been hearing that the declared policy of His Majesty's Government is the increasing association of Indians in every branch of the administration. Again, at the time of the Round Table Conference, this principle was taken up in the sub-committee called "Defence". In that committee, Sir, it was definitely decided that the defence of India must to an increasing extent be the concern of the Indian people, and not of the British Government alone. This is very important; and this decision was later on incorporated in the White Paper. It was again accepted by the Joint Parliamentary Committee, and I understand, it has been included by His Majesty's Government in the Instrument of Instructions issued to His Excellency the Governor General. Now, Sir, along with this, the Committee also decided that a military council should be established in India to advise the Government. Referring to this proposal, Mr. J. H. Thomas, the Chairman of that sub-committee said:

"No one could argue against that. Therefore merely to have a discussion that there shall be a military council would be a waste of time. You are quite right and I am accepting that as a general principle. There would be no point in arguing the reasons why there should be a military council. As a matter of fact, I am advised by my Secretary that I had thought of the words "the advisability of establishing a military council including representatives of the Indian States was agreed to", because there was no disagreement on that and there was no point in arguing something which would be obvious."

Now, Sir, in that committee there was no difference and they definitely advised His Majesty's Government that a military council should be established in India to advise the Government on military affairs. After all these assurances and after the speech of His Excellency the Commander-in-Chief, I cannot understand how the military authorities can go back upon it.

An Honourable Member: But have they gone back?

Sardar Mangal Singh: That is what I fear. I shall be very glad if the Army Secretary would accept my Resolution. But if, as I fear, it is not possible for Government to accept the Resolution

An Honourable Member: Let us hope for the best.

Mr. Lalchand Navalrai (Sind: Non-Muhammadan Rural): Do not be disappointed.

Sardar Mangal Singh: Now, Sir, as I have already said, the military authorities are carrying on a very important experiment in the direction of Indianization. We are very anxious over this and we are greatly concerned that that experiment should be a success. We do not want to hear after a few years that the experiment has failed and, therefore, that the Indianization would be stopped. Already His Excellency the Commander-in-Chief said last year that they were not getting good material. Our complaint is that the experiment is being carried on on wrong lines and, therefore, we should not hear after some years that the experiment has failed. If you appoint a committee, I am sure the experiment would not fail. I would remind the Honourable the Army Secretary that in the Cantonments (Amendment) Bill he appointed a Select Committee. How did that Committee work? It was mostly due to the reasonable spirit of my Congress friends, but I must say and I have no hesitation in admitting, that most of the credit goes to the Honourable the Law Member who presided over the Committee and to the Honourable the Army Secretary who tried to accommodate Opposition members. That Committee, Sir, worked like a happy family. I would like to ask the Army Secretary whether he has not come out stronger from that Committee. He has got a majority of military members all over the cantonments with the sanction and moral benediction of the Indian National Congress, and if that Committee had not been appointed, the Bill would have been defeated in the Assembly. But when you come out with the support of the Congress it is smooth sailing. Similarly, if you associate the Members of this House with the administration of the Army, they would realize your difficulties, they would come to know how great and important your task is and there would be no more destructive criticism of which you so much complain.

Then, Sir, it is said that such an Advisory Committee is not to be found in any other country. I would put it to the Army Secretary: "Do you find these conditions in any other country? Do you find in Canada the Canadization of the Army? Do you find in Africa the Africanization of the Army?" It is only in India, I must say to our shame, that there is such a process as Indianization of the Indian Army. Then, when you have to meet that situation, you have to associate us with you. You have given definite pledges, you have declared to the world that the defence of the country is the concern of the Indian people. How on earth are you going to do that? I put a straight question and I want a straight answer. Last year His Excellency the Commander-in-Chief said that if they ever go to war they want to take India with them. How do you propose to carry us with you? Do you want that we should follow you as camp followers? We are prepared to go with you as honourable comrades in arms; but we shall not follow you as mere camp followers. If His Excellency the Commander-in-Chief means that we should follow them as mere camp followers, we refuse to do that. But if you want our co-operation on equal terms, here is this proposal which has been supported by all parties in India: and it certainly does not lie in your mouth now to say that this is a proposal which cannot be accepted. With these words I move the Resolution.

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

"That this Assembly recommends to the Governor General in Council to appoint a joint Standing Army Committee, consisting of Members from both the Houses, to advise the Government on all matters connected with the defence of India."

Mr. Lalchand Navalrai: Sir, I rise with a hope and not with the despair that my learned Colleague spoke with. As a brave soldier and a Sikh, I thought he would not be so pessimistic or think that Government will not help us in a matter like this. We are asking for nothing but a legitimate and reasonable demand in this Resolution, and I do not think there will be any justification for Government to refuse it. We are asking for a Standing Committee for the Army Department to be set up: the point of the Resolution that I would lay emphasis on is that the Standing Committee proposed should be consulted on all matters connected with the defence of India. We do not want a half-hearted attempt to be made in this matter: we want to associate ourselves with these army questions in the same manner as the standing committees in other Departments of the Government of India which are consulted and which have some power

Mr. N. M. Joshi (Nominated Non-Official): If it is in the same manner then they are consulted very little.

Mr. Lalchand Navalrai: Even that little consultation is being refused in this Department. I do not say that this is our full demand, but I ask, why are we ignored in this Department while there is consultation in other Departments? These Standing Committees are to make our views known to the Government. That means mutual understanding. Is the Honourable the Army Secretary going to refuse us a thing which is beneficial to both sides? I, therefore, submit, that just as we have standing committees in other Departments—in the Finance Department, in the Railway Department where there is also an advisory committee, in the Department of Industries and Labour and lately in the Education Department also—we should have one in this Army Department. Why should this Department remain untouchable? We want that this Department also should associate us in finding out what are our grievances and how we are affected.

A very kind Honourable Member of this House told me that I am responsible for setting the ball rolling in this matter. Another Member reminded me of the occasion when I put a question and got an answer from the Army Secretary in regard to this matter. That is my justification for speaking now on this Resolution. I do not want to be understood as saying that Sindhis are not persons who can join the army and it is only Punjabis or such like alone who can help the Government or the people in this respect. On the 3rd September last in Simla when an Adjournment Motion was moved regarding the despatch of troops from British India to Abyssinia and the question arose as to why it was done without consulting this House, I said:

"Sir, I would just like to ask a question from the Honourable Army Secretary. He said that, as the Assembly was not in sitting in the month of August, the Legislature could not be consulted before the troops were sent to Abyssinia. May I know from him whether he will agree to the appointment of a Standing Committee to be associated with the Army Department just as other departments have, so that, in cases of such urgency, that Standing Committee could be summoned and consulted? Because, whenever things are done without consulting this House, shelter is always taken under the plea that the Legislature was not in Session and so they could not consult the House. I would like to know from the Honourable Member whether he would like to appoint a Standing Committee to advise his Department and to consult on such matters as these when the Legislature is not in Session."

[Mr. Lalchand Navalrai.]

The reply then came from the Honourable the Army Secretary :

"Sir, I obviously cannot answer on behalf of the Government a question such as that put to me on the spur of the moment, but it seems to me that there is a good deal in it. We will certainly take the matter into consideration and see whether anything can be done in that direction."

Then, there was applause from all sides of the House. I am waiting now to see after he replies to this debate whether there is general applause for him in this House or not.

Now, two things have to be explained with reference to my aforesaid question. I wanted a Standing Committee just as in other I P. M. Departments. My object was not merely that the Standing Committee should be consulted in matters like the sending of troops outside India. I want that it should be consulted in all important matters. I shall, therefore, be happy to hear if the Government have given consideration to this matter and if they will agree to this proposal. Sir, I do not think I need labour this point any further, because there do arise occasions when people do feel discontented if they are not consulted on certain matters, and, therefore, I feel that in an important matter as the army, over which the public have been crying hoarse since a long time, the representatives of the public should be consulted or at any rate they should have some hand in the beginning, or if Government are so shy of consulting them, we desire that a Standing Committee should be set up. I admit that public demands are not given a way even in Standing Committees merely by our asking for them. If the Government does not agree with the members of the Standing Committees, then the matter actually comes before the House. Any way, my point is, why should the Government shirk any responsibility of establishing a Standing Committee for the Army. I do hope that the Honourable the Army Secretary will give us satisfaction and earn the applause of this House as he did on the last occasion.

Mr. M. Asaf Ali (Delhi: General): Sir, I rise to support the Resolution which has been so ably moved by my Honourable friend, Sardar Mangal Singh, which, in itself, is one of the most modest that could ever be tabled under the circumstances. Personally, I feel, Sir, that we ought to have gone very much further than this. I would like to see the entire army, the entire defence of the country, to be controlled by an Indian Minister. This is what we aim at, but how the situation will shape itself out under the new Constitution, I am not quite certain, although provision, I understand, is made for an Army Minister who may be either an elected or an official Member. But still, in so far as the present Constitution is concerned, there is something to be said today. If I am not mistaken, Sir, at the Round Table Conference it was made perfectly clear that there should be some sort of a Committee which should be associated with the defence of the country. The Joint Parliamentary Committee also accepted that principle, which has already been referred to by Sardar Mangal Singh, and the object was perfectly clear. At some time or other, we have to take over the responsibility of our own defence;—it may be tomorrow or it may be a little later. But where are you going to get those people who will take over this responsibility unless you associate us with questions which relate to the defence of the country? If we are not associated with those problems today, the Government may once again turn

round and say: "But where are the people to whom we can hand over the responsibility of managing the defence of the country?" So, we want that a beginning should be made now; we are anxious that Government should make a beginning now, and where is the difficulty, Sir? I see absolutely none. After all, the Resolution says that a Joint Army Committee may be appointed which may consist of Members of both the Houses to advise the Government on all matters connected with the defence of India.

