

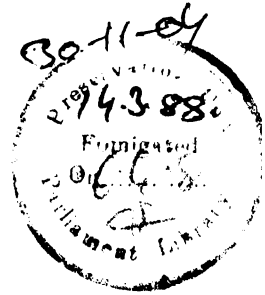
Thursday, 12th April, 1934

THE
COUNCIL OF STATE DEBATES

VOLUME I, 1934

(8th February to 27th April, 1934)

SEVENTH SESSION
OF THE
THIRD COUNCIL OF STATE, 1934



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1934.

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COUNCIL OF STATE.

Thursday, 12th April, 1934.

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

MEMBERS SWORN :

The Honourable Mr. Hugh Stuart Crosthwaite, C.I.E. (Delhi : Nominated Official).

The Honourable Mr. Bertrand James Glancy, C.S.I., C.I.E. (Political Secretary).

The Honourable Sir Alfred Alan Lethbridge Parsons, Kt., C.I.E. (Finance Secretary).

QUESTIONS AND ANSWERS.

COST OF RECRUITING AND TRAINING A BRITISH INFANTRY SOLDIER.

115. THE HONOURABLE MR. JAGADISH CHANDRA BANERJEE (on behalf of the Honourable Mr. Hossain Imam) : (a) Is it a fact that the last calculated cost of recruiting and training a British infantry soldier for one year in 1923 was £190-10-0 ?

(b) Is it a fact that the Capitation Tribunal in paragraph 29 of their report recommend that India should be charged for nine months only ? Does it mean that cost will be £142-10-0 *per capita* ?

(c) Is it a fact that in paragraphs 30, 32, they recommend that India should be charged for the period of service in India and England should pay for the period of active and reserve service ?

(d) Does it mean that roughly India and England will have to pay half, half the cost of nine months' training ? Does it denote that India is to be debited with half of £142-10-0 or £71-5-0 ?

(e) Is it a fact that this year only 7,648 men were drafted in India for the British Army. Does not their cost on the rates mentioned come to £548,744 ? Is this the amount which is to be paid ? If not, what is the amount, and how is it arrived at ?

THE HONOURABLE SIR ALAN PARSONS : Sir, His Excellency the Commander-in-Chief, who is on tour, has asked me to reply on his behalf and with your permission I will do so.

(a) Yes.

(b) The answer to the first question is in the affirmative. The answer to the second question is in the negative. There are certain fixed charges which do not vary with the period of training and therefore the reduction will be by less than one quarter.

(c) and (d). The soldier engages to serve for twelve years, of which normally seven years are with the Colours and five with the Reserve. India has to pay that proportion of the cost of training the soldier which the term he actually serves in India bears to the full twelve years. When it is stated in the report that "service with the Colours is to rank equal with service in the Reserve", it does not mean that the five years with the Reserve is to equal the seven years with the Colours, but that one year counts as one year in either case.

(e) The answer to the first question is in the affirmative. As regards the second, the Honourable Member is under a misapprehension. The annual capitation payment is worked out on the total number of men serving in India each year, and not on the numbers of the drafts which arrive in India annually. I would, however, refer the Honourable Member to the last sentence of the reply I gave on the 19th March, 1934, to his question No. 79.

GRANT OF TEA EXPORT LICENSES UNDER THE TEA RESTRICTIONS SCHEME.

116. THE HONOURABLE MR. JAGADISH CHANDRA BANERJEE (on behalf of the Honourable Rai Bahadur Lala Jagdish Prasad): (a) Is it a fact that in some cases tea gardens have been leased out to lessees by their original proprietors for definite periods?

(b) Is it a fact that in such cases all the existing rights and privileges have been transferred by such lessors for valuable considerations to the lessees?

(c) Is it a fact that owing to slump in the tea market these lessees of tea gardens had to incur huge losses in the past years?

(d) Is it a fact that the Indian Tea Control Act, XXIV of 1933, was enacted in the interest of the actual growers and producers of tea?

(e) Is it a fact that these lessees have been equally affected by the restrictions imposed on the export of tea by the above Act?

(f) Is it a fact that such original proprietors as had leased out their tea gardens before the slump in prices have not been affected by either the slump or the restrictions imposed on the export of tea by the Act?

