

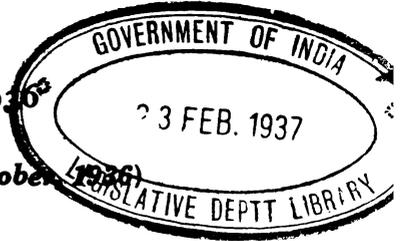
10th October 1936

THE
LEGISLATIVE ASSEMBLY DEBATES

(Official Report)

Volume IX, 1936

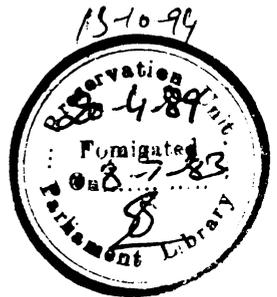
(9th October to 16th October 1936)



FOURTH SESSION

OF THE

**FIFTH LEGISLATIVE ASSEMBLY,
1936**



NEW DELHI
GOVERNMENT OF INDIA PRESS
1937

Legislative Assembly.

President :

THE HONOURABLE SIB ABDUR RAHIM, K.C.S.I., KT.

Deputy President :

MR. AKHIL CHANDRA DUTTA, M.L.A.

Panel of Chairmen :

MR. S. SATYAMURTI, M.L.A.

SIR LESLIE HUDSON, KT., M.L.A.

MR. ABDUL MATIN CHAUDHURY, M.L.A.

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

Secretary :

MIAN MUHAMMAD RAFI, BAR.-AT-LAW.

Assistant of the Secretary :

RAI BAHADUR D. DUTT.

Marshal :

CAPTAIN HAJI SARDAR NUB AHMAD KHAN, M.C., I.O.M., I.A.

Committee on Petitions :

MR. AKHIL CHANDRA DUTTA, M.L.A., *Chairman.*

SIR LESLIE HUDSON, KT., M.L.A.

PANDIT NILAKANTHA DAS, M.L.A.

MAULVI SYED MURTUZA SAHIB BAHADUR, M.L.A.

MR. N. M. JOSHI, M.L.A.

CONTENTS.

VOLUME IX.—9th October to 16th October, 1936.

	PAGES.		PAGES.
FRIDAY, 9TH OCTOBER, 1936—		TUESDAY, 13TH OCTOBER, 1936—	
Questions and Answers	2721—73	Questions and Answers	3049—74
Motion for Adjournment <i>re</i> Failure of the Govern- ment of India to secure secrecy of ballot in the Punjab as re- commended by the Assembly—Disallowed	2773	Statement laid on the Table	3074
The Arya Marriage Vali- dation Bill—Discussion on the consideration of clauses not concluded	2774—2813	The Code of Civil Pro- cedure (Amendment) Bill—(Amendment of section 51, etc.)—Pass- ed as amended	3074—99
SATURDAY, 10TH OCTOBER, 1936—		The Trade Disputes (Amendment) Bill— Circulated	3099—3123
Questions and Answers	2815—84	Statement of Business	3123—24
The Indian Tea Cess (Amendment) Bill— Passed as amended	2884—2936	THURSDAY, 15TH OCTOBER, 1936—	
MONDAY, 12TH OCTOBER, 1936—		Members Sworn	3125
Questions and Answers	2937—93	Questions and Answers	3125—3203
The Manœuvres Field Firing and Artillery Practice Bill—Intro- duced	2993	Motion for Adjournment <i>re</i> Suspension of some Patwaris of the Ali- garh District for alleged attending an Election Meeting	3203—06
The Geneva Convention Implementing Bill— Passed as amended	2994—3005	Statement <i>re</i> Progress of Rural Development Schemes	3206—42
The Indian Rubber Control Bill—Passed	3005—18	Message from the Council of State	3242—44
The Bangalore Marriages Validating Bill—Pass- ed	3018—21	The Child Marriage Restraint (Amendment) Bill—Petitions laid on the Table	3244
The Indian Tea Control (Amendment) Bill— Passed as amended	3021—29	The Indian Companies (Amendment) Bill— Amendments made by the Council of State agreed to	3245—53
The Red Cross Society (Allocation of Property) Bill—Passed	3030—34	Demands for Excess Grants for 1934-35	3253—64
The General Clauses (Amendment) Bill— Passed	3035—37	Demand for Supplement- ary Grant in respect of Railways	3264—65
The Chittagong Port (Amendment) Bill— Passed as amended	3038—46		
Statement of Business	3047—48		

	PAGES.		PAGES.
THURSDAY, 15TH OCTOBER,		FRIDAY, 16TH OCTOBER,	
1396— <i>contd.</i>		1936—	
Reports of the Public Accounts Committee	3265	Questions and Answers	3298—333
The Manœuvres Field Firing and Artillery Practice Bill—Circu- lated	3265—83	Unstarred Questions and Answers	3332—87
The Hindu Women's Rights to Property Bill—Referred to Select Committee	3284—85	Statements laid on the Table	3387
The Durgah Khawaja Saheb Bill—Discussion on the motion to con- sider not concluded	3285—92	Motion for Adjournment <i>re</i> Suspension of some Patwaris of the Aligarh District for alleged attending and Election Meeting—Ruled out of order	3388—89
		Message from the Council of State	3389
		The Durgah Khawaja Saheb Bill—Passed as amended	3389—3407

LEGISLATIVE ASSEMBLY.

Saturday, 10th October, 1936.

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

QUESTIONS AND ANSWERS.

DUTY AND FUNCTION OF THE POLICE FORCE ON RAILWAY STATIONS.

1007. ***Mr. N. V. Gadgil** (on behalf of Pandit Krishna Kant Malaviya) : Will Government please state the duty and function of the police force posted on stations and patrols on platforms and gates on State Railways in India ?

The Honourable Sir Henry Craik : The attention of the Honourable Member is invited to Appendix B to the Report of the Railway Police Committee, 1921, in which the duties of the Government Railway Police employed on Railways are specified.

Pandit Lakshmi Kanta Maitra : Have the Railway Administrations got any control over the police force ?

The Honourable Sir Henry Craik : The control rests mainly with the Local Governments.

Pandit Lakshmi Kanta Maitra : May I know if the Railway Administrations exercise any control at all over the railway police ?

The Honourable Sir Henry Craik : My impression is that they do control one section of the railway police. A larger part is under the control of the Local Governments.

Pandit Lakshmi Kanta Maitra : Is the Honourable Member in a position to say what part is under the control of the Local Governments ?

The Honourable Sir Henry Craik : If the Honourable Member will put down a question, I will try to answer it.

Mr. M. Ananthasayanam Ayyangar : In view of the fact that recently there have been innumerable cases of outrages in female compartments by persons getting into the compartments from the off side of the platform, will the Government be pleased to direct that the police on duty on platforms should take greater care to see that nobody jumps into the female compartments from the off side of the platforms ?

The Honourable Sir Henry Craik : That is a matter of detail which must be left to the executive heads of the police.

Pandit Lakshmi Kanta Maitra : May I know, Sir, having regard to the numerous outrages in the Railways, whether Government will issue to the Provincial Governments and the Railway Administrations a note to the effect that steps should be taken as far as possible to prevent the recurrence of such outrages ?

The Honourable Sir Henry Craik : I have no doubt whatever that the Local Governments and the Railway Administrations are perfectly aware of the desirability of taking such steps.

Mr. M. Ananthasayanam Ayyangar : Are any railway police either under the Railway Administration or the Local Governments travelling in the trains ?

The Honourable Sir Henry Craik : I must have notice of that question.

Prof. N. G. Ranga : Why is it that the Government do not want to take greater care of passengers, and especially of women, than they are doing at present ?

The Honourable Sir Henry Craik : That is a matter of argument.

RULES FOR SUING GOVERNMENT FOR BREACH OF TRUST IN RESPECT TO SERVICE CONDITIONS, ETC.

1008. ***Mr. N. V. Gadgil** (on behalf of Pandit Krishna Kant Malaviya) : With reference to the answer given to starred question No. 967, asked in this House on the 16th September, 1933, will Government please state :

- (a) whether there are any rules which prohibit a Government servant including railway servants under the Crown from suing the Government or their employers in a court of law, whilst remaining in service, for breach of trust in respect of service conditions or loss of prospects or defiance of rules and regulations ; if so, what are they ;
- (b) what is meant by " Rules to regulate the Conduct of Railway Servants " as used in section 47 (1) (e) of the Indian Railways Act ; and
- (c) whether employees in the offices of :
 - (1) Government of India, Railway Department ;
 - (2) Railway Board ;
 - (3) Supervisor of Railway Labour ;
 - (4) Railway Audit and Accounts Offices ;
 - (5) Agents, State-managed Railways ;
 - (6) Heads of Department, State-managed Railways ;
 - (7) Divisional Superintendents, State-managed Railways ;
 - (8) Offices subordinate to Divisional Superintendents ; and
 - (9) Indian Railway Conference Association ;

including gazetted, non-gazetted, clerical, ministerial and menial staff, railway servants are within the provisions of section 3 (7) of the Indian Railways Act ; if not, then, under what Act ?

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

(b) The rules made under section 47. In this connection I would refer the Honourable Member to the reply I have given to his starred questions Nos. 995 and 996.

(c) This depends in each case on whether the person concerned is employed by a Railway Administration as defined in section 3 (6).

ARREARS IN NAZUL REVENUE IN DELHI.

1009. ***Mr. N. V. Gadgil** (on behalf of Pandit Krishna Kant Malaviya) : Will Government please state the percentage of arrears in revenue in each year during the office of the present Nazul Officer, Delhi, with the reasons for its fall and the action taken by the local administration ?

Sir Girja Shankar Bajpai : The present Nazul Officer joined his post in 1933-34. The percentage of arrears was four during that year and three in 1934-35. These figures do not support the suggestion that collections have deteriorated during his term of office.

SALE OF LIQUORS BEFORE AND AFTER THE LICENSED HOURS IN DELHI.

1010. ***Mr. N. V. Gadgil** (on behalf of Pandit Krishna Kant Malaviya) : (a) Is it a fact that selling of liquors after licensed hours by licensees in Forums L-2 and L-10 are permissible under those licenses in Delhi ?

(b) Is it a fact that the shops at Mori Gate, Gundhi Gali, and Chowri Bazar, Delhi, do sell liquors after licensed hours and specially after 8 P.M. ? If not, will Government please state how many licensees were prosecuted for breach of license rules during 1935-36 and up-to-date ? If none, why not ?

(c) Will Government please state whether the Excise Department, Delhi, ever checked the stock of the shops at Mori Gate, Gundhi Gali and Chowri Bazar, Delhi, before and after the licensed hours ? If so, on what dates since April, 1936, and up-to-date and with what result ? If not, why not ?

The Honourable Sir James Grigg : (a) No.

(b) No. No licensee was prosecuted for a breach of license rules during the year 1935-36 or this year. One licensee was, however, dealt with departmentally for a breach of rules during the year 1935-36. Some complaints were received regarding sale of liquor after licensed hours and instructions were given to the Excise staff to see that the rules on the subject were strictly enforced.

(c) No. The excise rules do not require that such a check should be made, and it is undesirable to harass licensees unless a definite complaint has been made.

Mr. Mohan Lal Saksena : May I know what steps were taken to stop the complaints that were made, and what instructions were issued to the excise officers to inquire into the complaints that were made ?

The Honourable Sir James Grigg : I have already given an answer that instructions were given to the Excise staff to see that the rules on the subject were strictly enforced. I do not know if the Honourable Member wants to know what particular degree of coercion they were advised to apply, if so, I cannot tell him that.

Mr. Mohan Lal Saksena : I want to know whether it is not one of the duties of the Excise staff to go and see after the fixed hours whether liquor is being sold or not ?

The Honourable Sir James Grigg : That also, I think, I have answered in part (c). I said No, the excise rules do not require that such a check should be made.

Mr. Ram Narayan Singh : Is it not a fact, Sir, that Government are more concerned with the greater sale of liquor than with the observance of the rules ?

Mr. President (The Honourable Sir Abdur Rahim) : I cannot allow that.

Mr. Mohan Lal Saksena : How is the Government satisfied whether liquor is sold beyond the prescribed hours or not ?

The Honourable Sir James Grigg : If you want to ask me questions about a police procedure and so on, you had better put down a question.

Mr. N. V. Gadgil : Would it not be desirable to restrict the hours for the sale of liquor so that it may eventually lead to prohibition ?

The Honourable Sir James Grigg : That is another source of revenue which Honourable Members opposite want to disappear entirely. They want customs revenue to disappear, and now they want the excise revenue to disappear.

There won't be much left to carry on the Government of the country.

Mr. Ram Narayan Singh : Sir, my question has not been answered.

Mr. President (The Honourable Sir Abdur Rahim) : That has been disallowed.

USE OF REFRESHMENT ROOMS ON STATE RAILWAYS BY POLICE OFFICIALS.

1011. ***Mr. N. V. Gadgil** (on behalf of Pandit Krishna Kant Malaviya) : Is it a fact that the refreshment rooms on State-managed Railways are provided for the exclusive use of the travelling public ? If so, under what authority do the local police officials use these as a resting place before, after and during train timings ?

The Honourable Sir Muhammad Zafrullah Khan : Refreshment rooms, though primarily intended for the travelling public, may be used by others, e.g., railway servants. Their use as a rest room or a waiting room by any person is irregular.

Mr. M. Ananthasayanam Ayyangar : Will the Government take steps to see that railway servants or police officers on duty do not

occupy the waiting rooms during their stop at particular stations, when they are there either on railway business or official business ?

The Honourable Sir Muhammad Zafrullah Khan : If any such cases are discovered, they will be suitably dealt with.

ALLEGATIONS AGAINST A POLICE SUB-INSPECTOR AT THE MORADABAD HINDU REFRESHMENT ROOM.

1012. ***Mr. N. V. Gadgil** (on behalf of Pandit Krishna Kant Malaviya) : (a) Is it a fact that on the 9th May, 1936, when the passengers of 5-Up Howrah-Calcutta Mail were taking their evening meals at Moradabad Hindu Refreshment Room a Sub-Inspector of the local District Intelligence Service entered the room in a state of intoxication, accompanied with girls and created a scene of intimidation full of filthy language and threats, much to the annoyance of the passengers ?

(b) Is it a fact that the Manager of the Refreshment Room submitted a written complaint to the District Magistrate, the Superintendent of Police, Divisional Superintendent and the Station Master against the behaviour of the said Sub-Inspector ?

(c) Is it a fact that the above scene was witnessed by a Deputy Superintendent of Police attached to the Police Training School, Moradabad, who happened to be on the station on that date and time ?

(d) Is it a fact that the said Deputy Superintendent of Police witnessed a similar scene created by the same Sub-Inspector on another occasion also ?

(e) If the replies to parts (a) to (d) be in the affirmative, will Government please state what action has been taken against the said Sub-Inspector ?

(f) What protection has the Railway Administration made for the comforts of travelling public from police intimidations, threat and annoyances ? If none, why not ?

The Honourable Sir Henry Craik : (a) to (f). I have no information. The matter is one for the Local Government.

†1013*.

LEGISLATION TO RESTRICT THE NUMBER OF TRAINS ON ANY RAILWAY.

1014. ***Seth Haji Abdoola Farooq :** Will Government be pleased to state whether they are contemplating legislation to restrict the number of mail, passenger, express or goods trains which may be run between any stations on any railway ?

The Honourable Sir Muhammad Zafrullah Khan : No. Machinery for controlling the number of trains run already exists.

AFGHAN REFUGEES DEPORTED FROM PERSIA.

1015. ***Babu Kailash Behari Lal :** (a) Will Government be pleased to state what is the obligation of the Government of India to pay charges on account of Afghan refugees deported from Persia ?

†This question was subsequently disallowed.

(b) What is the number of such refugees ?

Sir Aubrey Metcalfe : (a) In India there are no Afghan refugees deported from Persia.

(b) Does not arise.

Mr. M. Ananthasayanam Ayyangar : Are there any other Afghan refugees here in India ?

Sir Aubrey Metcalfe : I submit, Sir, that does not arise out of this question.

REFUGEES AND STATE PRISONERS IN BIHAR AND ORISSA.

1016. ***Babu Kailash Behari Lal :** (a) Will Government be pleased to state how many refugees and State Prisoners there are in Bihar and Orissa and what are their names ?

(b) What is the amount of allowance to each of them, or what is the expenditure over each of them ?

Sir Aubrey Metcalfe : (a) There are no refugees or State Prisoners in the Province of Orissa. In Bihar there is one State Prisoner, namely, Sardar Abdul Khaliq Khan, an Afghan refugee, who is at present residing with his wife and four children in Ranchi.

(b) The following allowances are paid by Government :

	Rs.
	per mensem.
(i) Sardar Abdul Khaliq Khan ..	100
(ii) Wife and children ..	50
(iii) House rent ..	50
Total ..	200

Mr. M. Ananthasayanam Ayyangar : May I know, Sir, if they have been confined or interned at the instance of the Afghan Government ?

Sir Aubrey Metcalfe : Not exactly, no.

Mr. M. Ananthasayanam Ayyangar : Then under what circumstances have they been interned ?

Sir Aubrey Metcalfe : They are detained under Regulation III of 1818 for political reasons.

Pandit Lakshmi Kanta Maitra : May I know for how long they have been kept here as refugees ?

Sir Aubrey Metcalfe : You will obtain the information if you put down a question.

Mr. M. Ananthasayanam Ayyangar : Does the Afghan Government pay any contribution for their detention here ?

Sir Aubrey Metcalfe : No.

Mr. M. Ananthasayanam Ayyangar : Then are they to be kept here from generation to generation ?

Sir Aubrey Metcalfe : That is a matter of argument.

Pandit Lakshmi Kanta Maitra : Why are their allowances paid out of the Indian exchequer ?

Sir Aubrey Metcalfe : For political reasons which I am not prepared to disclose further.

Mr. M. Ananthasayanam Ayyangar : What objection do the Government of India have to send them back to their own place ?

Sir Aubrey Metcalfe : That again is a matter which I am not prepared to discuss. That affects the relations between His Majesty's Government and a foreign State.

AMOUNT ALLOTTED FOR THE ECONOMIC DEVELOPMENT OF TRIBAL AREAS.

1017. ***Babu Kailash Behari Lal :** (a) Will Government be pleased to state what parts of the country are called tribal area ?

(b) How is the amount allotted for the economic development of tribal area spent ?

Sir Aubrey Metcalfe : (a) A statement showing the tribal areas is laid on the table.

(b) Two lakhs have been allotted, which will be spent on schemes which are likely to improve the economic condition of the inhabitants of the tribal areas. In the North-West Frontier Province tribal areas experiments are at present being carried out in such schemes as gold-washing, apricot drying, reclamation of land, irrigation works, exploitation of marble, agri-horticultural operations, exploitation of artemesia, marketing survey, marketing of *chilgoza*, sheep breeding, etc.

Statement showing the Tribal Areas.

Name of the Province.	Tribal areas.								
North West Frontier Province.	<p>A.—<i>Tribal territories in the charge of the following Political Agents.—</i></p> <p><i>Agency.—</i> Malakand excluding the States of Dir, Swat, Chitral and the Amb State (Trans-Indus). Khyber. Kurram. North Waziristan. South Waziristan.</p> <p>B.—<i>Tribal territories in the charge of Deputy Commissioners, as shown below.—</i></p> <table border="0"> <tr> <td data-bbox="338 1291 532 1316"><i>Peshawar District.—</i></td> <td data-bbox="695 1291 862 1316"><i>Bannu District.—</i></td> </tr> <tr> <td data-bbox="402 1321 586 1516"> Mohmand. Hassen Khel Afridi. Ashu Khel Afridi. Gadun. Utman Khel. Utmanzai. Chamla. Khudu Khel. Buner. </td> <td data-bbox="735 1321 953 1368"> Bhitanni. Certain Wazir Sections. </td> </tr> <tr> <td data-bbox="338 1516 497 1542"><i>Kohat District.—</i></td> <td data-bbox="695 1385 958 1410"><i>Dera Ismail Khan District.—</i></td> </tr> <tr> <td data-bbox="402 1542 572 1581"> Orakzai. Adam Khel Afridi. </td> <td data-bbox="735 1410 884 1581"> Bhitanni. Larga Sheranni. <i>Hazara District.—</i> Gadun. Utmanzai. Amazai. Chagharzai. Isazai. </td> </tr> </table>	<i>Peshawar District.—</i>	<i>Bannu District.—</i>	Mohmand. Hassen Khel Afridi. Ashu Khel Afridi. Gadun. Utman Khel. Utmanzai. Chamla. Khudu Khel. Buner.	Bhitanni. Certain Wazir Sections.	<i>Kohat District.—</i>	<i>Dera Ismail Khan District.—</i>	Orakzai. Adam Khel Afridi.	Bhitanni. Larga Sheranni. <i>Hazara District.—</i> Gadun. Utmanzai. Amazai. Chagharzai. Isazai.
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Name of the Province.	Tribal areas.
<i>C.—The Pitao Serai Malandri area, administered by the Deputy Commissioner, Peshawar District.—</i>	
Baluchistan ..	<p>Marri and Bugti country.</p> <p><i>In Loralai District.—</i></p> <p>Bori Tahsil. Musa Khel Tahsil. Sinjawai Tahsil. Barkhan Tahsil.</p> <p><i>In Zhob District.—</i></p> <p>Fort Sandeman Tahsil. Hindubagh Tahsil. Kila Saifullah Tahsil.</p> <p><i>In Chaghai District.—</i></p> <p>Dalbandin Tahsil.</p> <p><i>In the Sibi District.—</i></p> <p>Kohlu Tahsil.</p>
Punjab ..	.. Baluch tribal areas beyond the western border of Dera Ghazi Khan District in so far as they are not included in Baluchistan Agency territories.
Assam ..	.. Unadministered parts of Sadiya and Balipara Frontier Tracts. Unadministered area north-east of the Naga Hills District.

Pandit Lakshmi Kanta Maitra : Is the Honourable Member in a position to tell this House what percentage of this amount has actually been spent on this head ?

Sir Aubrey Metcalfe : No.

Mr. M. Ananthasayanam Ayyangar : Is this allotment taken from the Rural Development Fund ?

Sir Aubrey Metcalfe : No.

Pandit Lakshmi Kanta Maitra : Has any amount been spent so far ?

Sir Aubrey Metcalfe : Yes.

Mr. M. Ananthasayanam Ayyangar : May I know what the contribution for the tribal areas is from the Rural Development Fund ?

Sir Aubrey Metcalfe : None.

Mr. M. Ananthasayanam Ayyangar : Why not ?

Sir Aubrey Metcalfe : Because it has been made from separate sources.

Mr. Ram Narayan Singh : May I know what educational facilities have been provided by the Government for the children of these tribes ?

Mr. President (The Honourable Sir Abdur Rahim) : The question does not arise.

SPENDING OF THE AMOUNT ALLOTTED UNDER THE HEAD "SECRET EXPENDITURE".

1018. ***Babu Kailash Behari Lal** : Will Government be pleased to state how the amount allotted under the head 'Secret Expenditure' is spent ?

The Honourable Sir Henry Craik : Secretly !

Mr. Mohan Lal Saksena : Is the information withheld because the items of expenditure cannot bear public scrutiny ?

Mr. M. Ananthasayanam Ayyangar : Is any portion used for propaganda in foreign countries against India ?

Mr. President (The Honourable Sir Abdur Rahim) : The Honourable Member is not prepared to disclose it.

Pandit Lakshmi Kanta Maitra : I want to know what the Honourable Member means by 'secretly' ?

Mr. President (The Honourable Sir Abdur Rahim) : The Honourable Member had better look at the dictionary. It is a very common word.

Mr. M. Ananthasayanam Ayyangar : May I know on what basis it is budgeted ?

Mr. President (The Honourable Sir Abdur Rahim) : The Honourable Member does not want to answer because these are secret matters. What is the use of putting such supplementary questions ?

Babu Kailash Behari Lal : May I know whether this expenditure is subjected to audit ?

The Honourable Sir Henry Craik : Yes.

OFFICERS UNDER TRAINING FOR POLITICAL AGENCY AND RESIDENCIES.

1019. ***Babu Kailash Behari Lal** : (a) Will Government be pleased to state who are the officers under training for Political Agency and Residencies ?

(b) What are their qualifications ?

(c) Where have they been recruited ?

Sir Aubrey Metcalfe : (a), (b) and (c). Recruitment for the Foreign and Political Department is usually confined to selected junior members of the Indian Civil Service and junior officers of the Indian Army holding the King's Commission who are required to undergo special training on joining the Department. If confirmed in the Department they are eligible for all appointments on the cadre of the Department.

Pandit Lakshmi Kanta Maitra : May I know why is it that non-civilians and non-military officers are not taken ?

Sir Aubrey Metcalfe : That is the rule. Rules have been laid down and they have been in force for a great many years.

Mr. Mohan Lal Saksena : May I know what is the proportion of Indians in the recruits ?

Sir Aubrey Metcalfe : That does not arise out of the question.

Pandit Lakshmi Kanta Maitra : Has any minimum qualification been prescribed for the recruitment ?

Sir Aubrey Metcalfe : They are selected, as I have explained, by His Excellency the Viceroy.

Mr. Lalchand Navalrai : May I know whether this rule is not going to be changed because it is of long standing or for any other reason ?

Sir Aubrey Metcalfe : That is a matter of policy.

Prof. N. G. Ranga : What is there in the basis of recruitment which cannot be explained ?

Sir Aubrey Metcalfe : What do you mean by 'basis' ? I have explained that there are rules which confine recruitment to two particular services and the recruits are selected by His Excellency the Viceroy.

ALLOWANCES OF THE REPRESENTATIVES OF THE *ex*-KING OF BURMA.

1020. ***Babu Kailash Behari Lal** : (a) Will Government be pleased to state who are the representatives of the *ex*-King of Burma ?

(b) How much allowance does each one of them get ?

Sir Aubrey Metcalfe : (a) It is presumed that by "representatives" the Honourable Member means direct descendants. Three daughters still survive, one of whom has a child. There are also six children of another daughter who died early in the present year.

(b) The first daughter receives a political pension of Rs. 200 a month ; the second Rs. 750 a month, and her house rent, not exceeding Rs. 250 per mensem, is paid for her ; the third draws Rs. 750 per mensem, a house allowance of Rs. 250 a month, and a festival allowance of Rs. 500 annually. Each of the seven grand-children are given an educational allowance of Rs. 100 a month.

Pandit Lakshmi Kanta Maitra : Are these allowances paid out of the revenue of the Government of India or the Burma Government ?

Sir Aubrey Metcalfe : They are charged to Central revenues, I think.

Mr. Mohan Lal Saksena : Will these allowances be paid after the separation of Burma ?

Sir Aubrey Metcalfe : I should like to have notice of the question

Mr. M. Ananthasavanam Ayyangar : Are these allowances hereditary or only for a number of years ?

Sir Aubrey Metcalfe : I should like to have notice, if the Honourable Member wants exact information.

Mr. M. Ananthasayanam Ayyangar : What is the annual cost under this head ?

Sir Aubrey Metcalfe : If the Honourable Member will look at my answer and work it out, he will find that out for himself.

Mr. Sri Prakasa : May I know if these persons are kept in confinement ? Are they free to move wherever they please ?

Sir Aubrey Metcalfe : As far as I know, there are no restrictions on their movements.

WANT OF AN INTERMEDIATE CLASS WAITING ROOM AT BHAGALPUR RAILWAY STATION.

1021. ***Babu Kailash Behari Lal :** (a) Will Government be pleased to state if they are aware that Bhagalpur is the divisional headquarters and second town of importance in Bihar, has a very large passenger traffic, and there is no intermediate class waiting room at the Bhagalpur Railway Station, and that passengers travelling in intermediate class are put to great hardship ?

(b) Do Government propose to ask the Railway Administration to take necessary steps to remove this long-felt want of an intermediate class waiting room at Bhagalpur Railway Station ?

The Honourable Sir Muhammad Zafrullah Khan : (a) Government have had no complaints regarding the hardship mentioned.

(b) Provision of such facilities is within the competence of the Railway Administration. Government consider that the Railway Administration is in a better position to decide on the relative order of merit of such expenditure.

Babu Kailash Behari Lal : May I know if the Government are going to ask the Railway Administration to provide these facilities ?

The Honourable Sir Muhammad Zafrullah Khan : It is very difficult for me to be able to decide what should be the order of priority. It must be left to the Agent to decide.

Pandit Lakshmi Kanta Maitra : Will the Honourable Member send this question to the Agent, so that he might give some thought to the subject at least ?

The Honourable Sir Muhammad Zafrullah Khan : I suggest that the best way of doing it would be to raise the matter in the local advisory committee. The matter could be thrashed out and decided there.

Pandit Lakshmi Kanta Maitra : But we are not in the local advisory committee.

Mr. Ram Narayan Singh : Is the Honourable Member aware that there are other stations in Bihar where there are no proper intermediate class waiting rooms ?

The Honourable Sir Muhammad Zafrullah Khan : It is quite possible that there are other stations where there are no intermediate class waiting rooms.

ECCLESIASTICAL DEPARTMENT OF GOVERNMENT.

1022. ***Babu Kailash Behari Lal :** (a) Will Government be pleased to state how long it is that the Ecclesiastical Department of Government came first into existence ?

(b) Was the Ecclesiastical Department started by Government on their own initiative, or under the orders of the Home Government ?

(c) Have Government, in view of their policy of religious neutrality, considered the effect of spending large sums of money on subsidising a particular religion over the followers of other religions ?

(d) Do Government, in accordance with their policy of religious neutrality, propose to consider the advisability of abolishing the Ecclesiastical Department ?

(e) What is the utility of the Ecclesiastical Department and if any record or report of their work is compiled and kept by the Department ?

(f) Does the Ecclesiastical Department carry on any research work in the domain of spiritual science ?

The Honourable Sir Frank Noyce : (a) and (b). The origin of the Ecclesiastical Department is to be found in the obligations imposed by the Charters of the East India Company to provide chaplains for their ships and at their stations. In 1813 as the result of an Act of Parliament the Ecclesiastical Establishment was created and in 1858 when the rights and the obligations of the East India Company were transferred to the Crown it became a Department of the Government of India.

(c) Government are not subsidising any particular religion. They are merely fulfilling long-standing obligations in respect of European British-born servants of the Crown serving in India. They do not provide religious ministrations, church or cemetery accommodation for Christians in general or even for all their Christian servants. I might remind the Honourable Member that there are various forms of State religious endowments of long standing connected with other religions.

(d) No. Under the King's Regulations facilities for religious services have to be provided for British troops, and so long as the Government of India employ these troops they are under an obligation to provide religious ministrations for them. It is also impossible for Government to discontinue abruptly all provision for religious ministrations to civil officers. With the gradual decrease in the number of European officials Government's obligation in this respect is automatically dwindling. Moreover, Government periodically review the ecclesiastical expenditure in order to see how far reductions can be effected.

(e) The reasons why the Ecclesiastical Department is maintained have just been stated by me. The Department does not compile any report of the work done.

(f) No.

Mr. M. Ananthasavanam Ayyangar : Are the Government of India aware that with respect to grants made to temples and mosques, etc., in the case of other religions, the grants made are in lieu of landed property which has been taken over by the Government.

The Honourable Sir Frank Noyce : The Honourable Member is imparting information, not asking for it. I am not aware of the conditions in all cases.

Mr. M. Ananthasayanam Ayyangar : May I ask whether there are any grants made to churches for the purpose of enabling European magisterial officers in charge of districts to attend those churches ?

The Honourable Sir Frank Noyce : Grants are made under recognised rules ; as I said, they are made in fulfilment of Government's obligations.

Qazi Muhammad Ahmad Kazmi : With reference to part (d) of the question, are the Government of India under any obligation to provide ecclesiastical services for civilians also ?

The Honourable Sir Frank Noyce : I have stated so, Sir.

Qazi Muhammad Ahmad Kazmi : " That the Government of India are not under any obligation to provide ecclesiastical services for civilians " ?

The Honourable Sir Frank Noyce : They are, most certainly. I have stated that they have obligations to European British-born servants of the Crown serving in India, and these obligations apply both to military and civilian officers.

Qazi Muhammad Ahmad Kazmi : May I ask one more question ?

Mr. President (The Honourable Sir Abdur Rahim) : No—this is only a matter of policy. Next question. This question has been sufficiently discussed.

RECRUITMENT OF MORE INDIANS TO THE INDIAN MEDICAL SERVICE.

1023. ***Khan Bahadur Shaikh Fazl-i-Haq Piracha :** Are Government aware of the fact that according to the scheme of Indianisation in the Indian Medical Service, the number of Indians should be 210 but at present it is only 190 ? If so, are Government taking any steps to recruit 20 more Indians so as to bring the ratio in accordance with the aforesaid scheme ?

Mr. G. R. F. Tottenham : With your permission, Sir, I would reply questions Nos. 1023 and 1024 together.

I would refer the Honourable Member to my reply to Khan Bahadur Nawab Makhdum Sheikh Murid Hussain Qureshi's starred question No. 539 on the 22nd September, 1936.

RECRUITMENT OF MUSLIMS IN THE INDIAN MEDICAL SERVICE.

†1024. ***Khan Bahadur Shaikh Fazl-i-Haq Piracha :** Are Government aware of the fact that out of 190 Indians in the Indian Medical Service there are only 27 Muslims at present ? If so, do Government propose to take any step so as to bring the ratio of the Muslims in the Indian Medical Service to the ratio as laid down in the Government of India notifications ?

†For answer to this question, see answer to question No. 1023.

MONEY CIRCULATING SCHEME STARTED BY CERTAIN FIRMS.

1025. ***Khan Bahadur Shaikh Fazl-i-Haq Piracha** : (a) Are Government aware that certain firms in Calcutta, Allahabad, Lucknow, Bombay and Karachi are issuing one-rupee policies, known as the " Money Circulating Scheme " ?

(b) If so, will Government be pleased to state the names of those registered under the Partnership Act of 1932 in the cities named in part (a) ?

The Honourable Sir Muhammad Zafrullah Khan : Sir, with your permission I shall answer questions Nos. 1025 and 1026 together. The matter is now under correspondence with the Local Governments concerned and a reply will be given as soon as the necessary investigations are complete.

MONEY CIRCULATING SCHEME STARTED BY CERTAIN FIRMS.

†1026. ***Khan Bahadur Shaikh Fazl-i-Haq Piracha** : Is it a fact that the promoters of the Money Circulating Scheme have to obtain Government sanction before starting the business ? If so, under what law ?

MONEY CIRCULATING SCHEME STARTED BY CERTAIN FIRMS.

1027. ***Khan Bahadur Shaikh Fazl-i-Haq Piracha** : (a) Is it a fact that the Postal Department has issued a Department Circular to encourage the Money Circulating Scheme ?

(b) How do Government propose to encourage the scheme ?

The Honourable Sir Frank Noyce : (a) Certainly not.

(b) Government have no intention of encouraging such schemes.

MONEY CIRCULATING SCHEME STARTED BY CERTAIN FIRMS.

1028. ***Khan Bahadur Shaikh Fazl-i-Haq Piracha** : (a) Are Government aware that Money Circulating Scheme policyholders have to send Re. 1 by Money Order and the firms send V. P. P. for realizing annas three or annas four ?

(b) Are Government, with a view to reduce the burden and encourage more business, prepared to reduce the Money Order fee, V. P. commission and accept V. P. articles without necessary registration ? If not, why not ?

The Honourable Sir Frank Noyce : (a) Government have no information.

(b) No ; the present rates were not fixed with any intention of encouraging business of this kind.

MUSLIM REFRESHMENT ROOMS AT CERTAIN RAILWAY STATIONS. •

1029. ***Khan Bahadur Shaikh Fazl-i-Haq Piracha** : (a) Is it a fact that Muslim Refreshment Rooms at Allahabad, Cawnpore, Lucknow, Kalka and Delhi are under the control of various contractors ? If so, what are the terms of contract ?

