

7th April 1936

THE
LEGISLATIVE ASSEMBLY DEBATES

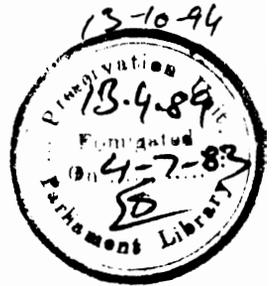
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Volume V, 1936

THIRD SESSION

OF THE

FIFTH LEGISLATIVE ASSEMBLY,
1936



NEW DELHI
GOVERNMENT OF INDIA PRESS

Legislative Assembly.

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

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MR. B. DAS, M.L.A.

DR. ZIAUDDIN AHMAD, C.I.E. M.L.A

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

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CORRIGENDUM.

In the Legislative Assembly Debates, Delhi Session, 1986, Vol. IV, No. 3, dated the 20th March, 1986, page 2896, insert the words "with severity" after the words "Revenue Officers" in the third line of the paragraph headed "Poverty and Rural Indebtedness".

LEGISLATIVE ASSEMBLY.

Tuesday, 7th April, 1936.

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

QUESTIONS AND ANSWERS.

GOVERNMENT'S POLICY REGARDING STAFF OF STATE RAILWAYS PROSECUTED BY THE PUBLIC.

1442. ***Dr. N. B. Khare:** Will Government please state the policy and procedure in respect of staff (both gazetted and non-gazetted) on Indian State Railways prosecuted by the travelling public for acts performed in the course of their duties?

The Honourable Sir Muhammad Zafrullah Khan: Each case is dealt with on its merits. I would, however, refer the Honourable Member to paragraph 252(a) of the State Railway Open Line Code, Volume II, a copy of which is in the Library of the House.

INCLUSION OF ADOPTIVE PARENTS IN THE STATE RAILWAY GRATUITY RULES.

1443. ***Dr. N. B. Khare:** Will Government please state the consideration which made the Railway Board to include adoptive parents within the expression "dependent members of the family" as referred to in rule 25 of the State Railway Gratuity Rules and as amended by Railway Board's No. 9554-F., dated the 7th March, 1935?

The Honourable Sir Muhammad Zafrullah Khan: Under the Hindu Law adoptive parents have in Law the status of natural parents. The main test of eligibility for a compassionate gratuity under rule 25 is dependence on the deceased employee and the Railway Board thought it desirable to issue instructions to remove doubts on the subject and to make it clear that adoptive parents, if dependent, might be treated as natural parents.

CHECK OVER THE WORK OF TRAVELLING TICKET EXAMINERS ON THE NORTH WESTERN RAILWAY.

1444. ***Sardar Sant Singh:** (a) Is it a fact that the Railway Board recently issued orders to the Agents of the State-managed Railways that there should be checks over the work of Travelling Ticket Examiners and that it should be arranged by Chief Accounts Officers by senior Travelling Ticket Examiners of certain seniority and standing?

(b) Will Government please state whether this system has been brought into force on the North Western Railway? If not, when is the North Western Railway likely to comply with the orders of the Railway Board?

The Honourable Sir Muhammad Zafrullah Khan: (a) The orders issued are for surprise checks by men of certain seniority and standing to be arranged for by the Chief Accounts Officer in consultation with the Chief Commercial Manager.

(b) Government understand that the arrangements to be made for these checks are being considered by the administrative officers concerned.

Qazi Muhammad Ahmad Kazmi: In regard to part (a) of the question, Sir, have the Railways found that it is necessary that checking should be done by another Department, I mean the Accounts Department?

The Honourable Sir Muhammad Zafrullah Khan: It is not another Department.

Qazi Muhammad Ahmad Kazmi: What I mean is that checking has to be done by the Accounts Department also in addition to the checking done by the Traffic Department.

The Honourable Sir Muhammad Zafrullah Khan: I thought the Honourable Member meant that checking was done by some Department other than the Railway Department.

Qazi Muhammad Ahmad Kazmi: My point is whether the Railways have found that it will be more efficient if the checking were done by the Accounts Department and not by the Traffic Department under which the travelling ticket examiners are working?

The Honourable Sir Muhammad Zafrullah Khan: In order that surprise check should be of value, it should be done in the manner indicated in part (a) of the answer.

Qazi Muhammad Ahmad Kazmi: Will it not be more feasible and advantageous if this checking were left in the hands of the Accounts Department as before instead of in the hands of the Traffic Department as at present?

The Honourable Sir Muhammad Zafrullah Khan: Does the Honourable Member mean ordinary checking?

Qazi Muhammad Ahmad Kazmi: I mean the super checking that is being proposed now.

The Honourable Sir Muhammad Zafrullah Khan: That is arranged for by the Accounts Department.

Qazi Muhammad Ahmad Kazmi: The staff that was taken over from the Accounts Branch has been handed over to the Operating Branch, and I want to know if they will be transferred back to the Accounts Branch?

The Honourable Sir Muhammad Zafrullah Khan: That does not arise out of this question.

Qazi Muhammad Ahmad Kazmi: Is it proposed to employ new staff?

The Honourable Sir Muhammad Zafrullah Khan: That does not arise out of this question either.

OPTION TO THE OLD TRAVELLING TICKET EXAMINERS TO SELECT THE POST OF "B" CLASS GUARDS ON THE NORTH WESTERN RAILWAY.

1445. *Sardar Sant Singh: (a) Will Government please state the number of vacancies of 'B' class guards on the North Western Railway?

(b) Are Government aware that the old Travelling Ticket Examiners of the North Western Railway were considered to be a running staff before June 1931?

(c) Are Government prepared to give an option to the old Travelling Ticket Examiners to select the post of 'B' class guards? If not, why not?

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

PAYMENT OF THE RENT OF LAND BY LEASE-HOLDERS IN DELHI.

1446. *Sardar Sant Singh: (a) With reference to the reply given to my starred question No. 451, part (d), asked on the 17th September, 1935, regarding payment of the rent of land by lease-holders in Delhi, are Government aware that as against two or three complaints stated therein, there were about 50 complainants, some of whose names are given below:

1. Hafiz Imam Khan, 2. Ch. Mehtab Khan, Contractor, 3. Mistri Ibrahim, 4. Mistri Chand Khan, 5. Mr. Bhaundu Khan, Contractor, 6. S. Hardit Singh, 7. S. Atma Singh, 8. Mr. Ahmad Ali, 9. Mr. Ilahi Bux, 10. Mr. Kashmira Singh, 11. Mr. Aziz Khan, 12. Babu Abdul Rahman, 13. S. Sardar Singh, 14. Mr. Hakim Singh, 15. Mr. Hasan Khan, 16. Mr. Gurbachan Singh, 17. Mr. Ram Singh, 18. Mr. Devi Singh, 19. Mr. Abdullah, 20. Mr. Ghanyha Singh, 21. Mr. Hari Singh, etc., etc.?

(b) What steps do Government propose to take against the officer who submitted false reports of having received complaints from two or three lessees only?

(c) How were the complaints of so many above mentioned lessees disposed of?

(d) Are Government aware that almost all of the above mentioned men asked for an impartial enquiry into certain allegations against the Lambardar of Gurdwara Road, Karol Bagh, Delhi, regarding his misbehaviour and ill-treatment, etc.?

(e) Are Government aware that the reported enquiry was held by one of the officers of the Nazul Department, Delhi?

(f) Do Government propose to have the matters investigated afresh and redress the grievances of so many complainants? If not, why not?

Sir Girja Shankar Bajpai: (a) No complaints were filed by the persons whose names have been mentioned; nor was the number of complaints greater than that mentioned by me in the reply referred to by the Honourable Member.

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

(d) No.

(e) The enquiry was held by the Tahsildar Nazul, Delhi.

(f) In view of the answer given to part (a) of this question and to part (d) of his previous question Government see no reason to take the action proposed by the Honourable Member.

PAYMENT OF THE RENT OF LAND BY LEASE-HOLDERS IN DELHI.

1447. *Sardar Sant Singh: With reference to the reply to part (e) of my starred question No. 451, asked on the 17th September, 1935, cannot a tenant in order to ensure safe payment of the rent of leased land, pay to the Deputy Commissioner, Delhi's office, direct by cheque or money order through the medium of post? If not, what are the reasons?

Sir Girja Shankar Bajpai: The arrangement suggested is not practicable. No record of demand is maintained in the Deputy Commissioner's Office against individual lessees, whose number, I may add, is very large. Consequently, remittance direct through the post to the Deputy Commissioner would lead to confusion. I may add that the collection of nazul dues through the Lambardar is a common practice and there is nothing exceptional in its being followed in Delhi.

RECRUITMENT OF SIKHS IN THE OFFICE OF THE DIRECTOR OF PUBLIC INFORMATION.

1448. *Sardar Sant Singh: (a) What is the present strength of the ministerial staff of the Office of the Director of Public Information, Home Department, and what is the percentage of each community?

(b) Are Government aware that there is not a single Sikh Assistant or clerk in this office? If so, why?

(c) Are Government prepared to order the recruitment of a few Sikhs in this office in future vacancies? If not, why not?

The Honourable Sir Henry Craik: (a) The strength is 12, of whom 50 per cent. are Hindus, 25 per cent. Muslims and 25 per cent. other minorities.

(b) and (c). It is true that there is no Sikh in this office at present. I may explain that no vacancies are reserved for Sikhs but 8½ per cent. of vacancies are reserved for the other minorities including Sikhs. The strength of the other minorities in this office is in excess of the percentage reserved for them.

RECRUITMENT OF SIKHS IN THE OFFICE OF THE DIRECTOR OF PUBLIC INFORMATION.

1449. *Sardar Sant Singh: (a) Is it a fact that some peons and daftries' appointments have recently been sanctioned for the Office of the Director of Public Information?

(b) Are Government aware that about four or five vacancies of peons have already been filled up so far by Muhammadans only? If so, under whose orders has the recruitment from only one minority community been made?

(c) Why were the Home Department's orders, regarding filling up all new appointments, not observed by the establishment officer in making these appointments? Who is responsible for the disregard of these orders in this case?

(d) Are Government prepared to order the recruitment of Sikhs also? If not, why not?

The Honourable Sir Henry Craik: (a) Yes.

(b) There have been six vacancies among peons, three of which have been filled by Muslims and three by Hindus.

(c) and (d). It is not the policy of Government to fill menial posts on a communal basis. No orders on the subject have been issued or are contemplated on the lines suggested.

FILLING UP OF THE APPOINTMENT OF ASSISTANT DIRECTOR IN THE SIND AND BALUCHISTAN POSTAL CIRCLE BY MEMBERS OF DIFFERENT COMMUNITIES.

1450. *Mr. Lalchand Navalrai: (a) Is it a fact that:

(i) the Sindh and Baluchistan Circle (Postal and Telegraph) was created in the year 1922; and

(ii) during this period of 14 years, the appointment of Assistant Director has been held by Muslims for 11½ years, and by non-Muslims for 2½ years?

(b) If the reply to part (a) above be in the affirmative, are Government prepared to see that the appointment is filled by the members of different communities by turn?

The Honourable Sir Frank Noyce: (a) (i) Yes.

(ii) No.

(b) This part of the question does not strictly arise in view of my reply to part (a) (ii) of the question but I may inform the Honourable Member that postings of officers are not made on communal grounds.

Mr. Lalchand Navalrai: May I know, Sir, if there is any fixed term for the Assistant Director to remain in one place?

The Honourable Sir Frank Noyce: I should require notice, Sir.

Mr. Lalchand Navalrai: May I know, Sir, if there is an Assistant Director who is unpopular, what is the way of getting him out of that place?

(No reply.)

TRANSFER OF A HINDU DISTRICT MEDICAL OFFICER FROM THE GREAT INDIAN PENINSULA RAILWAY TO THE NORTH WESTERN RAILWAY.

1451. *Khan Bahadur Shaikh Fazl-i-Haq Piracha: (a) Is it a fact that, recently, a senior Hindu District Medical Officer has been transferred from the Great Indian Peninsula Railway to the North Western Railway?

(b) If the reply to part (a) be in the affirmative, will Government be pleased to state whether this transfer has affected the seniority of other District Medical Officers on the North Western Railway? If so, will Government be pleased to state the number and names of the officers affected?

(c) Has this transfer caused a vacancy on the Great Indian Peninsula Railway and, if so, how has this vacancy been filled?

(d) Is it a fact that, but for this transfer, the man for North Western Railway would have been recruited through the Public Service Commission and from the Muslim community?

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

(b) No, because for purposes of promotion to the post of Chief Medical Officer, District Medical Officers of all Railways are borne on a common list.

(c) No. It was found that the North Western Railway required two additional District Medical Officers and these could be spared from the Great Indian Peninsula Railway.

(d) The question is a hypothetical one.

PROTECTION OF INTERESTS OF MUSLIMS ON THE EASTERN BENGAL RAILWAY.

1452. ***Khan Bahadur Shaikh Fazl-i-Haq Piracha:** What special steps were taken by the present Director of Establishment of the Railway Board during the period of his Deputy Agency of the Eastern Bengal Railway to protect the interests of Muslims, as was required under the order of the Railway Board? If no special means were taken in this direction, as revealed by the Muslim percentage of employees before and after retrenchment, what action did Government take against the person responsible for disobeying Government orders?

The Honourable Sir Muhammad Zafrullah Khan: Government are satisfied that the orders issued to Railway Administrations to consider communal interests, as far as possible, when effecting retrenchment, were duly observed by the Eastern Bengal Railway.

CANCELLATION OF THE APPOINTMENTS OF MUSLIM INSPECTORS IN THE CREW DEPARTMENT, EASTERN BENGAL RAILWAY.

1453. ***Khan Bahadur Shaikh Fazl-i-Haq Piracha:** (a) Is it a fact that recently the Agent, Eastern Bengal Railway intended to make some direct appointments of Muslim Inspectors in the Crew Department of his Railway?

(b) Is it a fact that the Agent strongly favoured those appointments?

(c) Is it a fact that the Agent has full powers to appoint subordinate staff?

(d) Is it a fact that under instructions of the Railway Board the Agent cancelled these appointments?

(e) What justification had the Railway Board to intervene in the appointments of Crew Inspectors of Eastern Bengal Railway and have the appointments cancelled?

(f) Will Government be pleased to state in how many cases the Railway Board have so intervened during the last five years and had the appointments cancelled, giving particulars of each case?

(g) If the Board did not interfere in any other case, what was the particular reason for interfering in this case?

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

LEVY OF INCOME-TAX ON THE SIMLA HOUSE RENT ALLOWANCE.

1454. ***Sardar Sant Singh:** (a) Is it a fact that Government have recently agreed to charge income-tax on the Simla house rent allowance granted to the staff of the Government of India Secretariat?

(b) Are Government aware that the question of levying the income-tax on the Simla house rent allowance was considered twice before but was never agreed upon?

(c) Are Government aware that one of the reasons for not allowing this charge to be made was that the Simla house rent allowance was never considered as a source of income to the employees of the Secretariat?

(d) Are Government aware that another factor for the non-acceptance by the Government of India, of the proposal to allow income-tax deductions to be made from the Simla house rent allowance was an administrative one also?

(e) Is it a fact that the Home Department even on this occasion did not agree once to this proposal?

(f) Will Government please state how the circumstances have now differed in warranting the acceptance of this proposal, and what points were adduced in favour thereof?

(g) Are Government aware that this has caused a great discontentment among the staff of the whole Secretariat?

(h) Are Government further aware that this decision is going to operate upon certain staff of the Secretariat so harshly that by the addition of Simla house rent allowance to the total income of the year, their income either becomes taxable or for payment of income-tax at a much higher rate?

(i) Are Government aware that the grant of Simla house rent allowance is not at all a source of income, and that the same amount is paid to the landlords almost at once directly?

(j) Are Government further aware that by this kind of payment by the employees of the Secretariat to the landlords in Simla, the staff of the Secretariat is only an intermediary party and it is not at all an income to the employee?

(k) Are Government aware that the above affords increase in the income of the landlords who already pay tax over such incomes?

(l) How far is this double charge by Government reasonable?

(m) Are Government prepared to reconsider their decision and remove the discontent of the staff? If not, why not?

The Honourable Sir Henry Craik: (a), (c), (d) and (f). The Simla house-rent allowance was previously exempted from income-tax on the ground that during the Simla season the clerical staff were maintaining houses in the plains and hence the rent which they had to pay in Simla

was an additional expense wholly and necessarily incurred in the performance of their duty. As the great majority of the staff are now provided with Government quarters in Delhi, for which they pay rent during the Delhi season only, and the cost of maintaining a second residence when they are in Simla is not incurred, it has been decided to tax the house-rent allowance and the perquisite of free quarters with effect from the ensuing financial year.

(b) No.

(e) I am not prepared to disclose what transpired in the course of the discussions. The decision was that of the Government of India as a whole.

(g) No.

(h) Government are aware that this allowance may raise the total income of the recipients to a level where income-tax becomes payable or becomes payable at a higher rate.

(i) and (j). There is no difference in this respect between the Simla house rent allowance and the house rent allowances payable in other places, which are subject to income-tax.

(k) No.

(l) The Honourable Member is asking for an opinion.

(m) Government see no reason to treat the Simla house rent allowance differently from the house rent allowances payable in other places, such as Calcutta and Bombay.

Sardar Sant Singh: Is it a fact, Sir, that a similar proposal was before the Government some years ago, and the Department refused to pay the income-tax, and then it was dropped?

The Honourable Sir Henry Craik: As I have explained, in previous years, the Simla house-rent allowance was exempted from income-tax, because, during the Simla season, the staff were maintaining houses in the plains, but now the great majority of them are provided with Government quarters in Delhi, and the cost of maintaining a second residence in the plains is not incurred.

Qazi Muhammad Ahmad Kazmi: With reference to part (k), have not landlords got to pay income-tax on the rent that they get from the staff?

The Honourable Sir Henry Craik: The landlords pay income-tax on their total income including the rent received.

Qazi Muhammad Ahmad Kazmi: If they pay income-tax on this amount and the tenants also pay tax on the same amount, should not the answer to part (k) be "Yes" and not "No"?

The Honourable Sir James Grigg: The Honourable Member has discovered a complete logical fallacy. Quite obviously it is no good following any particular element of income and say that it shall only be taxed once in the whole course of its peregrinations all around India. For instance, if I pay an assistant out of my own pocket money which brings him within the income-tax limit, he has got to pay income-tax as well as I.

BREAK OF JOURNEY ON THE GREAT INDIAN PENINSULA RAILWAY.

1455. **Mr. Sri Prakasa:** (a) Is it a fact that the Great Indian Peninsula Railway does not allow break of journey till at least a 100 miles have been travelled, while other railways permit this break even before 100 miles, in the case of tickets for more than 100 miles?

(b) If so, do Government propose to induce the Railway administration to provide the same facility in this matter as the other railways do?

The Honourable Sir Muhammad Zafrullah Khan: (a) No, except in the case of tickets issued at lower or concession fares specially quoted between certain stations when the through fare to the place for which the ticket has been issued is less than the fare from the starting station to the place at which the passenger desires to break his journey.

(b) No, as Government do not consider that the restriction is unfair or unreasonable.

Mr. Lalchand Navalrai: May I know if the practice is uniform on all railways?

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

Mr. Sri Prakasa: Does the railway fear any fraud if this concession is permitted?

The Honourable Sir Muhammad Zafrullah Khan: I cannot say.

Mr. Sri Prakasa: Is it not a fact that a similar rule existed on the E. I. Railway, and that they have now abolished it?

The Honourable Sir Muhammad Zafrullah Khan: It may be so.

Pandit Lakshmi Kanta Maitra: Is it not a fact that this practice also prevails on the E. B. Railway?

The Honourable Sir Muhammad Zafrullah Khan: That may be a fact. I cannot reply to all these questions about all railways without notice.

Qazi Muhammad Ahmad Kazmi: Is it not a fact that previously, on most of the railways, journey could be broken after completing hundred miles and now most other railways have allowed this concession?

The Honourable Sir Muhammad Zafrullah Khan: I cannot answer with regard to other railways.

Pandit Lakshmi Kanta Maitra: Do Government propose to introduce a sort of uniformity in this respect on all railways?

The Honourable Sir Muhammad Zafrullah Khan: Not necessarily.

Mr. Sri Prakasa: If other railways allow this concession, what is the harm in the G. I. P. Railway allowing it?

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has said that he does not know what the other railways do.

Mr. Sri Prakasa: He does not know about other railways, but he has got information about the G. I. P. Railway.

The Honourable Sir Muhammad Zafrullah Khan: If the question is that other railways allow a break of journey before 100 miles are completed, my reply was that so does the G. I. P. Railway, except with regard to tickets issued at a specially reduced rate where the fare from the starting station to the station at which the journey is desired to be broken is greater than the fare that has been paid on the whole of that ticket.

Mr. Sri Prakasa: Is there a special concession rate between Delhi and Agra? I ask this in view of the fact that such break of journey is not allowed between these two stations?

The Honourable Sir Muhammad Zafrullah Khan: I do not know if there is any concession rate between Delhi and Agra.

Mr. Sri Prakasa: Will the Honourable Member inquire?

The Honourable Sir Muhammad Zafrullah Khan: If the Honourable Member will put down a question, I will get the information and supply it to him.

Mr. Sri Prakasa: The question is already there.

The Honourable Sir Muhammad Zafrullah Khan: The question whether there is a special concession rate between Delhi and Agra is not there.

NON-ISSUE OF WEEK-END RETURN TICKETS FOR UPPER CLASSES ON THE GREAT INDIAN PENINSULA RAILWAY.

1456. ***Mr. Sri Prakasa:** (a) Is it a fact that week-end return tickets are given by the Great Indian Peninsula Railway between Delhi and Agra for intermediate and third classes and not for the higher classes?

(b) If so, are Government prepared to recommend to the railway to extend the facility as is done by other railways?

The Honourable Sir Muhammad Zafrullah Khan (a) Yes.

(b) I am conveying the Honourable Member's suggestion to the Agent of the Great Indian Peninsula Railway for consideration.

Mr. Sri Prakasa: Will the Honourable Member also add that he himself would like this concession to be extended?

The Honourable Sir Muhammad Zafrullah Khan: No, Sir.