(g) Is it a fact that taking advantage of the words "owner of a tea estate" as used in sections 15 and 16 of the said Act certain lessors have applied to the Indian Tea Licensing Committee, Calcutta, for export licences of tea outside India?

(h) Is it a fact that the lessors by reason of their having leased out their tea estates cannot now grow and produce tea by themselves and consequently cannot export such produce?

(i) Is it a fact that in section 8 of the Government of India Resolution No. 30, dated the 20th May, 1933, issued for the purposes of the Notification No. 28-Customs, dated the 20th May, 1933, containing instructions about the appointment of licensing authority and conditions for the grant of export licences for tea, only "a tea producer" or "an exporter to whom export rights have been transferred by a producer" is entitled to apply for and be granted an export licence, and is it also a fact that the Indian Tea Control Act, 1933, was intended to be framed on the lines of the said Resolution?

(j) Have Government considered the advisability of issuing instructions to the Indian Tea Licensing Committee to grant export licences only to lessees who are in actual possession of the produce of the tea estates?

THE HONOURABLE MR. T. A. STEWART : (a) Yes.

(b) Ordinarily this is so but the position in individual cases must depend on the terms of the relative lease.

(c) Government have no information.

(d) and (e). Yes.

(f) Yes, unless the terms of the lease have undergone any change as a result of the slump.

(g) Yes.

(h) Yes, unless otherwise provided in the lease.

(i) Yes.

(j) Government do not consider any such instructions to be necessary because in cases where the Licensing Committee are informed that an estate has been leased out, the relative export quota is allotted to the lessee provided application for the quota is made by the lessee in accordance with the terms of the Act and the rules made thereunder.

NAMES AND POSTINGS OF ENTRANTS TO THE SUPERIOR SERVICES DURING THE LAST TWELVE MONTHS.

117. THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS : Will Government kindly place on the table of this House a statement giving the names and postings of the permanent entrants to superior services in civil and in military departments during the last twelve months or for the period for which figures are available ?

THE HONOURABLE MR. M. G. HALLETT : I lay on the table a statement containing the information required in respect of the all-India services recruitment for which has not been stopped. I regret that similar information is not readily available in respect of other superior services.

INDIAN CIVIL SERVICE.

<i>Madras.</i>	<i>United Provinces.</i>
K. G. Menon.	P. A. Gopalakrishnan.
M. J. R. Paul.	Jagat Narayan.
Sheikh Mahmud Hasan.	Q. A. Whyte.
<i>Bombay.</i>	A. D. Pandit.
D. S. Joshi.	B. M. Bacon.
G. V. Bedekar.	K. P. Bhargava.
R. A. Mahamadi.	Rajeshwar Dayal.
R. S. Halliday.	G. A. Faruqi.
P. V. R. Rao.	
Vidya Shankar.	
S. M. Ikram.	<i>Punjab.</i>
<i>Bengal.</i>	D. A. Bryan.
R. J. Pringle.	R. E. C. Broadbent.
S. M. Kadri.	L. J. D. Wakely.
R. A. St.C. Stracey.	S. N. Haksar.
L. R. Chambers.	Syed Fida Hassan.
E. G. Greek.	A. L. Fletcher.
S. B. Hatch-Barnwell.	Ashan-ud-Din Pir.
S. N. Mitra.	P. M. Ismail.
A. H. Quraishi.	Kapuri Singh.

INDIAN CIVIL SERVICE—*contd.*

<i>Burma.</i>	<i>Bihar and Orissa.</i>
G. Samuel.	C. S. Jha.
A. W. H. Breaky.	C. L. Bryson.
Maung Nyun.	Muhammad Azfar.
Maung Ba Tint.	
Maung Ohn.	
Maung Tun Min.	
Maung Ba Htay.	<i>Central Provinces.</i>
Maung Saw Han.	K. Radhakrishnan.

INDIAN POLICE SERVICE.

<i>Madras.</i>	<i>United Provinces.</i>
A. W. Lennan.	G. A. J. Boon.
V. V. Chandrasekhara.	J. D. A. Pollock.
S. Appanda Raj.	L. C. Ingram.
	H. A. St. Clare Stracey.
<i>Bombay.</i>	<i>Punjab.</i>
A. E. Davies.	P. N. Cleary-Fox.
R. H. Simpson.	G. N. Jackson.
V. G. Kanetkar.	N. D. T. Sutton.
<i>Bengal.</i>	<i>Burma.</i>
G. Walker.	C. Tooke.
J. W. Purdy.	F. Smitherman.
Upananda Mukherji.	<i>Bihar and Orissa</i>
Ajit Kumar Majumdar.	Bibhutibhusan Banerji.