†For answer to this question, see answer to question No. 1025.

(b) Is it a fact that Muslim Refreshment Room at Allahabad is conducted by a non-Muslim contractor ? If so, why ?

(c) Are Government aware that quality of food supplied at Cawnpore and Allahabad Muslim Refreshment Rooms is very inferior and unsatisfactory and the charges sometimes higher than those in the schedule ?

(d) Are Government aware that the Complaint Book of the Muslim Refreshment Room is not kept on the table for noting the complaints of the customers, and in case the customers demand it, they are informed that it is kept locked by the Manager, and the Manager is out ?

The Honourable Sir Muhammad Zafrullah Khan : (a) Yes. I am placing in the Library of the House a copy of the Agreements executed by the various contractors.

(b) The firm of Messrs. S. L. Kapoor and Company consists of three partners : one of whom is a Hindu, one a Muhammadan and the third a Christian.

(c) and (d). No : I am, however, bringing the Honourable Member's question to the notice of the Agent, East Indian Railway.

NON-APPOINTMENT OF POSTMEN IN CALCUTTA IN THE LOWER DIVISION POSTS.

1030. ***Mr. Anugrah Narayan Sinha :** (a) Is it a fact that the late Director General, Posts and Telegraphs (Sir Thomas Ryan) decided in his communication No. Es.-B.-109-3/32, dated Simla, the 18th August, 1932, that 50 per cent. of the lower division cadre posts will go to the *ex-approved* candidates of clerical cadre and the remaining 50 per cent. to the postmen ?

(b) If the answer to part (a) be in the affirmative, why were 50 per cent. posts in the lower division cadre not given to the postmen in the Calcutta General Post Office and its Town Sub-Offices ?

(c) Is it a fact that in the lower division cadre in the Calcutta General Post Office and its Town Sub-Offices, outsiders, stamp-vendors and Native Christians were appointed in supersession of the claims of the postmen in the Calcutta General Post Office and its Town Sub-Offices ?

(d) How many lower division posts were created in Calcutta and how many posts out of them were conferred upon postmen and how many upon others ?

The Honourable Sir Frank Noyce : (a) The facts are not as stated by the Honourable Member. The order referred to stated that lower division posts were to be offered to qualified men of the postmen class and to discharged approved candidates alternately and that if a sufficient number of qualified postmen were not forthcoming the deficiency should be made up by increasing the recruitment of *ex-approved* candidates.

(b) Does not arise.

(c) and (d). Government have no information and do not propose to call for it. It is open to the officials, if they have a grievance, to represent it to the proper authority.

CANDIDATE POSTMEN IN CALCUTTA.

1031. *Mr. Anugrah Narayan Sinha : (a) Is it a fact that there were over one hundred candidate postmen in Calcutta and they were enlisted some years back, say from 1925 to 1931 ?

(b) Is it also a fact that they were subjected to a test held in 1934, but the result was announced in 1936, and, out of them, some 73 were declared unsuccessful and their names were struck off the list of candidates ?

(c) Is it a fact that they have represented their case to the proper authorities and at present their case is under consideration of the Director General, Posts and Telegraphs ?

(d) Will Government be pleased to state if they propose to provide those men in the Department ? If not, why not ?

The Honourable Sir Frank Noyce : (a) Yes. The exact number involved was 226.

(b) Yes.

(c) The Director-General has already considered the case of these candidates but has been unable to interfere on their behalf.

(d) Government are unable to consent to the employment of men who have failed to pass the elementary test imposed to the exclusion of a considerable number of members of the lower grade staff who have qualified for appointment and are available to fill vacancies.

NON-INCREASE IN THE NUMBER OF POSTMEN IN CALCUTTA.

1032. *Mr. Anugrah Narayan Sinha : Are Government aware that the areas of beats in Calcutta have increased during recent years ? If so, why has not the number of postmen been increased, and why has the existing staff been overburdened with work ?

The Honourable Sir Frank Noyce : Government have no information. The matter is within the competence of the Postmaster General, Bengal and Assam Circle, to whom a copy of the question and the reply will be sent for such action as he may consider necessary.

BOOK-BINDERS IN THE CALCUTTA GENERAL POST OFFICE AND ITS TOWN SUB-OFFICES.

1033. *Mr. Anugrah Narayan Sinha : (a) Is it a fact that the appointments of the book-binders in the Calcutta General Post Office and its Town Sub-Offices were transferred from the inferior class to superior class and their designations were changed into dufftries, with effect from the 1st December, 1919 ?

(b) Is it also a fact that these servants of the Government have since been re-transferred to inferior class ? If so, why ?

(c) Do Government propose to restore those public servants to the superior class ?

The Honourable Sir Frank Noyce : (a) The facts are not exactly as stated by the Honourable Member. Two appointments of book-binders

existed in the Calcutta General Post Office only, and these were abolished from the 1st July, 1917. They were replaced by two peons in inferior service. There were no book-binders in any town sub-office. Thus no men in the class of book-binders existed on the 1st December, 1919, from which date *daftries* were transferred to the superior class.

(b) The answer to the first part of this question is in the affirmative. The orders were issued in 1921. As regards the second part, the reason is that *daftries* neither possess the superior educational or other qualifications nor do they perform work of such a nature and responsibility as should entitle them to superior service conditions.

(c) No.

PLACING OF THE FORM SUPPLIERS OF THE POSTAL STOCK DEPÔT IN SUPERIOR SERVICE.

1034. *Mr. Anugrah Narayan Sinha : (a) Is it a fact that the duties of the form suppliers of the Postal Stock Depôt and the roneo printers and record suppliers of the Postmaster General's Office are identical, but the former are in inferior service and the latter in superior service ?

(b) Will Government be pleased to state the reasons for this differentiation, and do they propose to place the form suppliers of the Postal Stock Depôt in superior service and increase the scale of their pay ?

The Honourable Sir Frank Noyce : (a) The duties of form suppliers of the Postal Stock Depôt and record suppliers of the Postmaster General's Office are similar in many respects. Both are in inferior service. There is no appointment of roneo printer in any Postmaster General's Office.

(b) Does not arise.

RECRUITMENT IN POST OFFICES OF THE SONS AND RELATIVES OF POSTAL STAFF.

1035. *Mr. Anugrah Narayan Sinha : (a) Is it a fact that in terms of the Revenue Division Rules, sons and relatives of the postal servants serving in a province other than their own, are not recruited in the Post Offices in the provinces in which they serve ?

(b) Are Government prepared to revise the orders regarding preference to be shown to the sons and relatives of the Government servants either in the provinces they originally belong to or in the provinces in which they serve ?

The Honourable Sir Frank Noyce : (a) Yes, provided the word "Postal Circle" is substituted for the word "Province".

(b) No.

RECRUITMENT OF BIHARIS AND URIYAS IN THE DEAD LETTER OFFICE, CALCUTTA.

1036. *Mr. Anugrah Narayan Sinha : Is it a fact that the Provinces of Bihar and Orissa are served by the Dead Letter Office at Calcutta ? If so, are Beharees and Uriyas recruited in the Dead Letter Office at Calcutta ? If not, why not ?

The Honourable Sir Frank Noyce : The reply to the first part of the question is in the affirmative. As regards the latter part, recruitment in the Dead Letter Offices is governed by the departmental rules regarding recruitment on a local area basis and Government see no reason to depart from them in the case of the Dead Letter Office, Calcutta.

RIGHTS AND PRIVILEGES OF THE STAFF OF THE DEAD LETTER OFFICES.

1037. ***Mr. Anugran Narayan Sinha :** (a) Are Government aware that the Postal Enquiry Committee 1934-35 recommended the creation of Directory offices and one single Dead Letter Office for India, instead of so many, but those recommendations were rejected by Government ? If so, will Government state what reasons were given by that body that the privileges as regards holidays and working hours hithertofore enjoyed by the Dead Letter Offices in India have now been curtailed by recent orders of Government ?

(b) Are Government prepared to restore to the Dead Letter Offices all the rights and privileges as formerly enjoyed by them ?

The Honourable Sir Frank Noyce : (a) The reply to the first part is in the affirmative. As regards the second part, the attention of the Honourable Member is invited to paragraphs 73 to 89 of the Postal Enquiry Committee's Report, a copy of which is in the Library of the House. After carefully considering all aspects of the matter, including the nature of the work done, the Government of India came to the conclusion that there was no justification for prescribing for Dead Letter Offices a number of daily hours of duty less than that prescribed for clerks in the Post Office and in the Railway Mail Service.

(b) No.

REDUCTION IN THE PAY OF THE MANAGERS AND THE ASSISTANT MANAGERS OF THE DEAD LETTER OFFICES.

1038. ***Mr. Anugrah Narayan Sinha :** Will Government be pleased to state the causes under which the pay of the Managers and the Assistant Managers of the Dead Letter Offices were reduced recently ?

The Honourable Sir Frank Noyce : The pay of the Managers and Assistant Managers of the Dead Letter Offices at Bombay and Calcutta and of the Manager, Rangoon Dead Letter Office, only has been reduced. The reason for this reduction was that the strength of the establishment under their control had decreased owing to the fall in traffic and changes in method of work and the higher rates of pay were, therefore, no longer justified.

RESTORATION OF EXTRA-DEPARTMENTAL SUB-POST OFFICE AT KOTLA.

1039. ***Raizada Hans Raj :** (a) Is it a fact that Kotla in the Kangra district (Punjab) had a combined sub-office with a telegraph branch and was abolished in the year 1931 due to financial stringency ?

(b) Is it a fact that the status of this sub-office was reduced to extra-departmental sub-office soon after the abolition of telegraph branch ?

(c) Is it also a fact that its status was further reduced to extra-departmental branch office in the year 1932 ?

(d) Has the attention of Government been drawn to the various letters published in the Press namely in the *Civil and Military Gazette*, Lahore, dated the 13th June, and 24th June, 1936, *Daily Herald*, Lahore, dated the 29th June, 1936, and the *Tribune*, Lahore, dated the 8th August, 1936, regarding the restoration of extra-departmental sub-office at Kotla ?

(e) If the reply to part (d) above be in the affirmative what action have Government taken in the matter ?

(f) Are Government aware that Kotla being situated in the heart of grand trunk road running from Amritsar to Kulu is of vital importance to travelling public, pilgrims, and inhabitants of Kotla and its suburbs ?

(g) What action do Government propose to take in the matter, in view of the scheme to extend postal facilities into rural areas for which Rs. 2 lakhs have already been sanctioned and placed at the disposal of Postmasters General ?

(h) Are Government prepared to restore the telegraphic facilities to this town in the rural area of the Kangra district, and are Government aware that this would only necessitate a creation of a ten miles line from Shahpur sub-office ?

(i) Will Government please lay on the table a statement showing the receipt and issue of money orders and other registered articles from and to Kotla branch office for the months of April to July, 1936 ?

(j) Are Government prepared to consider the desirability of restoring an extra-departmental sub-office in view of the expansion of *dak* of the town and saving banks work as compared with the year 1932, when its status was reduced to extra-departmental branch office ?

(k) What action do Government intend to take in restoring the sub-post office at Kotla ?

The Honourable Sir Frank Noyce : (a), (b) and (c). Yes.

(d) Government have now seen the articles mentioned.

(e), (g), (h), (j) and (k). The existing extra-departmental branch post office at Kotla provides all the postal facilities and therefore there is no need to raise its status. As regards telegraph facilities, previous experience has shown that the amount of telegraph traffic was extremely small being less than one message on an average per day sent and received. It is not therefore possible to give telegraph facilities unless those interested are prepared to guarantee the Department against the loss which will certainly be incurred if this office is converted into a telegraph office. The raising of the status of the office from an extra-departmental branch office to an extra-departmental sub-office involves additional expenditure without any commensurate advantage to the public and Government therefore see no justification for doing so.

(f) Government are prepared to accept the statement made by the Honourable Member which, however, I would add is hardly borne out by experience of the telegraph traffic of the station.

(i) A statement is laid on the table.

Statement showing the receipt and issue of money orders and other registered articles from and to Kolla branch office during the four months April to July, 1936.

		Number.	Rs. s. p.
Registered letters and packets	{ Posted	50	
	{ Delivered	92	
Registered parcels	{ Posted	10	
	{ Delivered	13	
Money orders	{ Issued	155	
	{ Paid	(Amount 305)	2,113 7 6)
		(Amount 6,286 1 6)	
Insured letters	{ Posted	24	
	{ Delivered	8	
Insured parcels	{ Posted .. .. .	..
	{ Delivered	..	
V. P. Parcels	{ Posted .. .. .	..
	{ Delivered	15	
V. P. letters	{ Posted	1	
	{ Delivered	14	

PREFERENTIAL TREATMENT SHOWN TO A EUROPEAN FIRM IN THE MATTER OF TESTING OF PAINTS.

1040. *Sardar Sant Singh : (a) Is it a fact that Messrs. Murarka Paint and Varnish Works, Limited, Calcutta, along with three samples of Red Oxide Paint Ready Mixed against Indian Stores Department Order No. M.-7344, dated 14th March, 1936, submitted on 4th April, 1936 to the East Indian Railway a sample No. P.4216 of five gallons Red Oxide Ready Mixed Paint containing about 70 per cent. Ferric Oxide ?

(b) Is it a fact that Mr. T. G. Creighton, who was carrying out the test, returned the sample without testing ? If so, will Government be pleased to state the reasons for not including the sample in the test ?

(c) Is it also a fact that as many as six samples of Ready Mixed Red Oxide paint submitted by Messrs. Jenson and Nicholson in April, 1936 were tested by Mr. T. G. Creighton in Lillooah Workshops ?

(d) Are Government aware of the fact that samples of the Black Paint from the European Firm, Messrs. Jenson and Nicholson have been repeatedly tested for over five times ?

(e) Will Government be pleased to state the reasons for such preferential treatment to the European firm and depriving the Indian firm of the first test ?

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

(b) Yes. Because only samples quoted against the I. S. D. tender were tested. The additional sample sent by this firm was not tendered to the Indian Stores Department, nor was it called for in the official instructions sent to paint manufacturers to submit samples.

(c) Yes. Because all these different paints were quoted against the Indian Stores Department call for tenders.

(d) No.

(e) Does not arise.

USE OF SPRAY GUNS FOR PAINTING OF WAGONS.

1041. *Sardar Sant Singh : (a) Will Government be pleased to state the additional number of spray guns and equipments that may be required to be purchased for painting wagons since the introduction of the Red Oxide Paint, and also state the total cost for such purchases ?

(b) Is it a fact that the spray guns are all of foreign make and imported into India ?

(c) Will Government be pleased to state if the spray guns used so far for painting of wagons with Black Paints can also be used with equal efficiency for painting the wagons with Red Oxide Paints ?

(d) If not, will Government be pleased to state in what respects the spray guns for Black Paints are now found wanting ?

(e) If, however, the reply to part (c) be in the affirmative, will Government be pleased to state the reasons for purchasing an additional number of spray guns simultaneously with the introduction of the Red Oxide Paint ?

The Honourable Sir Muhammad Zafrullah Khan : (a) No additional spray guns and equipment are required to be purchased as a result of the introduction of the Red Oxide Paint.

(b) Yes.

(c) Yes.

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

PURCHASE OF BITUMINOUS SOLUTION.

1042. *Sardar Sant Singh : (a) Is it a fact that bituminous solution manufactured in Europe under different proprietary names, such as (1) Bitumastic Black, (2) Bitumastic Black Enamel, (3) Ferrobit, (4) Bituminous Black, (5) Bitumite and (6) Bouronite, etc., are being regularly purchased by the Indian Stores Department ?

(b) Will Government be pleased to state the quantities of each of the above proprietary foreign bituminous solutions that have been purchased by the Indian Stores Department during the years 1931-32, 1932-33, 1933-34 and 1934-35 and will they be pleased to quote the rates at which each of these articles has been purchased during each of these years ?

(c) Will Government be pleased to state the reasons why the Indian Stores Department accepts foreign goods from foreign firms against the indigenous approved products of Indian firms ?

(d) Do Government propose to enquire into the matter and take steps for non-recurrence of such preferential treatment to foreign articles ?

The Honourable Sir Frank Noyce : (a) and (c). Small quantities of imported proprietary brands of bituminous solutions are purchased from time to time against specific demands from indenting authorities.

(b) It will be necessary to search through the records of the past four years of the Headquarters and Provincial Purchase Offices of the Indian Stores Department in order to compile the figures of the annual purchase of proprietary foreign bituminous solutions since 1931-32 and I trust that the Honourable Member will not press for the information. I can assure him, however, that such purchases were small. For instance during the year 1935-36 only 1,590 gallons of imported solution against 31,548 gallons of the Indian-made bituminous solution were drawn against the Indian Stores Department Headquarters annual rate contract.

A statement showing the Headquarters Rate contract rates for certain brands of imported bituminous solutions for the years 1931-32 to 1934-35 is placed on the table.

(d) Does not arise.

Imported solutions.

Rates per gallon in 5 gallon drums.

1931-32—

(i) Rs. 1-11-0 for Ebonite black.

(ii) Rs. 3-14-0 for Wailes Dove bitumastic black. F. O. R., Calcutta.

1932-33—

Rs. 3-12-0 for Wailes Dove. F. O. R., Calcutta.

1933-34—

Rs. 2-12-0 in 40/45 gallon drums. Robert Kearsleys bituminous solution black. F. O. R., Calcutta.

1934-35—

No contract placed.

DELAY IN ENFORCING THE SANITARY RULES IN AINDRI NEAR SIMLA.

1043. ***Sardar Sant Singh :** (a) With reference to the answers given to starred questions Nos. 1497 and 1533 on the 8th and 9th April, 1936, that all the sanitary rules and municipal bye-laws are operative in Aindri and that Aindri is never neglected by the sanitary staff with regard to the sanitation, will Government please state what measures directed against fly breeding have so far been enforced ? If none, why not ?

(b) What are the reasons for keeping in suspense such a vital question, which affects the health of clerks living in Government quarters at Summerhill ? Who is responsible for the loss of their health and other consequences arising on account of insanitation ?

(c) Is it a fact that Simla Municipality passed resolution No. XVII, dated the 7th August, 1935, strictly enforcing sanitary rules in Aindri ? If so, will Government kindly state the reasons for not giving effect to this resolution ?

(d) Is it a fact that the Health Officer, Simla, and the Medical Officer-in-charge, Summerhill Dispensary, made certain recommendations, with regard to the sanitation at Aindri ? If so, will Government

kindly lay a copy of their recommendations on the table of this House ? Have these recommendations been carried out ? If not, why not ?

(e) Is it a fact that Mr. Sharma and his solicitor, Mr. P. C. Khosla, sent letters to the Public Health Commissioner, Secretary, Education, Health and Lands and Health Officer, Simla, stating that nothing has so far been done to improve the sanitation and check the fly-breeding at Aindri, as promised by Government ? If so, what action was taken by the authorities on the representation ? If none, why not ?

(f) What are the special reasons for this delay in enforcing the sanitary rules in Aindri ?

(g) Do Government propose to enquire into the conduct of the staff under the Simla Municipal Administration in accordance with the Public Servants' Enquiry Act of 1850 and, if not, why not ?

Sir Girja Shankar Bajpai : (a) The Honourable Member has not quoted my replies correctly. What I said was that the Municipality had decided to enforce measures against fly-breeding in such villages as Aindri and that the sanitary staff did not neglect this area but difficulty was experienced in enforcing the rules. Every effort has been made by the Health Department to persuade the *gowalas* and zamindars to check fly-breeding by storing manure in suitable pits.

(b), (c), (d) and (f). The Health Officer recommended that *gowalas* or zamindars living at Aindri and other villages in the neighbourhood of residential houses should be required to comply strictly with the ordinary sanitary precautions for abatement of the fly and smell nuisance by construction of cow-sheds with *pucca* floors and proper drainage and ventilation, and by depositing the manure in pits at a sufficient distance from human habitation. Government understand that the recommendation was accepted by the Municipal Committee, but that owing to various difficulties, including some miscalculation regarding the cost of the repairs and improvements which would be required, and the claims made by the *gowalas* to zamindari and hereditary rights, it has not so far been found possible to give effect to the recommendations.

(e) Government understand that a representation from Mr. Khosla was received by the Municipal Committee, but that it has not so far been possible to remedy the complaints made in it owing to the difficulties just mentioned.

(g) Government are not aware that the Municipal staff is in any way at fault. The delay in carrying out the recommendations of the Health authorities has arisen from the fact that the *gowalas* concerned have protested and their representations have not yet been disposed of. The Government of India will impress on the authorities concerned the need for early action.

NON-STOPPAGE OF 1-UP AND 2-DOWN TRAINS AT SHAHABAD MARKANDA ON THE NORTH WESTERN RAILWAY.

1044. *Sardar Sant Singh : (a) Will Government be pleased to state the reasons for the non-stoppage of 1-Up and 2-Down trains at the Railway station Shahabad Markanda on the Delhi-Umbala-Kalka section of the North Western Railway ?

(b) Is it a fact that when the Delhi-Umbala-Kalka section was run by the East Indian Railway prior to 1925, all the mail and passenger trains used to stop at the said Railway station ?

(c) Is it also a fact that both 1-Up and 2-Down trains used to stop at the said railway station, even after taking over of the section by the North Western Railway ?

(d) Is it a fact that Grand Trunk Road runs exactly parallel to the railway line on either side of the Railway station Shahabad Markanda, and are Government aware that the inhabitants of Shahabad have resolved to use motor bus, as a protest against the non-stoppage of 1-Up and 2-Down trains at Shahabad Markanda Railway Station ?

(e) Is it a fact that between 6 P.M. and 6 A.M. there is no Down passenger train for Shahabad Markanda Railway station for passengers who come from the Punjab, Saharanpur, or Kalka side ? If so, are Government aware that it is inconvenient for passengers to wait for full 12 hours in order to catch a train for Shahabad Markanda Railway station from Ambala Cantonment ?

(f) Are Government aware that the non-stoppage of the 2-Down has affected the railway earning and encouraged the running of motor buses ?

(g) Is it a fact that in the last winter season the Deputy Commissioner, Karnal, on behalf of the inhabitants of Shahabad, wrote to the Divisional Superintendent, North Western Railway, Delhi, or the Agent, North Western Railway, for the stoppage of 34-Down and 2-Down trains at Shahabad Markanda Railway Station, impressing upon the Railway authorities the importance of the Railway station Shahabad Markanda, whereupon the stoppage of 34-Down, the most important train, was ordered but not of the 2-Down ?

(h) Do Government propose to issue orders for the stoppage of the 2-Down or of both 1-Up and 2-Down trains at Shahabad Markanda for two minutes, curtailing the time from the halt of the train at Ambala Cantonment, in order to defy motor competition and to remove the inconvenience of the passengers for Shahabad Markanda at night time ? If not, why not ?

The Honourable Sir Muhammad Zafrullah Khan : (a) In the opinion of the Administration, the traffic offering at this station does not justify the stoppage of these trains.

(b) No. In April, 1925, when this section was transferred to the North Western Railway, all up trains were booked to stop at this station, but one Down Passenger and the Down Calcutta Mail did not stop.

(c) 1-Up Mail continued to stop up to the 28th February, 1927, but the arrangement was then discontinued as the traffic did not justify it.

No. 2-Down was booked to stop from the 1st October, 1933, to 30th September, 1934, as an experimental arrangement, but a continuance of this arrangement was not found to be justified.

(d) The reply to the first part is in the affirmative : and, as regards the second part, Government have no information.

(e) Yes. A census of passengers arriving at Ambala Cantonment booked for Shahabad Markanda between the hours of 6 P.M. and 6 A.M.

was recently taken for four successive days : on the first day there was only one passenger from Kalka, on the second day, four from stations on the Bhatinda-Rajpura section and two from Mustafabad, on the third day none, and on the fourth, one from Ferozepore.

(f) 2-Down Mail passes through Shahabad Markanda at 2.40 A.M., and the non-stoppage of the train at their station does not, it is believed, divert traffic to the road at that hour.

(g) Yes : it was the Divisional Superintendent, Delhi, who was written to. He arranged the stoppage of 34-Down as it was passing through the station at a convenient hour, i.e. about 2 P.M.

(h) No : these are detailed matters of administration which Government must leave to the Agent and his officers to deal with.

ISSUE OF SINGLE AND RETURN TICKETS AT REDUCED RATES FROM SHAHABAD MARKANDA ON THE NORTH WESTERN RAILWAY TO CERTAIN PLACES.

1045. *Sardar Sant Singh : (a) Is it a fact that the Railway Administration have reduced the railway fare in order to meet the motor competition at several places on the North Western Railway ? If so, what steps have the North Western Railway taken at Shahabad Markanda Railway station, from where motors ply to and from Ambala Cantonment, Kurkshetra, and Karnal ?

(b) In order to defy motor competition, do Government propose to issue return or single tickets from Shahabad Markanda Railway station at reduced rates as an experimental measure for a short time ? If not, why not ?

(c) Are Government aware that the motor stand is just in front of the Railway station at Shahabad Markanda, and the passengers are tempted to use motor bus at reduced rates ?

(d) Do Government propose to issue single tickets from Shahabad Markanda Railway station to Ambala Cantonment, Kurkshetra, and Karnal, for annas two, two, and six, respectively, or to issue cheap one-day return tickets for litigants and businessmen from the Shahabad Markanda Railway station to Ambala, Kurkshetra and Karnal, as has been done on other stations on the North Western Railway ? If not, why not ?

The Honourable Sir Muhammad Zafrullah Khan : (a) The reply to the first part is in the affirmative, and to the second " none ".

(b) and (d). No: the Agent states that the value of traffic that may be recovered from the road by the issue of tickets at concession fares will be outweighed by the loss on the traffic that would in any case be carried by rail.

(c) Yes ; it is not the incidence of the fares that induces passengers to travel by bus, as the fares by rail and road are almost equal.

LACK OF WATER ARRANGEMENTS AT KOT DAYA KISHEN ON THE NORTH WESTERN RAILWAY.

1046. *Sardar Sant Singh : (a) Is it a fact that no water supply arrangements exist at Railway station at Kot Daya Kishen (North Western Railway) for Hindus and Sikhs ?

(b) Are Government aware that passengers suffered a good deal for lack of water during the last summer ?

(c) Is it a fact that several complaints were made to the authorities ? If so, what steps are being taken to remove this complaint ?

The Honourable Sir Muhammad Zafrullah Khan : (a) No. Drinking water in *ghurras* is always available.

(b) The Administration have no reason to believe that this was the case.

(c) Two requests were received from Hindu and Sikh residents of villages situated near the station asking for the appointment of a Hindu waterman instead of a Muhammadan waterman. These requests were not acceded to, as Hindu watermen are posted at both stations on either side of Kot Daya Kishen station and Hindu watermen also travel on all day trains between Jaranwala and Chichoki Mallian.

QUESTIONS OF FRAUD IN CONNECTION WITH RAILWAY TICKETS.

1047. ***Dr. N. B. Khare :** Is it a fact that the questions of frauds in connection with railway tickets was discussed at the sixteenth (1935) meeting of the Audit and Accounts Committee of the Indian Railway Conference Association ? If so, will Government please place on the table a copy of the proceedings and the recommendations ?

The Honourable Sir Muhammad Zafrullah Khan : Yes : the rules of the Conference Association do not permit of copies of their proceedings being supplied to other than members of the Association.

ARRANGEMENT FOR *Melas* AT HARDWAR, GARHMUKTESAR AND ROORKEE ON THE EAST INDIAN RAILWAY.

048. ***Dr. N. B. Khare :** With reference to the reply given to starred questions Nos. 911 and 912, asked in this House on the 13th September, 1933, regarding arrangements for *melas* at Hardwar, Garhmuktesar and Roorkee on East Indian Railway, will Government please state the result of the consideration of the points by the Agent, East Indian Railway and to place before this House the requisite information sought in those questions ?

The Honourable Sir Muhammad Zafrullah Khan : Government have not got the information asked for in question Nos. 911 and 912 and do not consider that they would be justified in requiring the Administration to prepare the somewhat compendious pamphlet that would be necessary to deal with these two questions. The fact that Government have not received any complaints in regard to subsequent *melas* would seem to indicate that due consideration was given by the Agent to the points referred to.

PROTECTION OF THE HONOUR OF FEMALES USING PASSENGER HALL AT MORADABAD.

1049. ***Dr. N. B. Khare :** (a) Is it a fact that there is a Punjab Hotel at Moradabad just opposite the Railway Passengers' Hall ?

(b) What is the protection for females using the Passenger Hall against ruffians ?

(c) Are Government aware that lonely females are molested by the staff of the Punjab Hotel ?

(d) Is it a fact that the staff of the Punjab Hotel is provided by the Railway Administration with permits to visit the station buildings without any restrictions ?

(e) Is it a fact that the staff of the Punjab Hotel always loiter round the Passenger Halls and station buildings ?

(f) Are Government prepared to take adequate steps to protect the honour of female travelling public using the Passenger Hall at Moradabad ?

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

(b) The hall has a fencing with an exit gate opening on to the main road and the *zenana* waiting room is located alongside the passenger waiting hall and within the palisade fencing. An *ayah* is also in attendance at the *zenana* waiting room.

(c) and (e). The Administration does not appear to have received any complaint on these points.

(d) One permit has been issued for the hotel guide to enable him to meet trains on arrival.

(f) Does not arise.

COLLISION OF SPECIAL *Mela* TRAINS AT KALAT RAILWAY STATION, NORTH WESTERN RAILWAY.

1050. ***Dr. N. B. Khare :** Is it a fact that a collision between two special *mela* trains at Kalat railway station on the Narwana-Kurukshetra Section of the North Western Railway occurred in the early hours on the 18th June, 1936 ? If so, will the Honourable Member for Commerce and Railways, please state the circumstances and particulars of the accident, along with the result of the Departmental and Magisterial inquiries conducted thereon ?

The Honourable Sir Muhammad Zafrullah Khan : I would refer the Honourable Member to the reply I gave to Mr. Lalchand Navalrai's question No. 411 on the 16th September, 1936. As the case is still *sub judice* I am unable to give any further information.

Mr. M. Ananthasayanam Ayyangar : May I know what the amount of loss has been both in men and in property ?

The Honourable Sir Muhammad Zafrullah Khan : I believe I have referred to that also, in reply to question No. 411.

INADMISSIBILITY OF OFFICIATING ALLOWANCE TO NON-GAZETTED STAFF ON STATE RAILWAYS.

1051. ***Dr. N. B. Khare :** Will Government please state the rule under which the officiating allowance in the resultant vacancy is inadmissible to non-gazetted staff on State Railways ?

Mr. P. E. Rau : No officiating allowance is allowed on railways, whether for gazetted or non-gazetted staff, when the period is not more than three weeks.

PERIOD FOR CLAIMING THE TRAVELLING ALLOWANCE ON THE NORTH WESTERN RAILWAY.

1052. *Dr. N. B. Khare : Has the attention of the Governor General in Council been drawn towards paragraph 3 of Notification No. 359, published in North Western Railway *Weekly Gazette*, No. 42 of 1936 reading :

“ 3. It is hereby notified for the information and guidance of the staff, that with effect from 1st December, 1930, the maximum period during which the staff are expected to claim the travelling allowance, is fixed as three months from the date of the expiry of the month during which it is earned, and that no claim for travelling allowance, which has not been claimed within this period, will be entertained unless it is proved to the satisfaction of the office sanctioning the payment of the allowance, that omission to claim it within the period of three months referred to above was due to circumstances over which the party concerned had no control ” †

If so, will the Honourable Member for Commerce and Railways please state the period required by the sanctioning and paying authority of the administration for the payment of claims for travelling allowance submitted within the prescribed period ? If none, why not ?

Mr. P. B. Rau : The answer to the first part of the question is in the affirmative.

As regards the second part, no period has been fixed, because it is expected that claims will be disbursed as early as possible.

ALLOTMENT OF RESIDENTIAL BUILDINGS TO THE STATE RAILWAY STAFF.

1053. *Dr. N. B. Khare : Will Government please state the policy of administration for allotment of residential buildings, rent free, and rent payable, to staff, both gazetted and non-gazetted, on State Railways ?

Mr. P. B. Rau : With your permission, Sir, I propose to reply to questions Nos. 1053, 1054 and 1055 together. I would refer the Honourable Member to the rules in Chapter II (Residential Buildings) of the State Railway Code (Revised), a copy of which is in the Library of the House.

Mr. M. Ananthasayanam Ayyangar : May I know if the menial staff has been provided with accommodation ?

Mr. P. B. Rau : Not all the menial staff.

Mr. M. Ananthasayanam Ayyangar : Is all the higher staff provided with accommodation ?

Mr. P. B. Rau : No.

Mr. M. Ananthasayanam Ayyangar : Why not provide accommodation for the entire menial staff ?

Mr. P. B. Rau : That would be too costly, Sir.

RULES GOVERNING THE OCCUPATION OF RESIDENTIAL BUILDINGS ON STATE RAILWAYS.

†1054. *Dr. N. B. Khare : Will Government please place on the table a copy of the rules governing the occupation of residential buildings on State Railways ?

†For answer to this question, see answer to question No. 1053.

RULES GOVERNING THE ALLOTMENT OF RESIDENTIAL BUILDINGS TO STATE RAILWAY STAFF.

†1055. *Dr. N. B. Khare : Will Government please place on the table a copy of the rules governing the allotment of residential buildings to staff, both gazetted and non-gazetted, on State Railways ?

RENT RECOVERED FOR RESIDENTIAL BUILDINGS FROM STATE RAILWAY STAFF AND OUTSIDERS.

1056. *Dr. N. B. Khare : Will Government please place on the table a statement of rent recovered on account of residential buildings during 1935-36 from staff (gazetted and non-gazetted separately) on State Railways and from outsiders, administrationwise ?

Mr. P. E. Rau : Such information as may be readily available is being collected and will be placed on the table of the House in due course.

NOTIFICATION INVESTING THE RAILWAY BOARD WITH THE POWER OF THE OFFICER REFERRED TO IN SECTION 47 OF THE INDIAN RAILWAYS ACT.

1057. *Dr. N. B. Khare : Will Government please state the date of the Notification in the Gazette of India, in which the Governor General in Council invested the Railway Board with the power of the officer referred to in section 47 of the Indian Railways Act, 1890, as required by section 2 of Act IV of 1905 ?

Mr. P. E. Rau : I would refer the Honourable Member to the Government of India, Department of Commerce and Industry's notification No. 801, dated the 24th March, 1905.

NOTIFICATION OF THE RAILWAY BOARD MAKING RULES IN RESPECT OF CERTAIN MATTERS.

1058. *Dr. N. B. Khare : Will Government please state the date of the Notification in the Gazette of India, in which the Railway Board made the rules under section 47 (1) (e) of the Indian Railways Act in respect of :

- (a) recruitment ; (b) pay and allowances ; (c) conditions of service ; (d) discipline ; (e) conduct ; (f) classification ; (g) control ; and (h) appeal ; pertaining to non-gazetted staff, including menials—(railway servants) on State Railways ?

Mr. P. E. Rau : With your permission, Sir, I propose to reply to this and the following question together.

Section 47, sub-section (1), clause (e) of the Indian Railways Act, 1890, refers to rules for regulating the conduct of railway servants. These rules as also other rules including those to be made under sub-section (2) of section 47 were last notified in the Government of India, Railway Department (Railway Board) Notification No. 1078-T, dated

†For answer to this question, see answer to question No. 1053.

the 9th March, 1929. The rules relating to the other matters referred to in these two questions are not framed under the enabling provisions of the Indian Railways Act.

NOTIFICATION OF THE RAILWAY BOARD MAKING RULES IN RESPECT OF CERTAIN MATTERS.