FACILITIES TO GOVERNMENT SERVANTS FOR PAYMENT OF INCOME-TAX.

1457. ***Mr. Sri Prakasa:** (a) Is it a fact that there are special rules by which Government servants make a return of their incomes to special officers for purposes of payment of income-tax, and are not required to observe the formalities necessary in the case of non-officials?

(b) If so, why are special facilities afforded to Government servants ?

(c) Are Government prepared to equalize the status of officials and non-officials, so far as the payment of income-tax is concerned, and afford them all equal facilities or impose on all equal disabilities ?

Mr. A. H. Lloyd: (a) No.

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

Mr. Sri Prakasa: Is it not a fact that in the United Provinces there is a special officer to whom the Government servants have to send their returns and that they have not to send their returns to the local officer in charge, as other residents of the district have to do ?

Mr. A. H. Lloyd: It is a fact that in most, if not all, parts of India, there are what are called salary circles to which special income-tax officers are posted. These salary circles are not confined to Government servants. There are also salary circles for private citizens.

Mr. Sri Prakasa: Have Government servants also got to submit their pass books and other documents just as ordinary citizens have to do ?

Mr. A. H. Lloyd: That depends on the circumstances of each case.

Mr. Sri Prakasa: I do not quite follow the Honourable Member. Is there a difference between a pass book held by a Government servant and one held by a private citizen ?

Mr. A. H. Lloyd: The Honourable Member assumes that in all cases of assessment of non-Government servants, pass books have to be produced before the income-tax officer. That is not correct.

Mr. Sri Prakasa: That is absolutely correct. I pay income-tax, and I know.

Mr. A. H. Lloyd: May I point out that the Honourable Member is not the only inhabitant of this country ?

Mr. Sri Prakasa: No, there are others but so far as I personally know, they have, all of them, to submit their pass books when they are not Government servants, and not to submit them when they are Government servants. The Honourable Member can take that from me.

Mr. President: (The Honourable Sir Abdur Rahim): The Honourable Member has got the answer. Next question.

ENCOURAGEMENT TO BRITISH SOLDIERS IN THE INDIAN ARMY TO MARRY.

1458. ***Mr. Sri Prakasa:** (a) Is it true that only a certain percentage of British soldiers in the Indian Army is allowed to marry ?

(b) If so, what is that percentage ? And what is the principle in not allowing all to marry ?

(c) Is it a fact that the old system of keeping brothels for soldiers has been abolished, and that the majority of soldiers have no legitimate means for satisfaction of natural passions and emotions? If so, are Government prepared to consider the desirability of encouraging these soldiers to marry?

(d) Is it not a fact that Indian soldiers are almost all married? If so, have Government found that this has in any way affected their efficiency or discipline?

Mr. G. R. F. Tottenham: (a) and (b). Any soldier over the age of 26 is officially permitted to marry, but for reasons of economy the number of married quarters in India has to be limited, and only those of the rank of sergeant and four per cent. of those below can hope to obtain accommodation for their wives.

(c) The answer to the first part of the question is in the affirmative. As regards the second there is no intention of changing the policy.

(d) There is no restriction on the number of Indian soldiers who may be married, but married accommodation is only provided for a limited number.

The reply to the second part is in the negative.

Pandit Lakshmi Kanta Maitra: If a large number of soldiers desire to marry, how is this four per cent. selected?

Mr. G. R. F. Tottenham: I shall require notice of that. I do not know exactly how the four per cent. is selected.

Mr. S. Satyamurti: With reference to clauses (a) and (b), may I know who has prescribed this percentage? Is it the Indian army authorities, or the British army authorities?

Mr. G. R. F. Tottenham: No doubt the Government of India have fixed it in consultation with the army authorities in England.

Mr. S. Satyamurti: Have Government inquired, or do they propose to inquire, whether this virtual prohibition of a very large number of British soldiers from marrying while they are in India may have an adverse effect on the surroundings of the cantonment? Will they make inquiries so as to enable all people who are legally entitled to marry, to get married?

Mr. G. R. F. Tottenham: No, Sir. They have not made any special inquiries on that point, because they are perfectly well aware of the facts. The fact is that it would be prohibitively expensive to provide married quarters for any considerably larger number than those for whom married quarters are provided at present.

Mr. S. Satyamurti: Are Government satisfied that the present low percentage of those who can really marry has not had, or is not likely to have an adverse effect on the morals of the surrounding places?

Mr. G. R. F. Tottenham: Government are satisfied from the facts that I quoted the other day, bearing on what the Honourable Member has in mind, that the disciplinary cases arising in this connection are considerably less than they were some years ago.

Mr. S. Satyamurti: Have Government made any calculations of the extra cost involved in providing married quarters, not on a luxurious scale, but on a moderately comfortable scale, for all people who desire to marry?

Mr. G. B. F. Tottenham: They have not made any detailed estimate of the cost of the various scales of accommodation that would be required.

Mr. S. Satyamurti: Will Government consider retaining here only those British soldiers who are married, and send away the rest to their own country?

The Honourable Sir James Grigg: No.

Mr. Sri Prakasa: Are soldiers allowed to visit the interior of cities from time to time for purposes which need not be mentioned?

Mr. G. B. F. Tottenham: No.

ALLOWING OF PERSONS GOING ON RAILWAY PLATFORMS TO POST LETTERS WITHOUT PLATFORM TICKETS.

1459. ***Mr. Sri Prakasa:** (a) Is it a fact that railway authorities do not permit persons to go to the platforms at many places without platform tickets, even to post their letters in the Railway Mail Service post boxes? If so, are Government prepared to take steps to instal Railway Mail Service post boxes outside all stations where platform tickets are in force?

(b) Is the Honourable Member for Industries and Labour prepared to try to induce the Honourable the Commerce Member to recommend to the Railways to permit *bona fide* persons, wanting to post letters in the trains when they are in, to do so without the necessity of buying platform tickets?

The Honourable Sir Frank Noyce: (a) The reply to the first part of the question is in the affirmative. As regards the second part, instructions have already been issued to all Heads of Circles to instal letter-boxes at railway stations as far as possible in such a way as to permit of postings from inside as well as from outside the platform. Letter-boxes on railway platforms are, however, meant mainly for passengers travelling by trains.

(b) It would not be practicable for the Ticket Collector at the entrance to the platform, which is also the exit for passengers who have detrained, to distinguish persons who have detrained from those who were allowed free admission to the platform. Government do not, therefore, propose to make any exception in the case referred to.

Mr. Sri Prakasa: In view of the fact that free permits are allowed to persons visiting the platforms in order to see a member of the railway staff on business, could not such permits be also issued to those who want to post letters?

The Honourable Sir Frank Noyce: No. I think the matter is not of sufficient importance to justify the course suggested by my Honourable friend. If any individual wants to post a letter urgently on a train, surely it is not too much to ask him to purchase a platform ticket. In any case, there are usuals ample postal facilities provided in cities and towns.

Mr. Sri Prakasa: Does the Honourable Member realise that it considerably enhances the charge of postage, because it involves the payment of an anna for entry into the platform?

Prof. N. G. Ranga: Are Government prepared to allow those people who pay late fees to go on to the platform without the purchase of tickets?

The Honourable Sir Frank Noyce: No, Sir.

Prof. N. G. Ranga: Why not, Sir.

The Honourable Sir Frank Noyce: For the reasons that I have already given.

Prof. N. G. Ranga: May I ask, Sir.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member should not argue the matter.

Prof. N. G. Ranga: He has not given any reasons.

Mr. President (The Honourable Sir Abdur Rahim): Next question.

RAILWAY ADVERTISEMENTS IN INDIAN NEWSPAPERS.

1460. ***Mr. Sri Prakasa:** (a) What are the rules, if any, for railways to send their advertisements to Indian papers?

(b) Are there any political considerations in their choice of newspapers which they patronise for the purpose?

(c) Do the Central or Provincial Governments now and then advise railway administrations as to which papers are *not* to be patronised?

(d) What is the reason for the East Indian Railway withdrawing their advertisements from the *Aj* (Benares) and *Pratap* (Cawnpore) which have large circulations in the tracts through which that railway passes?

(e) Was any communication received by them from the United Provinces Government on the subject?

(f) Are Government prepared to recommend to the Railways to look only to the possibility of the largest amount of publicity and not to the political opinions of any particular newspapers when advertising?

The Honourable Sir Muhammad Zafrullah Khan: (a) There are no rules.

(b) The tone of a paper is taken into consideration but the main consideration is the value of a paper as an advertising medium.

(c) Yes.

(d) and (e). Government have called for information.

(f) No.

Sardar Sant Singh: What is meant by the tone of the paper?

Mr. S. Satyamurti: Does the word "tone" refer to the political, social, or religious tone of the paper? Does it refer to a paper which supports Government in whatever they do, or does it refer to a paper which has a healthy public tone and criticises fearlessly?

The Honourable Sir Muhammad Zafrullah Khan: I think the question contains too many assumptions.

Mr. S. Satyamurti: Which is correct? None, or all?

The Honourable Sir Muhammad Zafrullah Khan: The Railways have got a discretion in the matter. If they find that a particular paper is not desirable from any point of view, they exercise their discretion in the matter.

Sardar Sant Singh: Do they give these advertisements to papers which habitually support Government in order to subsidise them?

The Honourable Sir Muhammad Zafrullah Khan: No.

Mr. S. Satyamurti: I want to know what are the considerations which generally weigh with the railways in determining the class of newspapers to which advertisements are sent.

The Honourable Sir Muhammad Zafrullah Khan: I cannot tell the Honourable Member how the mind of a particular publicity officer or Agent works in the matter.

Mr. N. V. Gadgil: Is there any ban against Indian owned papers and Indian conducted papers?

The Honourable Sir Muhammad Zafrullah Khan: No, Sir.

Mr. Lalchand Navalrai: Is there any list of newspapers to which the railways send advertisements?

Pandit Lakshmi Kanta Maitra: Is it a fact that nationalist journals are not given any advertisements?

The Honourable Sir Muhammad Zafrullah Khan: If the Honourable Member will supply me with a list of nationalist journals, I can tell him which are given advertisements and which are not.

Mr. Sri Prakasa: Two are mentioned in this connection, and what I want to know is, whether the discretion of railways is governed by hints from Government?

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

Mr. S. Satyamurti: With reference to clause (f), may I know whether Government will issue instructions to Railway Administrations to give their advertisements to the papers which have the largest publicity, and not to import any other consideration whatever?

The Honourable Sir Muhammad Zafrullah Khan: If the Honourable Member will explain how his supplementary question differs from part (f) of the original question, I shall try to give him a reply. If it is the same, I have already answered.

Mr. S. Satyamurti: Will Government issue instructions in future to all railways not to take the political opinions of the paper into consideration?

The Honourable Sir Muhammad Zafrullah Khan: I have given the reply to part (f) of the question. If the Honourable Member will explain to me how this supplementary question is different from part (f), I shall give a reply.

Mr. Sri Prakasa: This is a commercial department. Why do Government permit political considerations?

Mr. President (The Honourable Sir Abdur Rahim): These are all arguments.

RATE REGISTER SCHEME ON THE NORTH WESTERN RAILWAY.

1461. ***Mr. S. Satyamurti:** (a) Is it a fact that the Rate Register scheme was started in 1929 and then extended for a period of two years from 1st July, 1934, and that the Agent, North Western Railway, was asked to submit a report on its working?

(b) Will Government be pleased to state if the Agent has submitted his report?

(c) If the answer to part (b) be in the affirmative, will Government please state what the recommendations of the Agent are, and what decision has been arrived at?

(d) Is it a fact that again another extension has been granted instead of the scheme being made permanent?

(e) What is the total staff employed on the experiment? Are they permanent or temporary?

The Honourable Sir Muhammad Zafrullah Khan: (a) Yes, except that the registers were not issued to stations till the close of the year 1930.

(b) No.

(c) Does not arise

(d) Yes, up to the 31st December, 1936, with a view to ascertaining whether the existing machinery for maintaining the registers can work efficiently and expeditiously consequent on the numerous changes that are necessitated by recent alterations in rates.

(e) 32 subordinate staff of whom 11 are permanent and 21 temporary, and three inferior staff.

FIXATION OF DATES FOR ELECTIONS TO PROVINCIAL LEGISLATURES.

1462. ***Mr. S. Satyamurti:** Will Government be pleased to state:

(a) whether they are carrying on any correspondence with the Provincial Governments in order to fix a date for Provincial elections for Provincial legislatures, under the Government of India Act, 1935;

- (b) whether they have come to any conclusion on the question of fixing a date for these elections *simultaneously* in all the Provinces;
- (c) whether they propose to take into consideration the necessity of so fixing a date as to enable the largest number of voters to vote in the polling booths; and
- (d) whether they propose to make an announcement on this matter, as early as possible, to enable the organisers of parties to proceed with their work?

The Honourable Sir Nripendra Sircar: (a) and (b). I could invite the Honourable Member's attention to the answers given by me to parts (c), (d) and (e) of his starred question No. 1144, to which I have nothing to add.

(c) The Local Governments and the Government of India naturally desire that the fullest practicable opportunity of exercising the franchise should be afforded to the new electorates, and this will be borne in mind in arranging for the new elections. But the holding of the elections must of course take its natural place in the whole sequence of arrangements.

(d) The Honourable Member may rest assured that Local Governments will announce their electoral time tables as soon as they are in a position to do so, and that in this matter, they will, as in the past, have regard to the interests of all concerned.

Mr. S. Satyamurti: May I know if the Government are aware that certain Local Governments have already made tentative announcements, with regard to the dates of the elections?

The Honourable Sir Nripendra Sircar: My friend may be right. I have no information.

Mr. S. Satyamurti: Are the Government of India consulted at any stage by the Provincial Governments, before they make up their minds on this matter?

The Honourable Sir Nripendra Sircar: Informal consultations go on all the time.

Mr. S. Satyamurti: Will Government give a direction as suggested in clause (f) of the question—that these elections should take place simultaneously in all the provinces?

The Honourable Sir Nripendra Sircar: There can be no objection to considering that proposition.

TRAINING OF INDIANS TO BE IN CHARGE OF BROADCASTING.

1463. ***Mr. S. Satyamurti:** Will Government be pleased to state:

- (a) whether any arrangements have been made, or are proposed to be made, to train Indians to be in charge of broadcasting in the country;
- (b) if so, what those steps are; and
- (c) if not, why not?

The Honourable Sir Frank Noyce: (a) and (b). I presume that the Honourable Member refers to the training of Indians for the higher posts, such as the posts of Station Engineer, Station Director, and Controller of Broadcasting. If so, I would point out that two of the three Station Directors and all three Station Engineers are already Indians. There is in the budget for 1936-37, a sum of Rs. 50,000 for experiment and research, and it is proposed to use a part of this sum for the training of new recruits both on the programme side and on the technical side. The training scheme will probably be worked out and put into operation before next cold weather.

(c) Does not arise.

Mr. S. Satyamurti: I am asking particularly about the Controller of Broadcasting. May I know if there is any scheme for training an Indian who can take the place of the present incumbent, as soon as his term expires?

The Honourable Sir Frank Noyce: No, Sir. I have already pointed out that two of the three Station Directors are already Indians. A number of new stations will probably be started in the course of the next few years; and when the time comes to replace the Controller of Broadcasting, there should be ample material available. The charge of a broadcasting station is in itself training.

Mr. S. Satyamurti: I am merely asking whether Government are taking all possible steps to find a competent Indian, when the time is due for filling up the post of the Controller of Broadcasting. Are they really taking steps to train an Indian? It is no good their telling us afterwards, that there is no trained Indian available.

The Honourable Sir Frank Noyce: I have already explained the steps that Government are already taking.

Mr. Lalchand Navalrai: May I know when Government would appoint apprentices to learn the work and to be trained for these posts?

The Honourable Sir Frank Noyce: To what posts is the Honourable Member referring? I have explained already that it is proposed to train new recruits both on the programme side and on the technical side.

Mr. Lalchand Navalrai: I would like to know where they are going to be trained

Mr. President (The Honourable Sir Abdur Rahim): This question has been sufficiently answered already: next question.

ACTION TAKEN UNDER THE CRIMINAL LAW AMENDMENT ACT, 1935.

1464. ***Mr. S. Satyamurti:** Will Government be pleased to state:

- (a) the number of cases in which action has been taken in the country, since the certification of the Criminal Law Amendment Act of 1935 by the Governor General;

- (b) the reasons in each case for which such action has been taken; and
- (c) whether they are prepared to consider the repealing of the Act?

The Honourable Sir Henry Craik: (a) and (b). The information is being collected and will be laid on the table of the House in due course.

(c) No.

Mr. S. Satyamurti: Has the Honourable the Home Member himself no notion at all about any cases in which action has been taken under the Criminal Law Amendment Act, 1935?

The Honourable Sir Henry Craik: I certainly have some information, but what the Honourable Member wants is a complete statement of all cases in every province.

Mr. S. Satyamurti: I am asking how many cases are now within the personal knowledge of the Honourable the Home Member, apart from the inquiry which he is conducting and the results of which we are going to await.

The Honourable Sir Henry Craik: I could not say off-hand.

Mr. S. Satyamurti: Have Government examined the question, in view of the fact that cases may be very few, of repealing this Act?

The Honourable Sir Henry Craik: That is making a presumption—to say that cases are very few.

DEFICITS IN PROVINCIAL BUDGETS.

1465. ***Mr. S. Satyamurti:** Will Government be pleased to state:

- (a) whether the fact, that most of the provincial budgets are deficit budgets, has been brought to the notice of Sir Otto Neimeyer;
- (b) whether the report of Sir Otto Neimeyer will take into account this fact, and the present system and rate of taxation in India; and
- (c) whether it will be placed before the House for its expression of opinion before the Government of India formulate their opinion or recommendations to His Majesty's Government?

The Honourable Sir James Grigg: (a) All the provincial budgets have naturally been placed in the hands of Sir Otto Niemeyer.

(b) I presume so.

(c) I can add nothing to the statement made by the Honourable the Leader of the House on the 24th of last month.

Mr. S. Satyamurti: May I know whether, since the 24th of last month any cablegram or letter has been sent to the Secretary of State, saying that, in the opinion of this House, His Majesty's Government ought to stay their hands, before passing final Orders in Council on this matter, until this House has had an opportunity of expressing its opinion on the results of Sir Otto Niemeyer's enquiry?

The Honourable Sir James Grigg: His Majesty's Government have been informed of exactly what took place in the House on the occasion to which the Honourable Member refers.

Mr. S. Satyamurti: I want a specific answer to a specific question. I want to know whether the Secretary of State has been told that this House wants an opportunity of expressing its opinion on the Niemeyer Report, before His Majesty's Government pass final orders thereon.

The Honourable Sir James Grigg: His Majesty's Government have been given a *verbatim* account of what took place in this House.

Mr. S. Satyamurti: Have the Government of India heard from His Majesty's Government, in answer to that telegram?

The Honourable Sir James Grigg: No, Sir, nor, to the best of my knowledge, has Sir Otto Niemeyer reached England as yet. The report has not yet been presented.

INCREASE IN THE PRICE OF AGRICULTURAL PRODUCTS.

1466. ***Mr. S. Satyamurti:** Will Government be pleased to state:

- (a) whether they propose to take any steps to increase the price of agricultural products in the country;
- (b) whether they have examined the question that the present depression in the country is largely due to this fall in prices;
- (c) whether they propose to take steps in this direction promptly; and
- (d) if not, why not?

Sir Girja Shankar Bajpai: (a) to (d). The depression in prices is world-wide and is governed by factors over which Governments have little control. The Government of India have, however, sought to assist the Indian producer of wheat, sugar and rice by imposition of protective duties.

Mr. S. Satyamurti: I am obliged to my Honourable friend for answering this question. I want to know, however, whether this Government have examined this question, and have come to a conclusion that there is nothing which this Government can do in this matter, and that they can only say that the causes are world-wide.

Sir Girja Shankar Bajpai: Government have constantly examined this question from time to time, and they have taken such action as appeared to them to be feasible.

Mr. S. Satyamurti: What is the specific action which they have taken to raise the prices of agricultural products in the country?

Sir Girja Shankar Bajpai: I have said that the Government's view is that the depression in prices is world-wide and is governed by factors over which Governments have little control, but, as a result of the depression, it has so happened that the internal production of certain commodities has been threatened by imports from outside and in those cases protective measures have been taken.

Mr. S. Satyamurti: Apart from those protective measures, am I to take it that Government proposes to do nothing in this matter? Has not the attention of the Government been drawn to the action which other Governments have been taking, so as to deal with this problem in an effective manner?

The Honourable Sir James Grigg: The important contribution of the Government to this question is *not* to do a good many of the extremely unsound and ineffective measures which have been proposed to them by Members of the Opposition.

Mr. S. Satyamurti: I can understand that perfectly;—all right—; but have they not been able to suggest something to themselves regarding some solution, and remedy the distress of this country?

The Honourable Sir James Grigg: I say that to refrain from doing a lot of idiotic things is, in itself, a pretty good contribution.

Mr. S. Satyamurti: Has the Honourable Member's attention been drawn to the fact that other countries have been taking some steps and been doing something positive in this direction, so as to increase the prices of their agricultural products?

The Honourable Sir James Grigg: Not with much success.

Mr. M. S. Aney: Is it to be supposed that there is a bankruptcy of constructive statesmanship on the part of this Government?

The Honourable Sir James Grigg: As I have said before, to refrain from doing the silly things which the Members of the Opposition have proposed to us is an act of constructive statesmanship. And, incidentally, when I have given voice to certain views which are designed at any rate to make it easier to resume the flow of international trade, I have not yet discovered much applause from the party opposite.

Mr. S. Satyamurti: Then, the Government propose to do nothing but to abuse us?

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member need not answer that question.

Sardar Sant Singh: May I know if the Honourable Member knows that the wheat protective duty levied has expired on the 31st March last?

Sir Girja Shankar Bajpai: It is within the knowledge of every Member of this House that that duty expired on the 31st March.

Prof. N. G. Ranga: Is it not a fact that there has been a considerable amount of deflation of currency in this country during the last five years, and that, as a result, the prices of agricultural products have been very much cheaper?