Now, what are the questions which are connected with the defence of India? Primarily, we shall have to consider the question of the army, the strength of the army, what forces are to be maintained, where they are to be posted, how they are to be maintained, in what way they are to be equipped, and whether we can also ask for a contribution of some sort from the Indian States. They also maintain a certain army even today, and we do not know in what way those forces are co-ordinated with the forces which are maintained by us. Many other questions will arise, but now I want to come down to the very modest questions, extremely modest questions. There are certain questions connected with the army today in regard to which, I suppose, even a man of average intelligence may claim to know something. Take, for instance, the four branches of the Army Headquarters. They have got the General Staff Branch, the Adjutant General's Branch, the Quarter Master General's Branch, and the Master General of Ordnance Branch. Now, so far as the Quarter Master General's Branch is concerned, I am absolutely certain, Sir, that even the Defence Secretary will not maintain that this Branch deals with matters which can by any stretch of imagination be called matters which require expert knowledge. I see the Army Secretary heaves a sigh,—I do not know whether of relief or of surprise,—perhaps it is. . . .

Mr. G. R. F. Tottenham (Secretary, Defence Department): I think the Quarter Master General's Branch deals with more technical matters than any other Branch of Army Headquarters.

Mr. M. Asaf Ali: I am very glad to hear it, but I shall just read out a line or two from the memorandum supplied by the Army Headquarters to us during the last Budget period, and these are the matters that the Quarter Master General's Branch deals with:

"The Quarter Master General's Branch is concerned with the maintenance and issue of supplies, i.e., foodstuffs, forage, fuel"

I suppose that is a very technical matter, a matter which only experts can deal with. (Laughter.) I think, Sir, any shopkeeper in Chandni Chowk will be able to deal with such matters much more satisfactorily than the officers in the Army Headquarters are doing. . . .

Dr. G. V. Deshmukh (Bombay City: Non-Muhammadan Urban): That is why Britishers are wanted.

Mr. M. Asaf Ali: No. 2.

"Mechanical transport vehicles and connected stores and animals and reserves of these articles."

[Mr. M. Asaf Ali.]

These are the questions which are dealt with by the Quarter Master General's Branch. Is it suggested now, I ask, that we, who are elected by thousands of people to look after the interests of millions and who vote away crores and crores of rupees, cannot deal with these matters? Can we not be associated with the Defence of India even in matters like these? If we cannot, then I think we ought not to be here at all, or those who resist that demand ought not to be there.

Mr. M. S. Aney (Berar Representative): Who cannot be here?

Mr. M. Asaf Ali: I say those who resist our demand ought not to be here at all, but we ought to be in their places.

Then, again, I think, the Master General of Ordnance Branch is another matter with which we ought to be closely associated for the very reasons which I have already stated. Among the matters with which the Master General of Ordnance Branch deals are the following:—Contracts. Now, I am quite certain that the Defence Secretary will not be in a position to resist our demand, because, contracts are the very matters in which we possess perhaps a little more business instinct than those who are actually dealing with them today. We know how they are dealt with by the Army people; we know contracts worth crores and crores of rupees are practically thrown away. There is no regular system, and, if there is one, it is of the most objectionable kind. We know how crores of Indian tax-payer's money are thrown away on these contracts. After all, out of 55 crores,—I am not going to raise any contentious issues today, I shall accept that figure today,—the major portion is spent on these contracts and supplies, perhaps it may be a question of beef or *dhossa*, or bread or something of that sort. The bulk of that money is spent on things like these. Is it suggested that we ought not to have a voice in these matters? What is submitted to us? Only a huge big amount which we are not called upon to vote here. We are simply asked to look into these figures, these mountains of figures, and try to go around them, or put a tunnel through them, or do something or other, but we cannot do anything, we are absolutely helpless. I was only saying that these are some of the matters which relate to defence. At least these are matters which Government ought to allow elected Members of the Legislature to be associated with. After all, look at the Standing Finance Committee or some of those other Committees which are in a position to look into far more difficult and far more technical problems. I am sure, if the Honourable the Finance Member were here, he could have said: "What do these people know about finance? I, the expert, know all about finance." I am certain that the Defence Secretary cannot come forward and say that the matters to which I have drawn attention today are matters which can only be dealt with by experts and by nobody else. I am not suggesting for a single second that we should advise Generals about strategy or tactics which they should adopt on certain occasions. Those are matters which are entirely and exclusively within the province of experts. We are not such unreasonable persons that we would come and tell the Commander-in-Chief: "No, you must weaken your defence in such and such places and you must strengthen your defences in other places. You must distribute the troops in the manner in which we want you to do." That would be unreasonable. But there are other matters

connected with the defence of the country with which we ought to be associated, and it is only in regard to those that a Standing Committee can be of any use.

So far as I can understand, the Honourable the Mover of the Resolution really did not want to travel very much farther than that. Of course, he has made a reference to other questions, questions of policy, like the question of Indianisation of the army, and many other matters which require closer attention than can ever be bestowed upon them during the speeches that are delivered at the budget time. There are many other matters which require the attention of this House. But, above all, there is one little point on which I lay all the emphasis that I can. The Government must create a body of opinion in the Legislature which may be familiar with questions relating to the defence of the country, and that can be done only if people are associated with problems of defence today. Otherwise, it is perfectly hopeless. I remember what happened last winter Session, when I happened to speak during the budget season on questions concerning the army. I confess I was as much an ignoramus about those matters as anybody else would be in the circumstances in which we are brought up. And I saw the very next day a most caustic criticism in one of the English papers where they ridiculed the idea of a civilian talking about military matters. It was said, "what knowledge can these people possibly possess about army matters"? I today stand here in this House and confess my ignorance about army matters. I want to be enlightened. I want to have some knowledge of these matters. How can I possibly have more knowledge about these matters? How can I possibly have more light on the various subjects which are kept a closely guarded secret by the military? They treat all these matters as if they were of the nature of masonic secrecy.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has nearly exceeded his time.

Mr. M. Asaf Ali: I am bringing my speech to a close. I could have said a great deal on this subject, but as I have exhausted my time, I content myself with lending my whole-hearted support to the Resolution which was so ably moved by my Honourable friend, Sardar Mangal Singh.

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

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

Mr. G. R. F. Tottenham: I regret that I must oppose this Resolution on behalf of the Government. I freely acknowledge that the Mover and those who have followed him have put their case very moderately and very persuasively. Also, I do not deny that Government would welcome a closer liaison between themselves and the Legislature on defence matters and they would be the first to benefit from a greater knowledge of defence problems and difficulties than is possessed at present by Members of the Legislature. But, I hope, Sir, when I have made the few remarks that

[Mr. G. R. F. Tottenham.]

I have to make, that the Mover of the Resolution will at least recognise, though I am quite sure that there will be nothing in the nature of general applause, that Government's opposition is not based on a desire to oppose for the sake of opposition, or to go back on any undertakings they have given in the past, but is based on a genuine conviction, after a very careful consideration of the subject, that it would be a mistake for them to accept this Resolution.

First of all, I should like to clear away certain misconceptions regarding the origin of this Resolution, for it has been assumed that it comes before this House with a large measure of support, in principle, from Government. That, Sir, is not the case. What happened—and I must go over past history for a short time—was this. In the Simla Session there was a debate in this House on the despatch of troops to Abyssinia and in dealing with that Adjournment Motion I stated that, although Government had given an undertaking that they would consult the Legislature, so far as it was possible to do so, when any question arose of sending troops overseas for purposes other than the defence of India, yet, even assuming that the small reinforcement of the Legation Guard in Addis Ababa was not being sent for Indian purposes or for the defence of Indians, it had been as a matter of fact impossible to consult the Legislature on that occasion if for no other reason than because the Legislature was not in Session when the question arose, and the decision had to be taken very urgently. It was then that Mr. Lalchand Navalrai, as he explained this morning, intervened with a question and asked whether it would not be possible for Government to set up some form of standing committee which could be consulted on matters of this kind, matters of urgency arising when the Legislature was not in Session. I could give no direct answer to that question at the time except to promise that the suggestion would receive very careful consideration. A few days later the same subject was raised in another place and the same suggestion was made; and, on that occasion, Sir Philip Chetwode stated that, although there were certain practical difficulties, he had no doubt that Government would sympathetically consider the suggestion if an absolutely agreed proposal was placed before them supported by all Parties in both Houses. Now, Sir, Mr. Lalchand Navalrai says that the Resolution now before the House is an agreed proposal on this subject. Incidentally, it does not contain any precise agreement either as to the numbers of the proposed committee or the composition of the committee and it contains the very vaguest terms of reference. Passing over that for the time being, however, the point is that the Resolution before the House today goes very far beyond anything that Government contemplated, or I venture to say that any Honourable Member contemplated, in the course of those debates in Simla. It recommends the constitution of a committee, not for consultation on a particular limited question when the Legislature is not in Session, which is what the Government undertook to consider, but the setting up of a committee to give advice on all defence matters without restriction of any kind. Now, Sir, the Government have never given any undertaking even to consider a proposal of that kind, and, therefore, they certainly cannot be charged with any breach of faith on the subject. What they did promise to do was to consider the more limited proposal and that promise has been very carefully kept. The suggestion has received the most careful and full consideration, and I feel that I owe it to

the House to explain the reason why we cannot accept that particular suggestion. The reasons are almost entirely of a practical nature. The main point is that the decision to send troops overseas generally has to be taken at very short notice and is a matter of great urgency. Further, the situation may impose the absolute necessity for extreme secrecy until the move of the troops has actually taken place. Now, before deciding to send troops overseas Government have to consider two questions. They have to consider whether the situation in India permits the despatch of troops and secondly, if they conclude that the situation in India does permit of the despatch of troops, whether the despatch of troops is in itself justifiable. Now, Sir, the first question is a question which the Government are perfectly capable of deciding for themselves and they require no advice. It is on the second question that Honourable Members consider that Indian opinion ought to be consulted. There are certain circumstances in which the Government would be well aware that a proposal to send troops overseas would be opposed by Indian opinion. There are other circumstances in which the Government would be equally well aware that a proposal to send troops overseas would not be objected to by Indian opinion. A committee of the kind suggested by Mr. Lalchand Navalrai could do no more than confirm the correctness of Government's views on these points. It could not itself take any decision in the matter. However, it was constituted, it would be very doubtful whether its views would be accepted as representing all shades of Indian opinion; and wherever the members of the committee lived, it would be a matter of several days before they could be summoned and collected and give their advice, if an emergency arose when the Legislature was not in Session. I think then that the main point is this. It would have been very easy for Government to accept a committee of this kind and possibly to have gained a certain amount of cheap popularity by doing so. Having done so, occasions might arise in which they would find it impossible to consult the committee in time, or because such consultation would have to be ruled out on the ground of secrecy. Government would then have been charged with setting up a mere "eye-wash" committee and such a charge would have gone very near the truth. We, therefore, came to the conclusion that it was better to be perfectly honest in the matter and to say straight-away that the practical difficulties of having such a committee were too great and that we did not propose to accept even such a limited proposal. All I can say is that the Government of India will continue to consider Indian opinion and will take such steps as may be most suitable and practical to ascertain that opinion when any such question arises of sending Indian troops overseas.