†1059. *Dr. N. B. Khare : Will Government please state the date of the Notification in the Gazette of India in which the Railway Board provided the punishments for the non-gazetted staff, including menials (railway servants), as referred to in section 47 (2) of the Indian Railways Act in respect of :

- (a) accidents ; (b) neglect of duty ; (c) insubordination ; (d) absence from duty without permission ; (e) overstayal of leave ; (f) loss of duty pass ; (g) passes ; (h) failing to pass examinations, tests and refresher courses ; (i) absconding from duty ; (j) over or under charges of fares or freight ; (k) misappropriation ; (l) frauds ; (m) theft ; (n) privilege ticket orders ; (o) quarrelsome ; (p) indifferent work ; (q) unsatisfactory work ; (r) conduct ; (s) dishonesty ; (t) false reports ; (u) failure to make a report ; (v) rights and privileges ; (w) tampering with official records ; (x) defiance of rules and regulations ; (y) disobedience ; (z) undermining the discipline and efficiency ; and, etc., etc. ?

NOTIFICATION AMENDING THE WORD "MANAGER" TO THE WORD "AGENT" AS USED ON STATE RAILWAYS.

1060. *Dr. N. B. Khare : Will Government please state the date of the Notification in the Gazette of India by which the word "Manager" as is used in section 3 (6) of the Indian Railways Act, is amended to the word "Agent" as is used on State Railways at present ?

Mr. P. E. Rau : I would refer the Honourable Member to the Government of India, Railway Department (Railway Board) Resolution No. 219-R.E., dated the 18th January, 1913, which appeared as Notification No. 32, dated the 22nd January, 1913.

AUTHORITIES PRESCRIBED UNDER SECTION 71-E (1) (b) OF THE INDIAN RAILWAYS ACT.

1061. *Dr. N. B. Khare : Will Government please state the authorities prescribed under section 71-E (1) (b) of the Indian Railways Act ?

Mr. P. E. Rau : I would refer the Honourable Member to Rule 4 of the Railway Servants Hours of Employment Rules, 1931, a copy of which will be found in the Library of the House.

PUNISHMENT INFLICTED UNDER SECTION 71-H OF THE INDIAN RAILWAYS ACT.

1062. *Dr. N. B. Khare : Will Government please place on the table a statement of punishments inflicted under section 71-H of the

†For answer to this question, see answer to question No. 1058.

Indian Railways Act for contraventions referred to in the reports of the Supervisor of Railway Labour for the years 1931-32-33-34 and 35? If none, why not?

Mr. P. B. Rau : No punishments have so far been inflicted under section 71-H of the Indian Railways (Amendment) Act, 1930. The Supervisor of Railway Labour has not so far recommended that legal action should be taken under the Act.

Mr. Mohan Lal Saksena : What was the nature of the contravention?

Mr. P. B. Rau : That will be found in section 71-H of the Indian Railways (Amendment) Act, 1930.

Mr. Mohan Lal Saksena : Was any punishment awarded on the report of the Supervisor of Railway Labour?

Mr. P. B. Rau : I have just replied that no punishments have so far been inflicted under this section, because the Supervisor of Railway Labour has not recommended any legal action to be taken.

NOTIFICATIONS REGARDING THE CANCELLATIONS, RECESSON OR VARIATION OF A RULE UNDER SECTION 47 OF THE INDIAN RAILWAYS ACT.

1063. ***Dr. N. B. Khare :** Will Government please state the dates of Notifications in the Gazette of India in which the cancellations, recession or variation of a rule under section 47 (1) (e) and section 47 (2) of the Indian Railways Act were published in the Gazette of India as required by section 143 of the said Act?

Mr. P. B. Rau : I am placing on the table a list showing the notifications issued amending the Government of India, Railway Department (Railway Board) Notification No. 1078-T., dated the 9th March, 1929, under which rules under section 47 of the Indian Railways Act were notified.

List of notifications issued amending the rule notified in the Railway Department (Railway Board) Notification No. 1078-T., dated the 9th March, 1929.

No.	Date.	No.	Date.
1078-T.	.. 11th July 1929.	4713-T.	.. 24th January 1934.
1078-T.	.. 12th December 1929.	3836-T.	.. 28th March 1934.
1078-T.	.. 24th July 1931.	1078-T.-XXII	.. 7th April 1934.
1078-T.-V	.. 4th February 1932.	1078-T.-III	.. 20th April 1934.
1078-T.-V	.. 2nd June 1932.	1078-V/8	.. 14th June 1934.
1078-T.-V	.. 11th April 1933.	3595-T.	.. 20th August 1934.
1078-T.-V	.. 15th June 1933.	1078-T.-V	.. 30th August 1934.
1078-T.-III	.. 27th July 1933.	1078-T.-XXV	.. 2nd October 1934.
1078-T.-V	.. 7th September 1933.	1078-T.-III	.. 20th December 1934.
1078-T.-V	.. 29th November 1933.	1078-T.-III	.. 5th January 1935.
3836-T.	.. 20th December 1933.	1078-T.-V	.. 8th January 1935.
1078-T.-V	.. 15th January 1934.	1078-T.-	.. 12th March 1935.

No.	Date.	No.	Date.
1078-T.-V ..	27th June 1935.	1078-T.-V (Pt.).	.. 22nd April 1936.
6244-T. ..	22nd August 1935.	1078-T.-III/I ..	3rd June 1936.
6244-T. ..	30th October 1935.	1078-T.-V(II) ..	4th June 1936.
1078-T.-V...	4th November 1935.	1078-T.- XXVII.	.. 18th June 1936.
1078-T.-III	2nd January 1936.	1078-T.-V (Pt.).	.. 30th July 1936.
6021-T. ..	11th March 1936.	1078-T.-V/13 ..	1st August 1936.

OFFICERS REST HOUSES AT SIMLA.

1064. *Dr. N. B. Khare : Will Government please state the capital, recurring and maintenance costs of the Officers Rest Houses at Simla on the North Western Railway ?

Mr. P. R. Rau : With your permission, Sir, I propose to reply to questions Nos. 1064 to 1067 together.

The capital cost of the North Western Railway Officers' Rest Houses at Simla is Rs. 1,15,300 approximately. The recurring and maintenance cost per annum is Rs. 2,000 approximately. The revenue realised last year was Rs. 555. Rest Houses at Simla, as elsewhere, are provided for the temporary accommodation of touring officers travelling on duty but may also be occupied by officers not on duty, if not required at the time by officers on duty. A copy of the rules for the occupation of the Rest Houses at Simla is placed on the table.

NORTH WESTERN RAILWAY.

Agent's Circular No. 2 of 1929.

Rules governing the occupation of Officers rest houses on Kalka-Simla Section.

There are 3 Rest Houses on the Kalka-Simla Section at the stations named below, which may be occupied by officers on duty or on leave. Applications to occupy them should be made to the Assistant Operating Officer, Simla, in the case of the Rest House at Simla and to the Divisional Superintendent, Delhi, in the case of other Rest Houses, who will issue an occupation order which must be shown to the caretaker on arrival and handed over to him before leaving :

1. Simla.

- (i) The Rest House at Simla (Crowborough) consists of 4 suites of rooms self-contained and fully furnished. Each suite consists of :

- 1 Sitting Room.
- 1 Bed Room.
- 1 Dressing Room.
- 2 Bath Rooms.
- 1 Pantry.
- 1 Kitchen.

- (ii) Suites A and B are reserved for Officers on duty and suites C and D for Officers on leave. When necessary, suites C and D will also be reserved for Officers on duty.

- (iii) Officers on duty, who are likely to be in Simla for over a fortnight, are expected to make other arrangements and an officer on duty, who has occupied the Rest House for a week, may be called on to vacate it in favour of another officer on duty.
- (iv) Officers should not depend on getting the services of the Khansama when coming up on leave. He is intended for the convenience of Officers called up on duty for short period.

II. Salogra.

The Rest House at Salogra consists of 4 main rooms of which one room is reserved for officers on duty.

III. Kalka.

The Rest House at Kalka consists of one suite for Officers and one suite for Subordinates. Accommodation is not usually reserved in this Rest House.

2. The charges per day for the occupation of the Rest Houses are as follows which include the use of Kitchen Utensils, Crockery and Table Linen, Water and Sanitation, bedding is not provided :

	Simla per suite.	Salogra.	Kalka per suite.
Officials on duty	Free	Free	Free.
Officials on leave	Re. 1.	Re. 1.	Annas 8.

Lighting charges will be levied at the following rates from the occupants whether on leave or on duty :

- (a) Electric lamps Annas 4 per night for suite of single room and bathroom.
- (b) Electric lamps Annas 8 per night for suites of two rooms and bathrooms.
- (c) Oil lamps Annas 3 per bottle of kerosine oil.

Wood fuel to be paid for separately by arrangement with the care-taker and coal or cinder from the F. O., Kalka, or Shed Clerk, Simla.

3. Ten days will ordinarily be the limit of occupation of a Rest House by an official on leave. On the expiration of 10 days, it may be occupied from day to day if not required by any one else subject to vacation at 12 hours notice. An officer who is not on duty, cannot ordinarily take the Rest House twice in the season.

4. The day of arrival will be charged for but not the day of departure provided the Rest House is vacated before midday.

5. As complaints have been received of damage done by visitors' dogs to furniture and to the nursery garden at Salogra, visitors are requested to keep them under proper control.

6. Occupants breaking any article of furniture, etc., will be required to pay in cash the cost of the same.

7. The above Rest Houses are in charge of the S. D. O., at Dharampore to whom complaints should be addressed.

8. The above rules do not apply to "Woodbank" at Simla, for which there are separate rules.

WAZIR SINGH,
for Agent, North Western Railway.

NORTH WESTERN RAILWAY.

Agent's Circular No. 2 of 1931.

(To be substituted for the previous Circular, dated 27th July, 1931.)

Rules governing the occupation of "Woodbank" Rest House at Simla.

1. "Woodbank" is reserved for the use of the Agent, but when not required by him, is open to occupation by other officer *above senior scale rank only* in accordance with the following rules.

2. "Woodbank" is divided into 2 suites called A and B, both fully furnished and self-contained.

3. *Suite A*.—When not required by Agent this suite is reserved for officers visiting Simla on duty. When not required by the Agent or by officers visiting Simla on duty the suite may be occupied by officers on leave who will, however, have to vacate, possibly at short notice if this suite be required by an officer arriving in Simla on duty.

4. *Suite B*.—Will be available for occupation by officers either on leave or on duty but an officer occupying it on leave under proper authority will not be required to vacate for an officer arriving on duty.

5. The dates between which the Agent desires to occupy "Woodbank" will ordinarily be known well ahead, but in the event of the Agent having to visit Simla unexpectedly and requiring the use of "Woodbank" the occupants may be required to vacate.

6. Applications for a permit to occupy "Woodbank" Rest House should be made to the Deputy Agent, Lahore.

7. The charge is Rs. 2 per suite per day and is payable whether the occupant is on duty or on leave. This charge includes the use of Kitchen utensils, crockery and table linen, water, lighting and sanitation.

8. Bedding is not provided.

9. Fuel can be obtained by arrangement with the caretaker.

10. The day of arrival will be charged for but not the day of departure provided the Rest House is vacated before mid-day.

11. The limit to the period of occupancy will ordinarily be 14 days but may be extended from day to day subject to vacation at 12 hours' notice.

12. Visitors are requested to keep their dogs under proper control.

13. Complaints should be addressed to the Sub-Divisional Officer, Dharampore.

J. MACKINNON,

for Agent.

LAHORE,

Dated the 30th September, 1931.

OFFICERS REST HOUSES AT SIMLA.

†1065. *Dr. N. B. Khare: Will Government please state the revenue received from the maintenance of the Officers Rest Houses at Simla on the North Western Railway?

OFFICERS REST HOUSES AT SIMLA.

†1066. *Dr. N. B. Khare: Will Government please state the purposes for which the Officers Rest Houses are provided, built and maintained at Simla on the North Western Railway?

OFFICERS REST HOUSES AT SIMLA.

†1067. *Dr. N. B. Khare : Will Government please place on the table a copy of the rules of occupation of the Officers Rest Houses at Simla on the North Western Railway ?

CONDUCTORS EMPLOYED ON STATE RAILWAYS.

1068. *Dr. N. B. Khare : Will Government please state the number of conductors employed by each administration on State Railways together with their scales of pay, and rules for recruitment and advancement and the trains which they conduct ?

Mr. P. E. Rau : The scales of pay for conductors on the four State-managed Railways are given in pamphlets containing the revised scales of pay for non-gazetted staff, copies of which are in the Library of the House. As regards their numbers, rules for recruitment and advancement, I would invite the Honourable Member's attention to the reply to his starred question No. 1797 asked on the floor of the House on the 20th April, 1936. So far as Government are aware, conductor guards are employed on important trains.

Mr. Mohan Lal Saksena : What are the functions of these conductors ?

Mr. P. E. Rau : I should like to have notice of that question.

FUNCTIONS OF THE UNOFFICIAL ADVISERS TO GOVERNMENT IN CONNECTION WITH THE INDO-BRITISH TRADE AGREEMENT.

1069. *Mr. M. Ananthasayanam Ayyangar (on behalf of Mr. S. Satyamurti) : Will the Honourable the Commerce Member be pleased to state :

- (a) what the functions are of the unofficial advisers to Government in connection with the forthcoming Indo-British trade negotiations ;
- (b) whether all the questions outstanding in connection with this matter will be placed before these unofficial advisers ;
- (c) whether the advice tendered by these unofficial advisers will be treated with the same consideration that His Majesty's Government treat advice from non-official advisers ; and
- (d) whether Government will state generally the procedure proposed to be adopted in connection with the negotiations and the part of the unofficial advisers therein ?

The Honourable Sir Muhammad Zafrullah Khan : (a) The function of the unofficial advisers will be to assist the Government of India in conducting the negotiations.

(b) and (c). Yes.

(d) The Honourable Member is referred to my reply to parts (c) to (e) of his starred question No. 764 in the current Session.

†For answer to this question, see answer to question No. 1064.

Mr. M. Ananthasayanam Ayyangar : If any important matters arise, will these non-official advisers be consulted during the course of these negotiations ?

The Honourable Sir Muhammad Zafrullah Khan : If such matters do arise where consultation with them would be beneficial, they would be consulted.

PASSPORT FOR INDIANS GOING TO PARACHINAR (KURM).

1070. ***Dr. Khan Sahib :** (a) Will Government please state whether the Indians going to Parachinar (Kurm) have to obtain passports ? If so, why ?

(b) Are Government aware that the people of Hungu and Tall, who trade regularly with the people of Parachinar, are put to great inconvenience and sometimes even to loss of property because of this rule ?

(c) Will Government please state what special arrangements they have made to enable the residents of Tall, who have got lands in Parachinar to look after the same ?

(d) If no special arrangements exist, are Government prepared to take steps to provide all the traders of Tall and Hungu with permanent passports and to exempt all persons of Tall and Hungu, who own lands in the agency of Parachinar, from the necessity of possessing passports ?

Sir Aubrey Metcalfe : (a) Passports are not required. Visitors to the Kurram are, however, required to obtain passes from the Political Agent, Kurram.

Parachinar is a small bazar in the Kurram Valley, constructed of wood and with a limited water-supply. The uncontrolled influx of visitors during the summer to this small bazar causes inconvenience to the inhabitants owing to the drain on the water-supply, the danger of fire and shortage of accommodation. In addition, the use of this place as a sanatorium causes grave danger of the spread of tuberculosis ; and the permanent residents of Parachinar require protection against this danger. For these reasons the influx of all visitors has to be controlled in the interests of the inhabitants.

(b) No ; passes are issued to persons having genuine trade interests : in June, July and August, 1936, over 800 passes were issued.

(c) I understand that there are no such people.

(d) Does not arise.

OFFICIAL TRUSTEE OF BENGAL.

1071. ***Babu Kailash Behari Lal :** Will Government be pleased to state :

(a) who is the Official Trustee of Bengal appointed under the Official Trustee Act II of 1913, and for how long he has been holding office ;

(b) whether his jurisdiction extends over the Provinces of Bengal, Bihar, United Provinces and the Punjab ;

- (c) if so, who appoints him, whether the Government of India, or any of the Provincial Governments mentioned above ;
- (d) the system of paying remuneration to the Official Trustee, whether the remuneration is paid on commission on each of the Trust Estate in the hands of the Official Trustee, or it is a consolidated monthly salary ; if the latter, which province pays it or how it is apportioned ;
- (e) how many trust estates in different provinces are at present in the hands of the Official Trustee of Bengal ;
- (f) whether the Official Trustee of Bengal Presidency appoints Provincial Agents for different provinces under him ; what are the powers of the latter ;
- (g) if the different Provincial Governments of the provinces which are under the jurisdiction of the Official Trustee of Bengal have any hand in the administration of the Trust Estates falling within their provinces ;
- (h) if the answer to part (c) be in the affirmative, what powers the Provincial Governments exercise in the matter of appointment of Provincial Agents, or in other matters of administration of Trust Estates ; and
- (i) if there is any Provincial Agent for Bihar for the Official Trustee of Bengal ?

The Honourable Sir Henry Craik : (a) Mr. C. Carey Morgan is at present the Official Trustee of Bengal. He was appointed substantively to this post with effect from the 6th September, 1931.

(b) The jurisdiction of the Official Trustee, Bengal, now extends over the Provinces of Bengal, Bihar and Orissa but not over the United Provinces and the Punjab.

(c) The Government of Bengal.

(d) The Official Trustee is paid by the Government of Bengal a monthly salary at the rate of Rs. 2,000—100—2,500. I have no information whether any contribution is paid by the Government of Bihar and Orissa to the Government of Bengal on this account.

(e) to (i). I have no information.

SYSTEM OF RAILWAY RAID FOR DETECTING TICKETLESS PASSENGERS ON THE BENGAL AND NORTH WESTERN RAILWAY.

1072. ***Babu Kailash Behari Lal :** Will Government be pleased to state :

- (a) If there is any system known as Railway Raid in vogue in Bengal and North Western Railway for detecting ticketless passengers ;
- (b) if the answer to part (a) be in the affirmative, what is done under that system of Railway Raid ;
- (c) whether they are aware that so long as the so-called Railway Raid lasts, the passengers are subjected to hardships and

the train is also detained beyond the time of its usual stoppage at the station where Railway Raid is carried on ;

- (d) whether they are aware that there is a good deal of public grievance against this system of Railway Raid ; and
- (e) if there have been complaints to the railway authorities from the public regarding the Railway Raid ?

The Honourable Sir Muhammad Zafrullah Khan : (a) and (b). The system which, on the Bengal and North Western Railway, is known as " Ticket Checking Raids " is nothing more than a surprise check of tickets arranged on trains running during daylight only, by a group of Traveling Ticket Examiners working under the supervision of a senior subordinate in charge. Passengers unable to give satisfactory reasons for being without tickets are dealt with under sections 112 and 132 of the Indian Railways Act and are placed before a magistrate whose presence has been arranged previously at a central station within his jurisdiction.

(c) For the effective checking of a train when these checks are undertaken, a detention is sometimes unavoidable. The Agent states that there have been no specific complaints of high-handedness or ill-treatment.

(d) No.

(e) I understand a complaint was received, but it did not contain sufficient particulars to permit of an enquiry being held, and the complainant could not be traced.

Mr. Lalchand Navalrai : May I ask the Honourable Member if this system is in existence on all the State Railways and the Company-managed Railways ?

The Honourable Sir Muhammad Zafrullah Khan : I am afraid I could not answer that question without notice.

Mr. Mohan Lal Saksena : May I know when was this system introduced ?

The Honourable Sir Muhammad Zafrullah Khan : That, too, I cannot answer without notice.

Mr. Mohan Lal Saksena : Is the Honourable Member aware how many raids were made ?

The Honourable Sir Muhammad Zafrullah Khan : I am not aware.

Mr. M. Ananthasayanam Ayyangar : May I ask if these raids are made in the running trains without causing any inconvenience to the travelling public ?

The Honourable Sir Muhammad Zafrullah Khan : I am aware that checking is carried on in running trains but I am not aware whether checking is carried on by a system like this on other railways.

Prof. N. G. Ranga : Are we to understand that the trains will be detained between one station and another in order to enable these ticket checkers who get into the trains and check the tickets ?

The Honourable Sir Muhammad Zafrullah Khan : I imagine a train would be detained at a station longer than its halt to enable certain

carriages to be completely checked. That is what I understand. I am afraid I could not give a specific reply without notice.

Babu Kailash Behari Lal : May I ask the Honourable Member what method was applied to trace the complainant who could not be found ?

The Honourable Sir Muhammad Zafrullah Khan : The complaint did not contain enough particulars to enable the authorities to trace him.

Babu Kailash Behari Lal : May I know against whom the complaint was lodged ?

The Honourable Sir Muhammad Zafrullah Khan : The complaint was, I imagine, with regard to some inconvenience suffered by the complainant.

Babu Kailash Behari Lal : Was it directed against any particular person ?

The Honourable Sir Muhammad Zafrullah Khan : I am afraid I could not say.

Mr. Mohan Lal Saksena : Was the complainant required to furnish more particulars ?

The Honourable Sir Muhammad Zafrullah Khan : If he could not be traced, how could he be required to give further particulars.

POSTAL SIGNALLERS IN THE JALPAIGURI POSTAL DIVISION.

1073. ***Khan Sahib Nawab Siddique Ali Khan** : (a) Is it a fact that Postal signallers were deputed to Jalpaiguri Postal Division from other postal Division of Bengal Circle during the official year 1935-36 and 1936-37 ? If so, how many were deputed in each year, and what amount of travelling allowance was paid in each case ?

(b) Will Government please furnish the following information in respect of Jalpaiguri Postal Division in the Bengal and Assam Circle :

- (i) total sanctioned strength of clerical staff, exclusive of leave reserve ;
- (ii) total number of clerks, including reserve clerks, with knowledge in signalling ;
- (iii) total number of signalling appointments in the combined offices ;
- (iv) how many of the signallers were employed in signalling duties and how many in non-signalling duties and how many signallers were available as spare, i.e., not being employed in signalling duties during the year 1935-36 and 1936-37 ?
- (v) the number of signallers on regular leave, stating period in 1935-36 and 1936-37 ; and
- (vi) special justification in requisitioning additional signallers from other postal divisions, which resulted in expenditure being incurred on account of travelling allowance ?

The Honourable Sir Frank Noyce : (a) Government have no information on the subject but it is quite possible that a short-

age of signallers in the Jalpaiguri Division itself may have led to the deputation of trained men from other Postal Divisions in the Bengal and Assam Circle in the interests of the proper conduct of work. The collection of particulars of their numbers and the expense involved in their movements as well as of the information asked for in part (b) of the Honourable Member's question will involve an undue expenditure of time and labour incommensurate with its value and Government do not therefore propose to call for it.

RESERVE CLERKS IN THE JALPAIGURI POSTAL DIVISION.

1074. ***Mr. N. V. Gadgil** (on behalf of Pandit Krishna Kant Malaviya) : (a) Is it a fact that there are 38 Reserve clerks—both first and second grade combined—sanctioned for the Jalpaiguri Postal Division in the Bengal and Assam Circle ?

(b) Is it a fact that 15 or 16 Reserve clerks are sanctioned in excess over the 17 per cent. basis for a certain portion of that division being unhealthy ?

(c) Will Government please state regarding Jalpaiguri Postal Division for the years 1931-35, 1935-36 and 1936-37 :

(i) how many of the 38 Reserve clerks were actually required for leave or resultant vacancies ;

(ii) how many were on leave ; and

(iii) how many were available as spare, *i.e.*, were not required to act in any vacancies ?

(d) Will Government please state how the services of the Reserve clerks who were not required to act in any vacancies, were utilised when they were kept as part of sanctioned establishment ?

(e) Do Government propose to transfer a certain percentage of the Reserve clerks of Jalpaiguri Division, who are not actually required for the Jalpaiguri Division, to other Postal Divisions of the Bengal Circle where they may be needed and arrange for acting arrangements at the Jalpaiguri Division by appointment of trained outside candidates, if and when absolutely necessary ? If not, why not ?

The Honourable Sir Frank Noyce : (a) and (c). Government are not in possession of the particulars asked for and do not propose to collect them.

(b) Yes. The exact number is 15.

(d) and (e). Government have no information and do not propose to call for it as the Postmaster General is fully competent to ensure that the leave reserve staff is utilised to the best advantage. A copy of this question and answer will be sent to him for such action as he may consider suitable.

RULES RELATING TO THE CONDITIONS OF SERVICE OF GOVERNMENT SERVANTS.

1075. ***Mr. Kuladhar Chaliha** : Will Government please state whether it is their practice to apply to the Government servants even such rules relating to the conditions of service of Government servants as are

neither notified in the Gazette of India nor made known to the Government servants concerned ?

The Honourable Sir Henry Craik : The reply is in the negative. Government servants have access to the various rules regulating their conditions of service.

Mr. M. Ananthasayanam Ayyangar : Are these rules published in the Gazette ?

The Honourable Sir Henry Craik : No, Sir.

Mr. M. Ananthasayanam Ayyangar : Then, how are they made available to the Government servants ?

The Honourable Sir Henry Craik : Copies of the rules are circulated to all Departments and to all branches and they are also circulated to all Government servants affected.

Mr. M. Ananthasayanam Ayyangar : Is there any Manual of rules published for the information of the public ?

The Honourable Sir Henry Craik : Not that I am aware of.

LEAVE, PASSES, ETC., OF THE STAFF ON THE BENGAL AND NORTH WESTERN RAILWAY.

1076. ***Mr. B. B. Varma :** (a) Will the Honourable Member in charge of the Railways be pleased to state :

- (i) the percentage of dividends declared by the Bengal and North Western Railway in the year 1934-35 ; and
- (ii) the position of the State-managed Railways and other Company-managed Railways in India as regards profit and loss for the same period ?

(b) Is the Honourable Member aware that the Bengal and North Western Railway is managed by a staff which is the most ill-paid and ill-equipped of all the other railways staff in India ?

(c) Is the Honourable Member aware

- (i) that on the Bengal and North Western Railway station clerical staff are compelled to work for more than eight hours a day without any extra allowance for the same ;
- (ii) that the housing arrangement for the station clerical staff is not adequate—a quarter barely consisting of two rooms hardly sufficient to accommodate two persons with practically no space or yard ;
- (iii) that leave rules are not properly observed and considerable difficulty frequently arises in getting leave when required ;
- (iv) that there is no provision for casual leave for staff appointed after 1933 ;
- (v) that the staff appointed after 1933 are allowed privilege leave for 24 days in a year instead of 30 days, and even those 24 days lapse in the year in which it accrued if, for any reason, it is not availed of by the staff ;

- (vi) that, as a matter of fact, the staff is not made acquainted with the leave rules nor are they supplied with a copy of the same ; and
- (vii) that passes are issued to the railway servants restricting it only to five persons of the family, including the employee, and a railway servant having a bigger family is to travel with tickets purchased from his small pay for members more than five ?

The Honourable Sir Muhammad Zafrullah Khan : (a) (i) The dividend including bonus declared by the Bengal and North Western Railway Company for the year ending the 30th September, 1935, is 16 per cent. I would point out, however, that the ordinary (profit sharing) capital of the Company is only £3 millions, whereas the total capital outlay is over £8 millions, the balance being met from preference capital, debentures and reserves.

(ii) I would refer the Honourable Member to page 16 of the report by the Railway Board on Indian Railways for 1934-35, Volume I, a copy of which is in the Library of the House.

(b) Government are informed as follows :

The staff of the Bengal and North Western Railway is neither ill-paid nor ill-equipped.

(c) (i) The Hours of Employment Regulations have not so far been given statutory effect on the Bengal and North Western Railway and as such no extra allowance or overtime is admissible to such staff.

(ii) The housing on this railway is much on a par with that of other railways, and the older types of quarters are gradually being improved where necessary.

(iii) This is not generally the case but difficulty may arise during such occasions as the marriage season or times of widespread sickness.

(iv) and (v). I am collecting information and will lay a reply on the table of the House in due course.

(vi) The leave rules are accessible to all staff.

(vii) Yes, a limit of five is imposed.

Mr. V. V. Giri : Is it not a fact that the employees on the Bengal and North Western Railway are paid lesser wages than the employees of other railways, speaking comparatively ?

The Honourable Sir Muhammad Zafrullah Khan : I suppose the Honourable Member is referring to State-managed Railways. Yes, in many cases.

Mr. V. V. Giri : Will the Government make inquiries in this matter and hear the complaints and the grievances of the employees and redress their grievances so far as the wages are concerned ?

The Honourable Sir Muhammad Zafrullah Khan : No, Sir.

Mr. V. V. Giri : Why not, Sir ?

The Honourable Sir Muhammad Zafrullah Khan : Government have no reason to think that they are paid below the market rate.

Qazi Muhammad Ahmad Kazmi : With regard to part (c) (i), may I ask what are the rules for hours of employment and why have they not been applied in this case ?

The Honourable Sir Muhammad Zafrullah Khan : I am afraid I do not know the exact rules, but they have not been applied on the Bengal and North Western Railway.

Qazi Muhammad Ahmad Kazmi : Is it in the discretion of a particular Railway to apply those rules ?

The Honourable Sir Muhammad Zafrullah Khan : I am afraid I could not hear the Honourable Member properly.

Babu Kailash Behari Lal : The Honourable Member said that the employees of the Bengal and North Western Railway are not paid below the market rate. May I know what is the standard of the market rate ?

The Honourable Sir Muhammad Zafrullah Khan : I should imagine the standard is that at which people possessing the necessary qualifications are available.

Mr. V. V. Giri : Is this standard imaginary ?

The Honourable Sir Muhammad Zafrullah Khan : No, Sir.

Prof. N. G. Ranga : Have Government received any representations from the workers of this Railway to the effect that their wages are too low and, therefore, they should be raised ?

The Honourable Sir Muhammad Zafrullah Khan : No, Sir.

Mr. V. V. Giri : Is it a fact that the Government fix the wages of their railway employees on the basis of the law of supply and demand ?

The Honourable Sir Muhammad Zafrullah Khan : There are several factors that enter into the question.

Mr. Mohan Lal Saksena : Are Government not responsible for the safety of life and property of the passengers ?

Mr. President (The Honourable Sir Abdur Rahim) : How does that question arise ?

Mr. Mohan Lal Saksena : It arises out of part (c) (i) of the question. The Honourable Member has said that the Bengal and North Western Railway has not thought it fit to apply this convention of eight hours a day.

The President (The Honourable Sir Abdur Rahim) : It is a question of extra allowance. There is no question of safety involved.

The Honourable Sir Muhammad Zafrullah Khan : The convention has not yet been applied on that railway.

Mr. V. V. Giri : When do they propose to apply it ?

The Honourable Sir Muhammad Zafrullah Khan : I am afraid I could not say that without looking into the matter.

Mr. Sri Prakasa : With reference to part (c) (iii), may I know what exactly the Honourable Member means by marriage season ? Are not all seasons good for marriage ?

The Honourable Sir Muhammad Zafrullah Khan : I think the Honourable Member can best answer that question, because I understand—my information may be wrong—that amongst certain sections of the population of this country, certain seasons are considered more auspicious for weddings than other seasons.

Mr. Mohan Lal Saksena : May I know who is responsible for the application of this convention to the railways ?

The Honourable Sir Muhammad Zafrullah Khan : I believe Government.

Mr. Mohan Lal Saksena : Why do not the Government of India apply it ?

The Honourable Sir Muhammad Zafrullah Khan : I could not answer that without looking into the matter.

ENQUIRY INTO THE GRIEVANCES OF THE EMPLOYEES OF THE BENGAL AND NORTH WESTERN RAILWAY.

1077. ***Mr. B. B. Varma** : (a) Is the Honourable Member aware that on the Bengal and North Western Railway :

- (i) transfers, promotions and punishments of the railway staff are not published in the Railway Weekly Gazette published from the District Offices ;
- (ii) Station Masters, goods clerks, booking clerks, etc., in some stations are working for 10 to 15 years continuously in one station without any change or transfer ?

(b) If the answer to part (a) (ii) be in the negative, will Government state for how long the following hands have been working in the stations noted against their names ?

- (1) Goods clerk and Assistants
and Goods clerk of .. Darbhanga and Bairagnia ;

- (2) Booking clerk .. Samastipur, Raxaul, and Muzaffarpur ; and
- (3) Parcel clerk .. Muzaffarpur and Darbhanga.

(c) Is the Honourable Member aware that promotions on Bengal and North Western Railway are not made according to the seniority ? If so, how are the promotions made ?

(d) Will the Honourable Member please lay on the table a comparative statement showing :

the scale of pay of the following staff in the East Indian Railway, Eastern Bengal Railway, Bombay, Baroda and Central India Railway, Bengal and North Western Railway and Bengal Nagpur Railway, respectively :

- (1) Assistant Station Masters, (2) booking clerks, (3) Station Masters, (4) goods clerks, (5) train clerks, (6) ticket collectors, (7) signallers, and (8) parcel clerks ?

(e) Is the Honourable Member aware that trains clerks and ticket collectors in the Bengal and North Western Railway are in the same grade of pay as the booking clerks and goods clerks ? Is it a fact that the latter are placed in more responsible positions and are to pass coaching and audit examinations ?

(f) Is the Honourable Member prepared to direct an enquiry into the grievances of the employees of the Bengal and North Western Railway in order to remove the impressions that the management is starving the employees in order to pay a fat dividend to the shareholders ?

The Honourable Sir Muhammad Zafrullah Khan : Government are informed as follows :

- (a) (i) Yes.
- (ii) Possibly.
- (b) Does not arise.
- (c) The allegation made is not correct.
- (d) I place a statement on the table of the House giving the required information.
- (e) The reply to the first part is in the affirmative. As regards the latter part, the Administration does not consider that the booking clerks and goods clerks are required to do more responsible work.
- (f) Government do not consider any action is called for.

Comparative statements showing the latest scales of pay of certain categories of subordinates staff in force on the East Indian, Eastern Bengal, Bombay, Baroda and Central India, Bengal and North Western and Bengal Nagpur Railways.

Serial No.	Designation.	East Indian.	Eastern Bengal.	Bombay, Baroda and Central India.	Bengal and North Western.	Bengal Nagpur.	Remarks.
1	Assistant Station Masters.	Rs. 230	Rs. 230	Rs. 120	Rs. 240-300	Rs. 250	
	Ditto ..	200	200	100	170-220	170	
	Ditto ..	180	180	30-4-50-5-80	110-160	100	
	Ditto ..	65-5/2-85	65-5/2-85	30-4-50-5-65	Rs. 100 and under	75	
	Ditto ..	30-3-45/5-60	30-3-45-5-60	30-4-50-5-60		40-4-70	
2	Booking Clerks	140	100-10/2-120	†170	20-24-1/8-36-2-50	100†	*Designated as coaching clerks on the B. B. and C. I. and B. N. Railways.
			65-5/2-85	150	..	75	
		65-5/2-85	30-3-45-5-60	140	..	30-4-60 (Assistant coaching clerks).	
		30-3-45/5-60		120	..	..
		30-3-45		100		..	
			90	30-4-50-5-80		..	
			30-4-50-5-75	30-4-50-5-65		..	
			30-4-50-5-65	30-4-50-5-65		..	
			30-4-55	30-4-65		..	

Serial No.	Designation.	East Indian.	Eastern Bengal.	Bombay, Baroda and Central India.	Bengal and North Western.	Bengal Nagpur.	Remarks.
5	Trains Clerks Ditto	Rs. 30-3-45/5-60	Rs. 65-5/2-85 30-3-45/5-60	Rs. 99 30-4-50-5-89 30-4-60-5-75 30-4-50-55	Rs. .. 20-24-1/8-36 -2-50	Rs. .. 30-3-45-5-60* Bar.† 65-5/2-85.	*Designated as Train Controller Clerks on the B. N. Railway.
6	Ticket Collectors Ditto	30-8-45/5-60	65-5/2-85 30-8-45-5-60	120 160 30-4-50-5-75 30-4-50-5-60 30-4-50	20-24-1/8-36 -2-50	40-4-70	
7	Signalmen	30-3-45/5-60 30-3-45	65-5/2-85 30-3-45-5-60	30-4-50-5-65† 30-4-50-5-60	..	30-3-45	† Designated as Traffic Signallers on the B. B. and C. I. Railway.
8	Parcel Clerks	30-3-45/5-60 30-3-45	100-10/2-120 65-5/8-85 30-3-45-5-60	..	20-24-1/8-36 -2-50	75 30-4-60 (Assistant parcel clerks)	

Mr. M. Ananthasayanam Ayyangar : Why do not the Government have a uniform rule for all the State Railways regarding transfers and promotions and for keeping the stationmasters at certain stations not beyond a certain period ?