The Honourable Sir James Grigg: I am not sure about the last five years, but I do know that there has been an actual expansion of currency in the period in which I have been in India. I can give the Honourable Member exact figures if he likes. I know for an absolute fact that there has been an expansion of currency in the last two years; about the last five years I cannot say.

Prof. N. G. Ranga: Is it not a fact that, during this period of depression, and during the last five years specially, there has been an actual contraction of currency in this country?

The Honourable Sir James Grigg: If the question is—"has there been a decrease in the circulation since 1931?"—I think that is absolutely certain, because the volume of currency required to carry the existing price-structure is obviously much smaller than the volume required to carry a price structure nearly twice as big.

Prof. N. G. Ranga: Is it not a fact that even the seasonal expansion of currency which Government usually allow is being decreased from year to year, and that that also has a very depressing effect upon the prices of agricultural products?

The Honourable Sir James Grigg: There is no such thing as a seasonal expansion or contraction of currency, but if the Honourable Member wants to find out whether there is a sufficient currency to carry the existing volume of trade at the present price level, he can just look at the rates for call money in Bombay and Calcutta; at the present moment, obviously that is a fair indication of the position.

INDIAN TRADE RELATIONS WITH FOREIGN COUNTRIES.

1467. ***Mr. S. Satyamurti:** Will Government be pleased to state:

- (a) whether they have examined, or propose to examine, the question of Indian trade relations with other countries, both inside and outside the British Commonwealth of Nations; and
- (b) whether they propose to appoint an expert committee to enquire into the question of making the best arrangements for Indian foreign trade?

The Honourable Sir Muhammad Zafrullah Khan: (a) Government have examined the question of India's trade relations with both Empire and non-Empire countries.

(b) No.

Mr. S. Satyamurti: Have Government given notice of termination of the Agreement to His Majesty's Government, as decided by the vote of the House the other day?

The Honourable Sir Muhammad Zafrullah Khan: The Honourable Member has put down a question on that subject which I shall answer in due course.

Mr. S. Satyamurti: I am asking a supplementary question now whether the Government have given notice of termination.

Mr. President (The Honourable Sir Abdur Rahim): He wants notice.

Mr. S. Satyamurti: No, Sir. He does not require notice for this question. He says that it will be answered later on. I have given notice of a separate question on that subject. It may be reached in this Session, or it may not be reached. You will obviously see that he does not require notice of this question. Either I have given notice, in which case he is bound to answer it now. If I have not given notice, I am asking this question as a supplementary to this question. I submit I am entitled to put this question "whether they have examined or propose to examine the question of Indian trade relations with other countries both inside and outside the British Commonwealth of Nations; and whether they propose to appoint an expert committee to enquire into the question of making the best arrangements for Indian foreign trade". The House resolved the other day that the whole question should be examined; and I am asking whether Government have given notice to His Majesty's Government of the termination of the Ottawa Agreement in pursuance of the decision of the House.

The Honourable Sir Muhammad Zafrullah Khan: I have already submitted that the Honourable Member has put down a question to that effect, and I shall give a reply in due course.

Mr. S. Satyamurti: Do Government refuse to answer that question this morning?

The Honourable Sir Muhammad Zafrullah Khan: The Honourable Member may infer whatever he likes.

Mr. President (The Honourable Sir Abdur Rahim): There is a specific question put down by the Honourable Member which will come up later on. The Government are perfectly entitled to ask the Honourable Member to wait till that question is reached.

Mr. S. Satyamurti: So long as my present supplementary question is in order, what is the objection to answering it now?

Mr. President (The Honourable Sir Abdur Rahim): If there is a specific question on that subject which will come up later on, this supplementary question need not be answered now.

The Honourable Sir Muhammad Zafrullah Khan: That supplementary question does not arise out of this question.

Mr. S. Satyamurti: I submit it does.

Mr. President (The Honourable Sir Abdur Rahim): Any question relating to the notice of termination of the Agreement is a specific question, and it does not arise as a supplementary.

Mr. S. Satyamurti: Anyhow, Sir, I accept your decision. I am not pursuing that point, but I shall ask other supplementary questions. I asked in part (b) whether Government proposed to appoint an expert Committee, and the answer was "No". May I know the reasons why they do not propose to appoint an expert Committee to enquire into the whole question of making the best arrangements for Indian foreign trade?

The Honourable Sir Muhammad Zafrullah Khan: It is for the Honourable Member to make out a case for the appointment of an expert Committee; it is not for me to defend the non-appointment of a Committee.

Mr. S. Satyamurti: I am not now making out a case for the appointment of an expert Committee. I will take a suitable opportunity to do so. I am simply asking the reasons why Government have come to the conclusion that they will not appoint a Committee.

Mr. F. E. James: Why did you vote against the appointment of a Committee the other day?

Mr. S. Satyamurti: When did Mr James become the Commerce Member?

The Honourable Sir Muhammad Zafrullah Khan: Government have not discovered reasons which necessitate the appointment of a Committee.

Mr. S. Satyamurti: Are Government satisfied with the present position of Indian foreign trade?

The Honourable Sir Muhammad Zafrullah Khan: Government are reviewing the position constantly.

EXAMINATION OF THE QUESTION OF INLAND AND COASTAL TRANSPORT IN INDIA.

1468. ***Mr. S. Satyamurti**: Will Government be pleased to state:

- (a) whether they propose to examine the whole question of inland and coastal transport in this country, including railways, roads, waterways and coastal steamers;
- (b) whether they propose to consider the whole question of carrying on transport so as to make public conveyance cheap, convenient, and comfortable for the people, as also to conserve the revenues of the State both at the centre and in the Provinces, and
- (c) whether they will place the report of that committee before this House for its consideration?

The Honourable Sir Muhammad Zafrullah Khan: (a) and (b). These questions are constantly under the consideration of Government.

(c) It is not understood to which Committee the question refers.

Mr. S. Satyamurti: I merely want to know whether Government propose to consider the whole question of transport, so as to make public conveyance cheap, convenient and comfortable for the people. I see there is a lacuna in that question. The committee referred to is the committee which I suggest to the Government to appoint to examine the whole question.

The Honourable Sir Muhammad Zafrullah Khan: If the Honourable Member means that part (c) is dependent upon his suggestion, which somehow is not printed, that Government should appoint a committee to consider this as a whole, then I may say that different aspects of this question are being considered by committees, for instance there is the Central Transport Advisory Council. Government have no intention of appointing an expert Committee to consider the whole question, suggested by the Honourable Member.

RECONSIDERATION OF THE RAILWAY FREIGHT RATES.

1469. ***Mr. S. Satyamurti:** Will Government be pleased to state:

- (a) whether they have examined the question that the railway freight rates in this country are such as to help the import of manufactured articles, and the export of raw materials; and
- (b) whether they propose to reconsider the whole policy of freight rates with a view to placing the transport of indigenous products from place to place in the country more or less on the same basis as the import of manufactured articles from outside countries; if not, why not?

The Honourable Sir Muhammad Zafrullah Khan: (a) and (b). Government have not hitherto found any evidence to support the allegation in part (a) of the question, but the point was raised at a meeting of the Public Accounts Committee in August, 1935, and Government are having the question re-examined and will place before the Public Accounts Committee a full memorandum on the subject.

Mr. S. Satyamurti: Who is re-examining the whole question?

The Honourable Sir Muhammad Zafrullah Khan: Does the Honourable Member want to know which particular officer?

Mr. S. Satyamurti: The particular agency?

The Honourable Sir Muhammad Zafrullah Khan: The Board are examining the question.

PERSONNEL OF THE ARMY, NAVY AND AIR FORCE OF INDIA.

1470. ***Mr. S. Satyamurti**: Will Government be pleased to state:

- (a) the number and rank of the non-British Indian personnel in the Army, Navy and Air Force of India;
- (b) the number of British Indians and Asians in that personnel; and
- (c) the reasons for recruiting non-British Indian personnel?

Mr. G. R. F. Tottenham: (a) and (b). I lay a statement on the table.

(c) The principle which governs recruiting is and always has been efficiency.

Statement.

	Royal Indian Navy.	British Army.	Indian Army.	Royal Air Force.	Indian Air Force.
Indians (British or State subjects).	986	12,285	1,52,000		507 (including 9 officers).
Persons other than Indians (excluding Asiatics).	126	52,851	9,681	2,079	28
Asiatics other than Indians .	115	..	17,300	..	5

Mr. S. Satyamurti: May I know whether Government are satisfied that efficiency cannot be secured by confining the recruitment to the Indian personnel on the one hand, and the British personnel on the other, so long as they want the British element in this country?

Mr. G. R. F. Tottenham: They are satisfied that the present system of recruitment secures the maximum efficiency.

Mr. S. Satyamurti: Have Government examined the alternative of confining it to Indians alone, so far as the non-British element is concerned?

Mr. G. R. F. Tottenham: They have found no necessity to examine that alternative.

Mr. S. Satyamurti: Have Government considered the desirability of confining recruitment for the defence of the country to the inhabitants of that country, and, for the time being, as we cannot help it, to the inhabitants of the country which rules that country?

Mr. G. R. F. Tottenham: They have not considered that question specifically.

Mr. S. Satyamurti: Will Government consider that question?

Mr. G. R. F. Tottenham: No, Sir.

Mr. S. Satyamurti: Why not, Sir?

Mr. G. R. F. Tottenham: Because they consider the present arrangements are the best.

COST OF MAINTENANCE OF THE INDIAN ARMY.

1471. ***Mr. S. Satyamurti:** Will Government be pleased to state:

- (a) whether the Indian Army is part of the Imperial Defence Forces or not;
- (b) whether the Indian Army is at the disposal of His Majesty's Government; and
- (c) whether they have ever made or propose to make any representations to His Majesty's Government to share the cost of maintaining the Indian Army, in so far as it is maintained for the Imperial Defence purposes?

Mr. G. R. F. Tottenham: (a) The position is fully explained in the report of the Capitation Tribunal, a copy of which is in the Library of the House.

(b) No.

(c) The matter must be regarded as settled by the award of the Tribunal I have just referred to.

Mr. S. Satyamurti: With reference to part (b), may I know whether the Indian Government can tell at any time to His Majesty's Government when it is asked to give help to the Empire, "No, we cannot"?

Mr. G. R. F. Tottenham: The Indian army is not at the beck and call of His Majesty's Government. If the Government of India agree to lend the Indian army for the purposes of His Majesty's Government, it can be so lent.

Mr. S. Satyamurti: May I know if the total strength of the British army is not decided, by taking into account the strength of the British personnel maintained in India?

Mr. G. R. F. Tottenham: The total strength no doubt includes that part of the army that serves in India and that part which serves in other stations overseas.

Mr. S. Satyamurti: May I know whether the British part of it is or is not at the disposal of His Majesty's Government?

Mr. G. R. F. Tottenham: No, Sir, it is subject to the same rule as the rest of the army in India, that is to say, it is at the disposal primarily of the Government of India, but if circumstances render it possible to spare any portion of the army in India, either British or Indian, for what Honourable Members on the opposite side are pleased to call imperial purposes, that may be done with the consent of the Government of India.

Qazi Muhammad Ahmad Kazmi: Is it in the power of the Government of India to refuse sending the British part of the army to the help of His Majesty's Government?

Mr. G. R. F. Tottenham: Certainly, it is within their power.

Mr. S. Satyamurti: With reference to part (c), may I know whether the Government of India accept the position that the findings of the Capitation Tribunal are the last word on the matter, and that they do not propose to pursue the matter any further?

Mr. G. R. F. Tottenham: They certainly are the last word on the matter for the present anyhow.

GOVERNMENT'S DEALINGS WITH FRONTIER TRIBES.

1472. ***Mr. S. Satyamurti:** Will Government be pleased to state:

- (a) whether in dealing with frontier tribes, they deal with any particular person or persons on their behalf;
- (b) whether, to the tribes as a whole, or to individual tribes, they have ever made any peace proposals consistent with the freedom and safety of the frontier and of their land; and
- (c) what the results of the proposals have been?

Sir Aubrey Metcalfe: (a) The established practice, which is based on tribal custom, is to deal with each tribe or tribal section concerned in open *jirga*. The tribal *jirga* consists of all the Pathan landowners, who by tribal customs have a share in the profit and loss account of the tribe, and includes the tribal Maliks and the younger men of the tribe.

(b) Signed agreements have been entered into with all Frontier tribes who are in political relations with the Government of India. Separate agreements have been made with individual tribes. The aim and object of all such agreements is the maintenance of peaceful and friendly relations between Government and the tribe or tribes who enter into the agreement.

(c) The results of such agreements when properly observed by the tribes which have entered into them have been to secure the peace of the border.

Mr. M. S. Aney: With how many tribes have Government made agreements?

Sir Aubrey Metcalfe: They have agreements with nearly all the tribes. If the Honourable Member wishes for further information, he can obtain the same from the copies of Aitchison's Treaties which are in the Library of the House.

Mr. S. Satyamurti: With reference to part (b), will the Honourable Member say whether these agreements, to which he refers, have been entered into consistent with the freedom and safety of the Frontier tribes and their lands?

Sir Aubrey Metcalfe: I should say, certainly yes.

Mr. S. Satyamurti: May I know what is the percentage of tribes with whom Government have not entered into such agreements yet?

Sir Aubrey Metcalfe: I want notice. Percentages are difficult things to deal with.

Mr. S. Satyamurti: With regard to those tribes with whom the Government have entered into agreements, have Government found in the working of those agreements that, on the whole, they are observed honourably on both sides?

Sir Aubrey Metcalfe: Yes, on the whole certainly.

Mr. S. Satyamurti: Will Government pursue this policy of consistently entering into agreements with the tribes, so as ultimately to bring peace to the Frontier and to reduce expenditure and harassment on both sides?

Sir Aubrey Metcalfe: We have always adopted this policy, and we have no intention of doing otherwise.

COST OF INDIAN DEFENCE FORCES AND PEACEFUL SETTLEMENT WITH FRONTIER TRIBES.

1473. *Mr. S. Satyamurti: Will Government be pleased to state:

- (a) what the total cost of Indian Defence Forces which may rightly be debited to the Frontier situation is; and
- (b) whether they have ever considered spending that money in other directions, in order to come to a peaceful settlement with the tribes, if not, why not?

Sir Aubrey Metcalfe: (a) It is impossible to estimate, with a degree of accuracy that would have any practical value, what proportion of the cost of Indian Defence is undertaken in order to meet the danger of tribal depredations. The Honourable Member will, however, find some indication of the proportion of the Defence Forces whose main duty is to defend the Frontier in Chapter II of the Pamphlet entitled "Some facts and figures about Indian Defence".

(b) Every effort within the resources of India is being made to develop the tribal areas by negotiation and consent and a fund was recently set up for this purpose, but the tribesmen are heavily armed and recent experience has proved that expenditure on Defence cannot be relaxed without danger of depredations in the Administered Districts of British India. It must also be realised that expenditure on services in the tribal areas is limited by the fact that except in small areas, the tribesmen pay no revenue or taxes.

Mr. S. Satyamurti: Have Government considered or will Government consider the question that finding some alternative means of livelihood for these tribes may reduce the number or the intensity or both of these depredations on British Indian territory? And have they considered, or will they consider providing some occupation for them?

Sir Aubrey Metcalfe: Certainly; the policy which the Honourable Member suggests has formed the subject of anxious consideration by the Government of India, and it is largely for purposes of that sort that the fund to which I have referred in my answer was set up.

Mr. S. Satyamurti: May I know how much money has been spent in these directions so far, and how much they propose to spend next year?

Sir Aubrey Metcalfe: I could not give the Honourable Member the exact figures. I shall have to ask for notice.

Mr. S. Satyamurti: Will Government explore the possibility of increasing this expenditure, with a view to reducing military expenditure?

Sir Aubrey Metcalfe: Certainly, that is their object. They wish to reduce military expenditure, and for that reason they are trying to spend money upon what may be called more humanitarian services.

BAN ON CONGRESS ORGANISATIONS, ETC.

1474. ***Mr. S. Satyamurti:** Will Government be pleased to state:

- (a) the number of Congress and other organisations which are still banned by them and the reasons thereof;
- (b) the names of organisations which have been banned either by the Government of India or by the Local Governments during the last four years;
- (c) the number and names of books or pamphlets which are now banned entry into this country;
- (d) the Acts or Ordinances under which literature can be seized, confiscated or interfered with by Government;
- (e) the number of civil disobedience prisoners still in jail;
- (f) the number of men and women still detained without trial in India; and
- (g) the number and names of prisoners externed or interned, out of or in British India?

The Honourable Sir Henry Craik: (a) and (b). I would refer the Honourable Member to the statement I laid on the table in connection with the answer given by me on the 14th February, 1935, to Mr. Mohan Lal Saksena's questions Nos. 272 and 273. I am making enquiries regarding the number of organisations still under the ban and will lay the information on the table in due course.

(c) 110, including 19 cases in which all publications emanating from certain particular sources are banned. I am not prepared to lay a list of the banned publications on the table.

(d) I would refer the Honourable Member to—

- (i) the provisions relating to the seizure of certain documents in sections 19 to 22 of the Indian Press (Emergency Powers) Act, 1931, as amended by the Criminal Law Amendment Act, 1932,
- (ii) sections 25 to 27D of the Indian Post Office Act, 1898,
- (iii) section 99A of the Criminal Procedure Code, and
- (iv) sections 19 and 181A of the Sea Customs Act, 1878.

(e) Five.

(f) There are 75 persons detained as State Prisoners of whom 28 are in jail, the rest are at large. There are no women among them.

(g) So far as prisoners interned in British India are concerned under the orders of the Government of India I would refer the Honourable Member to the answer given to part (f) above. There are no prisoners externed from British India under the orders of the Government of India.

Mr. S. Satyamurti: With reference to the answer to clauses (a) and (b), may I know if the Honourable Member is in a position to say that the ban has not been removed on any Congress organisation since that answer?

The Honourable Sir Henry Craik: I did not say that. I said I am making inquiries regarding the number of organisations still under the ban, and will supply the information when received.

Mr. S. Satyamurti: May I know who is the authority, or who are the authorities, which decide the books or the pamphlets which are to be banned entry into this country?

The Honourable Sir Henry Craik: That depends on what machinery is used. The Local Governments can proscribe under the Code of Criminal Procedure. I am not sure whether they have power to pass an order under the Sea Customs Act; I think an order under that Act has to be passed by the Government of India. Local Governments have power to proscribe and have, of course, power to use the sections of the Post Office Act.

Mr. S. Satyamurti: I think the Honourable Member said that he was not prepared to lay a list of banned publications, but he did not say anything about the sources from which all publications are banned. May I know what those sources are?

The Honourable Sir Henry Craik: Yes, there are 19 cases in which all publications emanating from certain particular sources are banned. I cannot say off-hand what they are, but they are mostly Communist organisations abroad or possibly revolutionary organisations in other countries.

Mr. S. Satyamurti: With reference to clause (g), may I take it that the Honourable Member's answer does not contain any reference to the detenus in Bengal?

The Honourable Sir Henry Craik: Yes, that is right.

Mr. Sri Prakasa: In view of the fact that the Hindustani Seva Dal continues to be a banned organisation in the United Provinces, have Government discovered that wonderful air-gun with which rifle shooting was practised and because of which the Association was banned; and, if so, what has happened to that air-gun?

The Honourable Sir Henry Craik: That does not seem to me to arise out of my answer.

Mr. Sri Prakasa: I submit that it does arise, because the Hindustani Seva Dal is an organisation that is banned in the United Provinces and the reason given here was

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member cannot be expected to answer questions regarding every association which has been banned. That has not been asked.

Mr. Sri Prakasa: I am asking a question on the statement of the Honourable Member himself.

Mr. President (The Honourable Sir Abdur Rahim): As regards any special organisation, a question ought to be specifically put down.

EXAMINATION OF THE QUESTION OF UNIVERSITY EDUCATION FROM AN
ALL-INDIA POINT OF VIEW.

1475. *Mr. S. Satyamurti: Will Government be pleased to state:

- (a) whether they have examined or propose to examine the question of University education in the country from an All-India point of view;
- (b) whether they have come to any conclusion as to the alleged need for restricting the number of Universities; and
- (c) if so, what those conclusions are, and the reasons therefor?

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

(c) Does not arise.

Mr. S. Satyamurti: Has the Honourable Member's attention been drawn to the statement made, I think, by the Educational Commissioner to the Government of India and published in all the newspapers, that the time has come when there should be a restriction placed on the number of graduates coming out of the universities?

Sir Girja Shankar Bajpai: No, Sir, I am not aware of any such statement made by the Educational Commissioner with the Government of India.

Mr. S. Satyamurti: Are Government at all considering this question of reviewing university education in the country now or in the near future?

Sir Girja Shankar Bajpai: No, Sir, the only question which Government have considered and which they are considering now is the question of the reconstruction of secondary, that is to say school education.

Mr. S. Satyamurti: May I take it, therefore, that Government are not considering the question of restricting the activities of universities in this country, in any manner?

Sir Girja Shankar Bajpai: Certainly not at present.

USE OF INDIAN MATERIALS IN THE RE-BUILDING OF QUETTA.

1476. ***Mr. S. Satyamurti** (on behalf of Mr. T. S. Avinashilingam Chettiar): Will Government state:

- (a) with reference to their answer to starred question No. 1201 of this Session, whether in re-building Quetta Indian materials will be used wherever available;
- (b) whether the use of Indian materials, such as Indian cement, which are available in India, will be made a condition precedent to the giving of the contracts;
- (c) what principles they propose to observe in giving contracts; and
- (d) who is the officer in charge of rebuilding Quetta?

Sir Aubrey Metcalfe: (a) Yes, unless the price is unduly high.

(b) No.

(c) The Honourable Member is referred to the reply to part (e) of starred question No. 1201.

(d) Commander, Royal Engineers, Quetta Reconstruction.

Mr. S. Satyamurti: With reference to the answer to clause (a), may I know if Government will accept in this case what they have done in many other cases, namely, a price preference policy, as railways and other departments have done, namely, giving preference to Indian made articles, in the re-cuilding of the station?

Sir Aubrey Metcalfe: I have no doubt that it will be considered.