That, Sir, brings me to the wider issue raised by this Resolution, the question of setting up a committee of the Legislature to give advice on defence matters generally. Now I need hardly say that no Government in the world takes its Legislature into confidence over its war plans: and war plans, after all, are the main work of the Defence Department. All their activities are directed to the preparation for war; and even matters such as Mr. Asaf Ali mentioned, such as supply organization or contracts, cannot be dealt with entirely on a peace-time basis, but must always be considered with an eye on the possibility of war and what you have got to do when war is declared. These are matters that clearly fall within the responsibility of the executive and I do not think any Honourable Member can contend that Government should appoint a committee of the Legislature to be taken into consultation on secret matters of that

[Mr. G. R. F. Tottenham.]

kind. It may be said, however, and it has been said, that there are plenty of other matters connected with the administration of defence in which it would be useful for the executive authorities to have the advice of Members of the Legislature, and we have been reminded that various conferences and committees in the past have definitely recommended some such committee to be set up under the new Constitution. That, Sir, is perfectly true; but all these proposals or recommendations were made definitely with reference to the new Constitution; and, so far as the new Constitution is concerned, the last word rests with the Joint Select Committee. Now, Sir, the Report of the Joint Select Committee contains a principle of great importance on this subject and a principle that I think has been overlooked hitherto by Honourable Members. In dealing with this subject they made it very clear that the principle under the new Constitution should be that it is the Ministers who ought to be consulted on matters of this kind, as representing the party in power, and not individual Members of the Legislature who might actually be in opposition to the Ministers. Under the present Constitution, it is no doubt true that many Departments have committees associated with their work, and indeed it is possibly open to some question whether the extent to which Members of the Legislature are brought into consultation in matters which fall within the sphere of responsibility of the executive does not already constitute something of an anomaly. However that may be, it is perfectly clear that a procedure of this kind *would* constitute a very grave anomaly under the new Constitution; and I imagine that the Ministers of the future themselves would be the very first people to object to consulting a committee of the Legislature, which might contain members of the opposite party to their own. So far as their own particular Departments are concerned, the Ministers will no doubt be able to arrange matters as they wish, but so far as defence is concerned, which will be reserved to the Governor General, it certainly would be wrong for the Governor General to take advice from a committee representing all parties of the Legislature; and if the Governor General of the future wishes to take advice and ascertain Indian opinion on defence matters, I suggest it will be his clear duty to take that advice from the Ministers and not from a committee of the kind suggested by this Resolution. Now, Sir, we are very averse to taking any step at the present juncture which will prejudice that position. When any particular questions arise connected with defence in which Indian opinion is keenly interested, such as Indianization or war pensions or cantonment administration and other matters of that sort, we shall continue, as we have done in the past, to appoint committees of the House to help us in deliberating upon them: but that is no reason why we should accept a Standing Committee of the kind now under consideration. I therefore, regret, Sir, that I must conclude my speech, as I began, by saying that I regret that Government are unable to accept this Resolution or any form of amendment to it.

Sir Cowasji Jehangir (Bombay City: Non-Muhammadan Urban):
Sir,

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member did not rise in his seat before. Neither did any other Honourable Member rise to speak before.

Mr. N. M. Joshi: The reply of Mr. Tottenham does not conclude the debate, Sir.

Mr. President (The Honourable Sir Abdur Rahim): The Chair thinks only Sardar Mangal Singh has now to reply.

Mr. N. M. Joshi: Sir, on a mere question of procedure, unless the Government Member makes a speech, it is difficult for Members of the House to criticise the Government's policy?

Mr. President (The Honourable Sir Abdur Rahim): No Honourable Member rose in his seat before the Chair called upon Mr. Tottenham.

Sir Cowasji Jehangir: Mr. President, this point of order was raised in the last Session, and I was allowed to speak after the Honourable the Home Member had addressed the House. I regret I did not know, when I rose to speak just now, that Mr. Tottenham was supposed to be replying to the debate. At any rate, I would crave your indulgence on this occasion to be allowed to say a few words in reply to some of the arguments brought forward by Mr. Tottenham. Perhaps the precedent set in this Honourable House by the Government Benches is that of replying at the very end and not placing their cards on the table earlier, as has been done on more than one occasion already. Sir, in other Legislatures where I have been. . . .

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member should confine himself to the point of order only.

Sir Cowasji Jehangir: Sir, you are perfectly in order to rule me out. It is entirely your discretion. I am only putting forward the advisability of allowing me to speak.

Mr. President (The Honourable Sir Abdur Rahim): The point is that no other Honourable Member rose to speak.

Mr. N. M. Joshi: I should like to say this that unless the Government Member speaks early, we do not stand in order to compel the Government Member to speak, because unless he speaks, how can we criticize his points? It is true that Government are in a difficult position in having only one representative to speak, but it is no fault of the House that they have got only one speaker to speak. I, therefore, Sir, hope that you will permit Members to continue the discussion.

Mr. President (The Honourable Sir Abdur Rahim): As it happens, the Honourable the Army Member was the only Member who, the Chair found, wanted to speak on this point on behalf of the Government, and as no other Honourable Member rose to speak when the debate began after the adjournment, the Chair must ask whether Sardar Mangal Singh wants to speak in reply.

Mr. G. R. F. Tottenham: Sir, in this matter, I ought to explain. I intentionally rose early in the debate in order to represent the Government point of view to the House, so that Honourable Members might have something on which to base their speeches. That was in accordance with the ruling that you gave last Session.

Mr. President (The Honourable Sir Abdur Rahim): Then, the Chair wants to know if the Honourable Member wants to speak again.

Mr. G. R. F. Tottenham: I am well aware, Sir, that the Government Member on these occasions has no right of reply. I do not know at present whether I should wish to make any further remarks or not. In any case, I thought it was better to put the point of view of Government at this stage of the debate.

Sir Cowasji Jehangir: Let me first admit that although I have some recollection of the debate that took place in this House on the last occasion in which, I believe, I took part, I have not refreshed my memory today on all the details of that debate. Sir, the Honourable the Army Secretary has rightly pointed out what actually occurred at the Round Table Conference and what was confirmed by the Joint Select Committee with regard to this House vis-à-vis the Army Department in the future. It was pointed out to His Majesty's Government in England that since they desire to have the Army as a reserved subject, with a Minister appointed by the Viceroy to represent that department in this House, it would be very difficult for this House to have any knowledge of the biggest spending department in the Government of India and to be able to criticize with any intelligence any proposals that may be brought forward. Under the proposals as originally placed before the Round Table Conference, even the Finance Minister would not have an opportunity of knowing the exact proposals of the Army with regard to finance and other proposals as may be connected with the other departments of Government. It was then conceded that some sort of machinery ought to be brought into existence whereby the Ministers at least ought to be in touch with Army administration from day to day and specially the Finance Minister. Now the Honourable the Finance Member will realise how difficult it will be for his successor to carry out efficiently and conscientiously his job as a Finance Minister of the Government of India if he was absolutely detached from the army administration of the country. That point was conceded by His Majesty's Government and it was agreed that when the Federation came into existence machinery would be brought into existence whereby papers with regard to the Army would be placed before the Finance Member merely for his information to enable him to make suggestions to the Viceroy, who would be finally responsible for the Army, from day to day. I agree that that is the correct interpretation of what happened in England. Therefore, it follows naturally that what the Honourable Member said with regard to the House is also correct. It is the duty of the Ministers who are responsible to this House to take into their confidence all their followers as it may be necessary for the purposes of getting their support. But we are still a good many years away from Federation. We are talking of the Constitution as it exists today and I believe this Resolution was drafted to meet present conditions (Hear, hear) and not future conditions. We fully realise that future conditions will be very different and there can be no analogy between the present and the future conditions. My Honourable friend devoted a good part of his speech to future conditions while we desire to devote our attention to the present conditions. What we have had in mind all along is not interference with the Army Department. I think and I trust that they get sufficient interference from the Honourable the Finance Member. I trust that he will be our watchdog and a very worthy one too with regard to expenditure or extravagance on the part of the Army Department. We do not desire to take his place to be a

watchdog. What we desire is to have some education with regard to the army to enable us to fulfill our duties more effectively in the future than we would otherwise be able to do. The Honourable Member must realise that at least some of our future Ministers sit to my right and suppose one of them is made a Finance Member, how many years will it take him to be able to grasp even the elementary principles—they are so well known to my Honourable friend and to many others on the Treasury Benches—before he is able to do his work effectively.

The Honourable Sir Nripendra Sircar (Law Member): Six weeks. He is so clever.