Assam.

Sudhindra Mohan Datta.

INDIAN MEDICAL SERVICE.

The undermentioned Indian Medical Service officers were transferred to civil during the period from 1st April, 1933 to 31st March, 1934 :

	<i>Present appointment.</i>
<i>Madras.</i>	
Captain R. D. Alexander (temporarily).	Acting Physician, Government General Hospital and Additional Professor of Medicine, Medical College, Madras.
Colonel (now Major-General) Sir F. P. Coonor (permanently).	Surgeon-General, Madras.
Captain J. F. Shepherd (temporarily).	Reserve Duty, Government General Hospital, Madras.
<i>Bombay.</i>	
Captain J. E. Grey (temporarily).	Civil Surgeon, Nasik, Bombay.
<i>Bengal.</i>	
Major N. B. Mehta (temporarily).	Superintendent, Central Jail, Rajahmundry, Bengal.

INDIAN MEDICAL SERVICE—*contd.*

Present appointment.

United Provinces.

Captain W. Lawie (temporarily).	Civil Surgeon, Dehra Dun, United Provinces.
Captain F. E. B. Manning (temporarily).	Civil Surgeon, Fyzabad, United Provinces.
Captain D. M. Fraser (temporarily).	Civil Surgeon, Allahabad, United Provinces.

Punjab.

Captain M. H. Shah (temporarily).	Officiating Medical Superintendent, Punjab Mental Hospital, Lahore, Punjab.
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Burma.

Captain G. M. Irvine (temporarily).	Civil Surgeon, Tounngyi, Burma.
Captain T. J. Davidson (temporarily).	Civil Surgeon, Prome, Burma.
Captain R. L. Frost (temporarily).	Civil Surgeon, Thayetmyo, Burma.
Captain Hoe Min Sein (temporarily).	General duty at the General Hospital, Rangoon, Burma.
Major A. J. D'Souza (temporarily).	Jail Department, Burma.

Central Provinces.

Captain F. R. W. K. Allen (temporarily).	Civil Surgeon, Raipur, Central Provinces.
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North-West Frontier Province.

Captain C. A. Bozman (temporarily).	Superintendent, Peshawar Jails, North-West Frontier Province.
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Coorg.

Captain A. M. Sheridan (temporarily).	Civil Surgeon, Coorg.
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Government of India.

Major W. R. Stewart (tenure appointment)	Surgeon to His Excellency the Viceroy.
Major R. C. Wats (temporarily).	Medical Research Department (Malaria Survey of India, Kasauli).
Captain M. G. Saincher (on deputation).	His Exalted Highness the Nizam's Medical Department, Hyderabad.

ANGLO-SOVIET AGREEMENT.

119. THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS: Will Government kindly place on the table of this House a copy of the recent Anglo-Soviet Agreement?

THE HONOURABLE MR. T. A. STEWART: The Honourable Member is apparently referring to the Temporary Commercial Agreement between His Majesty's Government in the United Kingdom and the Government of the Union of Soviet Socialist Republics which was signed on the 16th February, 1934. The Agreement has been published in the Treaty series of Parliamentary papers a copy of which is being obtained and will be placed in the Library of the Legislature when received.

DEFINITION OF "HARIJANS" OR "DEPRESSED CLASSES" FOR PURPOSES OF ELECTION.

119. THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS : Will Government kindly state what definition they have finally adopted of "Harijans" or "Depressed classes" for each province for purposes of election to the various Legislatures and what communities or castes will be classed as such ?

THE HONOURABLE KHAN BAHADUR MIAN SIR FAZL-I-HUSAIN : I invite the Honourable Member's attention to paragraph 4 of the Introductory Note to Appendices IV and V and to Appendix VIII of the White Paper.

THE HONOURABLE THE PRESIDENT : Mr. Ghosh Maulik.