Mr. S. Satyamurti: With reference to clause (b) of the question, may I know why Government are not agreeable to make it a condition precedent to the giving of contracts that articles such as Indian cement, whose quality has been proved beyond all doubt, should be used?

Sir Aubrey Metcalfe: I imagine it is because they feel that economy and efficiency must be the first principles. As a matter of fact, I understand that contracts are likely to be given to the Indian Cement Company, but it would obviously be unwise to make a decision of that sort before the tenders have been received.

Mr. S. Satyamurti: Will Government consider the question of giving suitable and reasonable preference to Indian articles as far as possible in every case, unless it is clearly ruled out, in the re-building of this station?

Sir Aubrey Metcalfe: That is a large question of policy which I can hardly be expected to answer in reply to a supplementary question. I have no doubt that due consideration will be given to all relevant matters.

Pandit Nilakantha Das: Who is the authority to purchase? Is it the Stores Department?

Sir Aubrey Metcalfe: Primarily, the Commander, Royal Engineers, Quetta Reconstruction, will accept the tenders, but I understand that no final contract can be fixed up without reference to the relevant Department of the Government of India.

Sir Cowasji Jehangir: If the authority which has the power at present to settle these contracts come to the conclusion that foreign materials should be used, will it be instructed that the Government of India should first be consulted before a contract involving the purchase of foreign materials is entered into?

Sir Aubrey Metcalfe: The question is to some extent hypothetical, but I understand that the Government of India will be consulted before any final contracts are given.

Pandit Nilakantha Das: May I take it as the answer to my question that the Indian Stores Department will ultimately make the purchases?

Sir Aubrey Metcalfe: I must have notice of that question: I do not know what the Honourable Member is referring to about purchases.

UNSTARRED QUESTIONS AND ANSWERS.

INCREASE IN WORKING EXPENSES ON THE EAST INDIAN RAILWAY.

452. **Dr. N. B. Khare:** With reference to the reply to unstarred question No. 43, given on the 4th February, 1936, asking for the period to which the increase in working expenses on the East Indian Railway referred, will Government now please state the reasons for the increase up "to the end of May 1935-1936" as against up "to end of May 1934-1935"?

Mr. P. B. Rau: The increase referred to is due to the fact that emergency deductions from pay were being made during 1934-35, but ceased from April, 1935.

LIBRARIES AND INSTITUTES SUBSIDISED BY STATE RAILWAYS.

453. **Dr. P. N. Banerjee:** Will Government be pleased to lay on the table a statement showing the names, location, membership, size of the library, the qualifications of the librarians, of the various libraries aided by the State Railways, together with the amount of grant-in-aid provided by the Railways to both Indian and European Institutes during the last year?

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

RUNNING OF A RAIL PETROL MOTOR SERVICE ON THE METRE GAUGE SECTION OF THE MADRAS AND SOUTHERN MAHRATTA RAILWAY

454. **Mr. V. V. Giri:** (a) Will Government please state whether the Madras and Southern Mahratta Railway is arranging to run a rail-petrol-motor service on their metre gauge section to compete with the road bus traffic and if so, what is the capital outlay on such a proposal?

(b) With whom have they placed the order for the petrol engines, and what is their number and cost per engine?

(c) Where does the Madras and Southern Mahratta Railway propose to build the chassis and bodies?

(d) Is it a fact that the Railway has proposed to give away on contract to a private motor-bus body building firm in Madras, the work of building bodies for the Railway's proposed petrol-rail-buses, and that they have highly equipped, up to date Carriage and Loco. Workshops at Perambur?

(e) Is it not a fact that the Railway saw mills, carriage-building shops, remodelled at a huge cost, are not turning out their maximum output and are not yielding a fair return of interest on the capital outlay of machines and other equipments?

(f) Is it not a fact that these shops are working short time on Saturdays for the last five years?

(g) Is it not a fact that there was compulsory retrenchment of men in 1931, under plea of less work and surplus men in the saw-mill shop at Perambur?

(h) Is it not a fact that the strength of the Perambur Shops has been considerably reduced during the last five years and that they are alleged to carry surplus staff?

(i) Why has the Railway decided to give on contract to an outside motor firm the work of building bodies for petrol-rail-buses for the railway?

(j) Are the workshops not able to manufacture these bodies at less cost than charged by an outside firm?

(k) Is it not also a fact that the Foundry Shop in the Madras and Southern Mahratta Railway, Perambur workshops, is an up to date foundry remodelled at a very large cost?

(l) Is it not also a fact that this shop is also working short-time and losing interest on capital invested?

(m) Is it not a fact that cast-iron pot sleepers can be manufactured in these shops in large quantities and are given away on contract to outside engineering firms?

The Honourable Sir Muhammad Zafrullah Khan: The information has been called for and will be laid on the table of the House on receipt.

RUNNING OF A MAIL TRAIN BETWEEN RAIPUR AND VIZIANAGRAM ON THE BENGAL NAGPUR RAILWAY.

455. Mr. Ghansham Singh Gupta: (a) Are Government aware that much inconvenience is caused to the public owing to the fact that there is no mail train running between Raipur and Vizianagram on the Bengal Nagpur Railway?

(b) Are Government prepared to consider the advisability of advising the Railway authorities to run a mail train in that section?

The Honourable Sir Muhammad Zafrullah Khan: (a) and (b) The Agent, Bengal Nagpur Railway, states that statistics of traffic and previous experience with through trains, between Raipur and Vizianagram, do not justify a mail train over this section. Moreover, a through fast service is not practicable as the maximum permissible speed between Raipur and Parvatipuram is 30 miles per hour.

RUNNING OF AN EXPRESS TRAIN FROM OR VIA RAIPUR, BENGAL NAGPUR RAILWAY, TO DELHI, VIA KATNI AND NAINI.

456. Mr. Ghansham Singh Gupta: Is there a proposal to run an express train from or *via* Raipur (Bengal Nagpur Railway) to Delhi *via* Katni and Naini?

The Honourable Sir Muhammad Zafrullah Khan: No.

NOTE OF THE JUDGES REGARDING THE METHOD EMPLOYED IN EXAMINING THE CASES OF BENGAL DETENUS.

457. Mr. Ghansham Singh Gupta: Will Government be pleased to lay on the table the note of the Judges (regarding the method employed in examining the cases of Bengal detenus) referred to by the Honourable the Home Member in his speech in the Assembly on the 12th March, 1936, on the cut motion of Mr. Aney?

The Honourable Sir Henry Craik: The document is confidential and I regret therefore that I am not able to lay a copy on the table.

GRIEVANCES OF GUARDS IN THE CALCUTTA DISTRICT OF THE EASTERN BENGAL RAILWAY.

458. Mr. Amarendra Nath Chattopadhyaya: (a) Is it a fact:

- (i) that the Eastern Bengal Railway are working short-handed in the matter of guards in the Calcutta District;
- (ii) that applications for leave from these guards are invariably refused;
- (iii) that demi-official letters have been issued to the District Medical Officer to refuse, except in very urgent cases, to place the guards on the sick list;
- (iv) that guards who are really ill but not seriously have to seek outside medical aid at their own cost; and

(v) that the guards so treated medically by registered doctors have been penalised by the refusal to grant them leave on average pay *plus* mileage?

(b) If the answers to part (a), (i) to (v) be in the affirmative, will Government please state with what object these restrictions have been imposed?

(c) Do Government propose to take any action in the matter? If not, why not?

The Honourable Sir Muhammad Zafrullah Khan: (a), (i) to (iv). No.

(v) No, provided the rules governing the submission of medical certificates are complied with.

(b) Does not arise.

(c) No action is called for.

MARSHALLING OF UPPER CLASS CARRIAGES ON THE MAIL, EXPRESS AND PASSENGER TRAINS ON THE EASTERN BENGAL RAILWAY.

459. Mr. Amarendra Nath Chattopadhyaya: (a) Is it a fact:

(i) that the rules on the Eastern Bengal Railway regarding the marshalling of upper class carriages on the mail, express, and passenger trains require that these carriages must be placed in the centre of the train;

(ii) that intermediate class carriages are placed on either side of the upper class carriages; and

(iii) that the primary reason for this arrangement is that intending passengers by these classes at roadside stations may know where to wait so as to entrain with the least discomfort?

(b) Are Government aware that luggage vans are marshalled between carriages intended for passengers, resulting in passenger carriages standing off the platform at roadside as well as at Sealdah station?

(c) If the answer to parts (a) and (b) be in the affirmative, will Government please state:

(i) whether any non-gazetted staff is responsible for the marshalling of trains; if so, what staff;

(ii) whether any non-gazetted staff is responsible for the supervision of the trains before they leave Sealdah; if so, which official; and

(iii) whether any gazetted officer is responsible for seeing to the correct marshalling of trains, if so, who?

(d) Do Government propose to take action in the matter with a view to securing better comforts for the travelling public? If not, why not?

The Honourable Sir Muhammad Zafrullah Khan: (a). (i) and (ii) Except in the case of through service carriages, carriages which are attached or have to be detached at intermediate stations and carriages utilised in an emergency to increase the accommodation on trains, upper class carriages are normally marshalled in the centre of the train and intermediate class carriages are normally adjacent to upper class carriages.

(iii) No.

(b) Government are informed that this is not so, but at stations at which there is not a full length platform some passenger carriages attached as explained in the reply to part (a) above may be off the platform.

(c), (i) to (iii). The responsibility of seeing that trains are marshalled in accordance with the orders issued rests with the Station Superintendents in the case of Sealdah and with the Station Master at other stations.

(d) The programme for lengthening platforms has had to be curtailed for want of funds.

INCONVENIENCE FELT BY PASSENGERS OVER THE EASTERN BENGAL RAILWAY AT SEALDAH STATION TRAVELLING BY THE 5-UP TRAIN.

460. **Mr. Amarendra Nath Chattopadhyaya:** (a) Is it a fact that considerable inconvenience is felt by the travelling public over the Eastern Bengal Railway at Sealdah station by 5-Up train which leaves at 7-06 hours due to the platform being washed at that time of the morning?

(b) Is it also a fact that a complaint to this effect has been made to the Agent but without any satisfactory result so far?

(c) Are Government aware that the East Indian Railway authorities at Howrah Station have the platforms washed before the first train arrives or leaves Howrah? If so, why?

(d) If the answer to parts (a) to (c) be in the affirmative, will Government please state whether the management of Sealdah station is in the care of a petty employee? If not, what action do Government propose to take against the staff responsible?

The Honourable Sir Muhammad Zafrullah Khan: (a) The Agent of the Eastern Bengal Railway states that the platform from which 5 Up Mail starts is swept half an hour before the departure time of the train and is washed after the train has left.

(b) No complaint appears to have been made to the Agent.

(c) Government have no information.

(d) Sealdah station is in the charge of a senior official who is designated Station Superintendent.

HARASSMENT OF THE TRAVELLING PUBLIC BY THE SPECIAL INSPECTORS AT SEALDAH ON THE EASTERN BENGAL RAILWAY.

461. **Mr. Amarendra Nath Chattopadhyaya:** (a) Is it a fact that the Eastern Bengal Railway have appointed a number of Special Inspectors who are under the direct orders and the supervision of the Traffic Manager but whose duties consist of seeing that passengers do not travel without tickets, that excess luggage is not carried by passengers, and other duties in connection with the travelling public and merchants?

(b) Are Government aware that these Special Inspectors start their duties not before the trains leave Sealdah Station but *en route*, thus putting passengers ex-Calcutta to considerable inconvenience and annoyance?

(c) If the answer to parts (a) and (b) be in the affirmative, do Government propose to take such action that will lead to the interests of the Railway Administration being safeguarded and the travelling public being saved unnecessary harassment by the Special Inspectors?

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

- (a) Yes.
- (b) There are no orders or instructions which prevent their making any check they like at Sealdah Station.
- (c) Does not arise.

TERMINATION OF THE SERVICES OF NON-GAZETTED STAFF ON STATE-MANAGED RAILWAYS.

462. **Mr. Amarendra Nath Chattopadhyaya:** Will Government please state whether there is any rule in the State Railways Open Line Code, or other extant codes, or manuals, which requires that the reasons for the termination of the services of non-gazetted staff on State-managed Railways as stated in the letters of discharge must also be shown in the service certificate?

The Honourable Sir Muhammad Zafrullah Khan: The reply is in the negative.

I would, however, refer the Honourable Member to paragraph 301 of the State Railway Open Line Code, Volume II, regarding the grant of certificates to subordinate staff, a copy of which will be found in the Library of the House.

RULES FOR THE RECRUITMENT AND TRAINING OF THE NON-GAZETTED STAFF ON STATE RAILWAYS.

463. **Mr. Amarendra Nath Chattopadhyaya:** (a) Is it a fact that the Railway Board have framed rules for the recruitment and training of the non-gazetted staff on State-managed Railways? If so, when were these rules forwarded to the Agent of the Eastern Bengal Railway?

(b) Is the application of these rules obligatory, discretionary, or to be applied in certain cases only?

(c) Do these rules provide for the channels of promotion?

The Honourable Sir Muhammad Zafrullah Khan: (a) The reply to the first part of the question is in the affirmative. As regards the latter part, the rules were forwarded to the Agent, Eastern Bengal Railway, on the 20th May, 1931.

(b) The rules are obligatory but permit of certain exceptions and variations.

(c) Yes, but the channel of promotion for each Railway is not necessarily precisely that laid down in the rules.

DISCONTENT PREVAILING AMONGST THE NON-GAZETTED STAFF OF THE ACCOUNTS DEPARTMENT OF THE EAST INDIAN RAILWAY OVER THE SYSTEM OF HOLDING THE APPENDIX D EXAMINATION.

464. **Mr. Amarendra Nath Chattopadhyaya:** (a) Is it a fact that considerable discontent prevails amongst the non-gazetted staff of the Accounts Department of the East Indian Railway at the manner in which the Appendix D examination is conducted?

(b) Is it further a fact that the passing marks of 66 per cent. in the special papers and 50 per cent. in the others are placed at a higher level than that in any of the other subordinate accounts service examination and also of the recruitment examinations for All-India gazetted services conducted by the Public Service Commission?

(c) Will Government please lay a statement on the table of this House showing the passing marks for the Subordinate Accounts, the Subordinate Railway Accounts, the Subordinate Railway Audit, and other examinations, both for gazetted and non-gazetted staff?

(d) What is the idea underlying the fixation of this high percentage for this particular examination?

(e) Do Government propose to fix the percentage at 50 per cent. for the special papers and at 40 per cent. for the other papers, *i.e.*, at the same level as that prevails in the Subordinate Audit examination? If not, why not?

(f) Do Government propose to declare all examinees who have obtained 50 per cent. and 40 per cent. in the Appendix D examinations, since its introduction in 1930, as having passed this examination in the years in which they obtained those percentages and over? If not, why not?

(g) Is it a fact that members of a particular community are particularly successful in this examination, and that the only three that have been declared as having passed the last examination from the East Indian Railway belong to that community?

(h) Have representations been made by the non-gazetted staff of the Accounts Department of the East Indian Railway suggesting that Appendix D examinations should be run on the same lines as the University examination, *i.e.*, all the papers should be examined by a Board of Examiners? If so, what action has been taken?

Mr. P. R. Rau: (a) No, so far as Government are aware.

(b) to (f). The attention of the Honourable Member is invited to the replies given to questions Nos. 530 and 581 on the 12th March, 1930, and 3rd April, 1934.

(g) The answer is in the negative.

(h) The representations referred to were carefully considered by Government who saw no reason to make any change in the present procedure.

REST ROOMS AT THE HOWRAH STATION BUILDINGS FOR THE USE OF GAZETTED OFFICERS AND THEIR FAMILIES.

465. **Mr. Amarendra Nath Chattopadhyaya:** (a) Is it a fact that the East Indian Railway have provided Rest Rooms at Howrah Station buildings for the use of their gazetted officers and their families?

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

- (i) how many rooms have been provided;
- (ii) the total cost of the fittings;
- (iii) whether kitchens are attached; if so, how many;
- (iv) whether cooks are employed by the Railway Administration; if so, how many and what is the amount spent on wages;

- (v) whether bearers are employed, if so, how many and on what pay each;
- (vi) whether food will also be supplied by the Railway Administration;
- (vii) whether the charge has been fixed at annas twelve per room per day; and
- (viii) whether the gazetted officers are permitted the use of their inspection carriages at Howrah?

(c) Will Government please state whether similar facilities have been provided for the non-gazetted staff at Howrah Station? If not, what are the reasons for this discriminatory treatment?

(d) Do Government propose to extend the same facilities to the non-gazetted staff?

(e) Is it a fact that accommodation is available in the south concourse over the Intermediate class Booking Office?

(f) Was the previous sanction of the Railway Board obtained for the provision of such facilities for the gazetted staff and their families when visiting Calcutta? If not, why not?

(g) Has it raised the working expenses? What check is exercised by the Railway Board on working expenses?

The Honourable Sir Muhammad Zafrullah Khan: Enquiries are being made from the Railway Administration and a reply will be laid on the table in due course.

WELFARE COMMITTEE TO SECURE AMENITIES FOR THE RAILWAY STAFF HOUSED IN THEIR QUARTERS AT DOBSON ROAD, HOWRAH.

466. **Mr. Amarendra Nath Chattopadhyaya:** (a) Is it a fact that the East Indian Railway have provided a Welfare Committee to secure amenities for their staff housed in their quarters at Dobson Road, Howrah? If so, is this Welfare Committee authorised to levy tolls on vendors, sublet the out-offices attached to the quarters to outsiders, etc.?

(b) Is it further a fact that vendors are not permitted to enter unless they obtain the permission of the Secretary or the Vice-President of this Committee?

(c) Do Government propose to take such action that will enable the vendors to enter unhindered and that those who are not the servants of the residents are not permitted to occupy at rental the out-offices? If not, why not?

(d) Are Government aware that several cases of small-pox occurred in their quarters at Dobson Road and that the infection was brought in by these outsiders who are living in the out-offices?

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

- (a) In the interests of the staff housed in flats in a special compound called Tindal Bagan, the East Indian Railway have authorised them to set up a Welfare Committee of their own to cater for the general needs and requirements of the occupants of the flats. The reply to the latter part of the question is in the negative.

- (b) To prevent thefts in these quarters, which had become very numerous, the Committee had to regulate the entry of unauthorised persons and vendors inside the railway compound in which these quarters are situated.
- (c) Government do not propose to give vendors free access at all hours of the day and night as thieves and unscrupulous persons can come in as vendors and rob the occupants when they are away on duty. No railway servant can sublet railway quarters to outsiders and if any case is brought to notice, disciplinary measures are and will be taken against the staff at fault.
- (d) The reply to the first part of the question is in the affirmative. As regards the latter part, Government have no information.

CABINETS OF ROSS PATENT TICKET CASES PURCHASED FOR USE AT THE HOWRAH BOOKING OFFICES.

467. Mr. Amarendra Nath Chattopadhyaya: (a) Is it a fact:

- (i) that the East Indian Railway have purchased thirteen cabinets of Ross Patent Ticket Cases for use at Howrah Booking Offices;
- (ii) that the cost of each cabinet is Rs. 150 and for each tube Rs. 5; and
- (iii) that the cabinets have not been put into use since the date of receipt; if so, why?

(b) Will Government please state:

- (i) how many tubes have been purchased;
- (ii) the total cost of the cabinets, tubes and any other charges;
- (iii) whether the present booking offices have to be altered; if so, what is the estimated cost;
- (iv) what is the object of the purchase of these cabinets;
- (v) the urgency of this purchase at this time of financial stringency; and
- (vi) whether the Ross Patent Ticket Case will be used at all in City Booking Offices and Booking Offices at out-stations; if not, why not?

The Honourable Sir Muhammad Zafrullah Khan: The information has been called for and will be laid on the table of the House on receipt.

INTRODUCTION OF ROSS PATENT TICKET CABINETS ON THE EASTERN BENGAL RAILWAY.

468. Mr. Amarendra Nath Chattopadhyaya: (a) Is it a fact that the Ross Patent Ticket Cabinets have been introduced on the Eastern Bengal Railway? If so, will Government please state:

- (i) the number of cabinets and tubes that have been purchased and the cost of the same;
- (ii) whether these cabinets are only in use on the north station at Sealdah;

(iii) whether there are any other ticket cabinets in use on the north station; and

(iv) the reasons why the Ross Patent Ticket Cabinets have not been introduced in the main and south stations at Sealdah?

(b) Is it a fact that the booking staff have complained that fast booking cannot be done on the Ross Patent Ticket Cabinets, as the ticket tubes are filled by the stock clerks and that the booking clerks have to check the number of each ticket before issue?

(c) Is it further a fact that certain defects in these cabinets were pointed out to the Traffic and Accounts Department staff? If so, with what results?

The Honourable Sir Muhammad Zafrullah Khan: The information has been called for and will be laid on the table of the House on receipt.

HOURS OF DUTY OF THE STATION SUPERINTENDENT, THE DEPUTY STATION SUPERINTENDENT, THE ASSISTANT STATION MASTERS AND THE ASSISTANT BOOKING CLERKS AT THE HOWRAH STATION, EAST INDIAN RAILWAY.

469. Mr. Amarendra Nath Chattopadhyaya: (a) Will Government please state the hours of duty of the Station Superintendent, the Deputy Station Superintendent, the Assistant Station Masters and the assistant booking clerks at Howrah Station, East Indian Railway?

(b) Is it a fact that with a view to effect a saving in the number of assistant booking clerks it has been decided to extend their hours of duty to nine hours per day?

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

(i) whether after the completion of nine hours of booking duties the clerk has then to take down the closing numbers of all the tickets in the cabinet in the Cash Settlement Register, prepare the accounts, tally same with the cash and then make over the amount to the cash clerk who is required to sound all the coins with a view to rejecting base coins;

(ii) whether only one cash clerk attends to all the booking offices after completion of a turn of duty;

(iii) whether the average time taken before a booking clerk can get off duty is between one and a half to two hours after booking work stops; and

(iv) the number of booking staff that get off at the same time in a turn of duty?

(e) Do Government propose to treat the staff alike in the matter of hours of duty? If not, why not?

(d) Is it a fact that the work of the Job Analysis staff is confined to the abolition of non-gazetted posts, extending their hours of duty, etc.? Is this staff responsible for the suggestion in this case?