Sir Cowasji Jehangir: It may be so for my brilliant and Honourable friend, the Law Member. I know he is accustomed to pick up facts within a few minutes and place them before the Judges of the High Court, but it is a very different thing from being a Finance Member and being able to persuade the Viceroy and the Commander-in-Chief with regard to administrative measures. I do contend that what we suffer from most with regard to the Army Department, if not with regard to most departments, is ignorance, ignorance for which we are not responsible, ignorance for which we ourselves have been made very often the laughing stock of the Honourable Benches that I see in front of me. But that is not our fault. We desire knowledge to be able to criticize effectively, reasonably and honestly and if it is the desire of this side of the Honourable House to be able to be in that position can you complain? How often has the Honourable Member himself said that the criticisms were not justified. Whose fault is it that those criticisms were not justified? We criticise with the facts that are placed at our disposal and with the knowledge that we possess. If the facts placed before us are not sufficient for us to judge correctly and our knowledge is wanting, then you must expect unintelligent, unfair and inequitable criticism. We want to avoid that. Sir, therefore, the object lying behind this Resolution so far as I can make out is one of education. We want education, we do not want to pry into confidential matters of the Army. Who wants to do that? Which Government would allow that to be done? We have no desire, at least I have none to want to know exactly what type of aeroplanes you intend to order out, or what type of tanks you are going to get. All I want to know is what they cost. You do the technical part, let me only know what it is going to cost, because I have got to pay for it and to enable me to do that I want a committee just in the interregnum—I am not talking of the Federation. I want a committee to be able to look into that aspect of the case and to be able to advise me whether the proposals brought forward by Government in the Budget are reasonable, equitable ones, those that we should vote for immediately and those we should reject. Now what is there unfair or what is there unreasonable in this demand? It cannot be done in the House. All the information that my Honourable friend gives will not be sufficient, and I readily admit that he tries his very best to give all the information that he can in very difficult conditions, speaking as he does in a house of Legislature. That is not what we require; we require more, and above everything else we require education in order that we may effectively be able to do our duty when the responsibility is thrust upon us by the Constitution in the future. That is what we want; and if that is denied to us in so many words, then I would respectfully point out to the Treasury Benches that if that is a fact,—

[Sir Cowasji Jehangir.]

I do not believe that is the fact and I know that that is a wrong interpretation that we can place upon his speech,—but if that is a fact I must respectfully point out that we shall have grave doubts about the *bona fides* of Government with regard to the future Constitution.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable 3 P.M. Member has only two minutes more.

Sir Cowasji Jehangir: Now, Sir, my Honourable friend touched upon the troops overseas. That, again, was discussed at the Round Table Conference and confirmed by the Joint Select Committee. There was a distinction drawn between troops sent overseas for the defence of India and for imperial purposes. It was admitted that if troops were sent for the defence of India it could be done without the permission of this House. But if troops were sent overseas for imperial purposes,—Indian troops maintained by India,—the permission of this House was to be taken. That was the principle laid down and accepted. Now, Sir, if I mistake not, it was the late Viceroy, Lord Irwin, who spoke on this question, it may have been in Committee or it may have been in the Conference itself,—most probably in the Committee, I am speaking from memory,—and he said that there was some justification for the House wanting to be consulted when troops were sent overseas for imperial purposes and not for the defence of India. Troops can be sent outside for two purposes. For the defence of India the Army is maintained. You can do whatever you like with that army for the defence of India. But if you use those troops, which have often been used for other purposes than the defence of India, regardless of who pays the cost during that time, the consent of the Legislature should be taken. And if there is no time to take the consent of the Legislature, some machine must be brought into existence whereby public opinion shall be authoritatively communicated to Government, Government being the Viceroy and the Secretary of State. They will be the two executive authorities, the ultimate power will be with Parliament. Therefore, the two executive authorities, the Viceroy and the Secretary of State, should be in a position to know public opinion with regard to the sending of troops overseas for imperial purposes and not for the defence of India. That we maintain is the principle that was accepted and the principle which we will demand should be put into practice. Sir, as I have no further time, I will now conclude my speech.

Dr. G. V. Deshmukh: Sir, I should have thought that an innocuous and harmless Resolution like this might have been accepted by Government, not only with ready alacrity, but with great pleasure. To me, Sir, it is surprising that a Resolution like this should have been opposed; and what is the reason for it? The reason is this. It may be all very well to discuss this question from a smooth academic or constitutional or even some economic point of view. But, Sir, we are burking the main issue. The main issue and the vital issue is the defence of India; and what I want to know is this: whose concern is this defence of India? Is the defence a concern of the children of the soil or is it the concern of the exploiters, of strangers, of carpet-baggers who come to this country and say that they will defend our country? Would this kind of thing be tolerated in any other place? People from outside come over here, and then say they will defend according to their ideas and deny us the right to defend our own hearth and

home. A thing like this is absolutely impossible. It is no good quoting us the dominions; it is no good telling us that in the dominions the Ministers are consulted, because, if we had dominion status, there would have been no necessity for a Resolution like this to come up before this House.

Sir, I am told that Government did not actually promise anything when the Abyssinian question was being moved, and, therefore, there is nothing wrong. I am not surprised and I am not disappointed at the answer which we have received. How many promises have been broken to us, and, therefore, one more, even if it were a promise, would not disappoint us. We have been accustomed to this. Times out of number promises have been given to us that we will be associated with this and that, that we will get equal rights, and all kinds of things. And the promises that were made to the ear have constantly been broken. And, therefore, to some of us and to our friends it does not come as a disappointment at all. But I am surprised that the Government of India will shut their eyes to the experience of 1914. What does the Resolution say? It says, "on all matters connected with the defence of India". Now, it was perfectly easy for Government to say that they will appoint a committee, but absolutely technical matters will be excluded from its purview. I do not suppose that Members here would have objected at this stage to appoint a committee like this; but to make that as an excuse and say that, therefore, an advisory committee cannot be or should not be appointed means only this that, not only now, but never will Indians be associated with the defence of the country. And, Sir, this defence of the country is a very vital problem from many points of view. The Joint Parliamentary Committee report has been repeatedly quoted here; and, in that report, you will find that the main excuse for not giving dominion status to this country was that we are not able to defend or that we do not defend our own country. Therefore, what do you do? You break your promise; you promise bread and you give us stones. On the other hand, you make us walk round and round a vicious circle. We cannot get dominion status because we cannot defend our country; if we wish to associate ourselves with the defence of our country, you say that cannot be done. Therefore, we have to walk round and round, getting nothing except disappointment. I know it is very easy to deal with gallant army men, because they are honourable and they are sporting, but I know that when it comes to the other side, very often the Army Member has to put forward views which do not belong to the army, but I daresay belong to the civil side. Why do you shut your eyes to world conditions? In future, what are you going to do with your limited armies? Look at the present Abyssinian war where the number of men employed are in lakhs and lakhs. Are the Government of India at the last minute, as was done at the time of the last war,—coming up to the country to say, "Give us men and warriors"? You cannot expect warriors to spring out Minerva-like out of Jove's head in this country. No, not so after 150 years of emasculation under the Arms Act. Thank Heavens, some little vigour or some little masculinity was left and, therefore, India could supply some 500,000 men. But will you not benefit by this experience? Why cannot you see ahead? The future battles are not going to be merely the concern of a little executive or small body of experts sitting together. They are going to be mass fights and enormous numbers of men are going to be engaged in them. At the last minute, are your uniformed officers to go round and say, "Give us men immediately"? In collecting these men, would it not be

[Dr. G. V. Deshmukh.]

useful if you had representatives of the public to support you? And, from that point of view, would it not be useful to have an advisory committee?

Sir, your own great Prime Minister, Lloyd George, repeatedly said that the future wars are not to be fought with iron bullets, but with silver bullets. Now, Sir, if the money is to be sanctioned, what is going to happen? Would you be put to any loss by associating representatives of the public who will contribute money to you freely? Nothing will be lost in this. Not only that, but on the other hand, Government, it seems to me, will be benefited to a great extent. There is another point of view that I would like to bring to your notice. This Resolution, to my mind, has come most opportune at the present time, most opportune for this reason—that it is all very well for these foreigners to tell us that they will defend us, but what I want to ask is this. When we hear reports or speeches of European dictators against our races—that “the white race is going to be the supreme race”—“let us show it to the black races that the brown races must always be servile to the Europeans”. We are after all under the British Government. I do not see a single British statesman in India or a Government official in this country standing up and saying to these swashbucklers and fire-eaters like Hitlers and Mussolinis that “this is not right, do not use this vulgar language about the brown races”. (Applause.) If you cannot defend us against these verbal charges, I will be really surprised, I will be amazed if they come forward to defend us when our vital issues are concerned, and, therefore, Sir, it is up to us, and I feel that it is our duty, that we must urge this on our own Government. We have repeatedly seen by experience that either you are unwilling or incapable of defending us in any way. After all, the defence of the country naturally belongs to us, it is our birthright, and whether the Government of India say “yes” or “no” to it, we are bound to fight for it, for we ought to be associated with the defence of this country. Sir, this is not only the view of elected Members, I see many also amongst the nominated Members, who resent, who must have resented and who will resent this kind of aspersions and charges against the black and brown races. What I say is this: the time has now come, and now is the best time, when we must stand up on our own legs and urge on this Government that if not suddenly, at least gradually, they must associate us with this vital concern of ours, namely, the defence of our own country and motherland.

Sir Leslie Hudson (Bombay: European): Mr. President, in speaking on the Resolution before the House, I think several of the Members to my right have lost a good opportunity of initiating a really constructive debate. The wording of the Resolution itself, to my mind, is—shall I say—vague and diffuse, and not sufficiently thought out. My Honourable friend, Sir Cowasji, said, I think, that it was natural that all matters could not be referred to such a committee as has been asked for by the Resolution. My friend, Dr. Deshmukh, wants that all matters relating to the defence of India should be referred to that committee. If the other Parties in the House had been consulted before the Resolution had been put up, I think there would have been far more likelihood of a constructive Resolution being put before the House than has occurred. It is not possible for this Group to support the Resolution as it stands.

Mr. M. S. Aney: It is open to your Party to move an amendment.

Sir Leslie Hudson: The Honourable the Army Secretary said he would not accept any amendment.

Mr. S. Satyamurti (Madras City: Non-Muhammadan Urban): Why not move an amendment? The House may support it.