THE HONOURABLE SARDAR SHRI JAGANNATH MAHARAJ PANDIT : May I ask this question, Sir, on behalf of Mr. Ghosh Maulik ?

THE HONOURABLE THE PRESIDENT : Have you got permission from him to ask the question ?

THE HONOURABLE SARDAR SHRI JAGANNATH MAHARAJ PANDIT : No, Sir.

THE HONOURABLE THE PRESIDENT : I must inform Honourable Members that unless they have got permission from the Member who has put the question they should not rise and ask permission to put the question.

THE HONOURABLE MR. MAHMOOD SUHRAWARDY : Verbally or in writing ?

THE HONOURABLE THE PRESIDENT : Any sort of permission. I will accept anything. However, probably the rule is not well known, so I will allow the questions to be put on the understanding that Honourable Members in future will be guided by the rule which I have now made.

NUMBER OF OFFICERS HOLDING HIGH APPOINTMENTS IN THE POLITICAL DEPARTMENT OF THE GOVERNMENT OF INDIA.

120. THE HONOURABLE SARDAR SHRI JAGANNATH MAHARAJ PANDIT (on behalf of the Honourable Mr. Satyendra Chandra Ghosh Maulik) : Will Government be pleased to state :

(a) The number of Indians and Europeans holding high appointments in the Political Department ?

(b) The number from the Army and the number from the Civil Service ?

THE HONOURABLE MR. B. J. GLANCY : (a) and (b). A statement has been laid on the table giving the information required.

Number of officers holding high appointments (i.e., selection and superior appointments) in the Political Department of the Government of India.

Europeans.		Indians.	
Army.	Civil Services.	Army.	Civil Services.
47	23	2	3 (including one on foreign service as Administrator, Nabha).

EXPENDITURE INCURRED ON THE PUBLIC SERVICE COMMISSION AND NUMBER OF INDIAN MEMBERS.

121. THE HONOURABLE SARDAR SHRI JAGANNATH MAHARAJ PANDIT (on behalf of the Honourable Mr. Satyendra Chandra Ghosh Maulik) : Will Government be pleased to state :

- (a) The cost of the upkeep of the Public Service Commission ?
- (b) The expenses incurred on the various examinations held under the auspices of the Public Service Commission ?
- (c) The number of Indian members of the Public Service Commission ?
- (d) Has any Indian up till now been appointed to hold the post of Chairman of the Public Service Commission ?

THE HONOURABLE MR. M. G. HALLETT : (a) The provision made for the current financial year is Rs. 3,56,000.

(b) The provision made for expenditure on examinations during the current financial year is Rs. 65,000.

(c) Two.

(d) No.

LEAVE RESERVE FOR OFFICERS IN THE BRITISH OR INDIAN ARMY.

122. THE HONOURABLE SARDAR SHRI JAGANNATH MAHARAJ PANDIT (on behalf of the Honourable Mr. Satyendra Chandra Ghosh Maulik) : Will Government be pleased to state :

(a) What is the leave and other reserve of the officers (King's Commissioned) in the Indian Army ?

(b) The leave and other reserve for the officers in the British Army in India ?

(c) Is it a fact that Indians holding the King's Commission and serving in the Western Command do not get the same privileges with regard to leave, furlough or otherwise as are enjoyed by British officers ?

(d) Has any Army Order been issued from Army Headquarters to this effect ?

THE HONOURABLE MR. M. G. HALLETT : With your permission, Sir, I will answer this on behalf of His Excellency the Commander-in-Chief.

(a) and (b). There is no leave or any other kind of reserve of officers in the combatant units of either the British or the Indian Army.

(c) No.

(d) No.

PERCENTAGE OF INDIAN MEDICAL SERVICE OFFICERS KEPT IN RESERVE FOR CIVIL EMPLOYMENT.

123. THE HONOURABLE SARDAR SHRI JAGANNATH MAHARAJ PANDIT (on behalf of the Honourable Mr. Satyendra Chandra Ghosh Maulik) : (a) Will Government be pleased to state what percentage of Indian Medical Service officers of the total Indian Medical Service cadre are kept in reserve for civil employment ?

(b) Are Royal Army Medical Corps officers ever employed in civil duties ?

(c) What is the difference in duties, etc., between an Indian Medical Service officer and an officer of the Royal Army Medical Corps ?