The Honourable Sir Muhammad Zafrullah Khan : The question does not refer to State-managed Railways.

NON-MAINTENANCE OF A SUFFICIENT NUMBER OF *Hamals* ON THE BENGAL AND NORTH WESTERN RAILWAY.

1078. ***Mr. B. B. Varma :** (a) Is the Honourable the Railway Member aware that on the Bengal and North Western Railway there is no proper arrangement for maintaining a sufficient number of *hamals* (*khalasas*) according to the importance of stations, with the result that at most stations the consignor or the consignee has to make his own arrangement and also at his own cost for the loading or unloading of his goods, though charges for the same are included in the freight ?

(b) Will the Honourable Member please state the number of *hamals* maintained at the following stations :

- (1) Laheriasarai, (2) Sitamarhi, (3) Bairagnia, (4) Narkatiaganj, (5) Motihari, (6) Bettiah, (7) Bhagwanpur, (8) Dalsinghsarai, (9) Pusa Road, (10) Nirmali, (11) Bhaptiahi, (12) Jainagar and (13) Roserah Ghat on the Bengal and North Western Railway ?

(c) Is the Honourable Member aware that :

- (i) poor *hamals* are compelled to work day and night on a salary of Rs. 8 only per month ; and
(ii) that there is no separate batch of *hamals* for day and night working ?

The Honourable Sir Muhammad Zafrullah Khan : Government are informed as follows :

- (a) *Hamals* are provided at stations as required.
(b) I place a statement on the table of the House giving the required information.
(c) (i) *Hamals* are not required to work day and night. Their pay varies between Rs. 8 and Rs. 9 a month which is not below the market rate.
(ii) There is no work to be done by *Hamals* at night.

Statement showing the number of Hamals regularly employed at certain stations on the Bengal and North Western Railway.

Pusa Road	} 3 Hamals each.
Rusera Ghat .. .. .	..	..	..
Laheria Sarai	} 4 Hamals each.
Sitamarhi .. .. .	..	..	..
Narkatiaganj .. .. .	..	..	..
Motihari .. .. .	..	..	..
Bhagwanpur	} 5 Hamals each.
Bairagnia .. .. .	..	..	..
Dalsing Sarai .. .. .	..	..	..
Bhaptiahi	} 6 Hamals.
Bettiah .. .. .	..	..	..
Nirmali	} 7 Hamals each.
Jaynagar .. .. .	..	..	..

APPOINTMENT OF ASSISTANT SECRETARY IN THE PUBLIC SERVICE COMMISSION.

1079. ***Mr. Lalchand Navalrai** (on behalf of Bhai Parma Nand) :

(a) Is it a fact that Government invited applications through Local Governments for the post of Assistant Secretary, Public Service Commission ?

(b) Did Government prescribe the following qualifications :

(i) candidate should have experience in conducting examinations, setting of question papers and examination of papers ; and

(ii) he should be preferably a member of a Provincial Education Service ?

(c) Is it a fact that no one recommended by the Local Government was appointed to the post and that an Assistant in the Education, Health and Lands Department was appointed to this post ?

(d) Will Government please state whether the person so appointed possessed the requisite qualifications prescribed by them for candidates whose applications were invited through the Local Governments ?

(e) Is it a fact that the post was not advertised in the Government of India Secretariat, and no applications were entertained from Secretariat staff ?

(f) If the answer to part (e) be in the affirmative, will Government please state why they selected a candidate from the Secretariat without giving a chance to other Secretariat people to apply, who might have been equally qualified ?

The Honourable Sir Henry Craik : (a) to (f). Local Governments and the Education Department of the Government of India were invited to recommend suitable candidates. It was not expected that men with the requisite knowledge of educational matters would be available in the Secretariat, except in the Department of Education, Health and Lands. No applications were invited, either through Local Governments or otherwise. The most suitable candidate available from among those recommended was the officer holding the post of Secretary to the Central Advisory Committee on Education. This candidate possessed the qualifications required, which were not precisely those stated by the Honourable Member.

Mr. Lalchand Navalrai : May I know if the selection was made by the Public Service Commission or by the Government ?

The Honourable Sir Henry Craik : The Public Service Commission.

ORDERS ISSUED BY THE RAILWAY BOARD FOR CARRYING OUT RETRENCHMENT ON THE NORTH WESTERN RAILWAY.

1080. ***Mr. Lalchand Navalrai** (on behalf of Bhai Parma Nand) :

(a) Will Government be pleased to state if (i) the staff appointed against purely temporary or officiating posts, or as substitutes, and (ii) those who have not yet been confirmed in their appointments, are being amalgamated by the North Western Railway Administration for purposes of effecting the impending retrenchment ?

(b) Is it a fact that the orders issued by the Railway Board recently for carrying out retrenchment on the basis of comparative efficiency are intended to apply only to the disposal of permanent staff rendered surplus as a result of the economy campaign ?

(c) If so, are Government prepared to direct the North Western Railway Administration not to bring the temporary or unconfirmed staff under the operation of these rules ?

(d) Do Government propose to take steps to utilize the permanent surplus staff against these temporary posts ?

The Honourable Sir Muhammad Zafrullah Khan : Government are informed as follows :

(a) No.

(b) Yes.

(c) Temporary staff are employed in temporary posts and are usually engaged for specific periods on conclusion of which the temporary posts are abolished and the temporary staff discharged. Staff appointed on probation against permanent vacancies who have not yet been confirmed would be dealt with in the same way as permanent staff.

(d) No.

Mr. Lalchand Navalrai : With reference to part (a) is it that the persons who have been officiating but who have not yet been confirmed will not be retrenched ?

The Honourable Sir Muhammad Zafrullah Khan : They will be treated on the same basis as permanent staff. I cannot give any undertaking that this particular category will not be retrenched.

Qazi Muhammad Ahmad Kazmi : Do Government consider the cases of the surplus staff differently in the different departments or consider the matter as a whole ?

The Honourable Sir Muhammad Zafrullah Khan : I believe there is a question to that effect later on.

MAINTENANCE OF WAITING LISTS OF THE RETRENCHED STAFF OF THE RAILWAYS.

1081. ***Mr. Lalchand Navalrai** (on behalf of Bhai Parma Nand) : (a) Is it a fact that the Railway Board have issued orders that no waiting lists of the retrenched staff should be kept ?

(b) Is it a fact that waiting lists were kept when retrenchment was carried out in 1932 and the staff retrenched was reappointed as vacancies occurred ? If so, what is the reason for the change in policy ?

(c) Do Government propose to keep waiting lists of such staff, if brought under reduction, and reappoint them on the occurrence of vacancies ? If not, why not ?

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

(b) and (c). The reply to the first part of (b) is in the affirmative. As regards the latter part of (b) and (c), Government do not consider it necessary to place on waiting lists names of surplus staff discharged on the basis of comparative efficiency.

Mr. Lalchand Navalrai : Will the Government say how then do they propose to re-employ them if there are no waiting lists ?

The Honourable Sir Muhammad Zafrullah Khan : They do not propose to re-employ such staff as a matter of course.

Qazi Muhammad Ahmad Kazmi : Have Government considered the advisability of allowing the retrenched staff to apply for the new posts and do Government propose to consider their applications preferably and exempt them from age limit for holding these posts ?

The Honourable Sir Muhammad Zafrullah Khan : There is no bar to their applying for re-employment provided they fulfill the conditions under which further employment will take place. I am afraid they could not be given preference as they would have been retrenched on the ground that they were comparatively less efficient, than the people required to perform these duties.

Qazi Muhammad Ahmad Kazmi : So far as the new applications are concerned, there will be one difficulty about the retrenched staff, namely that they will not come within the prescribed age limit and in view of the fact that they have been serving the railway department from a long time past they may be exempted from the age limit, and their applications considered along with the applications of the new applicants.

The Honourable Sir Muhammad Zafrullah Khan : I am afraid that could not be done. Supposing in a particular category it was decided to re-employ more people and it was thought that the age limit would not matter, in such cases they would be on a par with other people.

Mr. Mohan Lal Saksena : What are the reasons that impelled the Government to abolish the maintenance of this waiting list ?

The Honourable Sir Muhammad Zafrullah Khan : I have given the reasons.

SPLIT OF THE CLERICAL STAFF INTO SEVERAL UNITS ON THE NORTH WESTERN RAILWAY.

1082. ***Mr. Lalchand Navalrai** (on behalf of Bhai Parma Nand) : (a) Is it a fact that the North Western Railway Administration have split up the clerical staff into several units, e.g., Divisional Office clerks, Station Masters' office clerks, Engineering Subordinates' office clerks, etc., etc., and that retrenchment will be confined to each respective unit ?

(b) Is it a fact that the proportion of retrenchment in these units varies considerably and even, in some units, no retrenchment is to be effected at all ?

(c) Is it a fact that in some units new appointments are being made, or purely temporary employees exist, while in others permanent employees have become surplus ?

(d) Are Government prepared to amalgamate these units into one with a view to meting out equitable treatment to the staff ? If not, why not ?

The Honourable Sir Muhammad Zafrullah Khan : (a) Divisional Office Clerks, Station Masters' Office Clerks, Engineering Subordinates'

Office Clerks, etc., etc.; were borne on a separate seniority list for promotion prior to the introduction of the Divisional Organisation on the North Western Railway and this procedure has been continued and surpluses in any of these categories, therefore, are being dealt with on the basis of comparative efficiency within their respective groups.

(b) Retrenchment will take place only in those units in which there is a surplus.

(c) New appointments are only made when a suitable surplus (or retrenched) hand is not available. Purely temporary employees are employed in temporary posts of short duration and are usually engaged for specific periods on the conclusion of which they are discharged.

(d) No, for the reasons given in my reply to parts (a) and (c).

Qazi Muhammad Ahmad Kazmi : With the introduction of this divisional scheme, will it not be proper for the Government to treat the cases of all this staff as one unit instead of treating them separately ?

The Honourable Sir Muhammad Zafrullah Khan : No, Sir.

Qazi Muhammad Ahmad Kazmi : Was there not on the North Western Railway a Labour Exchange Bureau to which all the applications of the surplus staff were sent and the surplus staff was absorbed in different sections of the railway when vacancies occurred ?

The Honourable Sir Muhammad Zafrullah Khan : I believe so.

Qazi Muhammad Ahmad Kazmi : Is it now existing ?

The Honourable Sir Muhammad Zafrullah Khan : I cannot say ; but with regard to the staff that is being retrenched on the basis of comparative efficiency that question would not arise.

APPOINTMENTS FOR TRAINING IN THE COMMERCIAL AND TRANSPORTATION GROUPS ON THE NORTH WESTERN RAILWAY.

1083. ***Mr. Lalchand Navalrai** (on behalf of Bhai Parma Nand) :

(a) Is it a fact that new appointments are being made in subordinate service for training in the Commercial and Transportation groups on the North Western Railway ?

(b) Is it a fact that there are a number of youngmen on the surplus list who possess the requisite qualification for being recruited to this service, except for the age limit ?

(c) Are Government prepared to raise the age limit in the case of these employees to 30 years to save their discharge ? If not, why not ?

The Honourable Sir Muhammad Zafrullah Khan : Government have no information. The matters referred to are within the competence of the Agent, North Western Railway, to whom a copy of the question has been sent for information and such action as he may consider necessary.

Mr. Lalchand Navalrai : Is there any rule of the Railway Board to guide the Agents in order to employ those surplus men before new men are appointed ?

The Honourable Sir Muhammad Zafrullah Khan : To that I have replied in the previous question. If there are surplus men available no new men are employed.

Mr. Mohan Lal Saksena : The question was 'Is it a fact, etc.'. Why did not the Honourable Member get the information from the railway concerned?

The Honourable Sir Muhammad Zafrullah Khan : For the reason that I have read out in the reply.

PURCHASE OF CASH CERTIFICATES BY THE SUPERINTENDENT OF POST OFFICES OF JALPAIGURI DIVISION.

1084. ***Pandit Sri Krishna Dutta Paliwal** (on behalf of Mr. Suryya Kumar Som) : (a) Is it a fact that a departmental order was issued in June, 1936, to all Head Postmasters and Superintendents of Post Offices prior to 1st July, 1936—the date of introduction of the current issue of Post Office Five Years' Cash Certificates—embodying instructions, on grounds of policy, for observing the secrecy of the matter and its issue prior to 1st July, 1936 ?

(b) Will Government please state after enquiry :

- (i) the date of receipt by the Superintendent of Post Offices of Jalpaiguri Division of the departmental order of June, 1936, regarding cash certificates ;
- (ii) the date of purchase by him of older issues, i.e., issues of dates earlier than 1st July, 1936, after receipt of departmental order of June, 1936 ;
- (iii) whether there was any previous occasion on which the present Superintendent of Post Offices, Jalpaiguri Division, ever purchased cash certificates in the last week of any month ; and
- (iv) whether money was taken by the Superintendent of Post Offices, Jalpaiguri Division, from the Treasury of the Jalpaiguri Head Post Office (which is under his administrative control) for purchase of the cash certificates and the money was repaid on the 1st July, 1936 ?

The Honourable Sir Frank Noyce : (a) Yes, but I may add for the information of the Honourable Member that the departmental order referred to issued in June, 1936, did not indicate the prices of the cash certificates of the new issue.

(b) (i) 16th June, 1936.

(ii) 30th June, 1936.

(iii) Government have no information.

(iv) No.

Pandit Lakshmi Kanta Maitra : With regard to (b) (iv), may I know if the Honourable Member caused an inquiry to be held as to whether this Superintendent of Post Offices, Jalpaiguri Division, actually took money from the postal treasury and utilised it for the purpose of purchasing cash certificates ?

The Honourable Sir Frank Noyce : Yes, Sir ; my answer is based on the results of the inquiry which was made.

Pandit Lakshmi Kanta Maitra : Is it not a fact that prior to the 1st July, 1936, when the new order of cash certificates was to come into existence, this Postal Superintendent, having previous knowledge of the increased value of the postal certificates that would come into force on the 1st July, caused purchases to be made on his behalf and on behalf of his friends ?

The Honourable Sir Frank Noyce : I would refer my Honourable friend to my reply to part (a) of the question. There was undoubtedly knowledge that there was to be a new issue of cash certificates but the Postal Superintendent had no indication as to what the price of those certificates would be.

Pandit Lakshmi Kanta Maitra : I hope my Honourable friend understands the point of my question. I am anxious for the secrecy of these Government circulars and the purity of his branch of the public utility service. From that point of view I am asking whether it is not a fact that this Postal Superintendent actually bought cash certificates to the extent of Rs. 2,000 on his own behalf and Rs. 2,000 for his friends as against only Rs. 2,000 in the previous month and only Rs. 500 in the previous month ?

Mr. G. V. Bewoor : The information of the Honourable Member is incorrect. It is a fact that the cash certificates were purchased on the 30th June, but it was only for Rs. 500 and the Superintendent withdrew money from his own private Savings Bank account in order to purchase these cash certificates.

Mr. President (The Honourable Sir Abdur Rahim) : The Honourable Member ought not to ask such questions unless he is properly informed.

Pandit Lakshmi Kanta Maitra : I am trying to get information.

USE OF RED OXIDE PAINT FOR PAINTING OF RAILWAYS UNDERFRAMES,
WHEELS, ETC.

1085. ***Mr. Sri Prakasa :** (a) Is it a fact that Red Oxide Paint was never used on any railways in India for the painting of underframes, wheels, boards and inside walls of wagons ?

(b) Is it a fact that even when the outside walls of any wagons were painted with Red Oxide, the underframes, wheels, boards and inside walls were invariably painted with black ?

(c) If so, why ?

(d) Is it a fact that black paint had been used for such wagon parts for years past, and that the North Western Railway painted the underframes of a rake of the *Frontier Mail* with "Muraco Black" in 1930 and after a couple of years of rigid test found the paint satisfactory ?

(e) Has there been any change in this connection recently ? If so, what were the exact circumstances in which the change took place ?

The Honourable Sir Muhammad Zafrullah Khan : Sir, before I read out the reply to this question I may point out that a large number of questions have been put on this matter during the last Session and the current Session, and I assume therefore that Honourable Members

attach a great deal of importance to this matter. I have prepared a full reply to which I hope Honourable Members will listen carefully in case they want information over again in supplementary questions.

Mr. President (The Honourable Sir Abdur Rahim) : If the reply is very long, it should be laid on the table.

The Honourable Sir Muhammad Zafrullah Khan : It is eleven pages, Sir.

Mr. President (The Honourable Sir Abdur Rahim) : Then the Honourable Member should lay it on the table.

The Honourable Sir Muhammad Zafrullah Khan : Very well, Sir. (The reply was laid on the table).

(a) and (b). Red oxide paint has been used occasionally for the interior, floor and sides of wagons. Common practice is for underframes and wheels to be painted black.

(c) Prior to the recent investigations into the question of wagon paints, black paint was considered suitable for underframes, wheels and inside walls.

(d) The answer to the first part is in the affirmative.

With regard to the second part, Muraca Glossy Black was applied to the portion of the underframe of one vehicle on the Frontier Mail by the North Western Railway in 1930. After 11 months it was found that this paint was no better than that then in use.

(e) Yes. It has been decided to adopt red oxide paint for Eastern Bengal Railway, East Indian Railway and Great Indian Peninsula Railway wagons.

The Railway Board in their search for economies asked the Mechanical Section, Indian Railway Conference Association in 1933, to investigate and report on the subject of paints for goods wagons. A questionnaire was issued to all railways and at the 1934 meeting of the Mechanical Section Indian Railway Conference Association a sub-committee was appointed to go into the subject. This sub-committee reported fully to the Mechanical Section at the February, 1935, meeting and the Section unanimously reported as follows :

- (i) The really important point is the preparation of the surface before paint is applied and if sand blasting is not adopted, it is necessary that the parts should be thoroughly cleaned and coated with a rust solvent or red lead.

The first coating of paint on steel or iron of new or repaired wagons should be applied by hand, as better results are thus obtained and a more even film formed, giving less chance to trap air or water bubbles under the paint.

- (ii) Comprehensive tests on wagon paints are now being carried out by the Government Test House, Alipore, and on the results of these exposure tests, it may be possible to lay down an analysis for wagon paint for general use in India.
- (iii) It is considered that paints manufactured in India can be obtained at a reasonable cost to fulfil the condition of giving adequate protection in average conditions.

- (iv) It is recommended that during periodical repairs cleaning of surfaces in preparation for re-painting can best be done by using scrapers and wire brushes and that, if no corrosion is evident under the existing paint, it is not necessary to remove this paint but merely to brush to a smooth and clean surface before applying paint.
- (v) A separate paint for underframes is not recommended as the development of painting will be towards spray painting and to have a separate paint for underframes would be a disadvantage from this point of view.
- (vi) The cost of painting on different railways and the number of coats applied and the time taken, differ so greatly that it is not considered that it would be of value to give a cost figure for either paint or labour in painting a standard wagon, especially as labour rates and material rates differ so greatly throughout India.

On the re-organisation of the Central Standards Office on the 1st April, 1935, the subject of paints for wagons became one of several items for research undertaken by that office. The comparative results of painted panel exposure tests undertaken at the Government Test House, Alipore, were studied with the result that large scale trials with graphite grey paints on new wagons have been undertaken. The correct methods to adopt in the preparation of wagons during workshop overhauls, prior to the application of and the quality of paint were investigated and in June, 1935, railways were addressed on the subject. Their replies were duly studied and practices for cleaning were approved. A little later the subject was put forward for consideration at the first session of the Advisory Council meeting of Industrial Intelligence and Research Bureau and it was decided to undertake an investigation into the properties of different paint formulæ in connection with the protection of steel and other painting purposes.

On the 8th of November, 1935, Chief Controller, Indian Stores Department took the opportunity of Chief Mechanical Engineers of railways being present in Delhi of calling a joint meeting with the Indian Stores Department, Railway Board and Railway Chief Mechanical Engineers to discuss the quotations received by the Indian Stores Department for railways' requirements of wagon paints for 1936-37. During the general discussion at that meeting, railways' representatives expressed the unanimous opinion that a change on the Eastern Bengal, East Indian and Great Indian Peninsula Railways from black wagon paints to red oxides, should be made, provided no appreciable additional expenditure was involved in the measure.

The Chief Controller of Stores proposed that for the future, tenders against the annual requirements of paints, enamels and varnishes required by the State Railway Administrations should be considered at an annual conference to which railways would depute representatives. For some years past tenders received for the annual requirements of lubricating oils have been dealt with in this manner to the advantage of all concerned, and it was agreed that there was at least equal justification for dealing with tenders for paints, enamels and varnishes in the same way. It was arranged that the first conference to consider these tenders would meet in the Chief Controller of Stores' Office on the 5th December, 1935.

On the 9th November, 1935, information was received from the Government Test House regarding the specific gravity of red oxide ready mixed paint, which made it possible to compare the rates quoted against the tender No. M.-6470 for ready mixed black paint and ready mixed red oxide paint manufactured from (a) Persian Gulf red oxide and (b) indigenous red oxide. It was found that whereas the lowest price quoted for ready mixed black paint was Rs. 2-4-0 per gallon, the prices quoted in the same tender for ready mixed red oxide paint (quoted in the tender on a cwt. basis) worked out at Rs. 2-3-2 per gallon for Persian Gulf red oxide, and Rs. 2-1-7 per gallon for indigenous red oxide. This information was communicated to the officers who attended the conference on the 8th November.

As was probable that lower prices would be quoted for the very large quantities required of red oxide paints consequent upon a possible change over from black to red, fresh tenders were therefore called for red oxide paint, stiff and ready mixed, (a) Persian Gulf oxide, (b) artificial oxide, and (c) indigenous oxide.

On the 27th of November, 1935, Chief Controller, Standardization, Railway Board, Chief Controller, Indian Stores Department, Chief Chemist, Government Test House, Alipore, and Deputy Chief Controller, Standardization, Railway Board, inspected the condition of paints on broad gauge wagons in Ghaziabad Station yard, and various types belonging to different railways were examined. These were of different ages and periods in traffic between workshop overhauls and painting. After inspection, these officers were of unanimous opinion that wagons painted with red oxide (*i.e.*, the North Western Railway and Bombay, Baroda and Central India Railway goods stock) appeared mostly to be in a better condition than those painted black (East Indian, Eastern Bengal, Great Indian Peninsula, Madras and Southern Mahratta Railways, etc.). Further red oxide appeared to offer a better protection against corrosion particularly when applied over dirt and rust.

On the 2nd of December, 1935, Director, Industrial Research Bureau, Chief Chemist, Government Test House, Alipore, and Deputy Chief Controller, Railway Board, inspected the exterior paint on goods wagons in Delhi Main station. It was agreed that under service conditions, the red oxide painted wagons appeared generally to be in a better condition than those painted black. Wide variations in the appearance and conditions of the paint (both red oxide and black) on wagons were very noticeable. Even making due allowances for the ages of vehicles, the difference in the condition of wagons painted at the same time with either red oxide or black paint was very marked. Red oxide when applied over old rust or dirt or unevenness in the old paint, appeared to provide a more durable covering than black paints. It also appeared to be a more efficient rust protective coat in that it did not appear to flake or crack as readily or to the same extent as black paints.

During this period the painted steel panels undergoing exposure tests in the Government Test House, Alipore, were inspected and studied and arrangements were made for further test panels to be painted with black paints manufactured by Messrs. Jenson and Nicholson, Goodlass Wall and Company and the Muraka Paint and Varnish Company together with red paints of indigenous oxide, artificial oxide and gulf red, along

with magnetic oxide paints, dark graphite grey, etc., 15 such experimental panels are now exposed at New Delhi and are inspected and reported on periodically. An equal number of panels painted with the same paints at the same time and by the same labour are being exposed at the Government Test House, Alipore.

Another meeting to discuss the railway paint contracts for the year 1936-37 was held in New Delhi on the 5th December, 1935, and attended by the representatives of the Railway Board, the Indian Stores Department and the Chief Mechanical Engineers of the four State-managed railways. The first question discussed was the relative merits of red oxide and black paints for wagon painting. The reports on these paints which had been received from the Government Test House were examined. In addition the result of many years' experience of red oxide painting on the North-Western Railway and Bombay, Baroda and Central India Railway was considered. After considering all the available evidence, the meeting unanimously decided that a trial should be made of repainting wagons with red oxide paint instead of the black formerly in use on several railways. A comparison of prices showed that this would result in considerable economies and the technical evidence available suggested that results were likely to be better. The question of which of the various red oxide paints offered against the Indian Stores Department tenders should be accepted, was then considered. The subject of buying ready mixed or stiff paints was first examined and it was decided that it would be preferable to buy the stiff paint, since the composition of the mixed paint made in railway workshops will be under closer control as regards the quality of the vehicle materials used.

The next point considered was whether paint should be reduced or genuine, since it was thought that reduced paint with its considerable content of barytes might show a tendency to settle in the spraying apparatus. The railway members explained, however, that no difficulty of this sort had been experienced and it was decided to adhere, for the present, to the existing practice of using reduced paints.

Discussion then centred around the relative merits of the oxides from Persian Gulf, Katni area and the Tatanagar Chemical Company. The Katni oxide is considerably cheaper than the other two but of inferior colour and possesses a reputation for giving trouble by an unevenness of colour owing apparently to flotation of the pigment. A doubt was also expressed whether sufficient was known of this oxide to ensure that it would make a suitable spraying paint. In the case of the Tatanagar oxide which is synthetic material, no difficulty in spraying was apprehended but at the same time it was pointed out that the material was new. It was decided that trial lots of 5 cwts. each should be sent to the four State Railways and the paints chosen for this trial were those made from Katni oxide and Synthetic oxide, as tendered for by the Shalimar Paint Colour and Varnish Company and Jenson and Nicholson Limited against the call for tenders.

Meanwhile, results of 51 different laboratory spraying tests on red oxide conducted at the Government Test House, Alipore, became available and these were somewhat alarming as most of the paints showed a distinct tendency to streak. This characteristic was confirmed by Deputy Chief Controller of Standardization in witnessing practical wagon spraying tests at Moghalpura on the 4th and 5th of February 1936 and it

became clearly evident that indigenous red oxides could not be sprayed properly (without streaking, curtaining or festooning) without the addition of a "binder" in the form of varnish or gold size to the pigment in addition to the usual thinners, boiled oil and white spirit. These conclusions were further confirmed by Deputy Chief Controller, Standardization and the Government Test House authorities in Calcutta on the 24th and 25th February, 1936.

It then became evident that much further research and experiment would be necessary before the most economical mixtures for stiff red oxide paint could be determined, particularly as it appeared that the formulæ used by the North-Western and Bombay, Baroda and Central India Railways were unnecessarily expensive. This fact precluded the safe purchase of stiff red oxides for the East Indian, Eastern Bengal and Great Indian Peninsula Railways in 1936-37, and in the limited time available, it became essential to decide what ready mixed oxide paints were to be purchased for railways' requirements during the current year.

To enable this to be done, further practical spraying tests were arranged to be carried out at Lillooah (East Indian Railway) on the following ready mixed Katni and artificial oxides :

- (a) Jenson and Nicholson's reduced ordinary.
- (b) Jenson and Nicholson's superfine. Mixed special. Finely ground.
- (c) Jenson and Nicholson's superfine Mixed Glossy.
- (d) Shalimar Paint Company's reduced ordinary.
- (e) Shalimar Paint Company's superior.
- (f) Napier Paint Works.
- (g) Muraka Paint Works, (Katni and artificial red oxide),

these being all the Katni and artificial oxides tendered at not more than Rs. 2-4-0 per gallon against the Indian Stores Department call. The firms were instructed to supply to the Deputy Chief Mechanical Engineer, East Indian Railway, Lillooah 15 gallons each of the afore-mentioned paints, of the quality tendered for by them against the Indian Stores Department call for tenders.

On the 6th April, 1936, 15 wagons were sprayed in the Lillooah Carriage and Wagon workshops with samples of the following readymixed red oxide paints :

- (a) Napiers red oxide paint. Indigenous. Shade unspecified. Indian Stores Department Specification No. G.P.-173.
- (b) Napiers red oxide paint. Artificial oxide. B.S. colour No. 73 Indian Stores Department Specification No. G.P.-173.
- (c) Shalimar red oxide paint mixed. Superior grade. Artificial oxide to B.S.S. No. 73.
- (d) Shalimar red oxide paint mixed. Superior grade. Indigenous oxide. Shade unspecified.
- (e) Shalimar red oxide paint mixed. Artificial oxide to B.S.S. No. 73.

- (f) Shalimar red oxide paint mixed. Indigenous oxide. Shade unspecified.
- (g) Jensions superfine. F.M.O. (Katni) red oxide glossy.
- (h) Jensions superfine. Synthetic red oxide glossy.
- (i) Jensions Synthetic red oxide.
- (j) Jensions superfine Katni red oxide, Specially finely ground.
- (k) Jensions superfine. Synthetic red oxide. Specially finely ground.
- (l) Jensions F.M.O. Katni red oxide.
- (m) Muraka red oxide paint of indigenous oxide. Shade unspecified Readymixed *vide* sample No. P. 3842.
- (n) Muraka red oxide paint of artificial oxide to B.S.S. No. 73. Readymixed *vide* sample No. 3844.
- (o) Muraka red oxide paint of indigenous oxide. Shade unspecified. Readymixed *vide* sample No. 3846.

There were no signs of sedimentation in drums and all paints sprayed satisfactorily and adhered to wagon sides and ends without appreciable streaking or loss due to curtaining, festooning, etc.

These practical tests were undertaken under the supervision of the Deputy Chief Controller, Railway Board. From the evidence available from these trials the following conclusions were arrived at :

- (a) All the readymixed red oxides appear to give a better protective coat than the proprietary black paints now being used by the East Indian Railway.
- (b) It is not possible to arrange the paints in an order of merit or priority but the spraying and adhesive qualities of the "ordinary" indigenous and artificial paints appeared to be good (with the exception of Napiers indigenous) and not inferior to the others tested.
- (c) Accordingly, there does not seem to be any justification at present, for purchasing the more expensive 'superfine' and 'superior' qualities offered.
- (d) With the exception of Napiers indigenous (which was not dry after 25 hours) drying times of the remainder seem satisfactory in that all were sufficiently dry for stencilling within 16 hours.

The following were exceptionally quick in drying :

Jensions synthetic (ordinary) was dry in 4 hours.

Shalimars indigenous (ordinary) was dry in 5 hours.

Shalimars superior (indigenous) was dry in 5½ hours.

Shalimars artificial (ordinary) was dry in 7 hours.

Jensions superior Katni and synthetic was dust proof in 4½ hours.

Jensions Katni (ordinary and superior) was tacky in 3¾ hours.

It was therefore recommended that the balance of the 1936-37 paint requirements for the Great Indian Peninsula, East Indian and Eastern

Bengal Railways should be placed on the basis of prices and the following readymixed paints purchased. This was accepted :

- 40 per cent. Jensons Katni ordinary at Rs. 1-10-0 per gallon.
- 40 per cent. Shalimars indigenous ordinary at Rs. 1-10-0 per gallon.
- 10 per cent. Jensons artificial ordinary at Rs. 1-13-0 per gallon.
- 10 per cent. Shalimar artificial ordinary at Rs. 1-13-0 per gallon.

The Chief Chemist of the Government Test House was also present during the conduct of the experiments at Lillooah and one of the five-gallon sample drums of each tested readymixed oxide was delivered to the Government Test House on the morning of the 8th of April, 1936, to act as a future standard sample.

The procedure adopted and the reasons therefor, have been described in detail with the purpose of demonstrating that Government's actions have been guided and determined solely by economics and considerations of savings in railway revenue expenditure. There is abundant evidence that red oxides as protective covering costs are superior to black paints and the recent action should strictly be regarded as a large-scale experiment in the practical use of red oxides *v.* black paints.

Every step leading to the change-over has been taken cautiously after careful and continued thought with primary regard to railways' interests and efficiency, and without influence from interested parties, other vested interests, racial or communal considerations.

NON-SUPPLY OF ACCURATE FORECASTS OF QUANTITIES BY THE RAILWAY BOARD *re* PURCHASE OF PAINTS AND VARNISHES.

1086. *Mr. Sri Prakasa : (a) Is it a part of the duty of various Departments of Government to furnish the Indian Stores Department with accurate forecasts of quantities of various materials likely to be required during the year ? If so, are Government satisfied that their Departments perform this duty properly ?

(b) Is it a fact that the Indian Stores Department regards as one of its main functions, the co-ordination of the indents from various Government Departments to enable bulk purchases to be made on running contracts in the interest of economy ?

(c) Is it a fact that so far as the purchase of paints and varnishes by the Railway Department is concerned, this system has not been followed, resulting in the purchase of the same articles from different markets and different manufacturers during the financial year and thereby greatly increasing the work of the Indian Stores Department ? If so, are Government prepared to enquire into the matter and follow a settled policy ?

The Honourable Sir Frank Noyce : (a) The various Departments are expected to send approximate estimates of their requirements of consumable stores regularly in demand to the Indian Stores Department. This is being done wherever possible.

(b) The co-ordination of demands, as far as possible, is one of the functions of the Indian Stores Department.

(c) The system is also followed in the case of paints and varnishes purchased for the Railway Department.

Mr. M. Ananthasayanam Ayyangar : Is it not the rule that indents for the whole year are ordinarily sent for ?

The Honourable Sir Frank Noyce : It is the rule that indents for the whole year should be placed as far as possible, but my Honourable friend will realise that casual demands must come in from time to time which have to be dealt with, especially in the case of a large administration such as the Railway Department.

Mr. M. Ananthasayanam Ayyangar : Is the Honourable Member aware that with respect to Morocco black and paint, immediately.....

The Honourable Sir Frank Noyce : Sir, I submit that does not arise out of the present question. My Honourable friend is asking about the details of particular contracts.

TENDERS FOR CONTRACT OF MOTOR MAIL SERVICE IN THE DOOARS.

1087. ***Mr. Amarendra Nath Chattopadhyaya :** (a) Will Government please state the policy and the procedure of the postal department for inviting tenders from the public for contract with the postal department ?

(b) Is it a fact that the notification announcing the last date for submission of tenders is made through local papers and Tender Forms are supplied by the postal department to the intending parties on payment of an amount fixed by the postal department ?

(c) Will Government please state whether, in the official year 1935-36, a notification was made through the local paper by the Superintendent of Post Offices, Jalpaiguri Division, inviting tenders for contract of Motor Mail Service in the Dooars and a date was fixed in that notification for submission of tenders within an hour and date specifically fixed for that purpose ?

(d) Is it not a fact that a party was allowed to submit its tenders after the expiry of the date fixed ? If so, who is responsible for this and what steps do Government propose to take in the matter ?

The Honourable Sir Frank Noyce : (a) and (b). Ordinarily the Department calls for open tenders for important contracts by advertisements in the press and for minor contracts by the circulation and exhibition of local notices by and at post offices. Tender forms are supplied to applicants on payment.

(c) and (d). Government have no information ; the matter is one with which the Postmaster-General, Bengal and Assam, is fully competent to deal. A copy of the question is being sent to that officer for such action as he may consider suitable.

Mr. Mohan Lal Saksena : With reference to (d), may I know if this House is not entitled to get information with regard to the action taken by the Postmaster General concerned ?