(e) Is it also a fact that the Job Analysis Committee did not consist of a single person with practical experience in the duties of booking clerks?

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

(a) The Station Superintendent is a Supervisory Officer and does not work to any fixed roster of duty. He generally attends to office work between 8 and 12-30 hours and 2 and 5 P.M. but has in addition to do his inspections and attend to emergencies at all hours of the day and night.

	Hrs.	Hrs.
Deputy Station Superintendents	5 to	14
	14 to	22
Assistant Station Masters	5 to	14
	14 to	22-40
Male Booking Clerks	5 to	14
	14 to	23
Lady Booking Clerks	5 to	11
	11 to	17
	17 to	23

(b) It has been decided with a view to economy to re-arrange the duties of lady booking clerks. The exact duration of their duty hours is still under consideration and will be decided after a few experimental schemes have been tried out. Nine hours duties similar to those of other booking clerks are being tried for a few days as an experimental measure.

(c) (i). No definite decision has so far been arrived at in regard to the duty hours of lady booking clerks. In any case the work involved in accounting for cash after completion of duty will be given due consideration in fixing their hours of duty.

(ii) Yes.

(iii) No, the actual time taken varies and depends on the timings of the train for which booking is done at a particular window. It is seldom more than 45 minutes, and much less in some cases.

(iv) Fifteen lady booking clerks get off duty at a time normally.

(d) Duties depend on the nature of work performed. Employees with similar duties are treated alike as far as possible.

(e) No, the Job Analysis Officer explores all avenues of economy and suggests retrenchment where justified. The reply to the latter part is in the affirmative.

(f) The Job Analysis Officer, who deals with Transportation and Commercial matters, is an experienced Officer of the department and is assisted in his investigations by subordinate experts on the subjects under investigation.

REFUSAL OF LEAVE TO THE EMPLOYEES OF THE GOVERNMENT OF INDIA
PRESS, INDUSTRIAL BRANCH.

470. **Pandit Sri Krishna Dutta Paliwal:** (a) Are Government aware that employees of the Government of India Press, Industrial Branch, are not allowed even a few days' leave, due to them, by the Assistant Manager and Manager to attend to their urgent private affairs, on account of which a great discontent prevails amongst the Press employees?

(b) Will Government be pleased to state the number of cases in which leave has been disallowed or allowed with fine when the leave was due to the employees of the industrial branches?

(c) Does the same procedure prevail in the Government of India Press, Calcutta, Simla and Delhi?

The Honourable Sir Frank Noyce: (a) No.

(b) Government have not these particulars and do not propose to collect them as this would involve a large amount of time and labour, and it is open to any individual who considers that he has a grievance to make a representation in the ordinary way.

(c) Does not arise..

DISCONTENT AMONG THE "C" CLASS GUARDS OF THE JUBBULPORE DIVISION

471. **Dr. N. B. Khare:** Will Government please state the action taken by the Agent, Great Indian Peninsula Railway, on starred question No. 46, asked in this House on the 2nd February, 1933, regarding discontent among the "C" class guards of the Jubbulpore Division?

The Honourable Sir Muhammad Zafrullah Khan: Government are informed that the Agent, Great Indian Peninsula Railway, made enquiries into the matter and came to the conclusion that no action was called for.

RACIAL DISCRIMINATION IN THE ISSUE OF PASSES TO THE TEACHING STAFF OF THE EAST INDIAN RAILWAY HIGH SCHOOLS.

472. **Dr. N. B. Khare:** With reference to the answer given to starred question No. 144, asked in this House on the 6th February, 1933 regarding racial discrimination in the issue of passes to the teaching staff of the East Indian Railway High Schools, will Government please state:

- (a) the clause of the pass rules under Company-management which entitled the staff of Oakgrove School to first class passes; and
- (b) whether conditions of service offered to staff, under Company-management retained by the State on change of management are applicable to the staff of Oakgrove School; if so, under what clause of the conditions of service, they can retain first class passes as personal?

The Honourable Sir Muhammad Zafrullah Khan: (a) There is no such clause in the rules. The decision that passes in certain cases may be considered as personal is purely administrative.

(b) The reply to the first part is in the affirmative. As regards the second part, I would refer the Honourable Member to the reply given by Mr. P. R. Rau to Mr. Maswood Ahmad's question No. 211 on the 30th August, 1933.

POPULATION OF EACH COMMUNITY IN THE AREAS SERVED BY CERTAIN RAILWAYS

473. **Dr. N. B. Khare:** Will Government please state the population of each community, by provinces with percentage, both domicile and non-domicile, respectively, in the areas served by:

- (i) Burma Railways,
- (ii) Eastern Bengal Railway,
- (iii) East Indian Railway,
- (iv) Great Indian Peninsula Railway; and
- (v) North Western Railway?

The Honourable Sir Muhammad Zafrullah Khan: I would invite the Honourable Member's attention to Chapter V of Mr. Hassan's report on the 'Representation of Muslims and other minority communities in the subordinate railway services' which contains the information readily available with Government. A copy of the report is in the Library of the House. If the Honourable Member wants any further information I would refer him to the 'Census of India, 1931, Volume I—India Part II—Imperial Tables', a copy of which is also in the Library of the House.

†474.

SUB-HEADS IN THE TRAFFIC ACCOUNTS OFFICE OF THE EAST INDIAN RAILWAY.

475. **Dr. N. B. Khare:** Will Government please state the policy and procedure for the appointments of or for the promotion to the sanctioned strength of sub-heads in the Traffic Accounts Office of the East Indian Railway?

Mr. P. R. Rau: Under the Standing Orders which are in force at present no clerk is eligible for promotion as a sub-head on the East Indian Railway unless (a) either he has passed a specially prescribed departmental examination, or (b) being an *ex-East Indian Railway Company's* employee, is considered to be fully fit to discharge the duties of a sub-head. It has also been laid down that about one half of the vacancies in the grade of sub-heads should, at the discretion of the Chief Accounts Officer, be given to clerks who have passed the examination qualifying for promotion to the grade of Accountant.

SUB-HEADS IN THE TRAFFIC ACCOUNTS OFFICE OF THE EAST INDIAN RAILWAY

476. **Dr. N. B. Khare:** (a) Will Government please lay on the table a statement showing the posts of Sub-Heads in the Traffic Accounts office of the East Indian Railway held by the staff who have not passed the appendix "C" examination and by the staff, who have passed the appendix "C" examination, also the number of the staff, who passed the appendix "C" examination but were not appointed to the posts of sub-heads held by unpassed staff along with the reasons for such discrimination?

† This question was withdrawn by the questioner.

(b) Why have the staff who after great labour and hardship passed the appendix "C" examination been deprived of the promotion?

Mr. P. B. Rau: (a) Total sanctioned strength for sub-heads in the Traffic Accounts Branch, East Indian Railway, is 19 and these posts are held as indicated below:

(i) By men who have passed the departmental examination	4
(ii) Others, out of whom 14 are ex-company men exempted from passing the departmental examinations	15
Total	19

There are nine clerks who have passed the Appendix "C" examination and are awaiting their chances of promotion as sub-heads along with other ex-company men who are exempt from the examination and are, therefore, also eligible for promotion as sub-heads.

(b) The Appendix 'C' men have not been deprived of promotions as the reply to part (a) will show.

APPENDIX 'D' EXAMINATION FOR CLERKS WHO HAVE PASSED THE EXAMINATION PRESCRIBED IN APPENDIX 'E'.

477. **Dr. N. B. Khare:** Has the attention of Government been invited to the Controller of Railway Accounts No. 102/C.R.A./E./35, dated the 19th August, 1935 reading:

"Subject: Appendix 'D' Examination."

"I am directed to state that it has been decided by the Financial Commissioner of Railways that the clerks who have passed the examination prescribed in appendix 'E' to the Financial Commissioner's memorandum 5565-F., dated the 31st July, 1929, should be required to pass the examination prescribed in appendix 'D' thereto at the latest in November, 1936 failing which they will be considered ineligible for further promotion as accountants even in an officiating capacity?"

If so, will Government please state:

- (a) whether such limitations to pass prescribed examinations within limited space of period are also laid down in departments under the Government of India, Finance Department or under the Auditor General; if not, why this discrimination has currency under the Financial Commissioner;
- (b) the circumstances under which no examination in appendix 'E' was held after June, 1930;
- (c) the number of employees who are holding appointments as accountants and have not passed the appendix 'E' examination?

Mr. P. B. Rau: Government are aware of the orders referred to by the Honourable Member.

(a) Possibly not; but the Appendix 'E' examination was held under special circumstances, and was not analogous to the ordinary Departmental examinations.

(b) The Appendix 'E' examination was introduced only as a temporary measure for the Calcutta Training School men in order to meet the immediate requirements for accountants in the separated Railway Accounts Offices.

(c) Passing the Appendix 'E' examination is not a necessary qualification for being an accountant, and in the circumstances Government do not consider that any useful purpose will be served by collecting this information.

EXEMPTION OF THE EMPLOYEES OF THE OLD EAST INDIAN RAILWAY COMPANY FROM THE OPERATION OF THE REVISED RULES RELATING TO GRATUITY.

478. **Dr. N. B. Khare:** (a) With reference to the reply given in this House to starred question No. 882, on the 12th March, 1935, that all agreements entered into by Government, whether with the old East Indian Railway Company employees or with anybody else, are binding on Government, is it a fact that those employees of the Company who were given service by Government were governed by the Company's rules relating to gratuity, as they stood on the 31st December, 1924?

(b) If the answer to part (a) be in the affirmative, will Government please state whether it is open to the Agent, East Indian Railway, or the Railway Board to alter or amend the Company's Gratuity Rules after the 31st December, 1924? If so, under what rules?

(c) Have any rules been altered or amended or additional rules framed after the 31st December, 1924? If so, will Government please lay a statement on the table of this House, giving particulars in detail?

(d) Is it a fact that the Railway Board, on the recommendation of the Agent of the East Indian Railway, have deleted the word "*wholly*" under Note 1-B of clause 9 of the East Indian Railway Company Gratuity Rules, vide their No. 9287-F., dated the 26th January, 1935? If so, why?

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

(b) There is nothing to prevent Government relaxing the rules in favour of the employee.

(c) No substantive rule has been altered but interpretations which may have the effect of altering the previous practice have been given when necessary.

(d) The original note referred to was inserted in 1924 as a result of the interpretation of the rules given by the Railway Board at the time. The matter was reconsidered by the Railway Board in 1934-35 and they came to the conclusion that refusal of a gratuity to a person who was partly but not wholly dependent on a deceased railway employee was unduly hard. This new interpretation was given on a case referred to them by the East Indian Railway where the payment to a person not wholly dependent on the deceased had been made.

RENT CHARGED BY THE EAST INDIAN RAILWAY FOR REFRESHMENT ROOMS.

479. **Dr. N. B. Khare:** (a) Will Government please state whether rent is charged by the East Indian Railway for the various refreshment rooms on that railway?

(b) What is the basis on which rent is calculated?

(c) Is there any difference in the rates charged from Messrs. G. F. Kellner & Co. and to the Hindu and Muslim refreshment rooms? If so, what is the difference and why?

(d) Is it a fact that Messrs. G. F. Kellner & Co., pay a lump sum of Rs. 1,000, for all their refreshment rooms?

(e) What action do Government propose to take? If none, why not?

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

(b) There is no uniform basis. Rent for accommodation is fixed after taking into consideration the local conditions, i.e., the amount of catering to be done and possible profits thereon. The rent on electric equipment is recovered at 11 per cent. on capital cost in all cases and electric current is paid for at 3½ annas per unit.

(c), (d) and (e). The information is being obtained and a reply will be laid on the table in due course.

WATCH AND WARD DEPARTMENT ON THE EAST INDIAN RAILWAY.

480. **Dr. N. B. Khare:** (a) With reference to the reply given in this House to starred question No. 1443, on the 4th April, 1935, regarding the Watch and Ward Department on the East Indian Railway, will Government please state whether the Railway Board, after a careful consideration of the question, decided, *vide* their letter No. E. 34-E. C.-229, dated the 11th June, 1935,

(i) to abolish the posts of Superintendent and Assistant Superintendent; and

(ii) to retain one Deputy Superintendent and one Lower Gazetted Service Officer,

with effect from the 22nd August, 1935?

(b) Have the instructions referred to in part (a) been given effect to? If not, will Government please state:

(i) on what authority the Chief Accounts Officer has continued to pass the pay bills after the 22nd August, 1935.

(ii) whether the Agent has submitted representations to the Railway Board to alter their orders;

(iii) whether similar consideration has been shown by the Agent when posts in the non-gazetted grades have been abolished; and

(iv) whether all the gazetted posts in the Watch and Ward are held by European officers only;

(c) Is it a fact that the office of the Superintendent, Watch and Ward, has been removed from the Agency and placed in the rooms occupied by the Operating and Commercial Departments? If so, is it correct that the Watch and Ward are now under the control of the Chief Commercial Manager? If not, will Government please state the reasons for this departure from procedure in force on the other State-managed Railways?

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

INTRODUCTION OF ELLIS PATENT LOCKS ON THE EAST INDIAN RAILWAY.

481. **Dr. N. B. Khare:** (a) Will Government please state:

(i) when the Ellis Patent Locks were introduced on the East Indian Railway; and

(ii) whether they were reported as a success?

(b) Is it a fact that the Ellis Patent Lock has recently been discontinued? If so, from which date?

(c) Is it also a fact that the "rivetting system" has been introduced in its place?

(d) Is it further a fact that the "rivetting system" was condemned by the East Indian Railway before the introduction of the Ellis Patent Lock?

(e) If the answers to parts (b) to (d) be in the affirmative, will Government please state why the changes have been made?

The Honourable Sir Muhammad Zafrullah Khan: (a), (i). The Ellis Patent Spring Wedge Lock was introduced on the East Indian Railway in June, 1922.

(b) The Ellis Patent lock has been discontinued on goods trains from 1st November, 1935, as an experimental measure, but is still in use on the Parcels Express trains.

(c) Yes.

(d) The "rivetting system" has never been condemned on the East Indian Railway, but under conditions prevailing in 1922 it was considered that a more efficient method of frustrating the efforts of running train thieves should be introduced.

(e) The "rivetting system" has been introduced experimentally as a measure of economy.

CONDITIONS OF PAY, SERVICE OR PROSPECTS OF THE MEN OF THE EAST INDIAN AND GREAT INDIAN PENINSULA RAILWAYS TAKEN OVER BY GOVERNMENT.

482. **Dr. N. B. Khare:** (a) Is it a fact that His Excellency the Viceroy, in an address to the Indian Railway Conference Association, stated that the men of the East Indian and Great Indian Peninsula Railways, who were being taken over by Government on account of the State-management of those Railways, need have no fears that the change will affect them adversely in the conditions of their pay, service or prospects?

(b) Is it also a fact that this assurance has been published by the Railway Board in the Report on Indian Railways for 1924-25?

Mr. P. B. Rau: (a) and (b). Yes.

INTRODUCTION OF SUBORDINATES FROM OTHER DEPARTMENTS OF GOVERNMENT TO THE ACCOUNTS DEPARTMENT OF THE EAST INDIAN RAILWAY.

483. **Dr. N. B. Khare:** (a) Will Government please state whether there has been a continuous introduction of subordinates from other departments of Government to the Accounts Department of the East Indian Railway?

(b) Are Government aware.

- (i) that the introduction of these men has adversely affected the prospects of those employees of the Company who were given service under Government;
- (ii) that the majority of the men brought to this department are Madrasis;
- (iii) that these outsiders have been promoted to the higher paid posts;
- (iv) that there has been a succession of Chief Accounts Officers and Deputy Chief Accounts Officers who are Madrasis; and
- (v) that the post of Deputy Chief Accounts Officer, who deals with establishment matters, has been held for many years by a Madrasi Deputy?

(c) What action do Government propose to take to prevent a further influx of outsiders into the Accounts Department of the East Indian Railway, and to rectify the hardships inflicted on those men who have been superseded by these outsiders? If none, why not?

Mr. P. R. Rau: (a) No.

(b), (i). During the experimental stage of the separation of Audit from Accounts and during the reorganisation of the Stores Accounts, certain outsiders (not from other Government departments as stated in part (a) of the question) were appointed on the East Indian Railway but Government are satisfied that no injustice has been done to the old Company staff as a consequence.

(ii) No. Most of these men have come in through the open competitive examinations while a few were appointed, along with many others at the time referred to in the reply to (b), (i).

(iii) No.

(iv) No. I lay a statement on the table giving the Chief Accounts Officers, the Deputy Chief Accounts Officers on the Railway since 1925.

(v) The information will be found in the statement laid on the table.

(c) Government do not consider any action necessary.

Statement showing the Names of the Incumbents of the Posts of the Chief Accounts Officer, East Indian Railway from 1st January, 1925, to date.

No.	Names.	From.	To.	Remarks.
1.	Mr. B. Sevres	1-1-25	3-12-25	
2.	Mr. H. G. Emmerson	4-12-25	4-12-26	
3.	Mr. B. Severs	5-12-26	10-1-29	
4.	Mr. H. G. Emmerson	11-1-29	9-4-31	
5.	Mr. T. S. Sankara Aiyar	10-4-31	11-10-31	
6.	Mr. H. G. Emmerson	12-10-31	30-11-32	
7.	Mr. K. V. Iyer	1-12-32	27-4-33	
8.	Mr. P. Mohan Rau	28-4-33	20-9-33	
9.	Mr. V. S. Sundaram	21-9-33	1-1-34	
	Do. . . .	18-1-34	31-1-34	
10.	Mr. E. R. Ses'hu Iyer	1-2-34	24-2-34	
11.	Mr. V. S. Sundaram	25-2-34	23-1-35	
12.	Mr. P. Mohan Rau	4-2-35 to date		

Statement showing the Names of the Incumbents of the Posts of the Deputy Chief Accounts Officer (General) East Indian Railway from 1st January 1925 to date.

No.	Names.	From	To	Remarks.
1	Mr. H. G. Emmerson	1-1-25	2-8-25	
2	„ C. L. E. Coldthurst	3-8-25	1-12-25	
3	„ H. G. Emmerson	2 12-25	3-12-25	
4	„ C. L. E. Coldthurst	4-12-25	4-12-26	
5	„ H. G. Emmerson	5-12-26	15-8-27	
<hr/>				
6	Rai Bahadur S. N. Ghosh	16-8-27	10-12-27	A post of additional Deputy was sanctioned from 8th April, 1926 to 30th September, 1929 but that post was surrendered on 3rd July, 1929.
7	Mr. E. Cameron Ker	11-12-27	1-12-28	
8	„ H. G. Emmerson	2-12-28	10-1-29	
9	„ E. Cameron Ker	11-1-29	22-4-29	
10	„ R. Sundarachari	23-4-29	3-7-29	
<hr/>				
11	Mr. S. R. Ewing	21-12-26	1-3-28	
12	„ T. S. Sankara Aiyar	9-3-28	28-10-29	
13	„ W. A. W. Ford	29-10-29	30-4-30	
14	„ J. D. Donaldson	13-5-30	18-5-30	
15	„ T. R. V. Sarma	19-5-30	7-4-31	
16	„ P. N. Mukherji	8-4-31	31-3-32	
17	„ P. Mohan Rau	1-4-32	11-7-32	
18	„ E. R. Seshu Iyer	12-7-32	17-11-32	
19	„ P. Mohan Rau	18-11-32	30-3-32	
20	„ E. R. Seshu Iyer	3-4-33	31-1-34	
21	„ Do.	25-2-34	to date.	

Statement showing the Names of the Incumbents of the Posts of the Deputy Chief Accounts Officer (Traffic Accounts Branch) East Indian Railway from 1st January, 1925 to date.

No.	Names.	From	To	Remarks.
1.	Mr. E. Cameron Ker	1-1-25	5-12-26	
2.	Mr. C. L. E. Coldthurst	6-12-26	29-2-27	
3.	Mr. H. F. P. Judge	8-4-26	20-12-26	
4.	Mr. H. O. Callaghan	1-3-27	19-2-28	
5.	Mr. K. Ogden	20-2-28	10-6-28	
6.	Rai Bahadur B. D. Puri	11-6-28	19-10-28	
7.	Rai Bahadur S. N. Ghosh	20-10-28	1-12-28	
8.	Mr. E. Cameron Ker	2-12-28	10-1-29	
9.	Rai Bahadur S. N. Ghosh	11-1-29	16-1-29	
10.	Mr. K. Ogden	17-1-29	16-6-29	
11.	Rai Bahadur S. N. Ghosh	17-6-29	1-7-28	
12.	Mr. K. Ogden	2-7-29	30-9-29	
13.	Mr. E. Cameron Ker	1-10-29	31-3-30	
14.	Mr. J. D. Donaldson	1-4-30	30-4-30	
15.	Mr. S. K. Chatterji	1-5-30	18-5-30	
16.	M. P. C. Choudhuri	19-5-30	11-6-30	
17.	Mr. P. N. Mukherji	12-6-30	11-8-30	
18.	Mr. P. Choudhuri	12-8-30	28-8-30	
19.	Mr. W. A. W. Ford	29-8-30	22-2-31	
20.	Dr. S. C. Mukherji	23-2-31	31-3-31	
21.	Mr. K. M. Abraham	8-4-31	10-1-32	
22.	Mr. C. S. Ayyar	11-1-32	26-2-32	
23.	Mr. E. R. Seshu Iyer	27-2-32	11-7-32	
24.	Mr. K. Ogden	12-7-32	30-9-32	
25.	Mr. E. Cameron Ker	1-10-32	to date.	

DETECTION OF FRAUD CASES AT CERTAIN STATIONS ON THE EAST INDIAN RAILWAY.

484. Dr. N. B. Khare: (a) Is it a fact that numerous fraud cases have been detected on the East Indian Railway, e.g., Sagardighi, Giridih, Mudhoganj, Belpur stations, etc.?

(b) What is the period allowed before a station is required to be inspected?

(c) Has this period been exceeded in the stations mentioned in part (a) and other stations?

(d) Is it a fact that the cadre of Inspectors of Accounts has been reduced from 43 to 29 Inspectors *plus* two temporary men up to 31st March, 1936?