THE HONOURABLE MR. M. G. HALLETT: (a) No fixed percentage of Indian Medical Service officers is kept in reserve for civil employment but about 45 per cent. of the existing cadre are so employed at present.

(b) Yes, occasionally.

(c) There is no difference between the professional duties of Royal Army Medical Corps officers employed in India and those of Indian Medical Service officers, but generally, the former serve with British troops and the latter with Indian troops.

VOCATIONAL TRAINING OF INDIAN SOLDIERS WITH A VIEW TO EMPLOYMENT IN CIVIL LIFE AFTER DISCHARGE.

124. THE HONOURABLE SARDAR SHRI JAGANNATH MAHARAJ PANDIT (on behalf of the Honourable Mr. Satyendra Chandra Ghosh Maulik): Are Indian troops allowed any facilities to learn tradesmen's jobs such as are allowed to British soldiers ?

THE HONOURABLE MR. M. G. HALLETT: In certain branches of the army, Indian troops receive technical training as part of their work but there is no provision for vocational training with a view to employment in civil life after discharge.

SPECIAL CONCESSION RATE FOR CONVEYANCE OF MOTOR CARS BELONGING TO RAILWAY OFFICERS.

125. THE HONOURABLE SARDAR SHRI JAGANNATH MAHARAJ PANDIT (on behalf of the Honourable Mr. Satyendra Chandra Ghosh Maulik): Will Government be pleased to state if there is any special concession rate for the conveyance of motor cars of railway officers ?

THE HONOURABLE SIR GUTHRIE RUSSELL: There is no special rate of general application over all railways in India. Certain railways, however, allow free passes, or carriage at concession rates, for motor cars of officers, on certain stated occasions, according to the particular conditions obtaining on each railway system.

REVENUE DERIVED FROM INCOME-TAX IN EACH PROVINCE.

126. THE HONOURABLE SARDAR SHRI JAGANNATH MAHARAJ PANDIT (on behalf of the Honourable Mr. Satyendra Chandra Ghosh Maulik): (a) Will Government be pleased to state what is the revenue derived from income-tax in each province ? Is it a fact that the largest amount is collected from Bengal ?

(b) Has any Indian held the post of Income-tax Commissioner in Bengal ? If so, when, and for how long ?

THE HONOURABLE SIR ALAN PARSONS: (a) A statement is laid on the table.

(b) Yes, for twelve days from 3rd November, 1933.

Statement showing the net revenue derived from taxes on income (i.e., income-tax and super-tax) in the various provinces during 1932-33.

	Rs.
1. Madras	1,67,98,748
2. Bombay	4,62,23,157
3. Bengal	4,39,80,242
4. United Provinces	1,16,00,377
5. Punjab	86,90,484
6. Burma	1,74,16,122
7. Bihar and Orissa	68,71,745
8. Central Provinces and Berar	38,53,422
9. Assam	19,39,754
10. North-West Frontier Province	11,73,980

SHORT NOTICE QUESTION AND ANSWER.

THE HONOURABLE THE PRESIDENT (to the Honourable Mr. Miller) : You have got a short notice question? If the Member in charge does not object to it, I have no objection.

THE HONOURABLE MR. T. A. STEWART : I have no objection, Sir.

APPOINTMENT OF A JOINT COMMITTEE OF BOTH HOUSES TO EXAMINE THE WORKING OF THE OTTAWA AGREEMENT.

127. THE HONOURABLE MR. E. MILLER : Will Government be pleased to state whether it is proposed to appoint a Joint Committee of both Houses to examine the working of the Ottawa Agreement. If so, when will this Committee meet?

THE HONOURABLE MR. T. A. STEWART : It is not proposed to appoint a Joint Committee of both Houses to examine the working of the Ottawa Agreement but I shall move, in the course of the present session, for the appointment of a Committee of this Council for that purpose in accordance with the terms of the Resolution adopted on 20th March, 1933.

THE HONOURABLE MR. E. MILLER : May I enquire if it was the intention of Government originally to appoint a Joint Committee and, if so, why this is not being given effect to?