The Honourable Sir Frank Noyce : I think, Sir, the House is entitled to know that the Government of India is taking action on the subject. That action is to send a copy of this question and answer to

the Postmaster General, Bengal and Assam, who is perfectly competent to deal with a detail of local administration.

Mr. Mohan Lal Saksena : It is not a detail of local administration. What this part of the question requires to know is whether any party was allowed to tender after the expiry of the period of tender.

The Honourable Sir Frank Noyce : The Postmaster General is making inquiries on this subject.

Mr. Mohan Lal Saksena : Then I hope the Honourable Member will inform the House later on when he gets the information from the Postmaster General.

The Honourable Sir Frank Noyce : If my Honourable friend will put a question on that subject down on the paper next Session, I will endeavour to give him a reply.

LEAVE RESERVE CLERKS IN THE JALPAIGURI AND COOCHBEHAR HEAD POST OFFICES.

1088. ***Mr. Amarendra Nath Chattopadhyaya :** Will Government please state whether it is a fact that some leave reserve clerks have been kept stationary for over a year in the Head Post Offices at Jalpaiguri and Coochbehar, while others are frequently made to move on relieving arrangements ? If so, why ?

The Honourable Sir Frank Noyce : With your permission, Sir, I will take questions Nos. 1088 and 1089 together. Government have no information and do not propose to call for it. Copies of the questions have, however, been sent to the Postmaster General, Bengal and Assam Circle, who is fully competent to deal with the matters referred to in them.

LEAVE RESERVE CLERKS IN THE POST OFFICES IN THE JALPAIGURI DIVISION.

†1089. ***Mr. Amarendra Nath Chattopadhyaya :** Will Government please enquire and state how many leave reserve clerks have been kept attached to other post offices in the Jalpaiguri Division over and above the sanctioned strength of those offices ?

SANCTION OF LEAVE RESERVE CLERKS IN THE BENGAL AND ASSAM POSTAL CIRCLE AND OTHER POSTAL CIRCLES.

1090. ***Mr. Amarendra Nath Chattopadhyaya :** Will Government please state the policy and procedure for the sanction of leave reserve clerks for each Divisional unit in the Bengal and Assam Postal Circle, as also for other postal circles in India ?

The Honourable Sir Frank Noyce : The Honourable Member is referred to the reply given to starred question No. 1242 by Pandit Lakshmi Kanta Maitra on the 16th March, 1936. The information there given shows the percentages fixed for the leave reserve in all branches of the postal service in every circle. In the Bengal and Assam Circle,

†For answer to this question, see answer to question No. 1088.

certain additional staff has been sanctioned as leave reserve in five Divisional Units, viz. :

Jalpaiguri Division	..	..	15 clerks.
Lower Assam Division	..	..	6 clerks.
Burdwan Division	..	..	4 clerks.
Chittagong Division	..	..	2 clerks.
Darjeeling and Sikkim Tibet Division	..		1 clerk.

This has been done owing to the unhealthiness of certain localities in the first four Divisions and the difficulties attendant on travelling in the last.

HALTING ALLOWANCE SANCTIONED TO THE INSPECTORS AND SUPERINTENDENTS OF POST OFFICES IN THE HILL DISTRICTS OF THE BENGAL AND ASSAM CIRCLE.

1091. ***Mr. Amarendra Nath Chattopadhyaya :** Will Government please state whether it is a fact that the rate of halting allowance sanctioned to the Inspectors of Post Offices and the Superintendents of Post Offices in the Hill Districts of Bengal and Assam Circle is greater than that sanctioned for places in the plains ?

The Honourable Sir Frank Noyce : Yes.

ISSUE OF ORDERS REGULATING AND RESTRICTING THE TOURS OF SUPERVISING OFFICERS OF THE POSTS AND TELEGRAPHS DEPARTMENT IN THE HILL DISTRICTS.

1092. ***Khan Sahib Nawab Siddique Ali Khan :** Do Government propose to issue orders regulating and restricting the tours of supervising officers of the Posts and Telegraphs Department in the Hill Districts where allowance is greater ?

The Honourable Sir Frank Noyce : Government see no reason to issue any special orders as it is for the Controlling Officers to ensure that tours are undertaken, whether in Hill Districts or elsewhere, only when required in the interests of administration.

CONVERSION OF DEPARTMENTAL POST OFFICES INTO EXTRA-DEPARTMENTAL OFFICES IN THE JALPAIGURI DIVISION.

1093. ***Mr. D. K. Lahiri Chaudhury :** (a) Will Government please state the policy and the procedure of the postal department for orders issued regarding conversion of departmental sub and branch post offices into extra-departmental ones ?

(b) Will Government please lay on the table of this House a statement showing the number of departmental post offices converted into extra-departmental ones during the years 1935-36 and 1936-37 in each postal division separately of the Bengal and Assam Circle ?

(c) Will Government please state whether they have considered that it is possible that more departmental offices can be converted into extra-departmental in the Jalpaiguri Postal Division ?

The Honourable Sir Frank Noyce : (a) The conversion of departmental sub and branch post offices into extra-departmental offices is governed mainly by the necessity for working offices as economically as possible compatible with efficiency and for avoiding the reduction or withdrawal of postal facilities where offices are working at a loss.

(b) The information desired by the Honourable Member is not readily available and its collection would involve an undue expenditure of time and labour.

(c) Government have no information as to the extent to which further conversions are practicable. The matter is one with which the Postmaster-General, Bengal and Assam, is fully competent to deal. A copy of this question will be sent to him for such action as he may consider suitable.

INSTALLATION OF "CARRIER SYSTEM" IN THE POSTS AND TELEGRAPHS DEPARTMENT.

1094. ***Mr. Muhammad Azhar Ali :** (a) Will Government be pleased to state :

- (i) what they mean by a 'Carrier System', and how many such systems the Post-Office has installed in India ;
- (ii) what advantages they offer in the matter of efficiency, economy and other attributes ;
- (iii) where they are located ;
- (iv) whether the plant and equipment is available for purchase ; and
- (v) whether the systems installed so far have been erected, exclusively, by Telegraph Engineers ; if not, who, hitherto, has been installing them for the Post Office authorities ?

(b) Is it a fact that not a single 'Carrier System' installed, hitherto, has been erected by a departmental engineer ? If so, what is the reason ?

(c) Is it a fact that Government were compelled to secure the installations from a foreign source and that they were forced to employ German Engineers to erect them also ? If so, why ?

(d) Have Government considered the justification in maintaining a permanent cadre of Divisional Engineers, Directors of Telegraph Engineering, an Electrician-in-Chief, a Chief Engineer and other highly-paid officers in their services when outsiders have to be commissioned to erect plants and installations ?

(e) Have Government instituted effective measures yet to compel their engineers to undertake and execute all such projects that become necessary from time to time in the Posts and Telegraphs Department ? If not, why not ?

The Honourable Sir Frank Noyce : (a) (i) A "carrier system" is a system by which the traffic carrying capacity of a telegraph or telephone circuit is increased to a large extent. Twelve such systems have been installed in India.

(ii) The system provides additional channels for traffic at a cost less than that required for the erection of new wires and the channels provided are less subject to disturbances and interruptions than open wire circuits.

(iii) I place on the table a statement showing the stations between which these systems are located.

(iv) Carrier equipments are manufactured by three or four firms in Europe from whom they can be purchased.

(v) Two systems were installed by the Officers of the Department while the remainder were installed by the firms who manufactured them.

(b) The reply to the first part is in the negative. The latter part does not arise.

(c) The fact is not as stated by the Honourable Member. The long distance and multiple channel carrier systems now being installed require very careful design, each installation having to be manufactured to suit the particular conditions of the lines on which it has to work. In order to ensure that the equipment is entirely suitable, one of the conditions imposed on firms with whom an order has been placed for the manufacture and supply of equipment is that no payment will be made until the equipment has actually worked satisfactorily for several months from the date of its installation. Consequently the firms which supplied the equipment were required to erect it as, in view of the condition referred to above, no firm would accept an order unless the installation was entrusted to them.

(d) Government are fully satisfied that the existing permanent cadre of officers in the engineering branch of the Department is fully justified, and that they are competent to carry out the erection of carrier equipments if this is found to be economical and necessary.

(e) Does not arise in view of the replies given to the previous parts of the question.

Statement showing the Carrier Circuits installed in India between certain Places.

- (1) Lahore and Okara.
- (2) In the Office of the Electrical Engineer-in-Chief.
- (3) Calcutta and Bombay.
- (4) Calcutta and Delhi.
- (5) Bombay and Delhi.
- (6) Bombay and Ahmedabad.
- (7) Bhusawal and Indore.
- (8) Calcutta and Bombay.
- (9) Bombay and Poona.
- (10) Poona and Madras.
- (11) Bombay and Ahmedabad.
- (12) Delhi and Lahore.

LEVY OF WATER CHARGES FROM THE INFERIOR SERVANTS OF THE POSTS AND TELEGRAPHS DEPARTMENT IN DELHI AND NEW DELHI.

1095. *Mr. Muhammad Azhar Ali : (a) Will Government please state whether it is a fact that the Director General, Posts and Telegraphs, has promulgated by an Order,—No. E.S.A.9[35]Coll. 2, on the 20th April, 1936, fixing water charges in Delhi and New Delhi, at annas eight per out-office, occupied by inferior servants of the department ? If so, how are these charges assessed and how do they compare with other stations in the Punjab and North-West Frontier Circle ?

(b) Is it a fact that the Postmaster General, Punjab and North-West Frontier Circle, acting on these orders, has issued instructions, subsequently, that the assessment made be realized from the 1st April, 1931, with retrospective effect ? If so, what action, if any, did the Postmaster General take to recover these dues himself ? What is the reason for this lapse of more than five successive years ?

(c) How often were the Delhi and New Delhi areas, since April, 1931, inspected by the Postmaster General himself and attached officers during the period under review ? Was any mention made in their respective inspection reports, that water charges, now claimed, remained unrealized ?

(d) Is it not an essential condition that when an inspection is carried out by an officer touring in any area all matters outstanding be rounded up and fully examined on the spot and reported on to the actual date of inspection ? If not, how are touring charges justified officially ? Are inspection reports regularly subjected to scrutiny and examination ?

(e) When the Director General promulgated these charges, did he take disciplinary action against all officers who inspected these areas, for their lapse, successively, for the last five years in having failed in their duties in not bringing the matter, previously, to his notice ? If so, how were they dealt with ?

(f) How were these charges met with by the department to the respective municipalities hitherto ? Do they still remain unpaid ?

(g) Do Government entertain any demand that remains unpaid for a period exceeding five years ? If not, how do they claim to realize the afore-mentioned charges from their most poorly paid servants ?

(h) Do Government propose to realize the afore-mentioned dues from Inspecting Officers responsible for the lapse of duty, or, in the alternative, write-off the liability they now decide to impose after five successive years ? If not, why not ?

The Honourable Sir Frank Noyce : (a) The fact is as stated in the first part of the Honourable Member's question. As regards the second part, as separate individual assessment is not possible in the absence of meters in each quarter a flat rate has been adopted based on the analogy of charges levied on the occupants of Public Works Department quarters plus a percentage on account of the water used in flush latrines. This covers all water consumption. Comparison with the charges in other municipalities in the Punjab and North-West Frontier Circle cannot usefully be

instituted as the rate and method of water taxation in different stations vary.

(b) The answer to the first part of the question is in the affirmative, but I may add for the Honourable Member's information that orders have since been issued by the Director-General of Posts and Telegraphs, making it clear that the orders regarding the recovery of water charges should apply only with effect from the 1st April, 1936. As regards the latter part of the question, there was undoubtedly some delay in discovering that the occupants of the quarters in question were not paying any water tax and there was some further delay in arriving at a suitable rate inasmuch as there were no separate taps and meters fixed for each quarter but there were common water taps and common latrines for a certain number of quarters.

(c) It is not possible to state accurately the number of occasions on which the Postmaster General and his attached officers visited Delhi and New Delhi since April, 1931, as all the relevant records are not available. For the same reason it is not possible to say whether any mention of the water charges was made in the inspection reports recorded by these officers.

(d) As regards the first part of the question, an inspecting officer is expected to look, as thoroughly as practicable, into all outstanding matters on the occasion of his visit to any particular office. The second part of the question does not arise. The reply to the last part of the question is in the affirmative.

(e) The question of fixing responsibility for the delay in the settlement of this question is under the investigation of the Director-General of Posts and Telegraphs who will take such action as he considers suitable.

(f) The charges on account of the supply of water to all Government residential buildings are met in advance by Government and recoveries from tenants are made later. No amounts remain unpaid to the municipalities.

(g) As regards the first part of the question, Government deal with claims by or against their employees on their merits. As regards the latter part of the question, the attention of the Honourable Member is drawn to the reply given by me to part (b) of the question.

(h) In view of the reply given to part (b) of the question, this does not arise.

CLASSIFICATION OF THE MEMBERS OF THE IMPERIAL SECRETARIAT SERVICE.

1096. *Mr. Sham Lal: Will Government please state whether all members of the Imperial Secretariat Service are classified as officers of either Central Services, class I, or Central Services, class II?

The Honourable Sir Henry Craik: The reply is in the affirmative except in regard to Assistants in the Railway Department (Railway Board).

VISIT OF A DEPUTATION OF THE MEMBERS OF THE LEGISLATIVE ASSEMBLY
TO THE ANDAMANS.

1097. *Prof. N. G. Ranga (on behalf of Mr. C. N. Muthuranga Mudaliar) : Will Government be pleased to state :

- (a) whether it is a fact that a deputation consisting of Members of this Assembly is to visit the Andamans shortly at the invitation of Government ;
- (b) If so, who those Members are ;
- (c) the basis for the selection of those Members ;
- (d) whether they are intended to be representatives of the Assembly ; if so, whether the leaders of the non-official parties were consulted before they were selected ; and
- (e) whether any official or non-official persons are visiting the Andamans at the same time, or a little in advance, or later ; if so, who are they, and for what purpose they are visiting Andamans ?

The Honourable Sir Henry Craik : (a) to (d). I would refer the Honourable Member to the replies which I gave to Mr. Satyamurti's starred question No. 291, dated the 10th September, 1936, and to the supplementary questions thereon.

(e) The answer is in the negative.

THE INDIAN TEA CESS (AMENDMENT) BILL.

The Honourable Sir Muhammad Zafrullah Khan (Member for
12 NOON. Commerce and Railways) : Sir, I beg to move :

“ That the Bill further to amend the Indian Tea Cess Act, 1903, for certain purposes, be taken into consideration.”

It will be within the recollection of Honourable Members that the Indian Tea Cess Act was amended last year in order to raise the maximum rate of cess from 8 annas per 100 lbs. to 12 annas per 100 lbs. During the discussions on that Bill it was found that it was desirable to amend the Bill in other directions also, and an undertaking was given that those amendments would be carried into effect at an early date. The present Bill has been introduced in pursuance of that undertaking.

The purposes of the Bill are set out briefly in the Statement of Objects and Reasons. The main amendments that it is desired to make by means of this Bill in the Indian Tea Cess Act are :

- (1) to change the denomination of the Committee from the Indian Tea Cess Committee into the Indian Tea Market Expansion Board ;
- (2) to enlarge the membership of the Committee from 20 to 25 and to take advantage of this enlargement so as to increase the Indian element in the Committee.

Under the present Act, the strength of the Committee is 20. Out of these, 3 are Indian members—one because the nominating authority

is Indian, and 2 Indians are nominated by the Indian Tea Association in order to have adequate representation of Indian interests on this Committee. It is proposed by the Bill to raise the strength of the committee from 20 to 25 and to raise the Indian element on the committee from 3 to 6. On the basis of the contributions made to the cess, which are determined in their turn by the crop basis, the Indian share would, I understand, come to four out of 25. Honourable Members will therefore recognise that Indian interests are not being under-represented under the proposed amendment.

- (3) In order to enable the Committee or the Board as it will be called in future, to carry on propaganda with regard to the sale of tea together with the two other important tea producing countries in the world, advantage is being taken to empower the committee for that purpose.
- (4) The Committee are also being given power to raise loans subject to a maximum limit of Rs. 5 lakhs and also to a time limit of six months : that is to say, the Board shall have no power to raise a loan which is repayable beyond a period of six months, in order to enable them to carry on their arrangements during periods when the proceeds of the cess may not be available. The cess would come in only seasonally, and this power would enable the Board to carry on their propaganda throughout the year.
- (5) The main provision of the Bill, however, is to enable the industry to tax itself at a higher rate than is possible under the present Act, as amended last year. As I have explained, last year's amendment enables the industry to levy a cess which might amount to as much as 12 annas per 100 lbs. The present Bill raises that limit to Rs. 1-8-0 per 100 lbs. ; that is to say, the Board will have power subject to the provisions of the Act, to raise the rate of this cess up to Rs. 1-8-0 per 100 lbs.
- (6) Advantage is also being taken of this amendment to provide that there shall be power to levy a customs duty at the same rate on tea which goes outside British India over the land frontiers.

These are the main amendments that this Bill seeks to carry out. The list of amendments sent in is rather formidable for a Bill of this size. I believe the number of amendments is round about fifty ; but I understand that happily with regard to a very large number of them, almost all of them, there is complete agreement between such Honourable Members who are interested in the main objects of this Bill. The Bill also has the support of all the Local Governments and States concerned and of an overwhelming majority of the tea planters. I hope therefore that at the stage at which the House has now arrived with regard to its sittings, it will not take very long for the House to scrutinise this Bill and to pass it into law. Sir, I move.

Mr. President (The Honourable Sir Abdur Rahim) : Motion moved :

“ That the Bill further to amend the Indian Tea Cess Act, 1903, for certain purposes, be taken into consideration.”

Mr. J. A. Milligan (Bengal : European) : Sir, the principal object of this Bill is to enable the tea industry to raise additional funds by

[Mr. J. A. Milligan.]

taxing itself for the purpose of prosecuting in India and throughout the world a propaganda campaign for promoting the sale and increase in the consumption of tea.

This Bill has the support of 95 per cent. of the tea producers of India. The small minority who oppose it have expressed no disapproval of the objects for which the fund is raised. It is universally recognised that the salvation of the tea industry lies in one direction and one direction only, namely, an increase in world consumption. Some natural increase may be expected from reviving prosperity, but in every country the consumption of tea is threatened by stupendous advertising efforts put forth by the purveyors of rival beverages. The tea industry must counter these efforts with adequate propaganda of its own, or else tea drinking will definitely decline.

In the present period of depression it would be impossible to frame any proposal involving the raising of money which would receive 100 per cent. support from all members of the tea industry. The small percentage of opposition, however, is an eloquent testimony to the general soundness of the policy which has been promulgated.

It is interesting to note that the bulk of the opposition comes, not from Indian growers, but from European-owned concerns with headquarters in London.

The total dissent from the whole industry is 4.5 per cent. on acreage basis, 4.2 per cent. on crop basis; the dissent from Indian-owned concerns is 3.6 per cent. on acreage basis and 3.4 per cent. on crop basis of the total of Indian-owned concerns.

In relation to the whole industry, the Indian-owned dissent is only .7 per cent. on acreage basis .5 per cent. on crop basis.

The task with which the tea industry as a whole is confronted is firstly to restore world consumption to the level of 1929—which, in the case of India, means the recovery of 70 million pounds of lost export. Having recovered so far the industry will still be faced with the problem of finding new markets for the 300 odd million pounds more tea which existing tea plantations are capable of producing. The main task before the industry is to expand the world's consumption of tea to the extent of absorbing this potential surplus. When that has been achieved it is clear that India's potential output will have found a market as well as the output of Ceylon and the Netherlands East Indies.

So long as control lasts India will get its proportionate share of all increases of consumption.

When control comes to an end the question of diverting the Indian Tea Cess Fund to purely sectional propaganda will again arise, but meantime this policy would not help on the solution of the problem.

In the existing situation, Sir, to spend money competitively in efforts to persuade the world to drink Indian rather than Ceylon or Java tea would be folly. The price of Indian tea could not rise above slump level so long as the market was overloaded with other teas. The only solution which seemed possible in 1932 was an International Agreement. Such agreement was achieved by the formation of the Inter-

national Tea Committee, and its recommendations for the solution of the problem were threefold :

- (1) control of exports—a policy approved by this Assembly in 1933 ;
- (2) regulation of production—a scheme which so far has only been tried in India on a voluntary basis.
- (3) the launching of an international joint propaganda campaign.

These recommendations were elaborated in a resolution passed by the International Tea Committee in 1934 ; and resulted in the formation of the International Tea Market Expansion Board in 1935 by the agreement of the Indian Tea Cess Committee, the Ceylon Tea Propaganda Board and the Amsterdam Tea Association. Each of these parent bodies is represented by two ordinary members and one technical member. The three technical members are paid by their respective parent bodies ; and, under the general control of the Board, it is their business to direct the various campaigns. The International Board has no independent statutory position whereby it can impose its will on the parent bodies or spend their money without their sanction. The idea which has taken root in some quarters that this Board will arrogate to itself the responsibilities and powers which by statute belong to the Indian Tea Cess Committee is, Sir, entirely fallacious. Not only has each parent body the right to change its representatives on the International Board whenever it likes, but holds in its hand the very drastic weapon of the power each year to refuse supplies. In the past India has been interested in campaigns in the United Kingdom, the United States of America, and, since the formation of the International Board, in campaigns in Canada and Egypt ; for the future India will be interested in every campaign throughout the world including Australia, South Africa, and the countries of Europe, in addition to the campaigns I have already mentioned ; and annually the programme and estimate of each of these campaigns for the following year will be submitted to the Board constituted under section 4 of this Bill ; and the Board will have full power to refuse supplies if it does not approve of the proposals put before it.

I now turn to the question of the Board's expenditure of the fund. Section 5 (2) of the existing Tea Cess Act authorises the committee to meet the cost of such measures as the committee may consider it advisable to take for promoting the sale and increasing the consumption in India and elsewhere of teas produced in India. For a considerable number of years efforts have been made by the Indian Tea Cess Committee to increase the consumption of Indian tea in America and on the continent of Europe, in exercise of this authority. It was found, however, that a committee in Calcutta was ill-suited to the task of conducting campaigns in such distant countries, and a working arrangement was made with the Indian Tea Association, London, for the latter body to act as agents of the Indian Tea Cess Committee in these matters. In comparison with the efforts put forth by our rivals and competitors, and in view of the extent of the field which we attempted to cover, our expenditure in the past has been totally inadequate to achieve results capable of statistical demonstration. In the past there has never been a crisis comparable with the present situation. The last occasion when anything like it occurred was the depression which led to the passing of the original Tea Cess Act in 1903. Subsequent depressions have all

[Mr. J. A. Milligan.]

been alleviated by natural expansion of tea consumption. The present crisis is much too big a thing to be relieved so easily, the more so as the number of rival beverages in the field has multiplied in recent years, and they are all spending lots of money.

The International Board will act as the agent of the Indian Board just as the Indian Tea Association in the past acted as the agent of the Indian Tea Cess Committee ; with this important difference, that the new International Board will have its panel of technical members through whom it can maintain direct executive touch with each and every campaign. The parent bodies in the same way will, through their technical representative, be in direct executive touch with each and every campaign.

I should like, Sir, to say a word or two with regard to the principal campaigns to which India has contributed during the past year in order to satisfy those members present who entertain genuine doubts as to the value of spending all this money abroad.

With regard to the United Kingdom, I will content myself with reading you a brief extract from the letter of a planting member of the Ceylon Tea Propaganda Board, who was visiting the United Kingdom this year and had an opportunity of seeing the work being carried on by the Empire Tea Market Expansion Board there. He wrote as follows :

“ Finally, one thing stands out pre-eminently and that is that we are, without any doubt whatever, getting almost unbelievable value for the relatively small amount we are spending on the United Kingdom campaign. This remark has very special reference to cities where our intensive drives are being carried out. Such being the case, I only wish we were spending many times the amount we actually are spending in the United Kingdom. I am not of the opinion that we have reached saturation figure as regards consumption in the United Kingdom, and the more we spend the better will be our reward.”

In Canada, I will only refer to the import figures of black tea for the first five months of 1936 as compared with the corresponding period of 1935. There is a total increase of nearly 6 million lbs. in that period, and the increase is distributed as follows :

Approximately one million lbs. of the increase goes to Ceylon, 4½ million lbs. to India, and the balance to other countries.

I do not ask the Members of the House to attach any exaggerated significance to these figures but it will be admitted that they are encouraging.

With regard to the campaign which was launched on the first of January, 1936, in the United States of America, the reports which we have received are most encouraging ; and we have reliable evidence that every big packer and distributor and all chain store and drug store organisations operating in the territory of our concentrated effort have experienced a marked increase in their sales of tea far in excess of any improvements they have noticed in other parts of the country. I may state that the returns which I have received relate to 6071 chain stores and 55 packets of tea, in the area of our concentrated campaign : with only one isolated exception they record increases of sales as a result of our campaign. Many of these increases are very substantial, some are very remarkable.

I have been asked again and again why I do not give some figures to support this statement—a very reasonable and obvious criticism. The explanation is that the information was given in confidence by the various trading concerns, and second that they did not disclose the actual increase of their business in pounds weight, but merely gave percentages. I need not tell Honourable Members that it would be entirely misleading to give a statement of percentages without the basic figures of poundage. So I must content myself with assuring the House that the percentages of increase supplied are very encouraging, without attempting to estimate the actual increase of consumption. The import figures are definitely on the up grade.

I do not ask the House to treat this evidence as conclusive proof of anything, but I claim that it is so encouraging that the campaign ought to be pushed on with increasing vigour.

The International Tea Market Expansion Board—in response to a request of the Indian Tea Cess Committee—recently prepared a programme and estimate for 1937, which were submitted to the Indian Tea Cess Committee, not with a view to obtaining immediate sanction to the expenditure described therein but to give the committee as approximate an idea as possible of the sums which will have to be provided in 1937, if the detailed programmes and estimates of all the campaigns to which the Indian Tea Cess Committee has decided to subscribe are duly approved and adopted by the new Board at the end of 1936. This Bill is designed to give the requisite financial scope; and a referendum will immediately issue to all producers of tea, asking them to authorise the new Board, which will be constituted under section 4 of this Bill, to request the Governor General in Council to raise the rate of cess to such level as may be necessary to finance the programmes for 1937 approved by it.

The actual sum indicated in the present provisional estimates as the contribution which it may be necessary for India to raise for purely international purposes is approximately £165,000 or rupees 22 lakhs. The estimated requirements of the Indian campaign during 1937 are approximately rupees 16½ lakhs, so that if all these proposals are found acceptable the newly constituted Board will ask the Governor General in Council to increase the rate of cess to Re. 1-4-0 per 100 lbs. of exported tea.

The reason why a maximum in excess of the requirements for 1937 is included in the Bill is to obviate the necessity of taking up the time of Government and this Assembly again in the near future, if and when the Board finds it necessary to raise further sums for the expansion of its efforts. The House will have no time for Bills of this kind in 1937 and 1938.

The campaign in America is definitely an expanding enterprise which will ultimately cover the whole of that vast country. Similarly the campaign in India has not yet attained its full dimensions. Even if no other campaign were to be started it is clear that these two campaigns alone will, at some future date dependent on the success which they achieve, necessitate an increase in the rate of cess collection above the level of Re. 1-4-0 which I adumbrate for 1937.

[Mr. J. A. Milligan.]

In speaking about the provisions of the Bill I shall at this stage confine myself to the terms of the Draft Bill without making any reference to amendments which may be moved. The principal object of this measure is to empower the Governor General in Council to give effect to the recommendations of the Indian Tea Cess Committee for raising the rate of tea cess to higher levels as and when required with a potential maximum of Re. 1-8-0 per 100 lbs. of exported tea.

Some Members are, I believe, under the impression that the effect of this Bill will be the same as that of the Bill passed in April 1935, namely, to bring about an immediate automatic increase in the rate of cess without further reference to anybody. The wording of section 3 (a) introduces a very important change in this respect; the existing rate of cess will not be altered by this Bill; and it cannot be altered except by a Notification in the Gazette of India; and no such order would be issued by the Governor General in Council unless His Excellency were satisfied that the recommendation of the Board was fair and fully justified.

The reconstitution of the Indian Tea Cess Committee, set forth in section 4 of the Bill, is a measure which would have been embodied in the amending Bill of 1935 had time permitted. The basis on which cess is collected is crop. The Indian-owned crop basis is 81½ million pounds, which is approximately 16 per cent. of the total crop basis of India. From these figures it will be clear that in a Board of 25 members the Indian producers are entitled, on the crop basis, to a representation of 4 members. Section 4 of this Bill provides for 6 Indian seats. There exists for the purposes of executive action a non-statutory body called the Executive Committee, which was constituted by the Indian Tea Cess Committee itself for its own convenience; the spending powers of this body are limited to 2,000 rupees, and all its decisions are subject to ratification by the full committee. The feeling has been expressed that the Indian members of the committee should be represented on the Executive Committee. The Executive Committee hitherto has not been selected on the basis of any political or racial considerations but simply on the criterion of ability to attend frequent meetings in Calcutta and to be quickly accessible in case of a rapid decision having to be taken. For this reason it has been the invariable practice to include in the Executive Committee only members resident in Calcutta. In deference to the wishes of the Indian growers this criterion will be waived in future. Assurances have been given, both in London and Calcutta, that the Executive Committee will henceforth include two Indian members.

The changes embodied in section 5 are readily explained. It is not intended that the campaign in India will, in future, promote the sale and increase the consumption of any but Indian grown tea. In other countries, however, we are operating on an international basis, and the campaigns which we are there conducting are for increasing the consumption of the good black teas of India, Ceylon and Java Sumatra. As I have already pointed out, under the export control scheme any increase in consumption in other countries will be reflected in an increase of the export quotas of India, Ceylon and Java in the proportion of 38 : 25 : 17, that is to say, of all export quotas increases

48 per cent. will come to India, 31 per cent. to Ceylon and 21 per cent. to the Netherlands East Indies. The effect, therefore, of the proposed substitution of the word "tea" for the words "teas produced in India" will not be in any way detrimental to the interests of India, and is at the same time a necessary alteration, so that the new Board will be authorised beyond question to contribute to overseas campaigns on a non-sectional basis as recommended by the International Tea Committee.

While the international campaign will be conducted on non-sectional lines with the ultimate object of making the whole world tea-conscious, the advertising activities of the distributing trade are everywhere being stimulated and the competitive advertising of different kinds of tea is being linked up with the central tea propaganda of the International Tea Market Expansion Board. In the United States of America the Indian emblem has not been discarded, and purchasers are advised to look for the name of the country of origin on the packets offered to them in the shops. If they see on the packet the name of India or the emblem map of India, Ceylon or Java|Sumatra, they are buying the tea which we are recommending.

The other provision embodied in section 5, namely, that the Board may borrow money when required has been fully explained by the Honourable the Commerce Member. I would only add to what he has said that for six months in the year there is little or no export of tea, and therefore little or no income to the Cess Fund, but the expenditure of the Indian Tea Cess Committee goes on exactly the same throughout the whole year. Therefore, there always comes a period when the money is exhausted, and we have to receive assistance from a Bank. In the past that has given rise to considerable difficulties, and it is hoped for the future to simplify matters by embodying this borrowing power in the Bill. Every Member who listened to the debates of this Assembly in Delhi on the Ottawa Agreement must have realised, as he never did before, how important it is for the trade balance of India that the export of tea should be increased as much as and as rapidly as possible, and when I say that, on the passing of this Bill depends our ability to expand and intensify our efforts overseas for the achievement of that end, I feel I am putting forward a very strong argument for the support of the House.

I shall now say, Sir, a few words with regard to the amendments that have been proposed.....

Mr. President (The Honourable Sir Abdur Rahim) : The first two amendments for circulation are not going to be moved. There are two others also for circulation which, I understand, are also not going to be moved.

Mr. J. A. Milligan : The subject which has given rise to the largest number of amendments and one which is of great interest to Honourable Members of this House relates to section 4, that is to say the composition of the new Board and also the composition of the Executive Committee. Hitherto the Executive Committee has been a non-statutory body, but I can see no objection to including the Executive Committee in the Bill so long as no attempt is made to limit the power of the new Board to appoint its own Executive Committee. Some of the amendments seek to set up a statutory Executive Committee whose composition is independent of the Board's wishes and it might easily be that such an Executive Committee would represent a minority opinion of the Board, which would be

[Mr. J. A. Milligan.]

entirely wrong. I am, therefore, in respect of that matter, willing to accept the amendment of Mr. Kuladhar Chaliha, No. 23.

With regard to the composition of the Board itself, amendment No. 15 of Mr. Akhil Chandra Datta, amendment No. 18 of Prof. Ranga, taken together, will, I think, meet with the general agreement of the House.

Further on, Sir, in clause 5, amendment No. 37 proposed by Mr. Chattopadhyaya and Mr. Akhil Chandra Datta, in my opinion, entirely meets the case, and I accept it gladly.

Again, amendment No. 45 of Pandit Nilakantha Das, I gladly accept.

Mr. President (The Honourable Sir Abdur Rahim) : What is the other amendment ?

Mr. J. A. Milligan : In clause 4, first I accept amendment No. 15, and with it No. 18, and further amendment No. 23, that is also in clause 4. I accept amendments Nos. 15, 18 and 23.

Mr. Sri Prakasa (Allahabad and Jhansi Divisions : Non-Muhamadan Rural) : Government also accept them ?

Mr. President (The Honourable Sir Abdur Rahim) : What about clause 2.

Mr. J. A. Milligan : As regards clause 2, I understand that the Honourable Member does not wish to press the amendments and I also understand that the amendments to clause 3 will not be pressed. That was the understanding I was given by the Movers. There is also a consequential amendment which has come to me this morning by Mr. Akhil Chandra Datta, which will be essential. It will have to be altered in respect of one word—from 26 to 27. The effect of the acceptance of these two amendments will raise the total of the Board to 27. There are a few points about other amendments in regard to which Honourable Members might like to hear something from me. With regard to the amendments of my Honourable friend, Pandit Nilakantha Das, I would point out to him that the effect of his amendments, with the exception of one which I have accepted, will be to throw out of employment over 800 Indian employees of the Tea Cess Committee. Surely he does not want that. He wants to alter our whole methods of propaganda. We could carry on the propaganda he advocates quite well from our office in Calcutta without employing all these demonstrators, inspectors, superintendents and so on throughout the country. I do not think that is his intention. There are two amendments, one by the Honourable Pandit and the other by my friend, Mr. Sri Prakasa. With regard to the suppression of trade in bad tea. Well, that is one of the principal objects which the Tea Cess Committee keeps before it. The one difficulty which we have is that the laws on the adulteration of food are not sufficiently drastic. We do not get much help from them. It is true that very nearly every province has such an Act but our experience is that when we get a conviction before a magistrate the punishment inflicted is not deterrent. It may be something quite trifling—a few annas or a rupee, which is not very helpful ; but public opinion I am sure will gradually change all that and I can assure the two Honourable Members who have proposed these amendments that it is unnecessary to include such a provision in this Bill, because it is one of the principal objectives of the Indian Tea Cess

Committee and recognised as such. My Honourable friend, Mr. Das, has proposed a few amendments relating to the manner in which the new Board will be brought into being. He is introducing for the first time the principle of election. In the case of the organised bodies, that will be perfectly easy but there are one or two groups whom it is proposed to represent in which election would be a difficult thing. The Indian Planters of North Bengal are organised as the Indian Tea Planters Association of Jalpaiguri. They are already represented. Therefore, the additional representative proposed by this Bill must be for the scattered growers of tea throughout Northern Bengal who could never be brought together as an electorate and my Honourable friend, Mr. Akhil Chandra Datta, will tell you, or rather, I will tell you for him that the growers of tea in Chittagong and Tippera would be a very difficult constituency to bring together for election purposes. I think that the principle of nomination in these cases, for some time at any rate, would be more satisfactory. When they are organised, election will automatically be their method but at present when they are scattered and there is no means of bringing them together, election is going to be very difficult. I suggest that the next time a Tea Cess Bill comes before this House, we will be able to find out how these new constituencies have worked. Now, a completely new lot of representatives are coming into this Board, persons to represent the Indian growers of Bengal, Assam and South India. When it is seen how these constituencies work, it may then be possible to bring in the principle of election. Sir, I support the Bill.