Sir Leslie Hudson: The present constitutional position in regard to defence makes it undesirable, I think, and as the Honourable the Army Secretary has informed us, impracticable to establish a committee which will be able to advise the Government on all matters connected with the defence of India. "Defence" is a reserved subject, and the day-to-day administration of the Army is in the hands of the Commander-in-Chief. The Central Legislature does not vote supplies for the Army; these are secured by the necessary authority of the Governor General, and any committee of the kind sought for by the present Resolution would be inappropriate to the present constitutional position. It is our view that it is preferable that this should be frankly recognised. But this does not mean, however, that we have no sympathy with the general idea that there should be constituted some kind of an advisory committee on defence affairs on which the Central Legislature would have representatives and which would be in a position to discuss matters referred to it by the authorities and would thus serve to keep in touch, to some extent at any rate, with questions of defence and provide that phase of education to which my Honourable friend, Sir Cowasji, has referred to enable members of the Government which will succeed the present one to carry out their duties. It is difficult to think of any precise formula at the moment and it would require not only the most careful examination but a spirit of accommodation on the part of the Legislature. Such a committee could only be consultative and experimental. I do not think, however, that it is beyond the wit of man to devise some machinery of this description which would have the effect which I have outlined and which would go to a large degree, I think, in meeting the wishes of my friends here. The desire to form some liaison between matters of defence and representatives of the Legislature is a natural one and in our view is deserving of consideration by the Government and the Secretary of State. As far as the position under the future Constitution is concerned, it will be different. The Governor General will be the sole authority for defence, for defence will be a reserved subject in the Federal Government. The Commander-in-Chief will cease to be a Member of Council and he will not have any share in the constitutional responsibility for defence policy or expenditure. No official will possess a seat or vote in the Legislature. There will be an elected Minister for Finance who will presumably come to an agreement with the Governor General or with the Cabinet as a whole regarding military expenditure and he will have to defend that agreement in the Federal Legislature. The question, therefore, of any kind of Advisory Committee in connection with the Legislature under the new Constitution will naturally be a matter for the new Federal Minister. In the meantime, however, it would not seem to be unreasonable if, on the lines which I have indicated, within the scope of the present constitutional position, some machinery could be devised within defined limits, without in any way impairing the authority of the Governor General in regard to defence, of giving the representatives of the Legislature the opportunity to be consulted upon and to be informed upon some of the problems involved in India's defence policy.

Dr. N. B. Khare (Nagpur Division: Non-Muhammadan): **Mr. President**, I would not have cared to speak on this milk and water Resolution; but when I find that the Army Secretary laboured a great deal in detailing to this House the reasons for the Government not accepting it, I thought it would be proper to put forth the real reasons as to why the Government did not accept this Resolution. It is the greatest irony of fate and a tragedy of history that the inheritors of the glorious traditions of Rana Pratap, Akbar, Shivaji and Ranjit Singh should be reduced to the position of supplication before an alien Government for these small mercies. I know that, in a great measure, we are to blame for it ourselves. Still the real fact is that by all canons of civilisation it is the inalienable right of the nationals of a country to defend their hearths and homes. These foreigners have no moral right to intervene and defend our hearths and homes for us and, at the same time, tell us that we are unfit to do it. This position is very humiliating and it is natural that we on this side feel very much for it. We are always domineered by foreign mercenaries and they tom-tom their solicitude for our welfare and are paid for it. The Mover said that he did not want to embarrass the Government. I do not know if we can get anything at all from this Government unless we embarrass them either physically or morally. Physically we cannot embarrass them; but we will try to embarrass them morally and see whether there is any remnant left of moral consciousness in them

Mr. M. S. Aney: What is moral embarrassment?

Dr. N. B. Khare: To describe them correctly on their face, as I am proceeding to do. This non-acceptance of the Resolution by the Government is a very small part of the policy of European nations all over the world wherever they have entered the territories of coloured people. Hitler at least has been outspoken; but other European nations, especially the British, try to give a different colouring to what they really aim at. If you look at the history of European nations, wherever they have gone on the face of the earth to civilise backward and coloured people, there are three things which they always do. The first thing is to demoralise the subject nation. The second thing is to emasculate them, and the third thing is to de-martialise them and keep them away from the use of arms, and then they go on ruling merrily and call it civilisation. What is civilisation in their opinion? To loot the subject nation, and, on that loot, eat, drink and be merry: that is called civilisation. That is the very policy pursued in this unfortunate country by the British people. So, why should they come out and blame Hitler for his out-spoken utterance? Possibly they are laughing in their sleeves for his doing that. I thought the army people were very brave and I was, therefore, rather amused when I saw the Defence Secretary standing up and trying his level best to garble the whole thing in words and impose upon us that we were unfit to have a glimpse of these matters. They are very brave and chivalrous, but to me the Department looks like a purdah lady who is covered from top to toe with a big *burqa* and will not allow even her toe-nails to be seen, let alone her bewitching eyes! So, I think there must be something very ugly that should not come before the public gaze. That is why he showed so much solicitude and energy in shielding this Department from the public. That is why Indians are not going to be even associated with anything which pertains to the Army Department. Otherwise, perhaps the whole ugly thing may come out and it will be very inconvenient for the governing

classes. After all, why should the Government even care to oppose this? They know they have got the power; they know that even if the Assembly passes this Resolution what does it matter to them? They have got a big waste paper basket and they will throw it there: why should they care for it? When I look upon this Assembly I am rather amused. There is a structure in the human anatomy called the appendix and the Assembly appears to me something like an appendage or an appendix of this subordinate branch of the Imperial Government. The appendix has no function proper: it is simply an appendage of the intestines. So also this Assembly has no function to perform, and it suffers from the same disease from which the appendix suffers. (Laughter.) So I do not know why we should at all care very much for what the Government do: we ought really to see what we can do even in this position. That should be our point. All these supplications and resolutions are useless. So, while I support this Resolution, Government should also consider one thing if they have any consideration left for India at all. Times are changing and this policy of Imperial aggrandisement and ruthless repression must stop if really they are sincere about their promises: they should have been very glad and accepted this Resolution; instead of doing that they have wasted a great deal of effort in opposing it. I support the Resolution, and I hope the House will support it.

Some Honourable Members: The question may now be put

Sir Muhammad Yakub (Rohilkund and Kumaon Divisions: Muhamadan Rural): Sir, at a time when the clouds of war are gathering on the horizon of the world, and at a time when the blood-thirsty dictator of Italy is not only ignoring the behests of the League of Nations, but is also challenging the whole Europe and wants to fight the world, I think it would be, if nothing else, very impolitic on the part of the Government of India at this juncture to oppose a Resolution like this. If a war breaks out in India tomorrow, or in any of the adjoining countries like Egypt, which looks very likely, tomorrow Mussolini may attack Egypt, then the Honourable the Defence Secretary and other Honourable Members of the Government of India will come before this House and would appeal to Honourable Members of this House to give men and money to defend the empire. If Indians are asked to give the cream of their nation and their money for the defence of the empire, they must naturally have at least some share in the defence of the country as well. After all, matters relating to the defence of the country are matters with which we Indians are more concerned than the British Government. If India is to be prepared for taking her proper place in what is generally known as the British Commonwealth of Nations, it is quite natural and quite necessary that in this period of transition the people of India must have training in all the Departments of the Government. I quite agree with my friend, the Honourable Sir Leslie Hudson, that the Resolution is not very properly worded. In fact, as the Deputy Leader of my Party, Sir Cowasji Jehangir, has explained, we do not expect that, at present, the British Government will take us into their confidence about all matters which are considered as confidential. Also I think that at present we cannot give advice to them on matters which are purely technical because we are not in a position to offer them any useful advice on those matters, but why not go to the spirit of the Resolution and accept it? All that we want is, as my friend, Sir Leslie Hudson, has said, there must be set up some

[Sir Muhammad Yakub.]

organization of the Central Legislature which may help the Government in matters relating to the defence of the country. There are many matters which are not technical, for instance, the condition of the country, the temperament of the people whom you want to enlist as soldiers and so many other things, and on such matters, I think, the Members of this House will be in a much better position to advise the Government, and their advice will be very useful. Sir, up to this time the Army is a sealed book to Indians. Some years ago a Committee was appointed by this House, called the Army Retrenchment Committee. I had the privilege of being a member of that Committee, and as such I came to know something about the administration of the army in India and the matters which relate to the Army Department. I think, I am in a much better position today to defend the army administration and to reply to the criticism which is generally levelled against the Army Department in India, because, I had first-hand knowledge of the working of the Army Department. In the same way, if a small Committee of the Central Legislature is appointed and some Members are taken into confidence, it would certainly strengthen the hands of the Government, and most of the criticism levelled against them, in regard to army expenditure and other matters connected with the administration of the army in India, will disappear, and the Government will find, among the Members of that Committee, their supporters.

My friend, the Honourable the Defence Secretary, said in his speech that a Committee of the kind suggested did not exist in any part of the world. My reply to him is that the Constitution which we have got in this country is one the like of which does not exist in any part of the world (Cheers), and I have always said that India has got her own problems which are exclusive to India and to no other part of the world, and no Constitution of any country in the world can ever be copied for the administration of this country. We will always require our own Constitution, and we will have something in our Constitution which cannot find a parallel in the Constitutions of other countries. Therefore, it is useless to say that such a thing does not exist in the Constitution of any other country in the world. If we had our own War Minister, and when India is elevated to the status of Dominion Status, then probably we may not require a Committee of the kind we now ask for. Sir, I wholeheartedly support this Resolution,—and I would ask the Government not to raise objections like those which we lawyers raise in law Courts on trifling words,—I would ask them to look to the spirit of the Resolution, and not to the wording of it. While I support this Resolution, Sir, I must say that I do not share the language which has been used by certain Honourable Members on my right. My friends say that they have no power. Well, if a man has no power, it is not right for him to use strong language and provoke the very people who have really got the power in their hands and who are in a position to give them something. While, therefore, I strongly dissociate myself from the language used by certain of my friends on my right, I support the Resolution, and I hope that my friend, the Defence Secretary, will accept it, modified in its spirit, as the Deputy Leader of my Party has explained.

Some Honourable Members: Sir, the question may now be put.

Sardar Mangal Singh: Sir, I will not take much time of the House. I am highly thankful to my friend, Nawab Sahibzada Sayad Muhammad Mehr Shah, for giving me the opportunity to place this Resolution before this House. Most of the points were raised by the Defence Secretary and I need not touch them. Sir, it gives me great pleasure to see that only one Nominated Member of this House spoke against this Resolution.

An Honourable Member: He is not a Nominated Member. He is an Official Member.

Sardar Mangal Singh: Yes, but he is nominated by the Government. Although the Defence Secretary is a representative of the Army, his speech this afternoon was a blank shot. Probably, he does not know his own mind, he does not know what to do.....