THE HONOURABLE MR. T. A. STEWART : Sir, from the record of the debate when the Resolution to which I referred was adopted it appears that it was the intention of Government that there should not be a Joint Select Committee. The Honourable the Leader of the Opposition moved that there should be a Joint Select Committee appointed and my predecessor, the Honourable Mr. Drake, moved an amendment which was accepted by the Leader of the Opposition.

THE HONOURABLE THE PRESIDENT : You refer, of course, to the statement made by the Honourable Mr. Drake in this House?

THE HONOURABLE MR. T. A. STEWART : Yes, Sir.

THE HONOURABLE THE PRESIDENT: Do you remember what was said in the other House? If you are not in a position to answer, I do not press it.

THE HONOURABLE MR. T. A. STEWART: Sir, what happened in the other House, to the best of my recollection, was this. The Committee which examined the Ottawa Agreement before it was approved in the other House made a recommendation that the working of the Agreement should be examined by a Committee of that House. That recommendation was accepted by the Honourable the Commerce Member.

THE HONOURABLE MR. MAHMOOD SUHRAWARDY: Does not the Government of India recognize that unlike the other Second Chambers, the Council of State in India is not only a revising House but also deals with financial and monetary matters and discusses the budget?

THE HONOURABLE THE PRESIDENT: The Honourable Member is labouring under some confusion. We are not now dealing with Bills where under the Standing Orders, a Joint Select Committee of both Houses can be appointed. This is only an examining Committee and it rests with Government either to have a Joint Committee of both Houses or separate Committees of each individual House.

THE HONOURABLE MR. MAHMOOD SUHRAWARDY: It brings in revenue also.

STATEMENTS LAID ON THE TABLE.

COMMERCIAL TREATIES AND NOTES AFFECTING INDIA.

THE HONOURABLE MR. T. A. STEWART (Commerce Secretary): Sir, I beg to lay on the table a further list of Commercial Treaties and Notes affecting India.

PART I.

The Notes mentioned in this part provide for the prolongation up to the 16th February, 1934 under the same conditions as now obtaining of the Provisional Commercial Agreement concluded between the Egyptian Government and the Government of the United Kingdom and Northern Ireland by the Notes dated 5th—7th June, 1930.

Country.	Nature of Agreement.	Description	Date.
Egypt . . .	Notes .	Commerce . .	February 16th—19th, 1933.

PART II.

Agreements to which India is a party.

N44.

**RULES GOVERNING RECRUITMENT TO THE PROVINCIAL AND SUBORDINATE
SERVICES OF THE GOVERNMENT OF BOMBAY.**

THE HONOURABLE MR. M. G. HALLETT (Home Secretary) : Sir, I lay on the table a statement containing the information promised in reply to parts (b), (d) and (e) of the Honourable Sardar Shri Jagannath Maharaj Pandit's question No. 72 on the 7th March, 1934.

(b) Under the Bombay Civil Services Recruitment Rules no person who is not a native of the Bombay Presidency may ordinarily be appointed to any post in the provincial or subordinate services. This rule may be relaxed in special cases by the Government.

(d) No.

(e) If other things are equal, natives of the Bombay Presidency are naturally given preference over others in recruitment to offices in that Presidency under the control of the Central Government.

**BILL PASSED BY THE LEGISLATIVE ASSEMBLY LAID ON THE
TABLE.**

SECRETARY OF THE COUNCIL : Sir, in pursuance of rule 25 of the Indian Legislative Rules, I lay on the table copies of the Bill to protect the Administrations of States in India which are under the suzerainty of His Majesty from activities which tend to subvert, or to excite disaffection towards, or to obstruct such Administrations, which was passed by the Legislative Assembly at its meeting held on the 11th April, 1934.

**MOTION FOR THE ELECTION OF SIX NON-OFFICIAL MEMBERS
TO THE CENTRAL ADVISORY COUNCIL FOR RAILWAYS.**

THE HONOURABLE SIR GUTHRIE RUSSELL (Chief Commissioner for Railways) : Sir, I move :

"That this Council do proceed to elect in such manner as may be approved by the Honourable the President, six non-official Members from the Council who shall be required to serve on the Central Advisory Council for Railways."

THE HONOURABLE RAI BAHADUR LALA JAGDISH PRASAD : Sir, I understand that in the Legislative Assembly, the other day, a desire having been expressed that the proceedings of the Central Advisory Council for Railways should be circulated to the Members of that House, the Honourable the Railway Member undertook to do so if necessary. I hope that if the proceedings of the Committee are circulated to the Members of the Lower House, Government will be pleased to circulate them to the Members of this House also.