Mr. Abdul Matin Chaudhury (Assam : Muhammadan) : I support this motion moved by the Honourable the Commerce Member. Though I am not a tea planter myself, I am very keenly interested in the welfare of the tea industry, because the welfare and happiness of thousands of people from my province are closely bound up with the prosperity of this industry. Thousands of people from Assam and elsewhere find their employment in the tea industry. Crores of rupees have been invested in this industry and Indians who were in the beginning rather indifferent to this industry are taking an increasing share in this industry. Whenever the tea industry prospers there is sign of prosperity in Assam and when there is depression in the industry thousands of people are thrown out of employment, the cultivation is restricted and the position of Assam becomes very precarious. This is why I am very anxious to strengthen the hands of those who are striving to place the industry on a prosperous and stable basis.

I should like to give the House an idea of the present position of the industry and its future outlook, so that the House may be in a position to understand the necessity of this measure. Until the year 1928, the tea industry was a fairly prosperous industry. The prices were remunerative and more and more money was sunk in the tea industry. New gardens were opened up and this unrestricted production gradually led to a glut in the market. Prices fell tremendously and the tea that used to be sold for 10 annas a pound was brought down to four annas or something below the cost price and the concerns which suffered most from this depression were the infant Indian concerns which had no reserve or resources to fall back upon. The bigger concerns could somehow stand the storm because of the huge reserves they had behind them, but the Indian concerns with practically no reserve were hard hit by the depression. Most of the Indian gardens were mortgaged to either the banks

[Mr. Abdul Matin Chaudhury.]

or insurance companies, and at this stage the industry was saved by the resourcefulness and the initiative of the leaders of the tea industry in all the producing countries of the world. They devised a scheme for restricting the export. According to this scheme they fixed the quota beyond which the different producing countries are not allowed to export, and this has helped to raise the prices by restoring the equilibrium between supply and demand. The different producing countries passed legislation to give effect to this and I think in the year 1931 we also passed an Act in this House restricting the export, but all these measures were mere palliatives. They did not mean a radical solution of the problem. They only gave the industry a breathing time in which to adjust itself to the new conditions and they made fresh efforts to put the industry on a stable basis. Now today the position is this. By the year 1938 the Tea Control Act will be over and by that time the producing and regulating countries will be producing something like 1,050 million lbs. of tea every year and the non-regulated countries will be producing another 150 million lbs. In all, there will be a total world production of about 1,200 million lbs., as against the world's consumption of 865 million lbs. There will be a surplus of 335 million lbs. of tea in the market. We know from past experience that this difference between production and consumption has been a cause of disaster to the tea industry : and if the tea industry is not to be faced with the same serious situation again, it is for the leaders of the industry to look ahead and provide for this contingency. The problem with which the tea industry is faced today is to retain the existing market and to create a fresh market for these 335 million. It is only by intensive propaganda all the world over that they can find markets for their products, and for intensive propaganda they require money, and this Bill is intended to provide money for that purpose.

Sir, there are other provisions of the Bill which deal with the composition of the Tea Cess Committee. As the Honourable the Commerce Member pointed out, that will bring about an increase of representation for the Indian interests on the Committee. At present there are only 3 Indians out of 20 and it is proposed under the Government scheme to have six out of twenty-five. That means about twenty-five per cent. of the representation on the Board. On the production basis the Indian producer produces 16 per cent. of the total produce of tea in India ; so, with 16 per cent. production, they are getting 25 per cent. representation. I think that is not a quite unfair proposition. Up till now on the Executive Committee there was not a single Indian represented. I am glad my friend, Mr. Milligan, has given the assurance that he will accept the amendment proposed by my friend, Mr. Chaliha, and he has expressed his concurrence in many of the amendments that have been proposed. Having regard to these facts, I think the House will support this motion.

Mr. Kuladhar Chaliha (Assam Valley : Non-Muhammadan) : Sir, I rise with a certain amount of diffidence to support the Bill from this side of the House—as we are, by habit and training, opposed to any measure that emanates from the Government side. (Laughter.) But in this matter I think we all agree with the general provisions of the Bill and its principles. We all like that there should be a wider market for the products of the tea industry and better prices, and the only difference that we find in the various amendments is as to what should be the rate of the cess and what should be the amount of Indian representation on the General Committee.

These are the two points which require a little consideration. But before going into it it will not perhaps be out of place for me to inform the House of the terrible tragedy and crisis through which the industry passed from 1928 to 1932, when tea from Assam, which previously had been sold at Re. 1 and pies eleven per pound, was sold at five annas eleven pies per pound in 1932 and Indian tea generally from 15 annas 10 pies to 5 annas 8 pies per pound. Fortunately at that time Mr. Crawford of Messrs. Finlay and Company evolved a scheme in consultation with the other leaders of the industry, and the result was the Tea Control Act, by limiting the export to 60 per cent. of our production of 1929 and the effect was that immediately the export price of tea went up to 10 annas 5 pies per pound, but, all the same, the internal tea did not rise more than 4 annas 11 pies, which showed that the restriction of export alone would not do and therefore it showed the necessity that we must have a tea cess for propaganda not only in India but outside also, and, hence, the necessity for this Bill : and that is why we support the measure from this side of the House. I should inform the House, before we ask for its support, what the number of Indian labourers employed in this industry in this country—and I think the House hardly knows this—is 11,28,999 living in the estates of Assam alone and the daily average working strength is more than 5,38,000, and in other parts of India they employ about 3½ lakhs daily in this industry, and if we include children in these estates, the number will be another six lakhs, and it will thus make a total of more than 17 lakhs of Indian labourers working both in Assam and outside.

An Honourable Member : How much ?

Mr. Kuladhar Chaliha : Seventeen lakhs and even more,—it is 17.78 lakhs or so. And they come mostly from Orissa, Madras, Bengal, Bihar and the Central Indian Agency. Further, if we take into consideration the number of young people who finds employment from the districts of Bengal and Assam in these tea estates, it will not be less than 17,000 souls, who work as clerks, doctors, contractors, etc., and in these days of unemployment I think 17,000 employees is not an insignificant number, and if we can raise the price of tea, possibly it will be just possible that we can engage more of our young men in this industry, and in this connection you should remember that the problem of unemployment is at this day most acute in Bengal and Assam. Sir, if we take into consideration the total capital investment, it will be about Rs. 42 crores in this industry. The rupee investment is about Rs. 6.2 crores only ; some say it is Rs. 4 crores or thereabouts but I think it is about Rs. 6.2 crores or a little more. Besides these, there are about three hundred proprietary Indian estates and about three thousand small units of a few acres spread throughout India. If we take their investment also, it will be somewhere about Rs. 3 crores, which brings the total rupee capital investment to Rs. 9 crores. Then there is another sacrifice made in the shape of land revenue by the Province of Assam, and I think, of Bengal also, in the shape of concessions in the matter of land revenue and other rates, and if we take that into account, the Indian contribution will be much more. In Assam alone there are 1,046 tea gardens holding 17 lakhs acres (to be exact, 16,91,056 acres). And out of this 4,72,605 acres are either fee simple grants or old rules grant commuted and do not pay any land revenue. If you take the land revenue at the rate of even one rupee per acre for the last 60 years, it will be seen that we have probably been sacrificing about 2½ crores of rupees in the shape of land revenue for this

[Mr. Kuladhar Chaliha.]

industry. If you take all these factors into consideration, you will find that the Indian investment has contributed in labour and in the shape of sacrifices made in land revenue something like 11 crores of rupees.

My Honourable friend, Mr. Abdul Matin Chaudhury, has said that we produce about 16 per cent. and therefore the representation given in the Bill by the Government is satisfactory. My submission is that our investment in man, money and revenue is more and as such we are entitled to fair representation on both the General Committee and the Executive Committee. You should not look only from the point of view that we produce only 16 per cent. of the total production but our acreage is 21 per cent. and there are other considerations which my Honourable friend, Mr. Ranga, will be able to explain better than I can. I must say that in this matter my Honourable friend, Mr. Ranga, has been very reasonable and he has come almost in line with the Government and he can easily be called a capitalist.

The Honourable Sir Muhammad Zafrullah Khan : I would like to emphasise " in this matter ".

Mr. Kuladhar Chaliha : I am glad that the omission which was made in the General Committee is now going to be made good because Mr. Milligan has just said that he is prepared to accept the amendment to be moved by Mr. Akhil Chandra Datta. That would also meet the point of view of Mr. Ranga, so I think there is hardly any difference. I am glad that they have accepted the Executive Committee about which Mr. Milligan gave an assurance on the last Tea Cess Bill and which was unfortunately omitted from this Bill. However, the commission has been made good by the very ready acceptance of the amendment which I proposed. What we want is effective representation on the Executive Committee because we are giving sanction to a fund which will bring at the rate of one rupee per 100 lb. about 32 lakhs, at the rate of Rs. 1-4-0 it will bring 40 lakhs, at the rate of Rs. 1-6-0 it will bring 44 lakhs and at the rate of Rs. 1-8-0 it will bring 48 lakhs taking the export to be 320 million lbs. Of course, when this Legislature has given sanction to raise such a sum we must have an effective voice and we must see that it is properly administered. Indians should have an effective voice in administering this fund. In this connection, I should like to say also that the Indian Tea Market Expansion Board will have to work in collaboration with the International Tea Expansion Board in foreign countries consisting of the representatives of three States, namely, Netherlands East Indies, Ceylon and India. We will have three representatives from each State and will it be too much for us to expect some times in the future that an Indian should be associated with this International Tea Expansion Board, otherwise we will miss the opportunity of capturing the world market? If this is not done, we will very often misunderstand the position. If, on the other hand, an opportunity is given to us to acquaint ourselves with the International tea market, I think there will be more harmony in the working of this fund. As such, I think an opportunity should be given to Indians to acquaint themselves with the affairs of the world and I trust Government will not forget this point of view.

I am of opinion that propaganda in India should be carried on proper lines and it should be done by Indians. The best market for tea is India. With a population of 358 millions, I think there is a vast possibility for expansion in this country. At present our consumption is only about

.2 lb. per head of population and if this propaganda is carried on for India by Indians, there is immense possibility of expansion. How should this propaganda be carried out? I am not satisfied with the employees of the Tea Cess Committee. I find there are as many as 807 employees of which 317 are menials and the rest are either Indians or Europeans. There are over 22 persons who are getting high salaries and I am not aware if any of them are Indians. As such, we have a sense of grievance that our youngmen are not properly employed, especially from those parts of the country which produce the tea. They should be given a chance to do the propaganda work because in India Indians will be found the best workers in this line. So long as we continue to employ other than Indians, I think our feelings will not be satisfied. I understand from Mr. Milligan that our total consumption in India is about 72½ millions and we have increased it by about 15 millions in the few years of propaganda which we have carried on and which we omitted to do before. If it is coupled with a proper propaganda, we can almost absorb 40 per cent. of internal production which we produce without sending it out. Our basic market, however, is U. K. In 1934, out of 435.7 million lbs. of consumption of tea about 254.1 million lbs. was Indian tea, 125.7 Ceylon, 10.4 China and 30.4 Java. In other words, 91.4 per cent. was British and 9¼ per cent. of consumption was foreign. What we should do in the United Kingdom is to try and raise the consumption per head of the population which is now 9 lbs. to 10 lbs. Our attempt by means of propaganda should be to eliminate the foreign tea. Then Mr. Milligan has said, I believe, that they have carried on the propaganda even there and the results of the past few years have been very satisfactory but I trust we shall try to carry on further propaganda in the United Kingdom. But, Sir, I am sceptical about the propaganda that is carried on in the United States of America but Mr. Milligan now says that the propaganda will be successful as enough money has been invested. Shall I inform the House that since 1920 to 1935 their consumption has not increased from 80 to 90 million pounds per year? Unfortunately for us the consumption of Indian tea in 1932-33 was 16.7 millions, in 1933-34 it was 15.1 millions, in 1934-35 it was 12.8 millions and in 1935-36 it was only 12.7 millions. As such, I am rather sceptical about the propaganda work done in America because the amount spent is quite a big one. I will, therefore, ask the House to be careful in spending money there unless there are definite data that the consumption is going to increase. Our next best market was the Soviet Russia. Before the War they consumed about 172 million pounds and the consumption of the Indian tea was about 50 million pounds. In 1930, however, they consumed about 15 million pounds of Indian tea and in 1935, about 4 million pounds. We had expected that when they have established their credit, they would be able to buy more of Indian tea but that anticipation has not been realised. The Russians are now willing to purchase cash and I think the Indian Cess Committee should take advantage of their willingness to do so and send more tea there. Carry on a proper propaganda. Sir, I think in order to make the position clear I may state to the House and especially to Honourable Members on this side of the House that tea is not such a thing as will do a great deal of harm. People like my Honourable friend, Pandit Nilakantha Das, who want to preach against tea always take a cup of tea early in the morning and invite others also to tea.

Pandit Nilakantha Das (Orissa Division : Non-Muhammadan) : I am never a habitual tea drinker.

Mr. Kuladhar Ohaliha : Whenever I went to my Honourable friend's 1 P.M. house, he always offered me a cup of good tea, when we lived together he used to do so. My submission to Honourable Members on this side of the House, who probably think that by doing propoganda a great deal of harm is done, is that tea is not such a thing as to be considered a drug and I do not think those Honourable Members like my friend, Pandit Nilakantha Das, who object to tea drinking on moral grounds should go the length of prohibiting the gentlemen of the Government Benches sitting opposite to us from drinking tea. With these words, I support the Bill, and I hope it will be put on the Statute-book as an agreed measure.

Pandit Nilakantha Das : Sir, in this House and in its present mood, it is rather useless to make a speech concerning tea. A question was asked whether I was not drinking tea ; I say whenever tea is offered to me, I may not refuse it, but I am never myself in the habit of drinking tea. That is the position. I have often said in this House that I do not believe in the moral principle that all vices should be wiped out from human society. That is not the question. That cannot be done so long man is human. Still a vice is a vice. It must shrink gradually, it must not come out with open breast with propoganda in the market place, and in the streets.

The Honourable Sir Muhammad Zafrullah Khan : You mean it should be indulged in secretly !

Pandit Nilakantha Das : Man must take to some vice or other so long as he is in society. The human society cannot be without vice.

The Honourable Sir Muhammad Zafrullah Khan : But one must confess and indulge in it as such !

Pandit Nilakantha Das : It is not a matter of confession, but there are degrees in such vices. I do not now say that tea is such a vice as it should be forbidden by law. That is not my position here. What I mean to say is that it is admittedly not a necessity. As my Honourable friend said it does no harm to the human system. The best that can be said about tea is that it does no harm. But there is an apprehension of harm, which, the experts say, can be avoided by taking tea with milk or cream. I quoted several authorities, authorities who do not write on tea and tea alone as its champions for propoganda. They wrote on general subjects, on the food problem, and perhaps they investigated into poison and medicine and all these things, and they wrote those books on those subjects from which I selected and quoted to the House last year in this connection. But the other day I found a pamphlet on tea propoganda. Some of my Honourable friends might have read that pamphlet. In that pamphlet, some medical opinions are quoted. One of them actually begins by abusing those who speak ill of tea, and the best those medical men can say is that if tea is mixed with cream or milk it is harmless. Then again one funny argument has been advanced there in those opinions. Some experiments were made with cold tea, and it was found that typhoid germs when placed in cold tea died within 20 hours. That is how it was tested to be not harmful. I was surprised to read this argument in favour of tea. Will not any germ placed in poison die ? In the same pamphlet it is also said that man himself will die if he drinks excessive tea. Then, what to speak of typhoid germ. Is not the same argument true about malaria germs. they will be killed when placed in quinine, cholera germs will be killed

when placed in arsenic, influenza germs will be killed when placed in aconite. All our medicines are poisons and if tea is considered a medicine, I have no objection to it. Let it be used as a medicine. When man is exhausted, it is said, he has a tendency to refresh himself with some drink like tea. It helps concentration of thought. Even when our Yogis of old wanted to concentrate their thoughts, they used to take *bhang* or smoke *ganja*. If tea is to be used as a medicine or remedy like that then any medical man may safely advise you to take it. But my own objection to tea is that it is not a necessity like rice, wheat or *dal*. It may even be a luxury. Sometimes luxuries are allowed to people who are in a position to pay for those luxuries. I can even agree there. We are told that tea is a big industry in which so many labourers are employed and so many clerks and so many doctors also find employment and therefore we must give this grant of 50 lakhs. Such being the case, strangest part of the Bill is that Government are going to have practically no control. I should like to suggest that some Members of this House or the Central Legislature should be represented on that Tea Cess Committee. We are giving 50 lakhs and so Government should have some control over it.

An Honourable Member : Are you in favour of Government control ?

Pandit Nilkantha Das : I am in favour of control by elected representatives of the people. If that is not possible, I should like to have Government control. The Government are some day expected at least to be responsive, if not responsible. That is our ideal. If a statutory body like this is not under Government control, then there is no chance for its coming under the control of an elected body. That is my difficulty.

Again, Indians do not now stand in need of creating a luxury like this at this stage of their economic position. Our economic condition is so bad today that we do not know where to sell our rice or wheat, we do not know from where to get the money to buy our bare necessities of life. Our agriculturists are not in a position to spend today even a single pie more than is necessary ; rather they are deeply in debts, and we are going to create a necessity like this by means of propaganda.....

Mr. J. A. Milligan : I hope so.

Pandit Nilakantha Das : If you hope to create a necessity, out of this luxury, by all means do so by intoxicating people by propaganda in the name of civilisation and standard of life. I find I cannot prevent you. But I say the present is not an opportune moment for it, because I don't think our people are in need of such a luxury.....

Mr. K. Ahmed (Rajshahi Division : Non-Muhammadan Rural) : What about your Oriya labourers who are paid by these people among tea planters ? How many thousands of Oriya labourers are paid and maintained by these tea planters, do you know ?

Pandit Nilakantha Das : Yes, and my friend, Mr. K. Ahmed, also may be paid some day out of this fund. I don't mind it. We are always satisfied with these small crumbs and pittances. That is rather my grievance. Mr. Kabeer-ud-Din Ahmed and all his friends put together will not be able to get even five per cent. of all this money.....

Mr. K. Ahmed : That is a side issue. See the Report of the Labour Commission.

Pandit Nilakantha Das : I should have been very glad if it were possible for this House to introduce a clause in the Bill so as to guard the interests of the labour as well as the consumers, for in this matter it is they who are mostly interested. Sir, the Indian market is perhaps the most unprotected thing in this world. Whoever finds no chance elsewhere comes with his article to the Indian market and knocks at the doors of Delhi and Simla, where lies the key to exploitation. Only the other day the Lancashire merchant knocked, and five per cent. is reduced for him. We all know to our cost why and how that was done. And today the tea propaganda has practically failed or is failing or is in danger of failing in foreign countries, and there is this vast helpless Indian market to be exploited and that in this way. As my friend, Mr. Chaliha, said, this market should be exploited. When this vast market is going to be exploited, and when Government and this House are going to give sanction, they are not making any provision for at least giving good unadulterated tea to the consumers. As my friend, Mr. Milligan, just said, there are the Food Adulteration provisions in all the provinces, but these will not be effective so far as tea is concerned, and when this Bill has been introduced into this House, at least for the sake of decency and decorum, the Government ought to have introduced another Bill or clause in this Bill.....

Mr. K. Ahmed : You move an amendment. It is open to you.

Pandit Nilakantha Das : Government should have made some provision at least so as to penalise the selling of bad or adulterated tea. At least this much we expected, but we have heard nothing about it. The Honourable the Member in charge says nothing about it. What will happen ? What is actually happening today in India ? Come to my part of the country and see what tea the peasants and the labourers are paying for ? What is the kind of tea they are getting ? They buy dust and powder..... ?

Mr. K. Ahmed : No, no.

Pandit Nilakantha Das : Come to my village grocer's shop, and you will see what they are getting.

Mr. K. Ahmed : You only consume third class tea. (Laughter.)

Pandit Nilakantha Das : With the introduction of buses and motor cars, tea is being carried even without official propaganda into the villages even in the remotest parts of districts.....

Mr. J. A. Milligan : Might I give my Honourable friend a piece of information which will interest him ? Since he brought this complaint to my notice, we have arranged to send a special representative of the Tea Cess Committee to Orissa to inquire into the sale of bad and adulterated tea.

Pandit Nilakantha Das : I thank my Honourable friend for the consideration.....

Mr. K. Ahmed : But you will have to pay more. (Laughter.)

Pandit Nilakantha Das : I thank my friend, Mr. Milligan, for the consideration he has shown to my suggestion.....

Mr. President (The Honourable Sir Abdur Rahim) : Is the Honourable Member going to finish his speech now ?

Pandit Nilakantha Das : I shall take five minutes more, Sir.

Mr. President (The Honourable Sir Abdur Rahim) : Then he can finish his speech after lunch.

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. Deputy President (Mr. Akhil Chandra Datta) in the Chair.

Pandit Nilakantha Das : Sir, I was expressing my thanks to my Honourable friend, Mr. Milligan, when the House rose, for giving consideration to the suggestion I made to him. I also thank him because he is doing his business all right. Everybody here is to serve his own interests or to serve the interests he represents, and in that way my friend, Mr. Milligan, is serving his interests perfectly well, and therefore every one present here must thank him. But what about our Government who are giving *carte blanche* to industry after industry, to plantation after plantation, by protection, Committees of Cess, and so on and so forth? They are not keeping any watch over the workings and the results of these measures, and that is my grievance. In this case, Sir, like any other industry, we are giving a kind of protection, and though not technically it is a protection, still it is a kind of monetary help we are giving to the industry, which can be called by no other name than protection. Then we are told, whether it is a necessity or a poison, the use of tea must be made familiar to our people by propaganda so that people must take to it, and after that when they get into the habit, these people, the tea planters and traders can make money, that our labour will be supported, and some more money will flow into the coffers of the Government also, for if the country gets prosperous, Government can also make some more money. But admitting that Government have found it necessary to introduce such a vice almost at the point of the bayonet as it were, is it not the duty of the Government to see that at least that vice is introduced properly within certain limits and subject to certain control? So I was going to ask the Honourable Member in charge of the Bill whether he has cared to introduce some measure for preventing the adulteration of tea. That measure should have come along with this measure. As I have already said, there are certain provincial measures generally against food adulteration, but they are not effective so far as tea is concerned. And tea is not a food, as has been recognised, or perhaps will be recognised, even by my friend, Mr. Milligan. It is a luxury, it is not a necessity.....

Mr. J. A. Milligan : It is a nourishing beverage.

Pandit Nilakantha Das : Is it a nourishment? What kind of nourishment is it? Is it a nourishment like that which our rice, milk or wheat gives. If tobacco or a mild intoxicant is a nourishment, then tea also can be called a nourishment. It may be a sort of nourishment when a man is fatigued, because it makes him forget his fatigue. To that extent I may admit it is a kind of nourishment as it is a refreshing dose. But whether that kind of nourishment should be introduced into our villages, is still a moot question, and Government before allowing this vice to be introduced into the villages should see that those interested in tea propaganda, I mean the Tea Cess Committee, work within certain

[Pandit Nilakantha Das.]

limits and under control. That is what I press for. I was just presented with a book,—it is meant for children,—it is a picture book,—but it begins by quoting some Sidney-Smith in broad and bold letters—‘ Thank God for Tea ’. Had I been a Christian, I would have forgotten the Bible.....

The Honourable Sir Muhammad Zafrullah Khan : Thank God for everything.

Pandit Nilakantha Das : Yes, exactly we are enjoined to thank God for our daily bread. But we are asked to thank God for Tea. Then, ‘ What would the world do without Tea ’ ? I pause for an answer from the Honourable Member in charge of the Bill.....

The Honourable Sir Muhammad Zafrullah Khan : The Honourable Member in charge of the Bill is not a tea addict. I take far less tea in the course of the day than the Honourable Member who is now speaking.

Pandit Nilakantha Das : But he is as helpless as myself.

The Honourable Sir Muhammad Zafrullah Khan : I told him on a similar occasion last year when he was discussing the Coffee Cess Bill that he and I appeared to be the only two sane Members of this House, but then what is to be done ?

Pandit Nilakantha Das : I am sorry to have to tell him, his personal feelings and considerations apart, that he is in charge of the Bill, he has to do some duty by some people, and he will see that every duty is linked with a certain amount of responsibility, and I hope he will discharge that responsibility to the satisfaction of all the people who are concerned, because in this matter it is not only the tea planters, the tea industrialists, the big growers who are concerned, but labour also is as much if not more interested in this, than anybody else, and especially when propaganda of this kind is proposed to be launched with the help of this money the consumer also is equally concerned. Then, Sir, says the quotation—‘ I am glad, I was not born before Tea ’.....

The Honourable Sir Muhammad Zafrullah Khan : Ignore this thing.

Pandit Nilakantha Das : But there is no way to ignore it. Here I see in the same Picture Book, page seven : ‘ The Education Department of the Government of the United Provinces has approved of our proposal for the introduction of tea lessons in textbooks to be used in the vernacular and anglo-vernacular schools, and issued to recognised publishers an official notification to that effect (*vide*, United Provinces Government Gazette, dated 26th October, 1935). We are now making the necessary arrangements with a number of responsible publishing firms in the United Provinces ’. How can you ignore all that ?

The Honourable Sir Muhammad Zafrullah Khan : That is a bad case, I am afraid.

Pandit Nilakantha Das : I am very glad my friend admits it is a bad case.....

The Honourable Sir Muhammad Zafrullah Khan : I am not responsible for that circular.

Pandit Nilakantha Das : But the Government is responsible for the education of our children, and every one in this House knows how education is being imparted to our boys in these days. Our children are expected to learn only what they are given to learn. Even their behaviour is controlled from the school house. Our children are simply confined in a room as it were, and are allowed to see and learn what is given to them to see.....

The Honourable Sir Muhammad Zafrullah Khan : When they come out of the room they read accounts of tea parties given by one or two Honourable Members of this House and attended by several other Honourable Members of the House. So what good one particular Member and myself can do against all this deluge of publicity ?

Pandit Nilakantha Das : My friend knows that our students do many things outside the house, but we are yet stupid enough to prevent many of those things inside the house.....

The Honourable Sir Muhammad Zafrullah Khan : There is no tea inside the House, but there is tea in the lobbies !

Pandit Nilakantha Das : So, Sir, I appeal to my friend,—I have no other weapon now,—to see that school children are not allowed to read lessons like these, and further it is most harmful that boys should be taught almost from their childhood to think of tea and tea alone in this fashion and to feel proud after the adage given here in this picture pamphlet that they were not born before the introduction of tea....

The Honourable Sir Muhammad Zafrullah Khan : Really, Sir, may I make an appeal to the Honourable Member ? I fully appreciate his point of view, but we must get along with the business of the day.

Pandit Nilakantha Das : Very well, Sir, I accept the suggestion, and I shall finish in one minute. There is one more important matter which I should like to point out, and it is this, that we are now increasing this tea cess. It is on the export, but according to the general principles of business, I think the general level of internal prices may go up to the extent of the cess included. There must be some control to see that the tea sellers do not take advantage of this export cess, because there is that danger undoubtedly as there is no competitor in the market, and the Board must take care to see that undue advantage is not taken by tea sellers in the country of this tea cess. Of course they can forego it and do without it if they like. But it is money and if they can take advantage of it they will be inclined to do so. So I am pointing out this aspect of the question before I take my seat. And I also expect that my Honourable friend will be very careful in seeing that internal sale does not take advantage of the excess duty on export.

Mr. J. A. Milligan : Sir, may I be allowed to set the mind of the Honourable Member at rest ? There is not the slightest intention on the part of the Tea Cess Committee to take advantage of the loophole which he indicates.

Pandit Nilakantha Das : But the danger is intrinsically there and I should like to see that it is not taken advantage of. Therefore I press that provision may be made or control should be exercised so that advantage may not be taken of this cess in the internal price, and some

[Pandit Nilakantha Das.]

food adulteration Bill should be introduced so that tea sweepings, etc., are not sold in this country and some control should be put on the propaganda so that things like this may not happen that our Education Department will take it into their heads to make propaganda through lesson books.

Mr. Amarendra Nath Chattopadhyaya (Burdwan Division : Non-Muhammadian Rural) : Sir, at the time when our friends had been engaged in passing the Indian Companies Bill I remained silent and during this period I tried to study this tea industry which I think is a very important industry of this country. I am afraid I shall not be able to say all that I wanted to say as I have been asked to cut short my speech. Sir, last time when the cess was announced as 12 annas there was a simple one-clause Bill which was passed and today we have got a more comprehensive Bill which Mr. Milligan on behalf of the Indian Tea Association expressed the desire to bring in. It now appears that Government have brought forward the present measure at the request of the Indian Tea Association so that the amended Act may be more suitable for present times.

The tea industry is still passing through difficult times and is now on a regulated basis. During 1933 Government had been a party to a measure of control for the regulation of exports which the producers in India along with those in Ceylon and the Netherlands East Indies have entered into so as to regulate supplies to the world's consuming markets. The present difficulty in tea trade has been not of over production only but mainly of under consumption. This is quite clear from the fact that Russia which once consumed tea in the neighbourhood of 180 million lbs. now consumes a little over 50 million lbs. only. To remedy the situation it is now the intention of the tea industry to make more money available for propaganda operations to seek markets at home and abroad.

Sir, in India, though Assam with an acreage of 431,782 acres is really the principal home of the tea industry, the next in importance comes the Himalayan plateau of Bengal in the Jalpaiguri and Darjeeling districts and the areas in the south, e.g., Travancore, Nilgiris, and there are isolated patches in the Punjab, Bihar, etc. In Punjab, Madras and Nilgiri sides many of the agriculturists are interested in plantations and over 3000 such plantations exist. Of the large industrial establishments 182 estates are in the hands of British companies who hold estates with companies incorporated in the United Kingdom with a capital of 36.4 crores and of the public limited companies registered in India 443 of the estates are established at a capital of 12.7 crores. Besides these there are over 300 proprietary Indian tea estates. It is estimated that the capital outlay of the Indian section of the tea industry is about a third of the joint stock companies registered in India. Besides a large amount is also held in Indian hands of the stocks of foreign companies registered in India.

Tea is one of the most important industries in India. Tea ranks third amongst India's principal exports. Of the total production of Indian tea about over 4/5ths of the total produce is shipped out of the country and thereby the international trade balance of India is improved.

The actual average value of shipment of Indian tea during the last quinquennium amounts to 200 crores. Tea forms about 12.6 per cent. of India's total export trade, i.e., holding a -|2|- share in India's total exports of merchandise.

The contributory position of tea to India's economic structure is of great interest. According to the last published report of the Department of Commercial Intelligence and Statistics about 0.802 millions of souls are actually permanently settled in the tea plantation and 0.103 million people are working from the busteers which represent roughly about 40 per cent. of the total number of labourers employed in large industrial establishments in India. Besides the actual labourers in the plantations there are craftsmen, supervisors, clerks and other workers in the plantations who work directly subsidised by the gardens. A large amount is received by the transport agencies, e.g., carts, lorries, steamer companies and railways in the transport of finished products and in the incoming stores, coal and other materials which indirectly subsidises the general inland trade. Not an insignificant contribution is made by the tea industry in the nature of Port Commissioners' dues and charges on the movement of the commodities. The contribution made by the tea industry to the inland revenue, e.g., land rent, road and local cesses and to the Imperial revenue in the nature of income-tax, super-tax, surcharges and customs should also be considered and in the enlargement and prosperity of the industry the provincial and Imperial revenues will increase or will be affected. The responsibility of the State to an industry of this magnitude cannot be over-emphasised and ways and means should be found so that India's nationals should take more interest in one of India's principal industries and, as has been said, the tea industry in India may very well claim to be India's own national industry and holds a very key position in India's economic structure.

As I have stated before, mainly foreign capital has been employed in developing the industry and at present over 80 per cent. of the interests are held by foreign companies operating in United Kingdom and India. It should be our object heretofore to attract more Indian capital towards this important industry. It is interesting to note that of the total gross earnings of these foreign companies an amount in the neighbourhood of 70 per cent. is expended by them in payment of charges for production of the commodity from the estates right on to the point of shipment. This amount may be safely said to be retained in the country and is distributed all over the various provinces.

Under the present day conditions, it is estimated that the earnings of the tea plantations is in the neighbourhood of 300—400 per cent. of the normal yield on investments in gilt-edged securities in India and United Kingdom.

Of the foreign companies incorporated in India, a larger amount is spent within the country and it will be safe to estimate a figure over 75 per cent. of such expenditure within India.

Now applying the Ottawa test to the tea industry in this way how far it can be claimed to be a national industry and rank for country's scheme of preferences, from what I have already said India's whole national economic structure is so much intertwined with this industry that you cannot for a moment consider it being treated separately or allow it to go to

[Mr. Amarendra Nath Chattopadhyaya.]

the wall. Over 50 per cent. of the raw material, labour and workmen and payments are made within the country and the tea industry virtually fulfils over 75 per cent. of the Ottawa test to be claimed as a national industry of India and in my opinion the prosperity of the industry should engage the serious consideration of the Government of India to find out all ways and means for its stabilisation.

As I have already stated, tea is one of the principal commodities which contributes to India's national trade balance, ways and means should be found to develop the industry and increasing the exports and also to improve the price factor so that India may prosper by further exports of this commodity. It is well known that there are enough lands available in India both within British India and in the Native States for extension of areas under tea cultivation. It is estimated that even the present plantations can very easily put forward an extra 100 to 120 million lbs. of crop which may be available partly for extra consumption within the country and mainly for shipments outside.

The recent troubles of the tea industry have been to a large extent due to young areas which have been put into existence recently mainly in Java and Sumatra and also in South and North India, for which purpose it was necessary to bring in the scheme of regulation of exports so as to balance supplies in the natural law of supply and demand. During the height of slump in 1932 it appeared that large surplus stocks were lying in the bonded warehouses in London and as I will show hereafter that United Kingdom is not only the centre of distribution, but also the main country of consumption within the international markets, a severe glut happened. Along with the over production of the commodity there was also to a great measure under-consumption of tea when Russia was operating under very restricted conditions in the open markets and its consumption was brought down to a very low figure recently. It is therefore of utmost expediency to bring back that amount of consumption which once existed in Soviet Russia and also to find out new consumers in world's other principal markets.

It may not be out of place here to give an outline of world's tea trade. The total world's consumption which was once estimated at 950 million lbs. according to authoritative report published by the International Tea Committee, we find that during 1929 the figure has been 915.2 million lbs. which has gradually dwindled down in 1930 to 906.1, in 1932 to 892.2 and in 1934 to 865.6 million lbs. The above figures do not take into consideration the amount which has been consumed in the domestic markets of the country's production. Again it is interesting to find that in 1929 the quantity which was exported actually from the world's principal markets of production amounted to the high figure of 968 million lbs. which came down to about 900 in the two subsequent years and touching 933 million in 1932 and came down to 840.6 million lbs. in 1935.

According to recent reports the position of tea consumption in the United Kingdom which consumes practically about 55 per cent. of the world's all available supplies has been 451 million lbs. for year ending 31st March, 1936, which is little over 10 lbs. per capita. The trend of consumption and development of tea trade in United Kingdom is of great interest. The changes in supplies and consumption so closely follow the

tariff policy of the country and the price factor that it can very easily be estimated how the changes in supplies of the various countries are likely to be caused.