Sir Muhammad Yakub: He is not a military man, although he is the Defence Secretary.

Sardar Mangal Singh: He represents the Army in this House. The position which he has taken up in this House regarding despatch of troops overseas is very dangerous. He has stated to us today that Government could send out troops without consulting the Legislature, and this, Sir, I submit, is a very dangerous position. For instance, England may be invaded, and the Indian Government may decide to send up the whole army to England to defend their country, and our country may be exposed to the danger of foreign invasion. Therefore, I say, this decision is very dangerous, and I hope the Honourable the Defence Secretary will persuade his Government to accept this modest request of ours and accept the Resolution and soon appoint a Committee. With these words, I again appeal to the House to pass this Resolution unanimously.

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

"That this Assembly recommends to the Governor General in Council to appoint a joint Standing Army Committee, consisting of Members from both the Houses, to advise the Government on all matters connected with the defence of India."

The motion was adopted.

RESOLUTION *RE* STATE CONTROL OF THE BENGAL AND NORTH WESTERN RAILWAY AND THE MADRAS AND SOUTHERN MAHRATTA RAILWAY.

Mr. President (The Honourable Sir Abdur Rahim): Resolution No. 3. I understand that Dr. Thein Maung has authorised Mr. Azhar Ali to move the Resolution on his behalf. Does the Honourable Member want to move it?

Mr. Muhammad Azhar Ali (Lucknow and Fyzabad Divisions: Muhammadan Rural): Yes, Sir, I want to move it. The Resolution reads thus:

"That this Assembly recommends to the Governor General in Council that immediate and necessary steps be taken to take over the control of the Bengal and North Western Railway and the Madras and Southern Mahratta Railway from the present lessees and further not to extend the contracts which expire in the year 1937."

[Mr. Muhammad Azhar Ali.]

Sir, this is not a new Resolution. Several times interpellations have been put in this House relating to this question. Several times Resolutions have been moved, and the last time when a Resolution like this was moved was in the year 1931. I may add, Sir, that the necessity for moving this Resolution today has arisen from the Resolution which was moved by the then Railway Member, Sir George Rainy, himself. That Resolution ran as follows:

"That this Assembly recommends to the Governor General in Council that, in accordance with the recommendations of the Committee appointed by the Assembly on the 1st April, 1931, to consider what action should be taken when the opportunity to purchase the Bengal and North Western and Rohilkund and Kumaon Railway systems occurs on the 31st of December, 1932 :

(1) the Government should enter into negotiations with the two Companies to obtain from them an option to purchase the lines on the most favourable terms on the 31st December, 1937, subject to one year's notice, or, if possible, on the 31st December of any earlier year, again subject to one year's notice;

(2) the question whether the working of the Tirhoot Railway . . . (*With this point I am not concerned at present*);

(3) the question whether the working of the Lucknow-Bareilly State Railway . . . (*This point is not in this Resolution today*);

(4) in the event of its proving impossible to reach agreement with the Bengal and North Western and Rohilkund and Kumaon Railway Companies on the terms recommended in (1), the Government should explore other lines for reaching agreement which would ensure to the Government the opportunity to purchase on reasonable terms; and the Government should again consult a committee of the Assembly for the purpose of reconsidering the position as regards the management of the Tirhoot and Lucknow-Bareilly Railways."

Sir, so far as the Madras and Southern Mahratta Railway is concerned, I shall not deal with it in my speech, but I am sure that my Honourable friends will do so although I move this Resolution. As regards the Bengal and North Western and Rohilkund and Kumaon Railways are concerned, I know the conditions prevailing in my own part of the country. From the Resolution of Sir George Rainy it will appear that the leases are to expire in December, 1937, and I move this Resolution knowing as I well do that it is the wish of the whole country, and especially of my own part that such a Resolution should be moved. Sir, a Resolution was moved in the United Provinces Legislative Council that these companies should come to an end, and it was carried. I do not know whether the Government have obtained the option to take over these companies or not. I would ask the Honourable the Railway Member to explain to the House what is the position now and what action has been taken on the Resolution which was passed in the year 1931.

The Honourable Sir Muhammad Zafrullah Khan (Member for Commerce and Railways): In pursuance of that, an agreement has been arrived at between the Bengal and North Western Railway and the Secretary of State.

Mr. Muhammad Azhar Ali: If so, I should like to know how the Government are going to act on the recommendations of the Committee which was a committee of this House,—whether they are going to terminate the leases and acquire these two railways? The Tirhoot Railway is, to a certain extent, an appendage of the Bengal and North Western Railway, and the Lucknow-Bareilly Railway an appendage of the Rohilkund and

Kumaon Railway. The leases have been extended from time to time, and now I think the time has come when these companies should be acquired and the State should become the proprietor and manager of these lines. The point that was urged by the Government in 1931 against the purchase was that the financial condition of the country at the time was not such as to permit it. Now, those conditions have much changed; the condition of the money market is easy; there is money lying idle in different places, and the Government can very easily raise the money required to buy up these lines. Government can go in for a loan, and, as His Excellency the Viceroy himself pointed out in his speech in Simla last year, the credit of India stands very high. As such the Government ought to be able to raise the money either by means of a loan or by any other means which it is not my duty to point out here today; it is for the Finance Member to find the means. I strongly submit, Sir, that the consensus of opinion in the country has steadily been that these railways should become the property of the State. We know for a fact that these companies have been making very handsome and fat profits. In those days, I remember, the dividend ranged from 16 to 19. If only the Government could acquire these railways the deficit which they are having in the Railway Budget could be avoided. Why should not the Government earn those profits instead of leaving it to the companies to declare fat dividends? As regards the Tirhoot Railway and the Lucknow-Bareilly Railway, which are a sort of appendage to the Bengal and North-Western Railway and the Rohilkund and Kumaon Railway, I think the time has come when the Government should take up the management of these two lines if they are not at present prepared to take over that big job. I do not think that it can lie in the mouth of the Government at present to say that they have no money. We find that it has not been a deficit budget of the Government of India.....

An Honourable Member: We do not know yet.

Mr. Muhammad Azhar Ali: I am talking about last year. I do not know about this year, but I am speaking about last year's budget, and it was not a deficit budget, and as the credit of the Government stands very high, I see no reason why Government should not take up these lines. If we do so, we can give more employment to our unemployed. I, therefore, urge that the time has come when the Government should take up these two lines. Sir, I move.

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

"That this Assembly recommends to the Governor General in Council that immediate and necessary steps be taken to take over the control of the Bengal and North Western Railway and the Madras and Southern Mahratta Railway from the present lessees and further not to extend the contracts which expire in the year 1937."

Mr. B. B. Varma (Muzaffarpur *cum* Champaran : Non-Muhammadian): Sir, in rising to support the Resolution just moved by my Honourable friend, Mr. Azhar Ali, for terminating the contract of lease with the Bengal and North-Western Railway, the Rohilkund and Kumaon Railway and the Madras and Southern Mahratta Railway, I wish to emphasize the intensity of the public feeling on this question in my constituency which is

[Mr. B. B. Varma.]

solely served by the Bengal and North-Western Railway. Indeed, Sir, the public feeling in my constituency is shared by the whole province of Bihar and Orissa and the Legislative Council of that province **as also that of the United Provinces** have emphatically expressed the public view point. This House, Sir, should give me credit for a great deal of personal knowledge of the ways of management of this Railway Company, because I cannot get in or get out of my home without enjoying the hospitality of this Railway. In the land of proverbial hospitality, it is very irksome to find an institution which takes pride in fleecing its guests and that too mercilessly and without any compunction. I need scarcely recall that the policy of State management of railways has long been accepted by the Government of India following upon the report of the Acworth Committee which was appointed by the Government of India in response to **insistent public opinion in 1921**. The Committee, it will be remembered, recommended by a majority the policy of State management, and, in February, 1923, and, later on, on the 20th September, 1924, the Legislative Assembly by Resolutions endorsed that policy which has been demanded by public opinion for quite a long time. In pursuance of this decision, the Government took over the management of the East Indian Railway and the Great Indian Peninsula Railway, and, on general admission, the change has been for the better. Now, in regard to **no railway system has the demand for State management been more insistent than in respect of the Bengal and North-Western Railway and the Rohilkund and Kumaon Railway** whose management, in spite of tardy improvements effected during recent years, continues to be the despair of the travelling and commercial public. On grounds of public policy, Company management of railways by foreign concerns who carry away large profits outside the country and who pay little or no heed to public convenience has long been regarded as a public scandal. The contract with the Bengal and North-Western Railway and the Rohilkund and Kumaon Railway should have expired on the 31st December, 1932. The Government appointed a committee in 1931 to consider what action should be taken when the contract expired, and the Committee, after taking note of the strong public opinion on the subject of the management of the Bengal and North-Western Railway as evidenced by Resolutions adopted by the Bihar and the United Provinces Legislative Councils in favour of termination of the contract, recommended the renewal of the option because of the very practical difficulty pointed out by the then Finance Member that, in the then prevailing conditions, it was impossible to raise nearly £12 millions required to purchase the Railways without straining India's credit and affecting Government's expenditure in other necessary directions. The option will be expiring some time in 1937, and the question to consider is, whether the **necessary** amount of money can now be raised and whether the taking over of the railways by the State will be financially profitable. It is clear that money at present, in view of the prevailing depression, is cheap and can be easily subscribed if the Government were to float a loan for the purpose. I am perfectly certain that £12 millions could be raised in India itself at rates cheaper than would have been the case in 1932, specially because it is well known that the Bengal and North-Western and Rohilkund and Kumaon Railways are both highly remunerative lines. That these lines are remunerative was admitted by the Government in reply to a question in the Assembly as far back as 10th September, 1931. Mr. Parsons then stated in reply to my friend, Seth Haji Abdulla Haroon's question that the company had paid dividend to its share-holders as follows: 1922-23—11 per cent; 1923-24—13 per cent; 1924-25—14 per cent; 1925-26—16 per cent; 1926-27—18 per cent; 1927-28—19 per cent; and 1928-29—19 per cent. In