(e) Has any reduction been made in the gazetted service in view of the lesser amount of work? If not, why not?

(f) Is it also a fact that in order to cope with the additional work the Inspectors have been directed to discontinue checking certain station work that had been checked in the past?

(g) Is it further a fact that the work of the Inspectors of Accounts is supervised by the Assistant Accounts Officer, Traffic Accounts section? If so, will Government please state how many changes have been made of the Assistant Accounts Officer during 1935?

Mr. P. B. Rau (a) In the year 1935 frauds were detected at the following stations: Delhi, Fairlie Place Booking Office, Pilkuwe, Belpur, Sagardighi, Giridih, Mudhoganj stations.

(b) 'A' class stations are inspected once in four months, whereas 'B' class stations are inspected once in six months.

(c) The interval between two successive inspections was exceeded by one month in the case of Sagardighi, Giridih and Mudhoganj station only.

(d) Yes.

(e) One post of an A. A. O. was brought under reduction with effect from the 1st October, 1931, from the Traffic Accounts Branch.

(f) A revised procedure for conducting station inspections was introduced recently but no check of an important nature has been discontinued.

(g) Yes, three.

EXEMPTION OF STATE RAILWAY OFFICERS FROM PASSING QUALIFYING EXAMINATION IN ESTABLISHMENT RULES AND PROCEDURE.

485. Dr. N. B. Khare: (a) With reference to the reply given in this House to unstarred question No. 3 on the 2nd September, 1935, that State Railway Officers are not required to pass qualifying examination in establishment rules, and procedure, will Government please state how the Superintendents and Assistant Superintendents, Staff, on the East Indian Railway, are required to be aware of the establishment rules and procedure?

(b) Is it a fact that establishment rules are frequently being altered, amended or deleted? If so, are such amendment letters furnished to each Superintendent and Assistant Superintendent, whether in the Staff or other sections, to enable them to be familiar with the latest orders on the subject and to hold them responsible for any breaches of the same? If not, why not?

(c) Is it further a fact that the Superintendents and Assistant Superintendents are not permanently attached to the Staff section but are transferred to the Transportation, Commercial, Power, sections, etc., and *vice versa*?

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

- (a) The establishment rules with which staff Superintendents and Assistant Superintendents are concerned are circulated to them through Rule Books, Circulars, etc.
- (b) The establishment rules are amended and altered from time to time and such amendments are circulated to the officers concerned. Each case in which there has been a breach of the rules is dealt with on its merits.
- (c) Yes.

EXPENDITURE ON THE STAFF BEFORE AND AFTER SEPARATION OF THE RAILWAY FINANCES FROM THE GENERAL FINANCES OF STATE RAILWAYS.

486. Dr. N. B. Khare: Will Government please lay on the table a comparative statement of expenditure on the staff (both gazetted and non-gazetted, respectively) before and after separation of the Railway Finances from the General Finances of the Indian State Railways showing *inter alia*:

- (a) the number of Staff employed under the late Accountant General, Railways and the Financial Commissioner, Railways with scales of pay communitywise;
- (b) the date on which periodic revision of this arrangement was made after three years of the separation; and
- (c) the reasons for difference in expenditure year by year till 31st January, 1936?

Mr. P. B. Rau: Government regret that the detailed information asked for is not readily available.

EXPENDITURE ON THE STAFF BEFORE AND AFTER THE AMALGAMATION OF THE EAST INDIAN RAILWAY COMPANY MANAGEMENT AND OF THE OUDH AND ROHILKUND RAILWAY STATE-MANAGEMENT.

487. Dr. N. B. Khare: Will Government please lay on the table a comparative statement of expenditure on the staff (both gazetted and non-gazetted respectively) before and after the amalgamation of the East Indian Railway Company management and of the Oudh and Rohilkund Railway State-management showing *inter alia*:

- (a) the number of staff employed with scales of pay, community-wise;

- (b) the reasons for increase or decrease year by year till 31st January, 1936;
- (c) the mileage worked and the percentage of staff employed;
- (d) the working expenses and the reasons for increase or decrease if any; and
- (e) the economy achieved or affected from amalgamation?

The Honourable Sir Muhammad Zafrullah Khan: The information is not readily available and Government do not consider the labour and expense involved in compiling it will be commensurate with the results likely to be obtained.

ECONOMY EFFECTED BY THE SEPARATION OF THE ACCOUNTS AND AUDIT ON STATE RAILWAYS.

488. **Dr. N. B. Khare:** Will Government please lay on the table a comparative statement of economy effected by the separation of the Accounts and Audit on the Indian State Railways?

Mr. P. R. Rau: The compilation of the information asked for will involve a considerable amount of labour and expense which Government do not consider likely to be justified by results. I would refer the Honourable Member to the memorandum on the subject placed before the Standing Finance Committee on 7th September, 1928, and the remarks of the Railway Retrenchment Sub-Committee.

RE-AMALGAMATION OF ACCOUNTS AND AUDIT SECTIONS UNDER GENERAL AND PROVINCIAL FINANCES ON STATE RAILWAYS.

489. **Dr. N. B. Khare:** (a) Will Government please state whether it is a fact that on the results of the working separately of Accounts and Audit Sections under General and Provincial Finances, they have arrived at the conclusion to do away with the separation and thereafter re-amalgamate the Accounts and Audit as one? If so, what made the Government keep the Audit and Accounts separate on Indian State Railways?

(b) Do Government propose to examine the results and the number of frauds and order the re-amalgamation at an early date, if not, why not?

Mr. P. R. Rau: (a) and (b). The experiments in the separation of Accounts from Audit on the civil side were abandoned as a measure of economy and not due to any defect in the principle of separation. As railways are run on a commercial basis, Government considered it necessary to continue to have an Accounts organisation on State Railways as an integral part of the administration, with a separate independent audit.

EXPENDITURE ON THE SYSTEMS OF WORKING BEFORE AND AFTER THE REORGANISATION ON A DIVISIONAL BASIS OF STATE RAILWAYS.

490. **Dr. N. B. Khare:** Will Government please lay on the table a comparative statement—administrationwise—of expenditure on the systems of working before and after the re-organisation on a Divisional basis of Indian State Railways showing *inter alia*:

- (a) the number of staff (both gazetted and non-gazetted, respectively) employed with scales of pay;

- (b) the mileage worked and the percentage of staff;
- (c) the working expenses per mile;
- (d) the economy achieved, and affected:
- (e) the reasons for increase or decrease in expenditure; and
- (f) the steps taken to effect economy and to achieve efficiency; if none, why not?

The Honourable Sir Muhammad Zafrullah Khan: I would invite the Honourable Member's attention to the Honourable Mr. J. C. B. Drake's reply to question No. 103 asked by the Honourable Rai Bahadur Jala Rai Saran Das in the other House on the 23rd September, 1932, which contains the information readily available with Government.

PROCEDURE ON STATE RAILWAYS FOR PUNISHING OR REDUCING THE STAFF FROM SUPERIOR TO INFERIOR SERVICE ON FAILURE TO PASS AN EXAMINATION.

491. **Dr. N. B. Khare:** Will Government please state the policy and procedure on Indian State Railways for punishing or reducing the staff from superior to inferior service on failure to pass an examination against no defects in their workings?

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

SCALE OF PAY APPLICABLE TO THE STAFF RECRUITED BY THE EAST INDIAN RAILWAY BETWEEN 1ST JULY, 1925, AND 1ST NOVEMBER, 1928.

492. **Dr. N. B. Khare:** (a) With reference to the statement laid on the table of this House on the 6th February, 1933, in reply to starred question No. 1469, asked on the 28th November, 1932, will Government please state the scale of pay applicable to the staff recruited by the East Indian Railway between 1st July, 1925, and 1st November, 1928?

(b) Will Government please state the concise reasons for the rapid changes in the scales of pay on the East Indian Railway between the 1st July, 1925, and the 16th July, 1931, or September, 1934?

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

STAFF IN EACH SCALE OF PAY AS BUDGETED FOR THE YEAR 1936-37 BY THE EAST INDIAN RAILWAY.

493. **Dr. N. B. Khare:** Will Government please lay on the table a statement, communitywise, of the strength of the staff (gazetted and non-gazetted respectively) in each scale of pay as budgeted for the year 1936-37, by the East Indian Railway against the actuals for the year 1935-36?

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

SCALES OF PAY REVISED WITH EFFECT FROM 1ST AUGUST, 1928, ON THE EAST INDIAN RAILWAY.

494. Dr. N. B. Khare: With reference to the statement laid before this House on the 6th February, 1933, in reply to starred question No. 1471, asked on the 28th November, 1932, will Government please lay on the table of this House a copy of the scales of pay revised with effect from the 1st August, 1928, and the categories of the staff affected thereby?

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

RESOLUTION PASSED IN THE SPECIAL SESSION OF THE ALL-INDIA RAILWAY MUSLIM EMPLOYEES' ASSOCIATION.

495. Dr. N. B. Khare: With reference to the reply given to starred question No. 224, asked in this House on the 7th February, 1933, regarding resolution passed in the special session of The All-India Railway Muslim Employees' Association, will Government please state:

- (a) whether they have reinstated the staff who were recommended by the Court of Enquiry held under the presidency of Mr. Justice Murphy, to be re-taken in the order they were discharged; and
- (b) whether they have reinstated the staff who were shown in Lists "A" and "B" by the said Court of Enquiry?

The Honourable Sir Muhammad Zafrullah Khan: (a) It is presumed that the Honourable Member is referring to paragraph 412 of the Report of the Court of Enquiry regarding the order in which the Court recommended that retrenched staff should be recalled for employment. If so, I would refer the Honourable Member to the instructions contained in paragraph 17 of the Government of India Communique of 6th June, 1932, a copy of which is in the Library of the House. Government are aware that these instructions have been and are being carried out.

(b) I would refer the Honourable Member to the instructions contained in paragraph 8 of the Government of India Communique of 6th June, 1932, referred to in the reply to part (a) of this question. Government have no reason to believe that the instructions issued to the Agents of State-managed Railways in the matter have not been carried out.

APPEALS SUBMITTED TO THE RAILWAY BOARD BY RAILWAY SERVANTS.

496. Dr. N. B. Khare: Will Government please state:

- (a) whether it is a fact that Mr. P. R. Rau, in answer to a supplementary question to starred question No. 235, asked in this House on the 7th February, 1933, regarding appeals submitted to the Railway Board by Railway servants said: "Nothing will be sent to the Divisional Superintendents direct by the Railway Board, it will always go to the Agent"?
- (b) If the reply to part (a) be in the affirmative do the Divisional Superintendents forward direct to the Railway Board or the Governor General in Council, or the Secretary of State for

India in Council or to His Majesty the King Emperor, appeals, memorials, or petitions from the staff under them or do the Divisional Superintendents forward them through the Agent or withhold the appeals?

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

(b) The Divisional Superintendents do not normally address the Railway Board or any higher authority direct in any matter concerning an appeal, memorial or petition from the staff under them and such correspondence is forwarded through the Agent. The Divisional Superintendents have certain powers to withhold appeals in accordance with the rules governing appeals.

ABUSES OF POWER IN REGARD TO APPEALS FROM RAILWAY SERVANTS ON THE EAST INDIAN RAILWAY.

497. **Dr. N. B. Khare:** Is it a fact that the appeals which lie to the Agent, East Indian Railway, under the rules, are transmitted by the Agent to the officer, against whose orders the Railway servants appeals for disposal with the result that "orders stand"? If so, under what rule, and what remedy there is to check the abuses of power?

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

DISPOSAL OF APPEALS FROM RAILWAY SERVANTS ON THE EAST INDIAN RAILWAY.

498. **Dr. N. B. Khare:** Is it a fact that appeals from Railway servants, submitted through proper channel, to the Agent, East Indian Railway, which lie to him under the rules never reach him, nor are they disposed of by him, and these are always disposed of either by a clerk or by a junior scale officer?

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

RULES FOR RESIDENTIAL BUILDINGS ON STATE RAILWAYS.

499. **Dr. N. B. Khare:** (a) Is it a fact that Mr. P. R. Rau, more than once, informed this House that it is the policy of Government not to give retrospective effect to any rule?

(b) Is it a fact that the rules for residential buildings on State Railways were published in 1933?

(c) Is it a fact that the said rules were brought into force from 1st October 1932?

(d) If the replies to parts (a) to (c) be in the affirmative, will Government please state:

(i) the circumstances which made the Agent, North Western Railway, to enforce the said rules from 1st August, 1928, thereby depriving the staff of the benefit of free-quarters or rent in lieu thereof between 1st August, 1928 and 1st October, 1932; and

- (ii) the circumstances which made the Agent, East Indian Railway to enforce the said rules from 1st July, 1925 thereby depriving the Ticket Collectors of the benefit of free-quarters or rent in lieu thereof between 1st July, 1925 and 1st October, 1932?

The Honourable Sir Muhammad Zafrullah Khan: (a) If the Honourable Member will quote the particular reply to which he is referring I shall verify it. The usual policy of Government is not to grant retrospective effect in general to concessions that may be granted; but each case must obviously be judged on its merits.

(b) The rules were issued in 1926, but were incorporated in the Code in 1930.

(c) No. They were brought into force on different railways on different dates.

(d) The information is being obtained and a reply will be laid on the table in due course.

RULES UNDER WHICH THE STAFF ON THE EAST INDIAN RAILWAY ARE GOVERNED FOR PURPOSES OF FREE QUARTERS OR RENT IN LIEU THEREOF.

500. **Dr. N. B. Kharé:** Will Government please lay on the table the rules under which the staff on the East Indian Railway were governed for purposes of free quarters or rent in lieu thereof between 1st January, 1925, and 1st October, 1932?

The Honourable Sir Muhammad Zafrullah Khan: I lay on the table of the House copies of (i) paragraph 289 of the East Indian Railway Hand Book which governed the staff taken over from the late East Indian Railway Company and (ii) paragraphs 35 and 36 of the Advance Chapter on Buildings and Residences which governed the staff taken over from the late Oudh and Rohilkund Railway.

Extract of paragraph 289 of the East Indian Railway Hand Book.

289. No rent is charged for occupation of Company's quarters by the following :

Traffic Department.

Station Masters and Assistant Station Masters.

Relieving Station Masters.

Indian employees whose duties require them to live within the precincts of the station.

Platform Inspectors, Yard Foremen and Platform Supervisors.

E. & E. I. Luggage Inspectors and Ticket Collectors, Male or Female, stationed at Howrah and Lilloah.

NOTE.—If no quarters are available for E. & E. I. Luggage Inspectors and Ticket Collectors, male or female, stationed at Howrah, house rent allowance at the rate of Rs. 10 per mensem will be granted on production of a certificate from the Station Superintendent: that the employee concerned has lived at Howrah throughout the month within one mile of the station. E. & E. I. Luggage Inspectors and Ticket Collectors on salary of Rs. 65 or over each per mensem and Female Ticket Collectors irrespective of their salaries, stationed at places other than Howrah and Lilloah.

E. & E. I. Luggage Inspectors and Ticket Collectors stationed at places other than Howrah and Lilloah drawing less than Rs. 65 per month who do not live with their relatives are allowed to occupy free quarters to the extent of one room only, when such accommodation is available.

NOTE.—In the cases of married men they may be given two rooms of which one will be rent free while rent for the other should be charged for under the rule—vide Agent's letter No. 12973-El. of 4th June 1912 to General Traffic Manager.

Engineering Department.

Permanent Way gangs.

Signallers employed on lines under construction.

Permanent Way Inspectors, Assistant Permanent Way Inspectors and Sub-Inspectors of Permanent Way.

Carriage and Wagon Department.

Train Examiners.

Locomotive Department.

Ferry Fitter at Sahebgunge.

Medical Department.

Sub-Assistant Surgeons where accommodation is available and Sub-Assistant Surgeons are required to live in the Company's premises.

East Indian Railway nurses.

Clerks.

Colliery Department.

Clerical staff employed at the Collieries.

Electrical Department.

Electrical Foreman at Howrah.

Schools.

Teaching staff of E. I. Railway schools.

Extract of paras. 55 and 56 of the Advance Chapter on "Buildings and Residence" of the State Railway Code.

35. The grant of free quarters to the subordinate staff on open lines of State Railways is only permitted in those cases where the employees under ordinary circumstances of work is liable to be called upon at any time without notice to attend to the business of the Railway.

36. The following are the classes of employees to whom free quarters have been admitted under the rule in paragraph 35.

Station and Gate Staff. All subordinate Traffic and Telegraph staff, including Traffic and Operative Inspectors, Station Masters, Assistant Station Masters, Train Controllers, Ferry Superintendents, Yard Gunners, Letter Sorters, Telegraph Signallers, Booking and other Clerks, Gate Sergeants, Pointsmen, Semaphore Signalmen, Station and Telegraph Peons, Station Lampmen, Level crossings, Gate-keepers, Chowkidars, Watchmen, Darwans on the Press, Menials, Bhisties, Hindu water-men and Mehtars.

NOTE.—Mehtars of the Engineering Department are also entitled to free quarters.

Maintenance Staff. Inspectors and Sub-Inspectors of Maintenance in charge of lengths of line, Bridge Inspectors, Yard Inspectors, Telegraph Maintenance Inspectors, and Batterymen of the Electrical Department, Assistant and Sub-Assistant Inspector of Signals, Interlocking Cabin Inspectors, Linemen or regular Permanent-way labourers, Trolley-men of Engineer Officers and Permanent-way Inspectors, Bridge Watchmen and Sanitary Inspectors, Interlocking Fitters, Interlocking Khallasies, Electric Fitters employed under the Signal Engineers in maintaining train control, key transmitters and block instruments, Carpenters, Blacksmiths, Hammermen, Bellowmen under Permanent-way Inspectors, Coolies under Carpenters, Chowkidars.

NOTE.—Bridge-watchmen and Chowkidars are granted free quarters when they are compelled to reside close to their charges.

Medical	All Medical Subordinates whether belonging to the Military or Civil Department, Sanitary Inspectors employed by the Railway and Domes.
Police	Inspectors, Sub-Inspectors, Sergeants and Constables.
Locomotives and Carriage and Wagon Departments.	Locomotive Inspectors and Locomotive Shed Foreman, Assistant Shed Foremen, Night Assistant Foremen, Carriage Examiners and Assistant Carriage Examiners, also the following staff of running sheds, viz., Chargemen, Boilermakers, Fitters, Foremen, Vacuum Brake Chargemen, Outdoor Electricians, Cleaners, Engine Lighters, Wheel-tappers, Running-shed Fitters, Coalmen, or Khallasies, Trollymen, Running-shed Coolies, Greasers, Ghat Khallasies and Mistries, Wagon Ferry Khallasies at Ghat Stations, Carriage Shed Trainmen, Tindals and Fitters of the Electrical Department who have to attend to the lighting of trains.
Miscellaneous	Cash Office Treasury Guards, Magazine Chowkidars.

EMOLUMENTS CLASSIFIED AS PAY ON STATE RAILWAYS.

501. **Dr. N. B. Khare:** Will Government please lay on the table the list of emoluments on Indian State Railways classed as pay under Fundamental Rule 9 (21) (a) (iii)?

The Honourable Sir Muhammad Zafrullah Khan: The Honourable Member is referred to the reply given to unstarred question No. 94 asked by Pandit Sri Krishna Dutta Paliwal on the 4th February, 1936.

RULES UNDER WHICH AN EMOLUMENT ON STATE RAILWAYS IS TREATED AS PAY FOR PURPOSES OR LEAVE SALARY.

502. **Dr. N. B. Khare:** Will Government please state the rule under which an emolument on Indian State Railways is treated as pay for purposes of leave salary?

The Honourable Sir Muhammad Zafrullah Khan: The Honourable Member is presumably referring to the mileage allowance granted to running staff on State Railways. If so, his attention is invited to the note below Rule 4(6) of the New Leave Rules for State Railway servants. In the case of running staff subject to the leave rules contained in the Fundamental Rules, the mileage allowance, up to a limit of 75 per cent. of pay, is taken into account for the purpose of calculating leave salary under special orders of the Secretary of State.

RULES REGARDING GRANT OF HOUSE RENT OR FREE QUARTERS TO CERTAIN STAFF ON STATE RAILWAYS.

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

- (a) the category under which the clerical staff of the administrative offices on Indian State Railways form part under rule 36 of State Railways Rent Rules;
- (b) the category under which the ticket collecting and checking staff on Indian State Railways form part under rule 36 of State Railways Rent Rules;

- (c) the rule under which the clerical staff of the administrative offices on Indian State Railways are eligible for free quarters or house rent in lieu; and
- (d) the circumstances and the rule under which non-entitled staff on Indian State Railways are allotted quarters in preference to those who are entitled by virtue of the rules?

The Honourable Sir Muhammad Zafrullah Khan: (a) and (c). The clerical staff of the Administrative offices on Indian State Railways are not among the staff to whom free quarters are admitted according to rule 36 of the Advance Chapter on Buildings and Residences which is what the Honourable Member is presumably referring to.

(b) The ticket collecting and checking staff at stations fall under the category of subordinate traffic staff at stations.

(d) Government are not aware that non-entitled staff on Indian State Railways are allotted quarters in preference to those who are entitled by virtue of the rules.

GRANT OF FREE QUARTERS OR RENT IN LIEU TO THE TICKET COLLECTOR ON THE EAST INDIAN RAILWAY.

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

- (a) whether it is a fact that Ticket Collectors on the East Indian Railway were entitled to free quarters or rent in lieu before the introduction of the crew system;
- (b) whether it is a fact that on the introduction of the crew system, the Ticket Collectors were classed as running staff and provided with free accommodations in Hostels maintained by the Railway Administration and were not required to pay rent for occupation of such Hostels though they were paid consolidated allowance of Rs. 15 and Rs. 20 for stationary duties;
- (c) whether it is a fact that on abolition of the crew system and introduction of the Moody-Ward System the ticket collecting and checking staff were removed from the category of running staff;
- (d) whether it is a fact that the ticket checking and collecting staff, substantive permanent (other than those recruited temporarily for the crew system), enjoyed the privilege of free housing during the operation of the crew system and before the introduction of the revised rent rules from 1st October, 1932;
- (e) whether the ticket collecting and checking staff are subordinate Traffic staff;
- (f) if the replies to parts (a) to (e) be in the affirmative, the reasons for depriving the ticket collecting and checking staff of the privilege which they have enjoyed before the introduction of the revised rent rules; and
- (g) whether Government propose to extend to the ticket collecting and checking staff the privilege they have enjoyed before the introduction of the revised rent rules; if not, why not?