Besides the United Kingdom leaving out of consideration the domestic markets in the countries of production, the other principal consuming markets have been the United States of America, Canada, Australia and the Soviet Republic and their relative share of off-take for year ending 31st March 1936 has been 82.2 million, 36.7, 44.7, and 50.8 respectively. Other countries with good consumption are Irish Free State 22.3 million, Union of South Africa 14.2 million, New Zealand 10.6 million, Iran 11.5 million, Germany 10.3 million, Egypt 13.5 million, French Morocco 16.2 million and Netherlands 24.1 million. From the above it will generally be found that most of the Empire dominions and countries are the principal consumers and the British population are to be considered the best tea drinking people in the world.

The per capita consumption of tea in United Kingdom during the year 1935 is 10.02 lbs., Australia 7.0 lbs., Canada 3.37 lbs., New Zealand 6.2 lbs., Irish Free State 7.56 lbs., Union of South Africa 1.72 lbs., United States of America 0.61 lbs., Egypt 0.96 lbs., Iraq 2.16 lbs., Germany 0.14 lbs., Holland 3.17 lbs., Morocco 3.2 lbs., and Russia 0.32 lbs.

The comparative position of tea to the other competitive beverages, *e.g.*, coffee and cocoa preparations in the United Kingdom are of abiding interest.

From the figures which I have already supplied, it is interesting to note that the principal market for Indian tea in the world being the United Kingdom. In 1924-25 out of the total quantity of 340.9 lbs. from India, 299.7 million lbs. was shipped to United Kingdom. In 1932-33 out of 379.8 million lbs. 331.5 million went to United Kingdom and during 1935-36 out of 312.6 million lbs. 278.7 million were shipped to United Kingdom. United Kingdom practically takes over 83 per cent. India's total shipments during recent years. So for all practical purposes, United Kingdom is the ground work of India's principal foreign market and for any policy for stabilising the foreign markets for Indian tea, the present hold in United Kingdom's markets should not be lessened.

Regarding the domestic consumption of tea in the countries of production, from recent figures available it is understood that Japan has got a consumption of 65 million lbs., Formosa 5 million, India 70 to 75 million and Netherlands East Indies 15 to 18 million, Ceylon an insignificant quantity, African countries 2 to 3 million. Unfortunately no reliable figures are available for the consumption in China and French Indo-China, but it is well-known that China is a country of tea drinkers and huge quantity is consumed within its borders.

From the figures which have already been placed before the House, there is enough material for thought and a steady policy of searching for additional outlets for extra produce can be made on definite channels. With the improvement in the economic position of the United States of Soviet Republics there appears to be every possibility of expansion of markets within that country and as it is believed that Russians are generally tea drinking people. The recent plantations in Georgia would not make enough tea available for supplies of the country's requirements and

[Mr. Amarendra Nath Chattopadhyaya.]

as Russia is gradually able to meet its foreign obligations and recent reports show they are now purchasing for cash their requirements, there is every hope to believe that this market will gradually expand. The Imperial Economic Committee in their report on tea refers to the importance of restoring the Russian market in paragraphs 118 and 119 and I would draw the attention of the Honourable the Commerce Member to the fact that every possible ways and means for improving the position is made in consultation with their friends in London and with the industry.

Efforts, I understand, have already been made of selling larger quantity of teas to Russia on longer credit terms and at present proposals on different lines are also being considered. All these attempts of the trade requires serious consideration in the hands of the State as it is clear that in the prosperity of the industry, the revenue of the Central and of several of the Provincial Governments will improve.

For over half a decade the Indian tea industry has been spending large sums of money for propaganda operations in the U. S. A. market and recent advices show that larger operations are being contemplated in conjunction with the producers of Ceylon and the Netherlands East Indies. Though the Imperial Economic Committee in paragraph 117 refers regarding possibility of developing markets in U. S. A. but they have rightly remarked that the total consumption of tea for the last decades for both black and green have virtually remained stationary within 80—90 million lbs. Though it is generally believed that America is a country which can pay for its tea purchases, but we should not go away from the fact that Americans naturally are more akin to coffee and they hold very large coffee interests. It may also interest Honourable Members to know that at the meeting which inaugurated the Tea Cess Act, Lord Curzon, the Viceroy of India, when told that the funds would be used to advertise tea on the continent of Europe and in America remarked :

“ Gentlemen, you surprise me ; talking of advertising tea in Europe and America when you have the finest market in the world at your own door.”

During the last decade these advices were followed by the industry and large sums were spent and the gradual progress in consumption within this country is of great interest :

3 P.M.

	Million lbs.
1922-23	.. 29
1925-26 ..	.. 46
1928-29 ..	.. 57
1933-34	66
Trade estimate for 1935-36	70|75

As the Indians have got no general liking for any beverage, tea is gradually becoming India's own national beverage and is now largely employed as a society feature for general consumption. The low purchasing power of the people and the price of the primary producer are main factors hindering any larger consumption of the commodity and the per capita consumption of tea in India is one of the lowest in the world which can be conceived of, but in the industrial centres, particularly in the Bombay Presidency, the consumption of tea is pretty considerable and is well over 4 lbs. per head which compares very favourably

with the figure of consumption in Canada and this leads us for hopes to be entertained of further development of markets within the country.

As I have already pointed out, the British people at home and in the Dominions are the main consumers of tea and in any bilateral trade agreement which the Government of India contemplate for the future the possibilities of increasing tea shipments to the Dominions and the Colonies should engage the serious attention of the Government of India. Even during the present Indo-British Trade Agreement it may be claimed that Indian tea should obtain more fiscal preference in the British markets either by increasing the margin of preference or by lowering the incidence of duty, and on behalf of the industry I would ask the Honourable the Commerce Member to look seriously into the position.

I understand that since the tea cess levy was started and up to the present time, an amount in the neighbourhood of 2½ crores has been raised by the Indian tea industry for propaganda works in India and in the world's principal markets. Tea cess collections have been in the neighbourhood of 3½ lakhs from 1903-04 to 1920-21, after that the amount of collections has been doubled, and later, increased to 13¼ lakhs up to 1933-34, and in 1934-35, about 16 lakhs was collected, and in 1935-36, 23½ lakhs. During current year about the same amount is estimated.

For the last two years Ceylon which was once collecting cess and was carrying on propaganda has resumed her operations along with the producers of the Netherlands East Indies and a scheme of advertising "Tea for Tea" is being proposed to fight out the competitive beverages. Along with these efforts it is unfortunate to find that the world's total absorption of tea is steady about 850 million pounds. It will therefore be expedient to carry on operations on more scientific lines and not only by demonstration and publicity, but also depending more on scientific researches and investigations to solve the problems of the industry. Not only by scientific researches could various other ways and means of uses of the commodity be expected, but also other refreshing drinks from tea may be obtained. Recent reports show that a tea syrup has been invented by an American scientist and hopes are realised that by this invention uses of the commodity will be increased.

The duty of the State should not only lie to assist in carrying on scientific researches and findings of markets but also in the dissemination of knowledge of the world's markets and trend of trade channels and all possible assistance should be rendered to the industry and it may not be too much for the industry to expect financial and material assistance from the State at all times.

As has been explained by my Honourable friend, the Indian tea propaganda in world's market is now gradually merging on international channels. Should the scheme of control over exports be not continued after some years, how will India's international markets be deriving its supplies thereafter? This is a problem which both the industry and the State should think of now. Will the present share of India's tea supplies be maintained hereafter? Besides in countries where there is no fiscal preference for Indian teas, will India's produce hold against the cheap produces of Java and Sumatra?

Fears are also realised that when India has got no trade agreement with the U. S. A. in the event should India's export of this commodity assume large proportions as the industry now visualises, will the State

[Mr. Amarendra Nath Chattopadhyaya.]

Government give a guarantee of not levying any protective duty against India's exports? What will be the protection of India tea industry against such tariff walls?

It is further understood that Germany has got quotas for various commodities and Persia has been trading on a barter system. This and other various factors *re* : exchange, shipping facilities and other considerations hamper the development of the trade. Will the Government in view of the magnitude of the industry give their most careful attention to these factors and guide the trade on more fruitful channels?

Regarding the different clauses, clause 4 of the Bill refers to the constitution of the Tea Cess Committee. Various suggestions have been made *re* : constitution of the administrative Committee.

The Indian Tea Association in their proposals have provided for more Indian seats in the proposed administrative Committee and various suggestions have been made and amendments suggested.

To put a more balanced position *re* : the administrative Committee the whole constitution may be sub-divided into the following groups :

Capital Group, Planting Group, Consumers' interest, Labour interest, Investors' interest, General.

There is a strong feeling that after providing for seats for the Associated Chambers of Commerce and the Federation of Indian Chambers of Commerce no further seat be allowed to the Bengal and Madras Chambers as the retention of their seats are not tenable in view of the fact that they do not make any contributions to the funds of the Tea Cess Committee and general investors' interest can be adequately represented by the composite bodies. But I find that Mr. Milligan has accepted Prof. Ranga's amendment and has given a seat to the South Indian Chamber.

The general administrative committee should be more of a composite character and it is not necessary to give undue weightage to any particular section of the trade or to capital or planting interest particularly.

For the actual administration of works of the committee and in order to execute the policy and directions of the General Committee, an Executive Committee is generally formed out of the ordinary members at every General Meeting. In our opinion such Executive Committee should be statutorily formed. Of course, I do not press for it, if it may be promised hereafter. In the last debates on the amending Bill, Mr. Milligan on behalf of the Indian Tea Association expressed that when the comprehensive measure will be brought forward the appointment of a statutory Executive Committee will then be considered. In my opinion such a statutory Executive Committee should be formed now and should consist of one-third of the number of members of the General Committee and of these executive members again at least one-third should be Indians. I am glad to see that Mr. Milligan has already given us an idea that three of the Executive Committee members will be Indians.

Mr. J. A. Milligan : My Honourable friend does not seem to have noticed that what I agreed to with my Honourable friend over there is exactly what he is proposing.

Mr. Amarendra Nath Chattopadhyaya : Yes. Therefore I am supporting the Bill.

With regard to the maximum rate, should India's exports reach the figure of 1929 which was 382.59 million pounds and the producers of India paying cess at the rate of Re. 1 per 100 lbs. a sum of Rs. 38½ lakhs will be collected and again should the producers of Ceylon and Netherlands East Indies collect at the same rate a sum of over Rs. 80 lakhs will be realised for propaganda works. This figure appears to us to be quite ample for any judicious international operations for expansion of markets and should also be considered as taxable limit for the producers, otherwise any additional levy will mean extra burden to them and in case of depression of prices in trade the producers' interest will greatly suffer.

[At this stage, Sir Leslie Hudson, one of the Panel of Chairmen, occupied the Chair.]

At this rate of Re. 1 per 100 lbs. means a charge of about 3 per cent. on the Estates' revenue expenditure which is pretty considerable.

I fail to understand the sense of the argument advanced that when Ceylon has got no internal market and Java has only about 10 per cent. of their total production which is a figure of only about 15 to 17 million pounds, why should collection be made on the basis of production and the Indian producers will be asked to pay much more than what the other countries were doing. In India the internal market is considerable and it is now estimated that a quantity of 70 to 75 million pounds is consumed annually, which represents roughly 20 per cent. of the total production. It should not also be forgotten that the Indian producers have already subscribed 2½ crores of rupees which have been spent in operations in various world's markets including India for Tea Cess works since 1903. You should not forget the point that should a large market be developed in India a great quantity of the country's produce will also be consumed within its border and much of the international problem as at present realised will be solved. So in my opinion the levy or the charge should be strictly on the export category and a figure at the rate of rupee one per 100 pounds will be ample for any amount of sensible propaganda and scientific research and operations but to keep a wider margin a figure at the rate of Rs. 1-4-0 per 100 pounds may be provided in the Bill. With these words, I support the Bill.

Mr. Ram Narayan Singh (Chota Nagpur Division : Non-Muhamadan) : I strongly oppose this Bill. A good deal has been said about the Tea Cess Committee and propaganda and many other things. I have heard long speeches about this great industry but not a word has been said as to what is the need for this tea industry. Nobody in this House will say that it is going to supply any portion of the necessities of life. On the other hand, it will create a bad habit among the people. My friend, Pandit Nilakantha Das, also opposed this Bill. He said that human society cannot be purged of all its vicious habits. But I do not think any human society ought to encourage vicious habits. In this country people are generally poor and this habit will tell upon their economic condition. They do not have enough money even to purchase their food. What to speak of having money to purchase food, they have no money even to purchase salt.

An Honourable Member : Not even to pay the Government.

Mr. Ram Narayan Singh : They pay from fear of force, not willingly. Shops will be opened and people will be tempted to purchase these things. Take for instance a case. There is a labourer getting three

[Mr. Ram Narayan Singh.]

or four annas a day. He has a wife and two or three children to support and he has fallen into the habit of taking wine. The whole of his wages or half of his wages goes in this vicious habit and his wife and children are starved.

The Honourable Sir Muhammad Zafrullah Khan : A cinema performance, for instance, would be a better illustration.

Mr. Ram Narayan Singh : I am also not in favour of it.

The Honourable Sir Muhammad Zafrullah Khan : I am not using it as an argument. I was supplying the Honourable Member with a better illustration.

Mr. Ram Narayan Singh : I thank you, Sir. I say this will tell upon the economic condition of the people. There is one thing more. The whole of this tea industry is in the hands of Europeans. Not more than 15 per cent. of it is in Indian hands. I stand corrected. The European concerns in this country are the agents of British Imperialism. I am sorry and surprised that my countrymen for a little gain are going to support this measure and thereby support European concerns in this country. It has been said that 70 lakhs of people are engaged in this industry. May I submit that these labourers who work under European concerns are so much controlled that nobody, even the Congress people, can go to them with the message of the Congress. We convey our messages to every hamlet and every citizen in this country but it is very difficult to approach these people who are working under European concerns. It is not a matter for pride that so many people are being supported by the tea industry. Cultivation in the mofussil has begun to suffer for want of labour. The agents of the tea concerns send their agents round the country and they entice away the agricultural labourers from the mofussil for the tea gardens and what is worse some times, whole families and whole villages immigrate to supply the labour for the tea gardens. The people in the mofussil are paid in kind whereas wages in tea gardens are paid in cash and of course a little more and thereby people are induced to leave their ancestral occupation and profession. It is, therefore, Sir, no pride to say that so many people are supported by the tea industry.

[At this stage. Mr. President (The Honourable Sir Abdur Rahim) resumed the Chair.]

It is said that eight lakhs of acres of land are under tea cultivation. But even today sugar is imported from other countries and also many other articles of staple food. It will be for the benefit of the nation if all these lands are brought under cultivation for the purpose of producing articles which are necessities of life. Sugar-cane may be grown, many other things may be grown, which will all be for the use of the people of this country. Sir, I am sorry that in fact this tea industry is going to take the place of opium cultivation. (Voices : "No, no.") Yes. A friend of mine has said that people when they are tired do want some sort of decoction or something like that. I know many people will agree especially those who know it, that in this country there are leaves of *Tulsi* plants which can be a very good substitute for this tea, and I therefore say that this is not for the good of the country, and not only that, it is injurious to our health, and harmful to our agricultural cultivation,

and I therefore strongly oppose this measure and I hope the whole House will throw this out.

Several Honourable Members : The question may now be put.

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

“ That the Bill further to amend the Indian Tea Cess Act, 1903, for certain purposes, be taken into consideration.”

The motion was adopted.

Clause 2 was added to the Bill.

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

“ That clause 3 stand part of the Bill.”

Dr. Ziauddin Ahmad (United Provinces Southern Divisions : Muhammadan Rural) : Sir, I move :

“ That in sub-clause (a) of clause 3 of the Bill, for the words ‘ one rupee and eight annas ’ the words ‘ one rupee ’ be substituted.”

Sir, my argument in favour of this amendment is that no case has been made out to double this cess from twelve annas to one rupee and eight annas. Only last year we increased the cess from eight to twelve annas and I think this sudden rise will tell heavily on the export of tea. Tea at present is not in a flourishing condition and any kind of taxation, whether it is an export cess or excise duty, will affect the production and the producers. It may not affect the consumers but it will affect the producers....

The Honourable Sir Muhammad Zafrullah Khan : Does the Honourable Member realize that this Bill has been introduced at the request of ninety-five per cent. of the producers of tea in this country ?

Dr. Ziauddin Ahmad : It may be so but still I would like to know how it would benefit them.

The Honourable Sir Muhammad Zafrullah Khan : You were not here but this was explained.

Mr. J. A. Milligan : You are not being asked to subscribe, Doctor ?

Dr. Ziauddin Ahmad : That is no argument. Tea planters will of course agree to any condition imposed on them, and if any proposal is made from this Tea Cess Committee, no one can go out of it and he will have to give his consent. Therefore, this reference to 95 per cent. asking for it does not affect my argument. I should like to visualize how this increase of the cess duty from twelve annas to one rupee eight annas will substantially benefit the producers,—Will their quota be increased so as to make up for this additional loss by means of the increased profit on the increased output ?

Mr. President (The Honourable Sir Abdur Rahim) : Amendment moved :

“ That in sub-clause (a) of clause 3 of the Bill, for the words ‘ one rupee and eight annas ’ the words ‘ one rupee ’ be substituted.”

The Honourable Sir Muhammad Zafrullah Khan : Sir, I do not think I need spend much time in opposing this amendment. I am afraid, the Honourable the Mover of the amendment was not in the House when

{**Sir Muhammad Zafrullah Khan.**}

Mr. Milligan gave the House a full justification for the proposal contained in this part of the Bill. Sir, I oppose the motion.

Mr. Mohan Lal Saksena (Lucknow Division : Non-Muhammadan Rural) : Sir, I did not intend at first to take part in the discussion on this Bill but after reading this small pamphlet I felt I owe it to this House as well as to myself that I must draw the attention of this House to certain forms of propaganda which must be stopped and curbed. Sir, at page 7 we find :

“ The Education Department of the Government of the United Provinces has approved of our proposal for the introduction of tea lessons in textbooks to be used in Vernacular and Anglo-Vernacular Schools, and issued to recognised publishers an official publication to that effect (*vide* United Provinces Government Gazette, dated 26th October, 1935). We are now making the necessary arrangements with a number of responsible publishing firms in the United Provinces.”

The Honourable Sir Muhammad Zafrullah Khan : On a point of order, Sir, may I draw your attention to the fact that this matter has been fully discussed already by a previous Honourable Member, and the Honourable Member is now merely repeating what that Honourable Member said at length when you, Sir, were not in the Chair and the Deputy President occupied it.

Mr. President (The Honourable Sir Abdur Rahim) : The Honourable Member should not repeat the same arguments.

Mr. Mohan Lal Saksena : I find here certain forms of propaganda mentioned to which I want to refer.

The Honourable Sir Muhammad Zafrullah Khan : They have been referred to already by Pandit Nilakantha Das.

Mr. President (The Honourable Sir Abdur Rahim) : The Honourable Member need not repeat the same arguments.

Mr. Mohan Lal Saksena : Honourable Members are aware that Assam is perhaps the province which produces the largest quantity of tea, and, as such, the Government of Assam should be more interested in the propagation of the tea habit, and we also know that other provinces are comparatively more interested than the United Provinces: But why is it that it is only in the Province of the United Provinces that the Education Department has agreed to do propaganda on behalf of the Tea Cess Committee ? The reason is not far to seek. I may remind the House that in our Province the Minister in charge of Education is a businessman and a businessman to boot. I hope I am not wrong in saying that in his scheme of life politics and education are subservient to business. He represents business in the Council and as such he did not think it objectionable to issue a circular recommending that tea lessons should be incorporated in books prescribed for Anglo-vernacular schools. Sir, from every point of view such propaganda is objectionable and undesirable and it must be put an end to as soon as possible.

Mr. K. Ahmed : That was because most of the labour is supplied from the United Provinces.

Mr. Mohan Lal Saksena : Sir, we do not want to spoil our children. We know there are two opinions even about the tea habit. I am not ashamed to confess that I do not take tea and I am one of those who do not believe that the propagation of the tea habit under the existing economic and climatic conditions of India is very wholesome or desirable. But knowing as I do that the majority of the Members here are confirmed drunkards of tea, I do not oppose this measure. But still what I object to is that this sort of propaganda should be introduced into schools. I cannot allow education to be brought down from the very high pedestal it occupies to the low footing of tea stalls. After all, having agreed to the proposal of the Tea Cess Committee, how can the Minister for Education refuse the Coffee Cess Committee's proposal to introduce coffee lessons in schools if they make it, and later on, promoters of "Ovaltine" industry may want lessons to be introduced on "Ovaltine" or similar other articles? So, after all, we cannot allow our school books to be made the means of advertisements of these commercial articles.

Mr. K. Ahmed : Go to the Textbook Committee of the United Provinces—not here.

Mr. Mohan Lal Saksena : Whatever the United Provinces textbooks may do or not do we are not here concerned with. The Honourable Member in charge wants us to raise money for carrying on propaganda for tea. What sort of propaganda? For bribing these publishers that they should introduce tea lessons in these text-books! I know there are Honourable Members in this House who are interested in education who are not commercially-minded, and I dare say they would not like our own children to be demoralized or that our educational institutions to be converted into tea stalls or for the matter of that be utilized for the purposes of any other commercial propaganda. My attitude towards this amendment will depend upon the assurance which I hope Mr. Milligan will give on behalf of the Tea Cess Committee and also on the assurance of the Honourable Member in charge because he has himself said that he is not addicted to tea habit. I hope he will not take a light view of this matter as he took when my Honourable friend, Mr. Nilakantha Das, made a reference to it. It is a serious thing and he must give consideration to it. Unless that assurance is coming forward, I, for one, will not be a party to raising the cess. Then, Sir, there is another point. This propaganda is being taken to rural areas. Personally, I should think that our cities are big enough for the activities of Tea Cess Committee. I have got before me the report of an inquiry conducted by a Lecturer of Economics in the Lucknow University. This inquiry relates to wages and cost of living in the city of Cawnpore, and covers a period of two decades. At the end of this report he says :

"Two general conclusions can be drawn from this table, namely, (a) that the average quantity of food consumed by the labourers is less than the jail diet by 1.12 chs., and (b) that the diet of the labourers is inferior to the diet of a prisoner. The prisoner gets 11 chs. of wheat, 3 chs. of barley and 1 ch. of dal while the labourers eat 7.3 chs. of wheat, 3.5 chs. of Bajra, 19 ch. of gram, 1.6 ch. of rice and 1.29 ch. of dal.

The quantities of vegetables, meat and fish have not been considered in the foregoing table. It is difficult to gather from labourers the quantities of these articles because they consume these articles only now and then though in a jail diet 3 chs. of vegetables are given every day in addition to the diet mentioned above."

[Mr. Mohan Lal Saksena.]

So, I submit that, when this is the condition of our labourers in the cities who are drawing Rs. 15 or more, our people in the villages cannot be better off. I think they should be protected against this kind of propaganda. This will be injurious to them and I hope the Honourable Member will also see that this propaganda is not spread to the rural areas. With these words, I support the amendment moved by Dr. Ziauddin Ahmed.

Mr. J. A. Milligan : Sir, I should like to explain for the information of the Honourable Member who has just spoken that the object of introducing tea lessons into schools is twofold. Firstly, it is only a beginning of educating children to know something about the big industries of India and it is intended that they should be followed by similar lessons with regard to other industries. Secondly, it is intended to do the very thing which my Honourable friends, Pandit Nilkantha Das and Mr. Sri Prakasa, ask for. It is an attempt to counter the distribution throughout India of bad and deleterious tea. It is teaching the children to drink good tea and the proper way to make it. I do not think that such lessons can properly be described as the demoralisation of the children. I would further point out and emphasise that this money which is going to be raised under this Act is not going to be raised as a tax on the general public, nor is it going to be raised as a tax on tea producers. It is something which the tea industry are asking your permission to contribute voluntarily for the purpose of doing propaganda to increase the consumption of tea in other countries as well as in India.

Pandit Nilkantha Das : May I say, Sir, that in this country such a propaganda in our school books, especially in our villages, will be particularly outrageous to the guardians and to the fathers of the children. We must understand the circumstances prevailing in our country. We are introducing a new thing which is not a necessity. It is an intoxicant, however, mild it may be, and a propaganda by means of school lessons taught to children will, I am sure, be outrageous. I would therefore like the Honourable Member in charge of the Bill to give us an assurance that at least in school text-books such things will not be included before we can make up our mind whether we should vote for or against this amendment.

Mr. J. A. Milligan : May I ask one question of the Honourable gentleman? Has he seen any of the lessons contained in these text-books and do they contain anything that is the least like propaganda and which asks children to drink tea? Is it not merely giving them information about it, whether they drink it or not?

Mr. Mohan Lal Saksena : The book-let that I have with me and from which I have already made a quotation shows what sort of propaganda you are carrying on. You said yourself that it is for this very reason that these lessons are being introduced. This shows what is the object behind this move of yours. It is not simply to give them information about one of the Indian industries. What about other industries, such as the textile industry, the steel industry and so many other industries? Therefore, I submit that your aim is not simply to provide information as you say but it is to make them addicted to tea habit.

Whether they can afford it or not, is a different matter. So, I say that this propaganda is objectionable.

The Honourable Sir Muhammad Zafrullah Khan : Is the Honourable Member entitled to make another speech ? He has already spoken.

Pandit Nilkantha Das : I understand the difficulties of my Honourable friend. I can realise the personal difficulties of my Honourable friend, Mr. Milligan. But I appeal to the Honourable Member in charge of the Bill who is an Indian—I hope he is a villager—that he will realise the difficulties and he will give an assurance to the House that such propaganda at least should be prohibited.

Mr. President (The Honourable Sir Abdur Rahim) ; The question is :

“ That in sub-clause (a) of clause 3 of the Bill, for the words ‘ one rupee and eight annas ’ the words ‘ one rupee ’ be substituted.”

The motion was negatived.

Dr. Ziauddin Ahmad : Sir, I move :

“ That sub-clause (b) of clause 3 of the Bill be omitted.”

My reason for moving this amendment is that this cess duty may not be charged on export.....

The Honourable Sir Muhammad Zafrullah Khan : The Honourable Member does not appear even to have read the Bill, let alone to have listened to the discussion which took place on the consideration motion. The whole scheme is to levy a cess on exports. There is a cess provided for on exports by sea and this is merely consequential to the general scheme that as against the cess levied on exports through ports, there might be power to impose a customs duty on tea which is exported over the land frontiers.

Pandit Govind Ballabh Pant (Rohilkund and Kumaon Divisions : Non-Muhammadan Rural) : He wants it on internal consumption and not on export.

The Honourable Sir Muhammad Zafrullah Khan : That would change the whole scope of the Bill.

Mr. President (The Honourable Sir Abdur Rahim) : Without the sanction of the Governor General in Council, the Honourable Member cannot propose anything for adding to taxation on tea. The Honourable Member cannot propose a new cess.

Pandit Govind Ballabh Pant : The Honourable Member (Dr. Ziauddin Ahmad) only wants sub-clause (b) to be omitted.

Mr. President (The Honourable Sir Abdur Rahim) : Then he can move his amendment.

Dr. Ziauddin Ahmad : I want, Sir, sub-clause (b) (2) of clause 3 to be omitted which runs as follows :

“ The Governor General in Council may, by notification in the Gazette of India, direct that a customs-duty at the like rate shall be levied and collected on all tea produced in India and taken by land from British India to any place beyond the limits of British India.”

My reason is that if you really want to encourage the export of tea, then you ought to give every facility because from the report I find

[Dr. Ziauddin Ahmad.]

that our export is really diminishing. I find the following passage in the report relating to the trade of India on page 91 :

“ There was a heavy reduction in the shipments in the consuming countries in 1934-35.”

Later on, it says :

“ This would mean a curtailment in exports of approximately 40 million pounds as compared with the.....exports in 1934-35.”

Now, we have passed that it ought to be levied on these teas which are exported by ship. At least I want that we should have some reduction in the case of tea going to Afghanistan and Persia by land from India because they are very good customers of Indian tea and it is very desirable that we should increase our export by making our selling price the very minimum possible. With these words, I move my amendment.

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

“ That sub-clause (b) of clause 3 of the Bill be omitted.”

The motion was negatived.

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

“ That clause 3 stand part of the Bill.”

The motion was adopted.

Clause 3 was added to the Bill.

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

“ That clause 4 stand part of the Bill.”

Mr. Basanta Kumar Das (Surma Valley *cum* Shillong : Non-Muhammadan) : Sir, before I move my amendment No. 12*, with your permission, I want to make certain alterations in the amendment. These alterations become necessary in view of what my Honourable friend, Mr. Milligan, has said. He said that some of the amendments would be accepted, and therefore, I want to make some verbal alterations so that the clause I want to amend might conform to the other amendments that are going to be accepted.

Mr. President (The Honourable Sir Abdur Rahim) : I should like to know what the alteration is.

“ That in clause 4 of the Bill, for sub-clause (b) (i), the following be substituted :

‘ (i) for the words beginning with the words ‘ the Committee ’ and ending with the words ‘ authorities namely ’ the following shall be substituted, namely :

‘ The Board shall consist of 25 members, who shall be appointed by the Governor General in Council on the recommendation of after an election held for the purpose of recommending the persons to be so appointed, in accordance with the rules framed in that behalf under section 7 of the Act, by the following constituencies, namely, ’

Mr. Basanta Kumar Das : I wish to alter the second part of the amendment thus :

“ The Board shall consist of 27 members who shall be appointed by the Governor General in Council on the recommendation of the following bodies and authorities.... ”

Mr. President (The Honourable Sir Abdur Rahim) : I can allow the alteration of “ 25 ” into “ 27 ”. I cannot allow the Honourable Member to substitute a new electorate.

Mr. Basanta Kumar Das : I am simply amplifying the word “ constituencies ”. The words “ bodies ” and “ authorities ” are in the original Act.

Mr. President (The Honourable Sir Abdur Rahim) : I cannot allow anything in that connection except a verbal amendment.

Mr. F. E. James (Madras : European) : Sir, I want your ruling on this point. It is one thing merely to change a figure, but the Honourable Member is also changing the substance of his amendment. I think, during the course of the discussion on the Indian Companies (Amendment) Bill, you ruled that that should not be done unless previous notice was given.

Mr. President (The Honourable Sir Abdur Rahim) : I cannot allow such alteration.

Mr. Basanta Kumar Das : Then, I do not move amendment No. 12.

Mr. Akhil Chandra Datta (Chittagong and Rajshahi Divisions : Non-Muhammadan Rural) : There is an amendment to sub-clause (b) (i) of clause 4 raising the strength of the committee from 25 to 27 and this amendment would become necessary only if my amendment No. 15 is accepted by the House. So this amendment raising the strength of the Committee can be taken up after amendments Nos. 15 and 18 are disposed of.

The Honourable Sir Muhammad Zafrullah Khan : I do not mind which is moved first for the reason that both the amendments, Nos. 15 and 18, are going to be accepted by Government. That is the understanding and so we might as well start with the raising of the strength of the Committee.

Mr. Akhil Chandra Datta : In that case, I beg to move :

“ That in sub-clause (b) (i) of clause 4 of the Bill, for the word ‘ twenty-five ’ the word ‘ twenty-seven ’ be substituted.”

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

“ That in sub-clause (b) (i) of clause 4 of the Bill, for the word ‘ twenty-five ’ the word ‘ twenty-seven ’ be substituted.”

The motion was adopted.

Mr. Akhil Chandra Datta : Sir, I beg to move :

“ That for sub-clause (b) (ii) of clause 4 of the Bill, the following be substituted :

‘ (ii) for clauses (a), (b) and (c) the following clauses shall be substituted, namely :

(a) two on the recommendation of the Bengal Chamber of Commerce, one on the recommendation of the Bengal National Chamber of Commerce, one on the recommendation of the Madras Chamber of Commerce and

[Mr. Akhil Chandra Datta.]

one on the recommendation of the Associated Chamber of Commerce and one on the recommendation of the Federation of Indian Chambers of Commerce and Industry ;

- (b) five on the recommendation of the Indian Tea Association, Calcutta, two on the recommendation of the Assam Branch of the Indian Tea Association and two on the recommendation of the Surma Valley Branch of the Indian Tea Association ;
- (c) two on the recommendation of the United Planters' Association of Southern India, two on the recommendation of the Dooars Planers' Association, one on the joint recommendation of the Darjeeling Planters' Association and the Terai Planters' Association and one on the recommendation of the Indian Tea Planters' Association, Jalpaiguri ; and
- (d) one on the recommendation of the Government of Bengal to represent the Tea Planters in North Bengal and one representing the Tea Planters of Tripura and Chittagong who are Indians, one on the recommendation of the Assam Valley Indian Tea Planters' Associations, one on the recommendation of the Surma Valley Indian Tea Planters' Associations and one on the recommendation of the Government of Madras to represent Tea Planters in Southern India who are Indians '."

To make my amendment acceptable to all sections of the House, I may, with your permission, be allowed to add at the end of clause (a) of my amendment the words " one on the recommendation of the South Indian Chamber of Commerce ".

Mr. President (The Honourable Sir Abdur Rahim) : Then Professor Ranga will not move his amendment ?

Mr. Akhil Chandra Datta : No, Sir.

The Honourable Sir Muhammad Zafrullah Khan : Sir, I may point out that in that case the word " and " in the last line on page 2 shall be omitted, and added at the end of the clause as it now stands, and then those words should be added, " one on the recommendation of the South Indian Chamber of Commerce ".

Mr. Akhil Chandra Datta : Yes. For reasons which will be obvious to the House, I shall not take the time of the House unnecessarily by making a speech. Sir, I move.

Mr. President (The Honourable Sir Abdur Rahim) : Amendment moved :

" That for sub-clause (b) (ii) of clause 4 of the Bill, the following be substituted :

' (ii) for clauses (a), (b) and (c) the following clauses shall be substituted, namely :

- (a) two on the recommendation of the Bengal Chamber of Commerce, one on the recommendation of the Bengal National Chamber of Commerce, one on the recommendation of the Madras Chamber of Commerce and one on the recommendation of the Associated Chamber of Commerce, one on the recommendation of the Federation of Indian Chambers of Commerce and Industry, and one on the recommendation of the South Indian Chamber of Commerce ;
- (b) five on the recommendation of the Indian Tea Association, Calcutta, two on the recommendation of the Assam Branch of the Indian Tea Association and two on the recommendation of the Surma Valley Branch of the Indian Tea Association ;

- (c) two on the recommendation of the United Planters' Association of Southern India, two on the recommendation of the Dooars Planters' Association, one on the joint recommendation of the Darjeeling Planters' Association and the Terai Planters' Association and one on the recommendation of the Indian Tea Planters' Association, Jalpaiguri ; and
- (d) one on the recommendation of the Government of Bengal to represent the Tea Planters in North Bengal and one representing the Tea Planters of Tripura and Chittagong who are Indians, one on the recommendation of the Assam Valley Indian Tea Planters' Associations, one on the recommendation of the Surma Valley Indian Planters' Associations and one on the recommendation of the Government of Madras to represent Tea Planters in Southern India who are Indians '."

Mr. Akhil Chandra Datta : Sir, before you put this amendment, I should like to point out one thing. Clause (d), as you read it, stands like this :

" One on the recommendation of the Government of Bengal to represent the Tea Planters in North Bengal and one representing the Tea Planters of Tripura and Chittagong ", etc.

What is really intended is that that will also be on the recommendation of the Government of Bengal. But, as it stands here, that is not clear.

The Honourable Sir Muhammad Zafrullah Khan : Then, I think it ought to stand like this :

" Two on the recommendation of the Government of Bengal, of whom one is to represent the Tea Planters of North Bengal and one to represent the Tea Planters of Tripura and Chittagong who are Indians ", etc.

Prof. N. G. Ranga (Guntur *cum* Nellore : Non-Muhammadan Rural) : Sir, so far, this amendment has been agreed to by all sections of the House. I find that in the next amendment which incorporates all this and which stands in my name there is a proviso which I should like to move separately. But as I have to seek your permission I should like to know whether you would advise me to move it separately or whether you want me to move it along with this.