addition to paying the above dividends, the company's reserves had been increased from £1,800,000 to £3,150,000 actually in excess of its ordinary capital which is only £3,000,000. There is no reason to suppose that the financial position of the company has deteriorated since then. It is thus obvious that financially it would be a paying proposition to take over these two railways. Even if we borrow £12 millions at 4 to 6 per cent, there will still be a surplus left as the Bengal and North-Western Railway paid a dividend on an average of 16 per cent. Even assuming that establishment charges will increase as a result of State management, there would still be a margin left to cover the interest payable on the capital borrowed. But even if it were not so, I would still urge that the higher interest of the country demands that even at a sacrifice the management of the railways should be taken over by the State immediately. The purpose of the Government is to provide safe and comfortable transport amenities to the people. How can any Government claim to be called a civilised Government which allows its citizens to be conveyed in trucks or wagons herded like cattle. Even if the Government were to lose some money over it, I ask, Sir, is it not worth while in the name of humanity? Sir, if you were to tour the area crossed by this railway in the rainy season, you would be struck by the heavy damage caused to the crops of the poor tenantry of the area through which this railway traverses. The tracks have hardly any openings for the rain water to disappear and the result is that the crops rot. People in their desperation have been driven to the crime of line cutting and have paid the penalty which the Government—patron of this company as they are—are ever on the look out to impose. If the administration of the Railway were not so entirely soulless and mercenary, the losses of the many poor tenantry in my part of the country would be easily avoided. As it is, the only concern of the administration at the moment is to pay as little to its employees as possible and declare as high a dividend as imaginable. No wonder, the people with one voice have demanded the nationalisation at the first opportunity.

I hope the Government will frankly take this House into confidence and tell us what they propose and what agreement have they been able to reach. I can assure the Government that the country is not in a mood to listen to any excuses this time and they will be well advised not to resist the proper demand any longer. This House has been urging nationalisation of railways ever since 1922, and, I am certain, that the House will re-endorse the opinion of its predecessor in no uncertain lines today.

It is time the Government took notice of the great volume of public discontent that exists on the subject of the management of this company and paid some heed to the universal protest against the intolerable hardships and inconveniences suffered by the travelling public on these lines. It is nothing short of a scandal that even today, as admitted by the Government last year in reply to some of my questions, there should be no latrines in third class compartments on the trains of this wonderful Railway system. Even today, lighting arrangements, sitting accommodation, want of punctuality and want of proper courtesy to the passengers continue to be beyond human endurance. The conditions of service for the employees on the railway are hopelessly unsatisfactory, and you cannot expect either efficient administration or proper attention to the needs and requirements of the travelling public as long as you continue to recruit ill-paid men who find it a job to eke out a miserable existence on the

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pittance that they receive. I cannot forget the worry to which the Local Government of my province was subject in its anxiety to secure sufficient number of wagons on the Bengal and North-Western Railway to convey distress sugarcane from the earthquake affected areas in North Bihar in the dark days following upon the disastrous earthquake. Only recently, the Health Department of the Government of Bihar and Orissa reported after due enquiry that the food supplied on the railway platforms on the Bengal and North-Western Railway was not fit for human consumption, because of the adulteration of the ingredients composing them. If I may anticipate an objection, Sir, I would like to add one word. It may be urged that the Railway Budget is likely to be a deficit Budget and so it is not the proper time to take over another railway. I would strongly urge that as a very good reason why the Bengal and North-Western Railway should be immediately taken over. Whatever deficit other Railways might be expecting, this much is certain that this Railway will run at a profit and a good deal of profit....

Mr. President (The Honourable Sir Abdur Rahim): I must ask the Honourable Member to discontinue his speech now and resume his speech on the next Resolution day, for there is a motion for adjournment now.

MOTION FOR ADJOURNMENT.

EXTERMENT ORDERS ON CERTAIN INDIAN SHOPOWNERS AND TRADESMEN IN IRAQ.

Mr. Akhil Chandra Datta (Chittagong and Rajshahi Divisions: Non-Muhammadan Rural): Mr. President, I move that the Assembly do now adjourn.

Sir, I have taken the liberty of moving the adjournment of the business today in order to bring to the notice of the Government certain
 4 P.M. grievances of the Indians resident in Iraq. I may assure my Honourable friend, the Foreign Secretary, that I have been informed that the grievances of the Indians in Iraq are real and not imaginary, as I believe he said they were imaginary and that I was ill-informed.

Sir Aubrey Metcalfe (Foreign Secretary): Sir, I have not said anything of that sort yet.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member must speak up.

Mr. Akhil Chandra Datta: Sir, I have got a cold and cannot speak up.

Sir Aubrey Metcalfe: Sir, I merely interjected that I have not said that the grievances were imaginary.

Mr. Akhil Chandra Datta: I am glad to hear that, but I am assured that it had been said by the Foreign Secretary that I am ill-informed. I remember the word used by him.

Honourable Members: Louder, please. We cannot hear you.

Mr. Akhil Chandra Datta: I am glad that my friend says that he has not said anything of that sort yet, but I should be very happy to know that I am ill-informed. Sir, I am not so perverse as to delight in telling people that the Indians in Iraq have grievances, although in point of fact they have none. I should be very happy to know that they have no grievances. Now, Sir, my story is a very simple one. The whole thing lies in a nutshell. In a certain communication made by Indians in Iraq addressed to our poet, Rabindra Nath Tagore, Indians in Iraq have complained that externment orders are being passed by the Iraq Government upon Indians without any rhyme or reason, and their grievance is that these externment orders are passed with a view to gradually expelling Indians from Iraq; and in support of their apprehensions they say that there actually is legislation on the anvil under which Indians and other foreigners will not be allowed to engage in any kind of business. Sir, that is the whole story. It is not a case of preventing or limiting in future the admission of Indians to Iraq. The grievance is that these Indians, though they have been resident in Iraq for a long time, doing business there and investing their money there and have now got vested interests in that country, are now being asked to quit the country in a short time. Sir, it is well-known how most of the Indians went to Iraq. As a matter of fact I am told, I hope my information is correct, that most of these Indians were sent to Iraq by the Indian Government during the war, and that at the end of the period of occupation, these Indians got settled there because there was a long interval and other people went there mostly as merchants, traders and so on and that there is now a large Indian community in Iraq. If that information is correct, namely, that externment orders have been passed without any particular reason, no reason other than that they are Indians, and if it is true also that legislation is impending under which the Indians will have to leave Iraq, then the position is very unsatisfactory; as a matter of fact in one of the local papers in that country it has recently been said: "good-bye to you, foreigners". If all that is true, it is a case of great hardship, and I bring it to the notice of the Government. If the information is true, it is only fair and proper that their interests should be protected. And who will protect their interests and safeguard their position except the Government of India? Sir, that is all I have got to say. I should not like to take up the time of the House any longer.

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

"That the Assembly do now adjourn."

Sir Aubrey Metcalfe: Sir, I think it will be conducive to the convenience of this House and also perhaps to the peace of mind of some of my Honourable friends opposite if I intervene at this early stage of the debate in order to correct a number of misapprehensions as to facts and also to explain the attitude of the Government of India towards this question. Sir, I gather that my Honourable friend who moved this motion depends for his facts mainly upon notices in the press and upon complaints received from various individuals resident in Iraq. The Government of India, as soon as they heard any complaints on the subject, immediately took steps to obtain accurate information from His Majesty's representative at Baghdad. I will now state to the House what the facts are which they have elicited. In the first place, I may say, as regards the alleged externment orders, that

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we made inquiries and were informed on the 16th December of last year that no Indians were at that time under final notice to leave Baghdad or to leave Iraq, but that the question of the renewal of permits which are necessary to reside in Iraq had arisen from time to time under the provisions of the Iraq Residents Law which was enacted in 1923 and has been in force ever since. This law is applicable not to Indians alone but to all foreigners and is applied irrespective of any question of nationality. It appears that some of the Indian residents had not complied with some of the provisions of the law, and that action was accordingly in contemplation against them in order to see that they did so comply. However, His Majesty's representatives, both consular and diplomatic, immediately took what steps they could to protect those residents who had perhaps wittingly or unwittingly failed to comply with those regulations, with the result that, so far, no externment orders have actually taken effect against any Indian resident. I have heard no more, although I have inquired more than once whether there has been any further development. I trust, I have made it clear that any action hitherto taken by the Government of Iraq regarding the residence of Indians in Iraq has been taken entirely under the Residents Law of 1923, which is being consistently enforced ever since and which has no connection whatever with the law to which the Honourable Member referred and which is now before the Iraq Parliament for a somewhat different purpose. I will now proceed to explain exactly what that law is in so far as we have information about it. Early in November, 1935, it was announced in the speech from the Throne that a Bill would be introduced during the next session in the Iraq Parliament entitled "a law for the restriction of trades to Iraqis". The Bill as originally drafted prohibited absolutely all non-Iraqis from practising a very large number of trades and crafts. But it is understood that during the passage of the Bill through the Lower House—it is now, I may say before the Upper House or the Senate—during the passage of the Bill through Parliament it either has been or it will be amended in such a way as to remove that absolute prohibition and to substitute for it a provision by which the Iraqi Government will have power to issue regulations from time to time restricting the practice of certain callings to Iraqi nationals. You will see, Sir, that there will be no absolute prohibition at all and it will merely empower the Iraqi Government to issue regulations as they may think fit. It is also understood that the Iraqi Government intend to use this power in a reasonable manner and in the first place, at any rate, only to reserve for Iraqis certain unskilled callings such as that of porters and watchmen. The Bill has, however, not yet become law. It is still in the course of passage through Parliament and it is, therefore, impossible for me or anybody else at present to state the exact form in which it will emerge or the exact effect of it. I submit, therefore, that it would be extremely premature and inequitable at present to over-emphasize our criticism of that Bill. So much for the facts.