The Honourable Sir Muhammad Zafrullah Khan: Government have no information and do not consider that the expense and labour involved in collecting it will be commensurate with the results likely to be obtained. These are matters of detailed administration entirely within the competence of the Agent whom a copy of the question has been sent for information and such action as he may consider necessary.

HOUSE RENT REALISED FROM THE OFFICERS ON THE EAST INDIAN RAILWAY.

505. Dr. N. B. Khare: Will Government please state the concise reason for charging house rent from the officers on the East Indian Railway lesser than ten per cent. of their pay or capital outlay?

The Honourable Sir Muhammad Zafrullah Khan: The rules provide that the assessed rent for each class of quarters shall be so fixed that the total rent realised for all the quarters in each class taken together will give a return as near as possible to, but not less than, four per cent. per annum on the total capital cost of each such class, and that the rent charged to an individual, in respect of the quarter supplied, shall not exceed ten per cent. of his emoluments.

DAILY RATE OF TRAVELLING ALLOWANCES ADMISSIBLE UNDER THE FUNDAMENTAL RULES TO TRAVELLING TICKET EXAMINERS ON STATE RAILWAYS.

506. Dr. N. B. Khare: Will Government please state the daily rate of travelling allowance admissible under the Fundamental Rules to Travelling Ticket Examiners on Indian State Railways against which (daily rate) the monthly consolidated allowance was sanctioned from 1st June, 1931 (*viz.* Rs. 15 and Rs. 20 respectively)?

The Honourable Sir Muhammad Zafrullah Khan: I would invite the Honourable Member's attention to my reply to Qazi Muhammad Ahmad Kazmi's question No. 832 asked on the floor of this House on 26th February, 1936.

POLICY AND PROCEDURE IN RESPECT OF CONFIRMATION OF STAFF ON THE EAST INDIAN RAILWAY AGAINST SUBSTANTIVE VACANCIES.

507. Dr. N. B. Khare: Will Government please state the policy and procedure in respect of confirmation of staff on the East Indian Railway, officiating or acting against substantive vacancies?

The Honourable Sir Muhammad Zafrullah Khan: Government have no information. These are matters of detailed administration entirely within the competence of the Agent, East Indian Railway, to deal with.

POLICY AND PROCEDURE IN RESPECT OF THE APPOINTMENT OF CERTAIN STAFF ON THE EAST INDIAN RAILWAY.

508. Dr. N. B. Khare: Will Government please state the policy and procedure in respect of appointing staff on the East Indian Railway, holding posts as Transportation Inspectors, Controllers, Station Superintendents and Assistant Running Shed Foremen to posts of Station Masters, guards, letter sorters and drivers, *i.e.*, from posts of selections to posts of non-selections?

The Honourable Sir Muhammad Zafrullah Khan: Government have no information. These are matters of detailed administration entirely within the competence of the local Railway administration to decide.

POLICY AND PROCEDURE IN RESPECT OF ABOLISHING A POST ON THE EAST INDIAN RAILWAY.

509. Dr. N. B. Khare: (a) Will Government please state the policy and procedure in respect of abolishing a post on the East Indian Railway?

(b) Will Government please state the policy and procedure in respect of creating a post on the East Indian Railway?

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

DIFFERENCE IN THE NATURE OF DUTIES OF CERTAIN STAFF ON THE EAST INDIAN RAILWAY.

510. Dr. N. B. Khare: Will Government please state the concise difference in the nature of duties of:

(a) brakeman and guard;

(b) letter delivery clerks, letter despatch clerks, letter sorters and train despatch clerks; and

(c) Travelling Ticket Inspectors, Crewmen and Travelling Ticket Examiners, on the East Indian Railway?

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

MATTERS OVER WHICH THE INDIAN RAILWAY CONFERENCE ASSOCIATION HAVE CONTROL.

511. Dr. N. B. Khare: Is it a fact that Mr. P. R. Rau in reply to starred question No. 249, asked in this House on the 7th February, 1933, said: "The Indian Railway Conference Association is an autonomous body not under the control of Government in these matters"? If so, will Government please state the matters over which they have control?

The Honourable Sir Muhammad Zafrullah Khan: The reply to the first part is in the affirmative. As regards the latter part, I would refer the Honourable Members to the reply given to part (d) (i) of starred question No. 565 asked by Mr. Muhammad Azhar Ali on the 26th February, 1935.

QUALIFICATIONS FOR APPOINTMENT AS TRANSPORTATION INSPECTORS, COMMERCIAL, ON THE EAST INDIAN RAILWAY.

512. Dr. N. B. Khare: (a) With reference to the statement laid before this House on the 2nd February, 1933, in reply to starred question No. 1842, asked on the 21st November, 1932, regarding qualifications for

appointment as Transportation Inspectors, Commercial, on the East Indian Railway, will Government please state:

- (i) whether it is a fact that an amalgamation of the Transportation Inspectors movements with the Transportation Inspectors, Commercial has taken place on the East Indian Railway; and
- (ii) whether it is a fact that the Transportation Inspectors on amalgamation have to deal with commercial matters?

The Honourable Sir Muhammad Zafrullah Khan: Government have no information and do not consider the labour and expense involved in collecting it will be justified by the results likely to be obtained. These are matters of detailed administration entirely within the competence of the Agent to decide to whom a copy of the question has been sent for information and such action as he may consider necessary.

HOURS OF WORK OF TICKET COLLECTORS AT HOWRAH ON THE EAST INDIAN RAILWAY.

513. **Dr. N. B. Khare:** Will Government please state whether it is a fact that Ticket Collectors on the East Indian Railway as a class rostered under hours of employment perform duty every week under different type of rosters at Howrah Station, *i.e.*, in one week they are continuous workers and during other week they are intermittent workers? If so, how did they enjoy the weekly rest and how was an average per month calculated in their case for purposes of overtime and the rule under which the same employee is classed both continuous and intermittent worker during one month at Howrah Station?

The Honourable Sir Muhammad Zafrullah Khan: Government are informed that it is not a fact that the ticket collectors at Howrah Station have been classified as continuous and intermittent workers alternatively. They are classed as continuous workers and perform duties in accordance with definite approved rosters which provide for weekly rest under the Hours of Employment Rules. In cases in which any of the ticket collectors are required to work extra hours beyond their rostered hours of duty, their overtime is calculated and paid under the Hours of Employment Regulations.

GAZETTED OFFICERS DETECTED ON THE EAST INDIAN RAILWAY FOR IRREGULARITIES IN THEIR MOVEMENTS BY RAIL.

514. **Dr. N. B. Khare:** Will Government please lay a statement showing the number of gazetted officers detected by the ticket checking staff before and after the introduction of the Moody-Ward System on the East Indian Railway for irregularities in their movements by rail?

The Honourable Sir Muhammad Zafrullah Khan: I presume the Honourable Member's question has reference to officers detected travelling without proper tickets. This information is not available and to obtain it will involve considerable labour incommensurate with the use to which it could be put.

PERSONS IN RECEIPT OF COMPLIMENTARY PASS TO TRAVEL ON STATE
RAILWAYS.

515. **Dr. N. B. Khare:** Will Government please lay a list of those persons who are in receipt of complimentary pass to travel on Indian State Railways showing *inter alia* the authority who has granted the pass, the purpose for which the pass is issued, and the rule under which it is permissible?

The Honourable Sir Muhammad Zafrullah Khan: A list showing the complimentary passes issued by the Railway Board, available over the State-managed Railways, is placed on the table. As stated, these are complimentary and their issue is in exercise of the discretion of the Railway Department.

List of First Class complimentary Card Passes issued during the year 1935.

No.	Date.	To whom issued.	Date of expiry.
97/1	15-2-1935	Mr. H. E. Byram, Chairman of the Board, Chicago-Milwaukee, St. Paul and Pacific Railroad Co.	31-12-1936.
98/2	23-3-1935	Either the General Secretary or the Travelling Secretary of the General Headquarters of the Boy Scouts Association.	30-9-1936.
99/3	25-3-1935	General Secretary, St. John Ambulance Association.	31-3-1936.
100/3-A.	5-4-1935	Chief Lady Superintendent, Lady Minto's Indian Nursing Association.	31-3-1936.
102/5	25-4-1935	Secretary, Countess of Dufferin's Fund Council.	24-4-1936.
103/6	7-5-1935	One Representative of the Associated Press of India.	6-5-1936.
104/7	25-6-1935	The Most Revd. A. E. J. Kenesly, Archbishop of Simla and his Secretary.	24-6-1936.
105/8	2-7-1935	Mr. Middlecoat, Travelling Representative of the Canadian National Railways.	31-3-1936.

FRAUDS, DEFICIT IN REVENUES, ETC., DETECTED ON THE EAST INDIAN
RAILWAY.

516. **Dr. N. B. Khare:** Will Government please lay on the table a comparative statement of frauds, deficit in revenues, etc., detected during the past three years by the Transportation Inspectors under Divisional Superintendents and by the Inspectors under the Accounts and Audit Departments on the East Indian Railway?

The Honourable Sir Muhammad Zafrullah Khan: Government regret they cannot undertake to make the compilation required as it will involve an amount of labour and time which is not likely to be justified by results.

ENTERTAINMENT EXPENSES ON RAILWAYS.

517. **Dr. N. B. Khare:** Has the attention of the Governor General in Council been invited to Railway Board's letter No. 9458-F. of the 4th March, 1935, regarding entertainment expenses? If so:

- (i) when was the entertainment held and in whose honour;
- (ii) why were the expenses not recovered from the officer?

Mr. P. R. Rau: Yes.

- (i) In 1933, in honour of the Governor of Bihar and Orissa.
- (ii) The expenditure was incurred in accordance with previous practice.

ACTING ALLOWANCES OF THE *ex*-COMPANY STAFF OF THE EAST INDIAN RAILWAY.

518. **Dr. N. B. Khare:** Has the attention of the Governor General in Council been invited to Railway Board's No. L.E.-101563-E.G., of the 22nd September, 1934, regarding acting allowances to the staff recruited by the Company-management and retained by the Government of India on the East Indian Railway? If so, will Government state:

- (a) whether it is a fact that the staff recruited by the Company-management and retained by the Government of India were told definitely that the rule of pay and allowances will remain in force as it stood on 31st December, 1924;
- (b) whether it is a fact that the said staff executed an agreement with the Government of India on the condition that their pay and allowance will be governed by the rules of the Company-management as stood on 31st December, 1924;
- (c) if the replies to parts (a) and (b) be in the affirmative, will Government state:
 - (i) whether the affected staff was called upon to agree to the change enforced by Railway Board's No. L.E.-10563-E.G., of the 22nd September, 1934, if not, why not;
 - (ii) the authority under which terms of an agreement are alterable by one part of the agreement;
 - (iii) the rule under which the Railway Board is competent to alter any condition of service; and
 - (iv) the clause of memorandum which permits changes in rules as stood on 31st December, 1924?

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

RELATIONSHIP BETWEEN THE AGENT AND CERTAIN OTHER STAFF ON STATE RAILWAYS.

519. **Dr. N. B. Khare:** Will Government please state the relationship between the Agent and (i) Chief Engineer, (ii) Chief Operating and Transportation Superintendents, (iii) Chief Traffic and Commercial Managers, (iv)

Locomotive and Carriage and Wagon Superintendents, (v) Chief Mechanical Engineers, (vi) Superintendents of Mechanical Workshops, and (vii) Divisional Superintendents of the North Western, Eastern Bengal, East Indian, Great Indian Peninsula and Burma Railways, as referred to in Rule 27 of Railway Board's No. E. 34 R.G. 6 of the 22nd June, 1935?

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

SUPPLY OF RULES, CIRCULARS, GAZETTE NOTIFICATIONS TO THE
NON-GAZETTED STAFF ON STATE RAILWAYS.

520. **Dr. N. B. Khare:** Will Government please state the policy and procedure in respect of supply of Rules, Circulars, Gazette Notifications to the non-gazetted staff on Indian State Railways, issued by competent authorities which affect the rights of the staff?

The Honourable Sir Muhammad Zafrullah Khan: The general practice is to notify such rules to the staff.

NON-SUPPLY OF CLASSIFIED SENIORITY OR GRADATION LISTS TO THE
NON-GAZETTED STAFF ON STATE RAILWAYS ON PAYMENT.

521. **Dr. N. B. Khare:** Will Government please state the concise reasons for the non-supply of classified seniority or gradation lists to the non-gazetted staff on Indian State Railways on payment?

The Honourable Sir Muhammad Zafrullah Khan: I would invite the Honourable Member's attention to Mr. Sham Lal's unstarred question No. 391, asked on the floor of this House on the 20th March, 1936

ADVANCEMENT OF THE NON-GAZETTED STAFF ON THE EAST INDIAN RAILWAY
FROM ONE STAGE TO ANOTHER IN THE TIME SCALES OF PAY.

522. **Dr. N. B. Khare:** (a) Will Government please state the policy and procedure in respect of advancement of the non-gazetted staff on the East Indian Railway from one stage to another in the time scales of pay on posts or appointments other than selection posts (*viz.*, Transportation Inspectors, Station Superintendents, Controllers and Assistant Running Shed Foremen)?

(b) Will Government please state the policy and procedure in respect of advancement of the non-gazetted staff on the Indian State Railways from one stage to another in the time scales of pay?

(c) Will Government please state the policy and procedure in respect of the advancement of the non-gazetted staff on the East Indian Railway from one stage to other in the time scales of pay running parallel to each other (*viz.*, old East Indian Railway scales of pay, old Oudh and Rohilkhand Railway scales of pay, co-ordinated scales of pay of 1928 and the revised scales of pay of 1934)?

The Honourable Sir Muhammad Zafrullah Khan: (a) to (c). The information readily available with Government will be found in the Rules for the recruitment and training of subordinate staff on State-managed Railways, a copy of which is in the Library of the House.

**SENIORITY AMONGST THE NON-GAZETTED STAFF ON THE EAST INDIAN RAILWAY
IN EACH STAGE OF THE TIME SCALES OF PAY.**

523. Dr. N. B. Khare: Will Government please state the policy and procedure in respect of seniority amongst the non-gazetted staff on the East Indian Railway in each stage of the time scales of pay running parallel to each other (*viz.*, old East Indian Railway scales of pay, old Oudh and Rohilkhand Railway scales of pay, co-ordinated scales of pay of 1928 and the revised scales of pay of 1934)?

The Honourable Sir Muhammad Zafrullah Khan: Government have no information. This is a matter of detailed administration entirely within the competence of the Agent, East Indian Railway, to deal with.

**RESERVATION OF ONE BAY OF NO. 4 SHED WITHIN THE HOWRAH GOODS SHED
ON THE EAST INDIAN RAILWAY.**

524. Dr. N. B. Khare: Is it a fact that one Bay of No. 4 shed within the Howrah Goods Shed on East Indian Railway is fenced and reserved? If so, will Government please state:

- (a) the authority under whom this is reserved,
- (b) the purpose for which this is reserved,
- (c) the amount of rent recovered during the preceding three years,
- (d) whether the Superintendent Commercial ever visited the reserved places, if so, with what inspection note,
- (e) whether the Superintendent Commercial has ever satisfied himself that the reserved places are utilized for *bona fide* Government purposes or in the alternative utilized for private purposes and the rent is properly and regularly recovered?

The Honourable Sir Muhammad Zafrullah Khan: The Bay of No. 4 Shed within the Howrah Goods Shed is neither fenced nor reserved.

- (a) to (e). Do not arise.

CERTAIN CONTRACTS ON STATE RAILWAYS.

525. Dr. N. B. Khare: Will Government please state the policy and procedure in respect of contracts for (1) refreshments, (2) vendors, (3) stalls for books, newspapers and commodities, (4) handling of commodities, luggage and parcels, and (5) coolies on Indian State Railways?

The Honourable Sir Muhammad Zafrullah Khan: I am not sure that I have understood the Honourable Member's question. Contracts are given by the Agent or other officers to whom powers to give such contracts have been delegated by the Agent. The procedure in the giving of contracts varies according to both the nature and value of the contract, the aim being to obtain the best service at the minimum cost.

CONTRACTS EXECUTED BY THE EAST INDIAN RAILWAY DURING 1935 IN RESPECT OF CERTAIN ITEMS.

526. **Dr. N. B. Khare:** Will Government please lay on the table a statement of contracts executed by the East Indian Railway during 1935 in respect of (1) refreshments, (2) vendors, (3) stalls, (4) handling, and (5) coolies and state whether the contract was a renewal of the previous one? If so, what is the date when the original contract was executed and the reasons for such monopoly?

The Honourable Sir Muhammad Zafrullah Khan: Government do not consider that the time and labour involved in compiling the statement can be justified by any use to which it could be put.

TERMS OF AGREEMENTS WITH MONTHLY NON-PENSIONABLE SUBORDINATE EMPLOYEES ON STATE RAILWAYS.

527. **Dr. N. B. Khare:** Will Government please state the authority empowered to amend modify or alter the existing terms of agreements with monthly non-pensionable subordinate employees on State Railways?

The Honourable Sir Muhammad Zafrullah Khan: I propose to reply to questions Nos. 527 and 528 together.

The questions are too general for any specific reply to be given. If the Honourable Member will specify the points on which information is required I will endeavour to give a reply.

AUTHORITY BY AND THROUGH WHICH THE SECRETARY OF STATE FOR INDIA IN COUNCIL ACTS ON STATE RAILWAYS.

†528. **Dr. N. B. Khare:** Will Government please state the authority by and through which the Secretary of State for India in Council acts on State Railways?

EMOLUMENTS CLASSED AS PAY FOR EMPLOYEES OF CENTRAL SERVICES.

529. **Dr. N. B. Khare:** Will Government please state whether the emoluments classed as pay under Fundamental Rule 9 (21) (a) (iii) have the same statutory protection as pay proper? If not, under what rule; and will Government lay a list of emoluments classed as pay for employees of Central Services?

The Honourable Sir James Grigg: I am not quite clear what the Honourable Member has in mind. If he is referring to a case of a particular type and will write to me about it I will try to give him a complete answer.

ABSORPTION OF THE TRAVELLING TICKET INSPECTORS OF THE ACCOUNTS DEPARTMENT IN THE CREW SYSTEM ON THE EAST INDIAN RAILWAY.

530. **Dr. N. B. Khare:** Will Government please state the policy and procedure in respect of absorption of the Travelling Ticket Inspectors of the Accounts Department in the crew system on the East Indian Railway?

† For answer to this question, see answer to question No. 527.

The Honourable Sir Muhammad Zafrullah Khan: With your permission, Sir, I propose to reply to questions Nos. 530 and 531 together.

I would invite the Honourable Member's attention to my reply to Qazi Muhammad Ahmad Kazmi's question No. 892, asked on the floor of this House on the 26th February, 1936.

ABSORPTION OF THE TRAVELLING TICKET INSPECTORS OF THE ACCOUNTS DEPARTMENT IN THE MOODY-WARD SCHEME OF TICKET CHECKING ON THE EAST INDIAN RAILWAY.

+531. **Dr. N. B. Khare:** Will Government please state the policy and procedure in respect of absorption of the Travelling Ticket Inspectors of the Accounts Department in the Moody-Ward Scheme of ticket checking on the East Indian Railway?

DIFFERENCE IN NATURE OF DUTIES, POWERS, ETC., BETWEEN A PRINCIPAL OFFICER AND A HEAD OF DEPARTMENT ON THE EAST INDIAN RAILWAY.

532. **Dr. N. B. Khare:** Will Government please state the difference in nature of duties, powers, etc., between a principal officer and a head of department on the East Indian Railway?

The Honourable Sir Muhammad Zafrullah Khan: The question is too general for any specific reply to be given. If the Honourable Member will specify the particular points on which he requires information, I will endeavour to reply.

RE-ORGANISATION OF THE EAST INDIAN RAILWAY ON DIVISIONAL SYSTEM.

533. **Dr. N. B. Khare:** Will Government please state the policy and procedure in respect of the re-organisation of the East Indian Railway on Divisional system?

The Honourable Sir Muhammad Zafrullah Khan: I would invite the Honourable Member's attention to the Honourable Mr. J. C. B. Drake's reply to question No. 9, asked by the Honourable Mr. Jagadish Chandra Banerjee on the 20th September, 1932, in the other House.

RE-ORGANISATION OF THE EAST INDIAN RAILWAY ON DIVISIONAL SYSTEM.

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

- (a) the increase or decrease of volume of work amongst gazetted and non-gazetted staff respectively since the re-organisation of the East Indian Railway on Divisional system;
- (b) the increase or decrease of the strength of gazetted and non-gazetted staff respectively since the re-organisation of the East Indian Railway on Divisional system;
- (c) the increase or decrease of the expenditure on gazetted and non-gazetted staff respectively since the re-organisation of the East Indian Railway on Divisional system;

† For answers to this question, see answer to question No. 530.

- (d) the increase or decrease of the revenues since re-organisation of the East Indian Railway on Divisional system;
- (e) the justification for the increase in number of gazetted staff since re-organisation of the East Indian Railway on Divisional system against the decrease in revenues;
- (f) the justification for having (i) three Deputy Agents, (ii) one Secretary and two Assistant Secretaries to the Agent; and
- (g) the justification in the increase of expenditure?

The Honourable Sir Muhammad Zafrullah Khan: (a) I would invite the Honourable Member's attention to the Honourable Mr. J. C. B. Drake's replies to question No. 9 of the Honourable Mr. Jagadish Chandra Banerjee and question No. 103 of Rai Bahadur Ram Saran Das asked in the other House on the 20th September, 1932, and 23rd September, 1932, respectively. This is the only information readily available with Government and they do not consider that any useful purpose will be served by supplementing it.

(b) to (g). Available information is contained in the Reports by the Railway Board on Indian Railways published annually, copies of which will be found in the Library of the House.