The Honourable Sir Muhammad Zafrullah Khan : Sir, may I put this for the consideration of the Honourable Member ? It would be a little bit embarrassing to have it in that form in the statute, but I am quite prepared to give him an assurance that when these unorganised producers have organised themselves into associations, the representation, which at present vests in the Local Governments on their behalf, will be exercised directly by these associations. I certainly have not the slightest desire that on a committee like this Local Governments should continue to make nominations if it is possible that the interests for whom they are making nominations are themselves in a position to nominate.

Prof. N. G. Ranga : Sir, in view of that assurance I will not move that proviso at all and I support this amendment moved by my Honourable friend, Mr. Akhil Chandra Datta. In supporting this I have to say only a few words. When I pressed for the claims of the South Indian Chamber of Commerce to have one of their representatives on this committee, I did so in the full consciousness of the fact that such a chamber deserves such representation, but not because I happen to be a member

[Prof. N. G. Ranga.]

of that chamber or I seem to become a member of that chamber. Even when I agreed to support the principle underlying this particular Bill, I had no doubt whatsoever as to the inadvisability of carrying on a virulent campaign for popularising tea in this country. But at the same time, as my Honourable friend, the Commerce Member, has put it, since it is no longer practicable to think of preventing the Tea Cess Committee or any other body from propagating tea consumption in the country and since large numbers of people have already become addicted to it and many more are slowly taking to it, I have thought it fit to see to the proper representation of the various interests, specially the peasants who are themselves interested in raising tea, that they are properly represented on this Tea Cess Committee and that their interests are properly safeguarded. It is for that reason that I have thought it fit to support this Bill and I am glad that those of us who have interested ourselves in this Bill have been able to agree upon the manner in which this representation should be allotted to the different interests concerned. I sincerely hope that the assurance that is given by my Honourable friend, the Commerce Member, will come to be implemented in its letter as well as in spirit and I hope that very soon those business associations or planters' associations will come into existence and take advantage of the representation offered to them.

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

“ That for sub-clause (b) (ii) of clause 4 of the Bill, the following be substituted :

‘ (ii) for clauses (a), (b) and (c) the following clauses shall be substituted, namely :

- ‘ (a) two on the recommendation of the Bengal Chamber of Commerce, one on the recommendation of the Bengal National Chamber of Commerce, one on the recommendation of the Madras Chamber of Commerce and one on the recommendation of the Associated Chamber of Commerce, one on the recommendation of the Federation of Indian Chambers of Commerce and Industry, and one on the recommendation of the South Indian Chamber of Commerce ;
- (b) five on the recommendation of the Indian Tea Association, Calcutta, two on the recommendation of the Assam Branch of the Indian Tea Association and two on the recommendation of the Surma Valley Branch of the Indian Tea Association ;
- (c) two on the recommendation of the United Planters' Association of Southern India, two on the recommendation of the Dooars Planters' Association, one on the joint recommendation of the Darjeeling Planters' Association and the Terai Planters' Association and one on the recommendation of the Indian Tea Planters' Association, Jalpaiguri ; and
- (d) two on the recommendation of the Government of Bengal of whom one is to represent the Tea Planters in North Bengal and one to represent the Tea Planters of Tripura and Chittagong who are Indians, one on the recommendation of the Assam Valley Indian Tea Planters' Associations, one on the recommendation of the Surma Valley Indian Planters' Associations and one on the recommendation of the Government of Madras to represent Tea Planters in Southern India who are Indians .”

The motion was adopted.

Mr. Kuladhar Chaliha : Sir, I move :

“ That in sub-clause (b) (ii) of clause 4 of the Bill, after the proposed clause (d), the following new clause be inserted :

‘ (e) That the Executive Committee of the Indian Tea Market Expansion Board so constituted shall consist of nine members of the Board of which three at least shall be Indians ’.”

The object of this amendment is to give representation on the Executive Committee to the tea producing provinces. But

4 P.M.

I have made it elastic in order to allow sometime—say once in two or three years,—representation to those planters who are in the United Provinces or Bihar. I learn from our Deputy Leader, Pandit Govind Ballabh Pant, and also from Raizada Hans Raj that there are tea estates in the United Provinces as well. So to give representation to them sometimes, it is better that it should be a little elastic and I have not accepted Prof. Ranga's amendment lower down. Sir, I move the amendment with these words.

Mr. President (The Honourable Sir Abdur Rahim) : Amendment moved :

“ That in sub-clause (b) (ii) of clause 4 of the Bill, after the proposed clause (d), the following new clause be inserted :

‘ (e) That the Executive Committee of the Indian Tea Market Expansion Board so constituted shall consist of nine members of the Board of which three at least shall be Indians ’.”

The Honourable Sir Muhammad Zafrullah Khan : May I suggest one slight change which might improve the drafting ? Instead of the words “ of which three at least ”, may I suggest that we may substitute the words “ of which not less than three ” ? That is the usual expression when a minimum is to be secured.

Mr. Kuladhar Chaliha : I accept the suggestion.

Prof. N. G. Ranga : Sir, I am in complete agreement with this amendment, but I am rather surprised at the mention made by my Honourable friend, Mr. Chaliha, that out of these three some representation may be given occasionally to either Bihar or the United Provinces if and when occasion arises. But I find that whereas Assam has got 428,000 acres of land, Bengal 198,000 acres and Madras 73,000, these two provinces which are specially mentioned have under tea only 4,000 in Bihar and 6,400 acres in the United Provinces. When we agreed upon this, we were under the impression that the three members were to be allotted for these three major tea producing provinces....

Mr. President (The Honourable Sir Abdur Rahim) : The idea was that ordinarily it will be the three major tea producing provinces, but occasionally the Bihar and United Provinces also might send one : that is the suggestion.

Prof. N. G. Ranga : So I suggest, since we have used the phrase ‘ not less than three ’ that occasionally it will be left to the Committee to decide—say, once in two or three years—that they may have less than six seats for Europeans and allow one more seat for an Indian so that he may represent either Bihar or the United Provinces as they like ; but as far as the three major tea producing provinces are concerned I submit

[Prof. N. G. Ranga.]

and I suggest for the consideration of my Honourable friend, the Honourable the Commerce Member, that an assurance ought to be given that one for each of these three provinces will always be allotted....

The Honourable Sir Muhammad Zafrullah Khan : Has the Honourable Member assured himself that the United Provinces and Bihar as such have any representation on the Board ? As they are not represented on the Board : so why worry ?

Prof. N. G. Ranga : I am glad the Honourable the Commerce Member has drawn my attention to that very relevant fact. Neither of these two provinces has any representation on the Board and so that particular point does not arise. So I sincerely hope that this understanding will be implemented in its letter and spirit in actual practice and that these three provinces will be given one seat each on the Executive Committee ; and if it is possible to increase I sincerely hope that in the not very distant future the Tea Cess Act will make it possible for providing for some more Indians on the Executive Committee.

Mr. N. V. Gadgil (Bombay Central Division : Non-Muhammadian Rural) : Sir, I would like to put in a word on behalf of the consumers. In this particular game of satisfying each other, the producers have been given representation ; the planters have been given representation ; the dealers have been given representation ; various commercial bodies have been given representation ; and in fact I expected that Prof. Ranga would plead for labour to be given representation ; but he is also satisfied with representation being given to the South Indian Chamber of Commerce. I must really protest on behalf of the consumers. Where will all these interests be if we the consumers did not consume tea at all ? It is not in any light-hearted manner that I am pleading, but if it is possible even at this stage.....

The Honourable Sir Muhammad Zafrullah Khan : But does the Honourable Member realise that the clauses dealing with the representation of various interests on the Board itself have already been passed ? That is one thing....

Mr. N. V. Gadgil : I realise that.

The Honourable Sir Muhammad Zafrullah Khan : Another thing : may I draw his attention to the fact that the whole activity of the Board, so far as this Bill is concerned, will be to make propaganda for greater consumption of tea ? Which interest of the consumers would be affected in that case ?

Mr. N. V. Gadgil : The propaganda will be for those who do not drink tea or those who drink tea ?

The Honourable Sir Muhammad Zafrullah Khan : The propaganda will be on behalf of the producers.

Mr. N. V. Gadgil : Therefore, if the consumers do not co-operate, the planters will vanish before midnight. Therefore, I submit that even if it is possible at this stage, somehow or other, to represent the interests of the consumers, either by giving representation to this House or to the other House or a combined representative for both, I submit it should be done. It is a good grievance ; and when the Honourable the Commerce

Member is being moved to accommodate everybody, I hope he will be moved to accommodate the consumer without whom they will be nowhere.

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

“ That in sub-clause (b) (ii) of clause 4 of the Bill, after the proposed clause (d), the following new clause be inserted :

‘ (e) That the Executive Committee of the Indian Tea Market Expansion Board so constituted shall consist of nine members of the Board of which not less than three shall be Indians ’.”

The motion was adopted.

Mr. Sri Prakasa : Sir, I move :

“ That after sub-clause (b) of clause 4 of the Bill, the following new sub-clause be inserted :

‘ (c) It shall be incumbent on the Indian Tea Market Expansion Board to make, as a part of their propaganda in India, adequate arrangements for overseeing the tea shops in the various parts of India, and making sure that tea is properly brewed and supplied in a clean and proper manner particularly in the poorer quarters ’.”

My esteemed friend, Mr. Milligan, was good enough in his opening speech to refer to this amendment of mine, and he said that the great difficulty he experienced in improving the quality of tea supplied in the bazars was due to the fact that magistrates, who are very keen on giving the maximum punishment in political cases, give very inadequate punishments in the cases that he brings before them. Personally I am no believer in punishments at all ; and my own experience of prison life shows that the whole system of punishment in India is absolutely wrong. You will scarcely find any prisoner, political or non-political, who is there for the first time ; and very often people are found there who have gone there for the twentieth time. Therefore if Mr. Milligan wants only to have stringent punishments for persons who do not carry out his behests, he will not succeed in his purpose of a better and cleaner supply of tea. I am in favour of a better method of doing things, and that is by proper education.

Mr. K. Ahmed : I know you are very fond of tea, and your family members too.

Mr. Sri Prakasa :

“Twinkle, twinkle, little star,
How I wonder what you are.”

(Laughter.)

Mr. K. Ahmed :

Up above the world so high,
Like a diamond in the sky”

(Loud laughter.)

Mr. Sri Prakasa : I really want that there should be a sympathetic handling of the situation ; and I am sure that if those who are in charge of this propaganda went about to the places where tea is sold and told the vendors how exactly tea should be brewed and made, much good would be done. In this connection, I should also like to point out that last year, when a similar Bill was before this House, I ventured to suggest

[Mr. Sri Prakasa.]

to Mr. Milligan, a suggestion which he accepted, that he might induce Government to see that prisoners were also supplied with tea at the expense of the Tea Cess Committee. In the United Provinces prisoners are not given any tea at all ; and if Mr. Milligan could induce Government to allow him and his people to visit prisons from time to time, he would be doing a great deal of good to a very desirable class of people. (Laughter.) I believe that a Government can best be judged from its treatment of those who are its enemies ; and whether a man is a political prisoner or a non-political prisoner, he has certainly violated, and very often, very rightly, some bad law of this Government, and so has got into trouble. I am sure that my Honourable friend, if he has not succeeded in that venture last year, will succeed this year. As Government seem to be co-operating with him fully in the passage of this Bill, I hope they will also co-operate with him in this particular matter. The supply of good tea is in itself the best propaganda that we can think of in favour of tea. It is a fact that in the poorer quarters of Calcutta and Bombay very bad tea is supplied. Very often tea leaves once used are used again. More often than not, water is over-boiled. These defects spoil the tea ; and along with it, give a bad name for the tea propaganda itself. I am sure that my Honourable friend, Mr. Milligan, will accept this additional clause to his Bill and give effect to it in practice.

Mr. President (The Honourable Sir Abdur Rahim) : Amendment moved :

“ That after sub-clause (b) of clause 4 of the Bill, the following new sub-clause be inserted :

‘ (c) It shall be incumbent on the Indian Tea Market Expansion Board to make, as a part of their propaganda in India, adequate arrangements for overseeing the tea shops in the various parts of India, and making sure that tea is properly brewed and supplied in a clean and proper manner particularly in the poorer quarters ’.”

Mr. K. Ahmed : I rise to congratulate my Honourable friend who has just spoken, at the same time I shall have to oppose his amendment and ask for a different kind of amendment altogether. From his speech it appears to me that he likes tea, he is very fond of it, not unlike my Honourable friend from Orissa, nor unlike my Honourable friend from Poona, Mr. Gadgil, they are also very fond of tea, and I know they are very fond of attending tea functions and free of cost teas are supplied at feasts. But many of them are prejudiced persons like my Honourable friend, Mr. Sri Prakasa, who had been to jail, and he wanted a nice cup of tea there every day. But I suppose that he was quartered in the Indian portion of the jail and not in the European portion, where tea is supplied. My Honourable friend from Poona does not like it, because they have political views and they say that they have got an aversion to it. But my Honourable friend, Mr. Sri Prakasa, who is an England returned man, a graduate of Oxford.....

An Honourable Member : Of Cambridge, like you.

Mr. K. Ahmed : Anyhow, he was wanting tea and he has given a description in his speech. At the same time he requests that the tea may be supplied also for the benefit of similar people who go to jail to serve out their period of imprisonment. That being so, the wording of the amendment is such that it cannot be accepted because it goes against

the interests of the tea shopkeeper, it goes against the interests of those people from downstairs, the restaurant keeper from whom my Honourable friend gets a supply of tea every day probably. But he never objects that the tea is bad, he pays the bill in full, he never complains to the Secretary that beautiful tea suitable to his taste is not supplied. Well, Sir, I do not now remember the rhyme he had quoted in his speech otherwise I would have applied it. These people do not like to support Government when any Bill comes here for discussion, though it is for the benefit of the people of India and the constituency they represent.... (Interruption by Mr. Ram Narayan Singh).... of the people of Hazaribagh also. The representative of Hazaribagh comes here and opposes the Bill. But the labourers of Hazaribagh are maintained, clothed and fed by these organisations of the tea planters, and my Honourable friends come here, and, instead of representing these men, misrepresent them. (Laughter.) Instead of doing good to their constituencies, they have done a great disservice to them. I ask Mr. Sri Prakasa not to move his amendment because it is not good for him or for anybody. I remember on previous occasions how many times he sought the protection and the permission of the Chair to withdraw his amendments. Instead of citing that beautiful poem which he studied in his school days and repeating them to me, may I utilise the same in support of my opposition. I hope that he will like a good man help the passing of this legislation. If he does that, I shall thank him very much.

The Honourable Sir Muhammad Zafrullah Khan : I have no doubt that this amendment has been moved with the object of drawing attention to this aspect of the question. If so, it has served its purpose. Otherwise it is open to several objections. It is no more than a pious hope and it has no sanction behind it and it would really not be within the scope of the Bill at all, because the Bill is not concerned with this kind of thing and in any case I am afraid it would require a cess of about Rs. 100 on 100 lbs. of tea to enable any association whatsoever to carry out the object of this amendment. Sir, I oppose it.

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

“ That after sub-clause (b) of clause 4 of the Bill, the following new sub-clause be inserted :

“(c) It shall be incumbent on the Indian Tea Market Expansion Board to make, as a part of their propaganda in India, adequate arrangements for overseeing the tea shops in the various parts of India, and making sure that tea is properly brewed and supplied in a clean and proper manner particularly in the poorer quarters.”

The motion was negatived.

The Honourable Sir Muhammad Zafrullah Khan : Before you put clause 4, may I, with your permission, draw your attention to this, that amendment No. 23, which has been adopted by the House, seeks to add sub-clause (e) to sub-section (2) of the original Act. I am afraid, it does not fit in. If you would permit me, I would at this stage move a formal amendment. The amendment will run as follows :

“ That after clause 4 of the Bill, the following clause be added and the subsequent clauses be re-numbered accordingly :

“ 5. After sub-section (2) of section 4 of the said Act, the following sub-section shall be inserted, namely,—

“(5a) The Executive Committee of the Board shall consist of nine members, of whom not less than three shall be Indians.”

Mr. President (The Honourable Sir Abdur Rahim) : Amendment No. 23, which has been adopted by the House, calls for, I understand, certain verbal alterations and if those alterations are made, it will read like this :

“ That after clause 4 of the Bill, the following clause be added and the subsequent clauses be re-numbered accordingly :

‘ 5. After sub-section (2) of section 4 of the said Act, the following sub-section shall be inserted, namely,—

‘ (2a) The Executive Committee of the Board shall consist of nine members, of whom not less than three shall be Indians ’.”

I take it that that represents the decision of the House.

Honourable Members : Yes, yes.

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

“ That clause 4, as amended, stand part of the Bill.”

The motion was adopted.

Clause 4, as amended, was added to the Bill.

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

“ That clause 5 stand part of the Bill.”

Mr. Akhil Chandra Datta : Sir, I move :

“ That in sub-clause (a) of clause 5 of the Bill, after the word ‘ tea ’ the words ‘ generally and especially Indian tea ’ be inserted.”

Sir, section 5, sub-section (2), of the existing Act reads as follows :

“ The said proceeds and any other moneys received by the Committee in this behalf shall be applied by the Committee towards meeting the cost of such measures as the Committee may consider it advisable to take for promoting the sale and increasing the consumption in India and elsewhere of teas produced in India.”

Sir, the material words of the existing Act are :

“ The consumption in India and elsewhere of teas produced in India.”

Now, Sir, in the Bill it is proposed to omit these words “ produced in India ”,—and for this reason, that there is an international propaganda which will carry it on, and therefore the propaganda will be with regard to not only for teas produced in India but also those produced in all other countries. My amendment is to this effect :

“ increasing the consumption.....of tea generally and especially Indian tea.”

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

“ That in sub-clause (a) of clause 5 of the Bill, after the word ‘ tea ’ the words ‘ generally and especially Indian tea ’ be inserted.”

The motion was adopted.

Pandit Nilakantha Das : Sir, I move :

“ That in clause 5 of the Bill, after sub-clause (a), the following new sub-clause be inserted, and the subsequent sub-clause be re-lettered accordingly :

‘ (b) The Board shall make adequate provision for preventing the sale for human consumption of any bad or adulterated tea in India.

Explanation.—Bad tea means any tea dust or sweepings which is not fit for human consumption, but fit for the purposes of manure, or for only extracting chemicals or colouring matter therefrom. Adulterated tea means tea mixed with dried and coloured tea leaves already used in making tea, as well as with other leaves dried and coloured for the purpose of mixing with tea leaves for the market ’.”

Sir, I may inform the House that in India in the tea markets leaves other than tea leaves are prepared and sold. There are factories for these leaves somewhere in Madras ; I wanted to ask some questions at short notice on this subject, but perhaps it was not possible for the Government to reply to those questions in time. There are certain factories where leaves other than tea leaves are dried, coloured and made just like tea leaves. Indeed very huge quantities are sold in the market by wholesale tea dealers, and retail-dealers go to them and say, " give me fifty fifty ", or " twenty-five, seventy-five "—in language which is only understood by the dealers, meaning fifty per cent. tea leaves mixed with fifty per cent. other leaves, etc., etc., as the case may be, and the wholesale dealers mix them up accordingly—that is the meaning. It is in that way that they make spurious tea and make it cheap for the Indian market. Now I should like the sale of such so-called tea to be prevented. Then, again, in cities and industrial centres like Jamshedpur I am informed that the tea leaves, after the tea is prepared, are strained out of the kettle and they are made to dry up, and those leaves are mixed up again with tea !

Mr. K. Ahmed : Buy Lipton's Blended Tea !

Mr. J. A. Milligan : Buy " Sri Prakasa Blend " !

Pandit Nilakantha Das : I am informed reliably that these are facts and those leaves are again coloured and mixed with good tea in the market.—in fact that is done I hear even in the blending firms too, and these mixed articles are palmed off in the market as good tea ! (Interruptions.)

Mr. President (The Honourable Sir Abdur Rahim) : Order, order.

Pandit Nilakantha Das : Firstly, then, there are leaves other than tea leaves, used, and there are factories for the same. Secondly, the tea leaves already used are mixed with other teas. Thirdly, in the tea gardens, sweepings and dust which are not meant for the tea market in this country are sent by the producers abroad—for it is a fact that there is no consumer of such teas in this country—for manuring purposes or extracting the colouring matter chemicals out of that, such as, tannic acid or other chemicals. Such tea is of course not fit for human consumption and contains a good deal of poison. That is my information. Such teas are not allowed to be sold in the market here, but they are sold to some middlemen for export to some foreign trade centres. These poisonous stuff are clandestinely sold in the markets for our poor people, and such teas are particularly, I am afraid, sold, in very huge quantities, in my part of the country. So, a provision like this is very necessary. My Honourable friend, however, may say that this amendment is also something like a pious desire. But, as I said in my speech on the consideration of the Bill, my idea is that Government will be prepared to have some Act against tea adulteration and when that Act, which should come just in the wake of this Act, becomes effective, some responsibility will lie with the Board, so that no bad tea or this kind of mixed tea is sold in the Indian market. For the present, I hope, my Honourable friend, the Commerce Member will accept this clause and in order to implement this he will immediately bring in a Bill against the sale of bad or adulterated tea in the Indian market. With these words, I move my amendment,

Mr. President (The Honourable Sir Abdur Rahim) : Amendment moved :

“ That in clause 5 of the Bill, after sub-clause (a), the following new sub-clause be inserted, and the subsequent sub-clause be re-lettered accordingly :

‘ (b) The Board shall make adequate provision for preventing the sale for human consumption of any bad or adulterated tea in India.

Explanation.—Bad tea means any tea dust or sweepings which is not fit for human consumption, but fit for the purposes of manure, or for only extracting chemicals or colouring matter therefrom. Adulterated tea means tea mixed with dried and coloured tea leaves already used in making tea, as well as with other leaves dried and coloured for the purpose of mixing with tea leaves for the market ’.”

The Honourable Sir Muhammad Zafrullah Khan : Sir, I am sorry that I am unable to accept the amendment moved by the Honourable Member not for the reason that I am not concerned with the evil to which he has referred but for the reason that the Tea Expansion Board really could not do anything to put an end to this evil. As a matter of fact, statutory provision already exists laying down standards for tea in the various provinces. In every one of the provinces there is an Act designed to secure the purity of foodstuffs.

Pandit Nilakantha Das : But tea is not included in them.

The Honourable Sir Muhammad Zafrullah Khan : In rules made under every one of these Acts, standards for tea have been notified. I, therefore, oppose the amendment.

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

“ That in clause 5 of the Bill, after sub-clause (a), the following new sub-clause be inserted, and the subsequent sub-clause be re-lettered accordingly :

‘ (b) The Board shall make adequate provision for preventing the sale for human consumption of any bad or adulterated tea in India.

Explanation.—Bad tea means any tea dust or sweepings which is not fit for human consumption, but fit for the purposes of manure, or for only extracting chemicals or colouring matter therefrom. Adulterated tea means tea mixed with dried and coloured tea leaves already used in making tea, as well as with other leaves dried and coloured for the purpose of mixing with tea leaves for the market ’.”

The motion was negatived.

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

“ That clause 5, as amended, stand part of the Bill.”

The motion was adopted.

Clause 5, as amended, was added to the Bill.

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

“ That clause 6 stand part of the Bill.”

Mr. Basanta Kumar Das : Sir, I want to move both the amendments standing in my name, namely, Nos. 43 and 44.

Mr. J. A. Milligan : May I point out to the Honourable Member that this amendment is consequential to a previous amendment which he withdrew and which related to the introduction of the principle of election.

Mr. Basanta Kumar Das : Amendment No. 43 is not consequential.

Mr. J. A. Milligan : It is not. I beg your pardon. I thought you were moving No. 44.

The Honourable Sir Muhammad Zafrullah Khan : But the name "The Indian Tea Market Expansion Board" has already been accepted by the House.

Mr. Basanta Kumar Das : I want to introduce the words 'if necessary'. My object is to provide that if the Governor General wants to make any minor change in the rules it is not necessary for him to consult the Board. Therefore, I have introduced the words 'if necessary' in order to provide that consultation of the Board would be optional with the Governor General in Council. Sir, I move :

"That clause 6 of the Bill be re-numbered as clause 6 (ii), and, before the clause, as so re-numbered, the following be inserted :

'In sub-section (1) of section 7 of the said Act. for the words 'Tea Cess Committee' the words 'The Indian Tea Market Expansion Board, if necessary' shall be substituted.'

I have already explained the object of my amendment and I hope the Honourable the Commerce Member will accept it. It is a very minor change and it will lead to convenience.

Mr. President (The Honourable Sir Abdur Rahim) : Amendment moved :

"That clause 6 of the Bill be re-numbered as clause 6 (ii), and, before the clause, as so re-numbered, the following be inserted :

'In sub-section (1) of section 7 of the said Act, for the words 'Tea Cess Committee' the words 'The Indian Tea Market Expansion Board, if necessary' shall be substituted.'

The Honourable Sir Muhammad Zafrullah Khan : Sir, I am unable to accept this amendment because all that section 7 (1) provides is that the Governor General in Council after consulting the Tea Cess Committee, which will now be called the Indian Tea Market Expansion Board, and after previous publication may make rules to carry out the purposes of this Act. After he has consulted the Board, he is not bound to accept the advice of the Board. Therefore, the addition of the words 'if necessary' will make no difference whatsoever.

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

"That clause 6 of the Bill be re-numbered as clause 6 (ii), and, before the clause, as so re-numbered, the following be inserted :

'In sub-section (1) of section 7 of the said Act, for the words 'Tea Cess Committee' the words 'The Indian Tea Market Expansion Board, if necessary' shall be substituted.'

The motion was negatived.

Mr. Basanta Kumar Das : Sir, I move :

“ That in clause 6 of the Bill, sub-clauses (a) and (b) be re-lettered as sub-clauses (b) and (c), and, before the sub-clauses, as so re-lettered, the following be inserted :

‘ (a) in clause (a)—

(i) after the word ‘ nomination ’ the words ‘ election, recommendation ’ shall be inserted ;

(ii) the word ‘ and ’ before the word ‘ appointment ’ shall be omitted ;

(iii) after the word ‘ appointment ’ the words ‘ and retirement ’ shall be inserted ;

(iv) for the word ‘ Committee ’ the words ‘ Board as provided for in section 4 of the Act ’ shall be substituted ’.”

Now, if these words are placed in the original section, it would read thus :

“(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for—

(a) the nomination, election, recommendation, appointment and retirement of the members of the Committee, and the procedure of the Board.”

Sir, my object is to make provision that the Governor General in Council will be entitled to make rules for recommendation for election and retirement of the “ Indian Tea Marketing Expansion Board ”. Now, it would appear from the amendments that have been accepted, as for instance No. 15 that members of the Board are to be appointed on the recommendations of the Bengal Chamber of Commerce and some other bodies. I want to say, therefore, that the Governor General in Council will have power to frame rules which should be followed in making these recommendations. With regard to election, Honourable Members may ask that there is no word ‘ election ’ in any of the amendments. But I beg to draw the attention of the House to amendment No. 23 which says that the executive committee is to be formed. Who is to form the executive committee ? The Tea Expansion Board has to do it and so they will have to elect their executive committee. Therefore the Governor General should have power to make rules for the election of the executive committee. Therefore I submit that this amendment is perfectly consequential to the amendments that have been already accepted.

Mr. President (The Honourable Sir Abdur Rahim) : Amendment moved :

“ That in clause 6 of the Bill, sub-clauses (a) and (b) be re-lettered as sub-clauses (b) and (c), and, before the sub-clauses, as so re-lettered, the following be inserted :

‘ (a) in clause (a)—

(i) after the word ‘ nomination ’ the words ‘ election, recommendation ’ shall be inserted ;

(ii) the word ‘ and ’ before the word ‘ appointment ’ shall be omitted ;

(iii) after the word ‘ appointment ’ the words ‘ and retirement ’ shall be inserted ;

(iv) for the word ‘ Committee ’ the words ‘ Board as provided for in section 4 of the Act ’ shall be substituted ’.”

The Honourable Sir Muhammad Zafrullah Khan : Sir, I beg to submit that the first three parts of the amendment are harmless and although they may be unnecessary I have no objection to them ; but the last part of the amendment, that is part (iv) which says that for the word

'committee' the words 'Board as provided for in section 4 of the Act' shall be substituted, that is already covered. Clause 8 of the Bill says :

"In the preamble and throughout the said Act, for the word 'Committee' and for the words 'Tea Cess Committee' wherever they occur the word 'Board' shall be substituted."

Clause (2) (c) has already defined a 'Board' as meaning the Indian Tea Market Expansion Board constituted under section 4. Therefore that portion of the amendment is redundant and a mere duplication. With regard to the first three parts, I am indifferent. If the Honourable Member thinks that the rule making power of the Governor General should be enlarged in the manner suggested by him I have no objection.

Mr. Basanta Kumar Das : I am ready to delete part (iv).

Mr. President (The Honourable Sir Abdur Rahim) : I shall put the question deleting part (iv). The question is :

"That in clause 6 of the Bill, sub-clauses (a) and (b) be re-lettered as sub-clauses (b) and (c), and, before the sub-clauses, as so re-lettered, the following be inserted :

'(a) in clause (a)—

(i) after the word 'nomination' the words 'election, recommendation' shall be inserted ;

(ii) the word 'and' before the word 'appointment' shall be omitted ;

(iii) after the word 'appointment' the words 'and retirement' shall be inserted."

The motion was adopted.

Pandit Nilakantha Das : Sir, I beg to move :

"That in sub-clause (b) of clause 6...."

The Honourable Sir Muhammad Zafrullah Khan : It has now become sub-clause (c).

Pandit Nilakantha Das : I beg to move :

"That in sub-clause (c) of clause 6 of the Bill, in the proposed clause (d), before the words 'tea industry' the word 'Indian' be inserted."

The Honourable Sir Muhammad Zafrullah Khan : I accept the amendment.

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

"That in sub-clause (c) of clause 6 of the Bill, in the proposed clause (d), before the words 'tea industry' the word 'Indian' be inserted."

The motion was adopted.

Mr. Akhil Chandra Datta : Sir, I beg to move :

"That in sub-clause (b) of clause 6 of the Bill, to the proposed clause (d) of sub-section (2) of section 7, the following proviso be added :

'Provided always that in any committee appointed out of India for administering the funds of the Board, such committee shall have direct representation of the Government of India and the Indian planting interest. Further provided always that such Committee be always responsible to the Board for the submission of details of expenditure and operations and further such operations outside India shall be directly inspected by the Board's representatives from time to time in each individual country such period shall not exceed three years in each instance'."

I may state at once that I am not pressing this amendment. I am moving it only to invite the attention of the Government to the suggestions

[Mr. Akhil Chandra Datta.]

I have made in the amendment. I want a specific assurance that the suggestions contained in the amendment would be given effect to as early as possible. Three things are recommended in the amendment. Firstly that India should be represented on those International Boards, secondly that the outside Committee should be responsible to the Indian committee for submission of details of expenditure and operation and thirdly that such operations outside India shall be primarily inspected by the Board's representative from time to time in each individual country. I shall be satisfied with an assurance that these suggestions would be given effect to. My request is perfectly in consonance with the suggestions made by the Indian Tea Association. On page 7 of their letter they say :

" For the purpose of promoting the sale and increasing the consumption of tea in other countries the Bureau may, at their discretion, allot moneys from the tea cess fund to be expended on projects under the direct administration and control of other representative bodies provided that the Bureau shall have approved of such projects and that the Bureau is represented on such bodies."

Mr. President (The Honourable Sir Abdur Rahim) : Amendment moved :

" That in sub-clause (b) of clause 6 of the Bill, to the proposed clause (d) of sub-section (2) of section 7, the following proviso be added :

' Provided always that in any committee appointed out of India for administering the funds of the Board, such committee shall have direct representation of the Government of India and the Indian planting interest. Further provided always that such Committee be always responsible to the Board for the submission of details of expenditure and operations and further such operations outside India shall be directly inspected by the Board's representatives from time to time in each individual country such period shall not exceed three years in each instance '."

Mr. J. A. Milligan : Sir, I would like to point out to my Honourable friend the fact that the responsibility which is imposed by this Act on the new Board would make it impossible for them to contribute funds to any body which was not directly under them so that they could be relieved of that responsibility. The International Tea Market Expansion Board, as I explained this morning, is composed of three members from the Indian Tea Cess Committee, or as it will be the New Indian Tea Market Expansion Board, the Ceylon Tea Propaganda Board and the Amsterdam Tea Association and there is no suggestion or intention that any Committee would be set up empowered to spend the tea cess fund which was not composed partly at least of representatives of the Indian Tea Cess Committee.

Mr. Akhil Chandra Datta : In view of the assurance, I beg leave of the House to withdraw the amendment.

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

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

" That clause 6, as amended, stand part of the Bill."

The motion was adopted.

Clause 6, as amended, was added to the Bill.

Clauses 7 and 8 were added to the Bill.

Clause 1 was added to the Bill.

The Title and the Preamble were added to the Bill.

The Honourable Sir Muhammad Zafrullah Khan : Sir, I beg to move :

“ That the Bill further to amend the Indian Tea Cess Act, 1903, as amended, be passed.”

5 P.M. Sir, at this stage I do not propose to make a speech except to express my sense of gratitude to the House, and particularly to those Members who are primarily concerned with the interests affected by the Bill, that they were able to come to an understanding with regard to the main features of the Bill which has enabled the House to pass it fairly expeditiously. Sir, I move.

Mr. President (The Honourable Sir Abdur Rahim) : Motion moved :

“ That the Bill, as amended, be passed.”

Mr. Akhil Chandra Datta : Sir, I shall speak for half a minute. There is a great grievance with regard to this Bill against Mr. Milligan. We have been made to talk the whole day over tea but we have not yet received one single cup of tea. (Laughter.) Therefore, I warn him that we on this side of the House will oppose his Bill being passed unless he gives an assurance that he will give us a tea party. (Laughter.)

Dr. Ziauddin Ahmad : Sir, I congratulate Mr. Milligan and I will draw his attention to two points only. One was in connection with education. I will remind him of a story in America. Some persons made brass buttons which were exactly like the cent in America and there was an inscription on those brass buttons that they were not to be used in the slots of automatic machines but only as buttons. Of course the result was that they were extensively used in the automatic machines. So whenever tea is mentioned in any school text-book, you may take it for granted that people will be jolly glad to have tea. They would enjoy drinking it more than merely reading its account. There is one more thing to which I wish to draw attention. I think it was a very sensible suggestion that was made by Mr. Sri Prakasa that you ought to use the prisoners as your propagandists and Mr. Milligan should supply free tea to all prisoners and the object is that when they come out they will carry on your propaganda. But there is one difficulty in this proposal. According to the statement of Mr. Sri Prakasa, most visitors there are on their twentieth pilgrimage so that 20 prisoners are equivalent to one, you will have to supply 20 cups of tea in order to have one propagandist. I would have strongly supported his motion but for this drawback. Now, I congratulate Mr. Milligan and the Honourable the Commerce Member on their tact in piloting this Bill. I support the motion and I join the Deputy President in his remarks about tea-less assembly.

Mr. J. A. Milligan : Sir, I will not detain the House for more than a minute. In April 1935 when I thanked the Honourable the Commerce Member and the Members of this House for the help they gave in so speedily putting on the Statute-book the Tea Cess Amending Bill of 1935, my gratitude consisted largely of a lively sense of favours to come because at that time I indicated that we had another Bill coming shortly before the House. I now have much pleasure in expressing, on behalf of the tea industry and on my own behalf, my gratitude to the Honourable the

[Mr. J. A. Milligan.]

Commerce Member and to his Secretary and also to the Members of this House for placing this Bill on the Statute-book and thereby enabling the new Indian Tea Market Expansion Board to proceed with its great work.

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

“ That the Bill, as amended, be passed.”

The motion was adopted.

The Assembly then adjourned till Eleven of the Clock on Monday, the 12th October, 1936.