THE HONOURABLE SIR GUTHRIE RUSSELL : Sir, if arrangements are made to circulate these proceedings to Members of the Legislative Assembly they will certainly be circulated to Honourable Members of this House also.

The Motion was adopted.

MOTION FOR THE ELECTION OF ONE MUSLIM NON-OFFICIAL MEMBER TO THE STANDING COMMITTEE ON PILGRIMAGE TO THE HEJAZ VICE THE HONOURABLE MR. HOSSAIN IMAM, RESIGNED.

THE HONOURABLE KHAN BAHADUR MIAN SIR FAZL-I-HUSAIN (Education, Health and Lands Member): Sir, I beg to move :

"That this Council do proceed to elect, in such manner as the Honourable the President may direct, one Muslim Member to sit on the Standing Committee on Pilgrimage to the Hejaz in the vacancy caused by the resignation of his seat on the Committee by the Honourable Mr. Hossain Imam."

The Motion was adopted.

THE HONOURABLE THE PRESIDENT: As both these Motions have been adopted, I declare that nominations for the Central Advisory Council for Railways and the Standing Committee on Pilgrimage to the Hejaz will be received up to 11 A.M. on Monday, the 16th April, 1934.

INDIAN TRUSTS (AMENDMENT) BILL.

THE HONOURABLE KHAN BAHADUR MIAN SIR FAZL-I-HUSAIN (Education, Health and Lands Member): Sir, I move :

"That the Bill further to amend the Indian Trusts Act, 1882, for a certain purpose, be taken into consideration."

I introduced this Bill, Sir, on the 28th March, 1934, and, explained its purport and showed that the Bill was of a non-controversial nature. There is but little to add to what I said that day and that little is that I am now convinced that the Provincial Governments are not only willing and ready but most anxious that this Bill be passed at the earliest possible opportunity.

Sir, I move.

THE HONOURABLE RAI BAHADUR LALA JAGDISH PRASAD (United Provinces Northern: Non-Muhammadan): Sir, this Bill is no doubt non-controversial and does not therefore require any speeches in support. If I rise to speak on the Motion, I do so just to express our gratification at the action of the Government in bringing forward a legislative measure directly in this Council. I hope, Sir, that this will be the precursor of more Bills being introduced in this House from time to time.

THE HONOURABLE SIR DAVID DEVADOSS (Nominated Indian Christians): Sir, this is a very important measure, and coming as I do from Madras I am really thankful to the Government for pushing this legislation through. Land mortgage banks are quite a new institution and they require considerable financial support. By allowing trustees to invest in the shares of land mortgage banks and also to deposit money therein, I think it will not only be benefitting the trusts, religious and charitable, in the country, but also the land mortgage banks which are really intended to help the agricultural population.

Sir, as Honourable Members know very well, the position of a trustee is a very onerous one. He is held liable for funds in his possession unless he invests them in securities which are recognized by the law under the Trusts Act and which are known as trustee securities. Land mortgage banks being assured of help from the Government, it is but right and proper that trustees should be allowed whenever necessary to deposit surplus funds in land mortgage banks. I therefore strongly support this measure and am really grateful to Government for bringing this forward especially at a time when it is most needed.

THE HONOURABLE THE PRESIDENT : The Question is :

"That the Bill further to amend the Indian Trusts Act, 1882, for a certain purpose, be taken into consideration."

The Motion was adopted.

Clause 2 was added to the Bill.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

THE HONOURABLE KHAN BAHADUR MIAN SIR FAZL-I-HUSAIN : Sir, I move :

"That the Bill further to amend the Indian Trusts Act, 1882, for a certain purpose, be passed."

The Motion was adopted.

STATEMENT OF BUSINESS.

THE HONOURABLE KHAN BAHADUR MIAN SIR FAZL-I-HUSAIN (Leader of the House) : I have no occasion to suggest, Sir, that the Bill which has been laid on the table today should be taken with any curtailment of the normal period of notice. I propose therefore that it be proceeded with on Monday next.

The Council then adjourned till Eleven of the Clock on Monday, the 16th April, 1934.