I will now turn to meet the criticism implied in this motion that the Government of India have not been perhaps sufficiently energetic in defending the interests of Indians in Iraq. As I have already pointed out, the Government of India have from the first maintained the very closest possible touch with His Majesty's Representative over this matter. They have kept him fully informed of the state of Indian public opinion during these developments and they have also associated themselves with any representations which His Majesty's Representative has been able to make

to the Iraqi Government on the subject. To have any more would, I submit, Sir, have been improper and extremely unwise. I have seen it suggested in various questions and so forth which have been put in this House and which it will be my duty to answer later that the Government of India should already consider and possibly threaten retaliatory action. I feel quite sure that everybody will agree that that would be and that would have been an extremely unwise step. There is, I need hardly say, such a thing as public opinion in Iraq as there is in India and threats and coercion might very easily have made it far more difficult for the Iraqi Government to adopt a reasonable attitude as they hope to do towards this question. I do not think it is possible for me now to give this House any further details as to the negotiations which are taking place and will be continued as long as any good is anticipated from such negotiations. But I hope that it may go some way to satisfy opinion in this House and also among the wider public outside with regard to this question, if I read to the House an authoritative message which I have received only today from Baghdad on the subject. This is the message:

"The Iraq Government are fully aware that there is a large number of Iraqis living freely in India without restriction as to the manner in which they earn their living and there is every reason to believe that Iraqi Government will not take any action which would seriously disturb Indians who are now living and working in Iraq. Many of these are skilled craftsmen who are contributing to the development of Iraqi industries."

That, I think, Sir, is quite sufficient to show that the Iraqi Government are fully alive to what public opinion feels here and fully alive also to the effect upon their own interests which might occur if they were to adopt an unreasonable attitude towards this question. I think perhaps I have said enough to show to the House that there is no material here even for criticism, far less for censure upon the Government of India, and I, therefore, venture to suggest to the Honourable the Mover that he might withdraw his motion.

Maulana Shaukat Ali (Cities of the United Provinces: Muhammadan Urban): Sir, I heartily support my Honourable friend, the Foreign Secretary, and request the Honourable the Mover to withdraw his motion. Probably more than anybody else in this House, especially among Indians, I know Iraq, I have been in touch with the whole Muslim world and have kept touch with that part of the country which is the subject of this motion for adjournment today. I had visited Iraq when I was returning from attending the Round Table Conference. I have been in correspondence about this whole affair. Before I say anything at all on this subject, I might just refer to the question of Zanzibar that was debated during the last Simla Session when my Honourable friend, Sir Girja Shankar Bajpai, a very clever debater that he is, pleaded against a man like me, who possesses little brains, but more muscle and brawn. My Honourable friend, who possesses all the brains, turned round against me and said: "I do not care what happens to the Zanzibarians so long as the interests of Indians are properly secured". I am afraid, I do not agree with him in that respect. I would like this part of the House (Nationalist) to repudiate that suggestion. I want to remind my Honourable friends that we have been fighting in this country for the liberty of our citizens. We have been making fighting speeches, we have been writing articles in the Press and we have been attacking the Government and have been breaking up our

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hearths and homes all because of our fight for freedom. Now, Sir, Iraq is a small country with barely 30 lakhs of people. It consists mostly of vast tracts of sandy desert. The people there want to be left alone so that they might have a peaceful life and build up their country in their own way. You want to suggest that Indians, who had gone to Iraq during the Great War as a part of the mercenary army and fought the nationals there and broke up their hearths and homes, should live in that country and deprive the Arab inhabitants. What right and justification have you to suggest that? If the British Government had brought forward a Resolution like that—I may be pardoned for using a strong expression—it would have been very wicked on their part. But when such a Resolution comes from this side of the House (Nationalists) I can only say, it is criminal. You complain that outsiders come here and exploit us poor Indians in this country; yet at the same time, you advocate that Indians should go to Iraq and exploit that poor country. What is the justification for such an attitude? Iraq till now had been a mandated territory. Thanks to the efforts of the late King Feisal who was my honoured friend—I knew him and also several of his Ministers and many public men—they have now broken away from the mandate and they are building up the country in their own way and; instead of extending the hand of friendship and encouragement you want to reduce them to the position of subordinates and create difficulties for them. If the British Government wanted to expand their Empire, they would have, on that very plea of protecting Indians, taken this part of the country also just as they took South Africa. I may mention here that the Boer War was fought, because the Indians settled there were not given their full rights. Even after that successful war, you find the position of Indians is as bad as before, if not worse. I want to tell my friends here that as we have been suffering ourselves as “under-dogs”, we must think of the sufferings of smaller people. There are 350 millions of people here. Why should we ask this Government to intercede and why should we censure them? If you are strong enough, and we ought to be strong enough, then get power in your hands, now that the reforms are coming, and nobody in the world will dare to insult you. Today Hitler talks big and Mussolini talks big, and other people talk big and they all insult you. India has got 350 millions of strong and hefty people. Our young men are doing well in cricket and athletics. If they get over their nervousness, they will be able to beat any team in the world, and I congratulate my friend, the Maharaj Kumar of Vizianagram on his brilliant display in cricket in Hyderabad against the Australians. He does not bring in silly quarrels in his game, but he gets the best team work out of his material. I hope the Leader of the Opposition and the Leaders of the other Parties will combine and get the best team work in India, and India will then be able to stand on its own legs and carve out its future. Sir, when we are able to do that, we will, of course, lose our friends, the British officials, who, in season and out of season, shout that we were incapable and not fit to manage our affairs as evidenced in this morning’s debate about the Army Committee. They are all very interesting people; we will miss some nice evening parties and some of us may miss chances of getting new titles. But, I am sure, after a week India will be as well managed as it is being managed today, if not better. I do not want to learn anything from my Honourable friend, the Defence Secretary, as to how we should defend our country, and, if I fight against him, I think even now, in my old age, I would give him an

uncomfortable half hour. Sir, language was given to give expression to our innermost feelings; I am still a man of peace, and I work for peace and reconciliation between the people of India and between England and India, so that, during the next ten years, with the help of this new Constitution, Indian honour and Indian self-respect may be satisfied. I am a Muslim and proud of being one, and you may call me a communalist if that means that I am proud of my faith and my culture. But if it means that I am flying at the throat of every Hindu, then I am not a communalist. I speak for Iraq not only because it is a Sacred Muslim land, but that a small brave nation is working hard to make a destiny for itself. My earnest request is that the Honourable the Mover should withdraw this Resolution. We should not use British power and prestige against the smaller struggling nations, just as we desire for ourselves that no outsider has any business to come and rule over us.

Mr. B. Das (Orissa Division: Non-Muhammadan): Sir, I did not want to participate in this motion for adjournment, but when I heard my esteemed friend, the Big Brother, I felt somehow that there is a confusion of purpose in this motion. India does not want to encroach upon the rights and liberties of any citizen in any part of the world, not to say any Asiatic country, or in a mandated territory which might be under British control. What we Indians are afraid of is that under British control we have lost, bit by bit, our rights of citizenship in the various dominions; and when it comes to a mandated territory, in spite of all the political and diplomatic language that my Honourable friend, Sir Aubrey Metcalfe, is kind enough to introduce. . . .

Sir Aubrey Metcalfe: Sir, may I intervene for a moment? The Honourable Member apparently refers to Iraq as a mandated territory. It is nothing of the sort, and a statement of that kind made on the floor of this House is calculated to give the gravest offence to a foreign country.

Mr. B. Das: Is it a foreign country or a mandated territory?

Mr. President (The Honourable Sir Abdur Rahim): It is no longer a mandated territory. That is what the Honourable Member says.

Mr. B. Das: That was my impression. But if that is so, I congratulate Iraq on getting out of the clutches of the British. The purpose of the Honourable the Mover of this motion is this, that, when we are envisaging new life and new rights of citizenship that are envisaged in the so-called new reforms that will come sooner or later, we want equal rights of citizenship with any British subject in the Iraq kingdom. If a British subject, if a cousin of my friend, Sir Aubrey, can acquire rights of citizenship in Iraq, every Indian should be so entitled, although I want to assure my esteemed friend, Maulana Shaukat Ali, that no Indian likes to encroach upon the lives and properties in any Asiatic territory. I may even say that I do not want to get property even in Great Britain though my esteemed friends like Sir Cowasji Jehangir and others are buying up property in England. Perhaps my friend, Sir Homi Mody, is also doing that; so that they can fly away to England when there are difficulties here. So I do hope, my friend, Maulana Shaukat Ali, will agree with the purpose of this motion for adjournment. It is not communal, but it is a censure on the British Government.

Maulana Shaukat Ali: Censure them for Canada, Australia and every other part of the world, but leave Iraq alone.

Mr. B. Das: We know what happened in Kashgarh and other places where Indians did not receive equal treatment. And if this is a motion of censure, it is a censure on the British Government, and I hope, my Honourable friend, Maulana Shaukat Ali, will vote for the motion.

Maulana Shaukat Ali: Beat him hard and take my big stick.

Mr. B. Das: Sir, I support this motion.

Mr. Akhil Chandra Datta: Sir, I think my Honourable friend, the Foreign Secretary, has done me a bit of injustice. An adjournment motion is ordinarily a motion of censure, but, at the same time, it must be admitted that every motion for adjournment is not a censure motion, and I do not think it can be said that in my speech I uttered one word by way of censure of the Government of India. My object, as I said at the very beginning, was only to draw the attention of the Government to the grievances about which we have received communications from Iraq.

Now, Sir, according to the information of Government, no externment orders have actually been passed although I have got here a list of the names of Indians upon whom externment orders have been passed. I must, however, say that I cannot vouch for the truth of this information. I am not in a position to say that my information is correct and that the information of the Government is wrong. In view of that position, and also in view of the fact that we are assured that the proposed law has been amended, partially at any rate, and in view of the message which has been placed before this House—the message which has been received from the Iraq Government—I gladly withdraw this motion, without attempting any reply to the observations of Maulana Shaukat Ali, hoping that a further careful enquiry will be made, and if there are any real grievances, the Government will be pleased to see that those grievances are removed. Allow me, Sir, to take this opportunity of asking—I am only making a suggestion—that now that the Secretariat is being reorganised, whether it is not possible to have an Overseas Department, so that the position of Indians overseas may be safeguarded. With these words, I am glad to withdraw the motion.

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

The Assembly then adjourned till Eleven of the Clock on Wednesday, the 5th February, 1936.