DELEGATION OF POWERS TO HEADS OF DEPARTMENTS ON THE EAST INDIAN RAILWAY.

535. Dr. N. B. Khare: Has the attention of Government been invited towards paragraphs 1, 3, 4, 7 and 8 of Circular No. 466 of 10th May, 1927, issued by the Agent, East Indian Railway, regarding delegation of powers to heads of department? If so, will Government please state how a general delegation is permissible by rules made under the Government of India Act?

The Honourable Sir Muhammad Zafrullah Khan: The reply to the first part of the question is in the affirmative. The circular mentioned refers not to any real delegation of powers but only to internal official arrangements for proper conduct of business, the sanctions concerned always issuing as from the Agent.

COMPARATIVE STATEMENT OF AMOUNTS SAVED FOR POSTS HELD IN ABEYANCE OR ABOLISHED ON THE EAST INDIAN RAILWAY.

536. Dr. N. B. Khare: Is it a fact that the Agent, East Indian Railway, utilized the sanctioned amount in the budget for the posts held in abeyance or abolished for purposes otherwise by appropriating the savings? If not, will Government please lay on the table a comparative statement of amounts saved for such posts and appropriated for other posts during the last three years?

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

NON-GAZETTED STAFF RE-EMPLOYED ON THE EAST INDIAN RAILWAY IN THE NON-PENSIONABLE ESTABLISHMENT AFTER RETIREMENT, DISCHARGE OR OTHERWISE.

537. Dr. N. B. Khare: Will Government please lay on the table a list of the non-gazetted staff re-employed on the East Indian Railway in the non-pensionable establishment after retirement, discharge or otherwise, showing the pay drawn before and after re-employment?

The Honourable Sir Muhammad Zafrullah Khan: Government have no information and do not consider any useful purpose will be served by collecting it.

ACCOMMODATION FOR STAFF ON STATE RAILWAYS WHILE PERFORMING SPECIAL DUTIES AT MELAS OUTSIDE THEIR HEADQUARTERS STATIONS.

538. Dr. N. B. Khare: Will Government please state the policy in respect of accommodation for staff on State Railways while performing special duties at *melas* outside their Headquarters stations?

The Honourable Sir Muhammad Zafrullah Khan: Temporary accommodation is generally arranged to the extent to which it is practicable to provide such accommodation for the additional staff detailed for duty at *melas*. No charge is ordinarily recovered from the staff for such accommodation.

CERTAIN PARTICULARS REGARDING THE ADH KUMBH MELA HELD DURING 1936 AT ALLAHABAD.

539. Dr. N. B. Khare: Is it a fact that *Adh Kumbh Mela* was held during 1936 at Allahabad? If so, will Government please state in that connection:

- (a) the expenditure incurred divisionwise by the East Indian, Great Indian Peninsula and Bengal and North Western Railways;
- (b) the strength in each class of the staff posted divisionwise by the said three Railways at the *mela* area;
- (c) the traffic carried in each class of accommodation trainwise by the said three Railways, to and for the *mela* area;
- (d) names of the temporary stations opened in addition to the existing stations within the *mela* area and the staff posted classwise at each station;
- (e) kinds of comforts provided for the travelling public at *mela* stations;
- (f) revenues earned divisionwise by the said railways;
- (g) accommodation provided to gazetted and non-gazetted staff, respectively, at *mela* stations; and
- (h) kind and cost of comforts provided to gazetted and non-gazetted staff, respectively, at *mela* stations?

The Honourable Sir Muhammad Zafrullah Khan: The compilation of the information asked for will involve a considerable amount of clerical labour incommensurate with any use to which such information could be put.

EXEMPTION OF THE COMPANY STAFF FROM PASSING DEPARTMENTAL EXAMINATIONS.

540. Dr. N. B. Khare: (a) Is it a fact that the Controller of Railway Accounts under No. 41-C.R.A.-Estt.-33-A, of 8th October, 1934, exempted the Company staff from passing departmental examinations? If so, will Government please state the policy of exempting the Company staff from passing departmental examination after ten years service under the Government and whether such exemption is also ordered for those employees of State Railways who joined the State Services before the introduction of departmental examinations on separation of accounts from the Audit; if not, why and what reasons they have for such differential treatment?

(b) What action has been taken against the gazetted officer for such discrimination? If none, why not?

The Honourable Sir Muhammad Zafrullah Khan: (a) The reply to the first part of the question is in the affirmative. *Ex-company* staff were exempted from the departmental examinations because it was considered that the imposition of a system of examinations would not be consistent with the pledge given to the staff before the administration was taken by the State from the old East Indian, Great Indian Peninsula and Burma Railways Companies.

The position of the staff transferred from the combined Audit and Accounts Offices of State-managed Railways is quite different as they were only transferred from one Government department to another. Moreover, a similar system of examinations had been in force even when the staff was under the control of the Auditor General.

(b) The question is not understood.

CHECKING OF THE WORK OF STATION MASTERS BY A TRAFFIC INSPECTOR ON THE EAST INDIAN RAILWAY.

541. Dr. N. B. Khare: Is it the duty of a Traffic Inspector on the East Indian Railway to check the work of Station Masters? If so, is it not necessary for them to hold the requisite standard of qualification, *viz.*, "Goods Accounts Higher Standard" laid down for such posts?

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

PROMOTION TO THE VACANCIES IN THE GRADE OF SUB-HEADS IN THE ACCOUNTS OFFICES ON STATE RAILWAYS.

542. Dr. N. B. Khare: Will Government please state the policy and procedure in respect of promotion to the vacancies in the grade of sub-heads in the Accounts Offices on State Railways?

Mr. P. B. Rau: Under the Standing Orders which are in force at present no clerk is eligible for promotion as a sub-head unless either (a) he has passed a specially prescribed departmental examination or (b) being an *ex-company's* employee is considered to be fully fit to discharge the duties of a sub-head. It has also been laid down that about one-half of the vacancies in the grade of sub-heads may at the discretion of the Chief Accounts Officer be given to clerks who have passed the examination qualifying for promotions to the grade of Accountants.

GRANT OF PRESIDENCY ALLOWANCES TO THE STAFF OF THE EASTERN BENGAL AND EAST INDIAN RAILWAYS.

543. Dr. N. B. Khare: (a) Will Government please state the policy and procedure in respect of the grant of Presidency Allowances to the staff of the Eastern Bengal and East Indian Railways?

(b) Is it a fact that the staff of the Accounts offices at Calcutta on the Eastern Bengal and East Indian Railways are not paid the Presidency Allowance? If so, why and under which rule are they differentially treated from the staff of the Agents and of the Chief Auditor's offices?

(c) Is it a fact that the staff of Agents' offices and of the Chief Auditors' offices on the Eastern Bengal and East Indian Railways are paid ten per cent. of their pay as Presidency Allowance? If so, are the staff of the Accounts offices on the said Railways also paid ten per cent. of their pay as Presidency Allowance? If not, why not, and what are the reasons for such differential treatment?

(d) Is it a fact that the scales of pay of the staff under the Agent and under the Chief Auditor of Eastern Bengal and East Indian Railways were increased on non-payment of Presidency Allowance? If so, in what proportion were the scales of pay of the staff of the Accounts offices increased?

(e) Is it a fact that the Financial Commissioner, Railways, has ruled that all orders of the Railway Board applicable to Agents' offices are also applicable to Accounts offices? If so, why is a deviation to the rule governing Presidency Allowances to the staff under the Agents, Eastern Bengal and East Indian Railways, made in respect of the staff of the Accounts offices of the said Railways?

Mr. P. R. Rau: (a) and (b), (i). Clerical staff in the Eastern Bengal and East Indian Railways administrative offices at Calcutta, except those on the old East Indian Railway scales of pay, are granted a local allowance at ten per cent. of pay.

(ii) Accounts staff of the East Indian and Eastern Bengal Railways who are on the old scales of pay are not granted any compensatory allowance at Calcutta, as their scales were worked out with reference to the average cost of living at the various places to which the staff were likely to be posted from time to time.

(iii) Accounts staff on the old East Indian Railway Company's scales of pay are also not granted any compensatory allowance, as the Calcutta local allowance is merged in those scales.

(iv) Accounts staff of the Oudh and Rohilkund Railway, transferred from Lucknow to Calcutta, except those who elected the scales of pay introduced in 1926, are granted compensatory allowance at ten per cent. of pay.

(v) Accounts staff on the revised scales of pay introduced in 1934 are granted a compensatory allowance at the rates admissible to the staff in the Railway administrative offices at Calcutta.

(vi) Accountants permanently taken over from the Audit Department are also granted a compensatory allowance at the rates admissible to them in the Audit Department.

(c) As regards the Agents' offices at Calcutta, I would refer the Honourable Member to the reply to parts (a) and (b) above. In the offices of the Chief Auditors of the Eastern Bengal and East Indian Railways, only the senior and junior Auditors get allowances as shown below:

	Cost of living allowance.	House rent allowance.
	Rs.	
Senior Auditors	35 per mensem	8 per cent. of pay.
Junior Auditors	30 per mensem	8 per cent. of pay.

No compensatory allowance is allowed to the clerks of the Chief Auditors' offices.

The position in regard to the Accounts staff is stated in the reply to parts (a) and (b) above.

(d) The reply to the first part of the question is in the negative. The second part does not arise.

(e) The ruling referred to applied to matters of discipline and general conditions of service and not to scales of pay and allowances.

PRESIDENCY ALLOWANCE OF THE ACCOUNTANTS IN THE ACCOUNTS DEPARTMENT OF THE EASTERN BENGAL AND EAST INDIAN RAILWAYS STATIONED AT CALCUTTA.

544. Dr. N. B. Khare: (a) Is it a fact that the Accountants, grades I and II of the Accounts Department of the Eastern Bengal and East Indian Railways stationed at Calcutta are not paid any allowance to compensate for the higher cost of living in that city than elsewhere?

(b) Is it a fact that: (i) the Accountants in the Audit Department of the said Railways are drawing a compensatory allowance; (ii) the entire ministerial staff of the administrative offices of the said Railways stationed at Calcutta are drawing an allowance; (iii) the Accountants, who have recently been permanently transferred from the Audit to the Accounts Department of the said Railways are paid the allowance while posted at Calcutta; and (iv) the gazetted officers of the Accounts Department are paid all the allowances while stationed at Calcutta which the Audit Department officers are paid?

(c) Is it a fact that the Accountants stationed at Kancharapara on the Eastern Bengal Railway and at Asansol, Dinapore, Allahabad, Lucknow, Moradabad and Jamalpur on the East Indian Railway are paid the same scales of pay as those stationed at Calcutta? If so, is the cost of living—especially rent of accommodation—at former stations lower, equivalent or higher than the latter station?

(d) If the replies to parts (a) to (c) be in the affirmative, will Government please state:

- (i) whether it is a fact that the affected staff applied for the allowances more than once but their applications were rejected on the plea that the Accounts Department had been localised;
- (ii) whether they propose to compensate the affected staff against the higher rent of accommodation at Calcutta; if not, why not;

- (iii) whether they propose to withdraw the allowances paid to gazetted officers at Calcutta; if not, why not;
- (iv) the concise reasons for differential treatment; and
- (v) when they propose to do away with the differential treatment; if not, why not?

Mr. P. R. Rau: (a) Accountants on the old scales of pay are not granted any compensatory allowance.

(b), (i). Yes.

(ii) The Honourable Member is referred to the reply to parts (a) and (b) of his question No. 543.

(iii) and (iv). Yes.

(c) The reply to the first part of the question is in the affirmative. With regard to the second part, as far as Government are aware, the cost of living is not as high at the stations mentioned as at Calcutta.

(d), (i). The applications were rejected on the ground that the scales of pay were local.

(ii) No. The old scales of pay for accountants were worked out with reference to the average cost of living at the various places to which they are likely to be posted from time to time. No compensatory allowance is, therefore, granted at Calcutta.

(iii) No, because the conditions to meet which the allowances were sanctioned have not altered.

(iv) and (v). Government do not consider that there is any differential treatment.

ALLEGATIONS AGAINST ONE MR. A. CAMERON KERR AND ONE MR. E. DE BEAUFORT OF THE EAST INDIAN RAILWAY TRAFFIC ACCOUNTS OFFICE AT HOWRAH.

545. Dr. N. B. Khare: (a) Are Government aware that Mr. A. Cameron Kerr and Mr. E. de Beaufort of the East Indian Railway Traffic Accounts Office at Howrah every day distribute literature of their faith and compel the members of other faiths to read and repeat them before them, failing which they are punished?

(b) Is it a fact that their chief duty is to preach sermons to non-Christians at the working expense of the Railway?

(c) Is it a fact that during, before and after Christmas they have called one by one every non-Christian of the establishment under them and preached the sermons and distributed the literature bearing the rubber stamp impression of "Traffic Accounts Office, E. I. Ry. Howrah"?

(d) Are Government aware that the following religious tracts are an indication of their duties, activities and devotion?

- (i) Rules for Daily Life, (ii) A Great Certainty, (iii) the Great Necessity, (iv) the Gospels Message, (v) A present Blessing, (vi) What God Proclaims, (vii) God's Way of Salvation, (viii) Advocate or Judge? (ix) The Anchor Holds (x) Salvation by Substitution, (xi) Is the Bible True? (xii) Does Death End All.

(e) If the replies to parts (a) to (d) be in the affirmative, will Government please state:

- (i) what justification the Financial Commissioner for Railways had to separate the personnel matters of the Establishment of the Traffic Accounts Office from the General Establishment of the Chief Accounts Office;
- (ii) whether Mr. E. de Beaufort's appointment as Accounts Officer was made through a competitive examination as referred to in paragraph 2 of Railway Board's No. 5565-F., dated the 31st July, 1929, and if so, when the examination was held and with what result, and if not, why not; and
- (iii) whether Government propose to order an inquiry into their conduct under the Public Servants Enquiry Act of 1850; if not, why not?

Mr P. E. Rau: (a) to (c). No.

(d) The question is not understood.

(e) Does not arise

POWERS OF THE CONTROLLER OF RAILWAY ACCOUNTS NOT TO GRANT THE OLD SCALES OF PAY TO EMPLOYEES WHO ELECTED THE OPTION TO REMAIN UNDER OLD SCALES OF PAY.

546. Dr. N. B. Khare: Will Government please state the rule made under section 96-B of the Government of India Act which empowers the Controller of Railway Accounts not to grant the old scales of pay to employees who elected the option to remain under old scales of pay (*vide*, No. 257-C.R.A.-Estt.-33-1 of 29th March, 1934)?

Mr. P. E. Rau: The decision of the Controller of Railway Accounts contained in his letter referred to by the Honourable Member was based on the orders of the Railway Board passed in 1925 under which the right of retaining their old rates of pay was allowed to the old Oudh and Rohilkund Railway staff in their substantive grades only.

SENIORITY OF EAST INDIAN RAILWAY AND OLD OUDH AND ROHILKUND RAILWAY STAFF.

547. Dr. N. B. Khare: With reference to the Agent, East Indian Railway's Report laid on the table on the 21st January, 1935, in answer to starred question No. 633 asked in this House on the 20th August, 1934, will Government please state the policy in respect of seniority of East Indian Railway (Company-management) and old Oudh and Rohilkund Railway (State-management) and East Indian Railway (on and after amalgamation) staff other than Engineering or technical staff?

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

STATION MASTERS' EXAMINATION IN THE MORADABAD DIVISION, EAST INDIAN RAILWAY.

548. **Dr. N. B. Khare:** With reference to the Agent, East Indian Railway's Report, as laid on the table on the 21st January, 1935, in answer to part (iii) of starred question No. 896 asked in this House on the 30th August, 1934, regarding Station Masters' examination in the Moradabad Division, East Indian Railway, will Government please state:

- (a) the number out of total strength of Station Masters and Inspectors respectively who are holding posts as such but have not passed the Goods Accounts Examination;
- (b) the date from which the Goods Accounts Examination was introduced on the old Oudh and Rohilkhand Railway;
- (c) what was the policy and procedure of appointing Station Masters and Inspectors respectively before the introduction of the Goods Accounts Examination;
- (d) the date on which the Station Masters' Examination is not considered equivalent to the Goods Accounts Examination on the old Oudh and Rohilkhand Railway; and
- (e) whether it is a fact that the staff of the East Indian Railway Company taken over by the Government are exempted from passing those examinations which were not operative on the Company Section; if so, why the same privileges are not given to the staff on the old Oudh and Rohilkhand Railway and the reason for differential treatment?

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

DIFFERENCE BETWEEN CERTAIN ALLOWANCES ON STATE RAILWAYS.

549. **Dr. N. B. Khare:** Will Government please state the substantial difference between an *ex-gratia* grant of an allowance by His Excellency the Governor General in Council and an allowance permissible under the ordinary rules and regulations applicable to State Railways?

Mr. P. B. Rau: The first is an allowance not permissible under the general rules, but allowed as a special case purely as a matter of grace.

RULES GIVING THE INDIAN RAILWAY CONFERENCE ASSOCIATION THE AUTHORITY TO REGULATE THE CONDUCT AND PRIVILEGES OF THE SERVICES UNDER THE CROWN.

550. **Dr. N. B. Khare:** Will Government please state the rule made under section 96-B of the Government of India Act which vests the power in Indian Railway Conference Association to regulate the conduct and privileges of the services under the Crown?

The Honourable Sir Muhammad Zafrullah Khan: Indian Railway Conference Association do not regulate the conduct and privileges of the services under the Crown.

RULES GIVING THE INDIAN RAILWAY CONFERENCE ASSOCIATION THE AUTHORITY TO EXERCISE CONTROL UPON THE SERVANTS OF THE CROWN IN RESPECT OF PERSONAL MATTERS.

551. **Dr. N. B. Khare:** Will Government please state the rule made under section 96-B of the Government of India Act which vests in the Indian Railway Conference Association the authority to exercise control upon the servants of the Crown in respect of personal matters?

The Honourable Sir Muhammad Zafrullah Khan: Indian Railway Conference Association do not exercise authority on the servants of the Crown in respect of personal matters.

PERSONNEL ORGANISATION ON STATE RAILWAYS AND THE ACTIONS TAKEN THEREON BY THE RAILWAY BOARD.

552. **Dr. N. B. Khare:** Will Government please state the opinion and recommendation made in the reports of Mr. Haseltine and of Mr. Pope on the question of personnel organisation on Indian State Railways and the actions taken thereon by the Railway Board?

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

RELATIONSHIP OF THE GOVERNMENT OF INDIA WITH THE RAILWAY BOARD.

553. **Dr. N. B. Khare:** With reference to the Honourable Sir Frank Noyce's reply to a supplementary question to starred question No. 167 asked on the 12th February, 1935, will Government please state:

- (a) the relationship of the Government of India with the Railway Board;
- (b) whether the Railway Board like the Home, Legislative, Legislative Assembly, Foreign and Political, Finance, Defence, Education, Health and Lands, Industries and Labour Departments is a Department of the Government of India; if so, how a complaint to the Railway Board is not a complaint to the Government of India; and
- (c) the procedure on receipt of a complaint by the Government of India against Railway Administrations?

The Honourable Sir Muhammad Zafrullah Khan: (a) The Railway Board is a body subordinate to the Government of India in the Railway Department, consisting of three Members, the Chief Commissioner, Railways, the Financial Commissioner, Railways and one other Member.

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

(c) Any complaint, addressed to the Chief Commissioner of Railways, who is the Secretary to the Government of India in the Railway Department, is treated as a complaint to the Government of India.

REVENUES FROM AND EXPENDITURE ON THE CENTRAL AND LOCAL PUBLICITY OFFICES, RESPECTIVELY, ON STATE RAILWAYS.

554. **Dr. N. B. Khare:** Will Government please lay a comparative statement of Revenues from and Expenditure on the Central and Local Publicity Offices, respectively on the Indian State Railways from the period it is available?

Mr. P. B. Rau: The information is being collected.

SELECTION BOARDS ON THE EAST INDIAN RAILWAY.

555. **Dr. N. B. Khare:** With reference to the answer given to starred question No. 200 asked in this House on the 13th February, 1935, regarding Selection Boards on the East Indian Railway, will Government please lay on the table a comparative statement of appointments made from 1st March, 1931, to 31st January, 1936, including lower gazetted staff to selection posts from the staff of non-selection posts?

The Honourable Sir Muhammad Zafrullah Khan: The information is not readily available and Government do not consider that the labour and expense involved in collecting it will be commensurate with the results likely to be obtained.

DISCHARGES AND DISMISSALS ON STATE RAILWAYS.

556. **Dr. N. B. Khare:** Will Government please lay on the table a comparative statement of the discharges and dismissals on the State Railways since the introduction of the rules regulating the dismissal and discharge of State Railway non-gazetted Government servants in 1930, stating the causes of discharges and dismissals as permissible by the said rules and as per term of agreement together with the designations of the authority who passed the order of discharge or dismissal respectively administrationwise?

The Honourable Sir Muhammad Zafrullah Khan: Government have no information and do not consider that the labour and expense involved in collecting it will be commensurate with the results likely to be obtained.

RESERVATION IN CENTRAL DEPARTMENTS OF THE PERCENTAGE OF APPOINTMENTS COMMUNITYWISE.

557. **Dr. N. B. Khare:** Will Government please lay on the table a statement showing the results of the function of the officers appointed to give effect to Home Department Resolution regarding reservation in Central Departments of the percentage of appointments communitywise?

The Honourable Sir Henry Crank: I would invite the attention of the Honourable Member to my reply to part (c) of Maulvi Sved Murtaza Sahib Bahadur's starred question No. 1259 on the 16th March, 1936.

RESERVATION OF THE POSTS OF INSPECTORS ON THE EAST INDIAN RAILWAY FOR THE ANGLO-INDIAN OR EUROPEAN COMMUNITY.

558. Dr. N. B. Khare: Is it a fact that the posts of Inspectors on the East Indian Railway are reserved for the Anglo-Indian or European community and are preponderated by that community? If not, will Government please lay on the table a statement showing communitywise such posts vacated and persons appointed to vacant posts since the Home Department Resolution, regarding percentage of appointments by community was brought into force and the persons eligible for such appointments?

The Honourable Sir Muhammad Zafrullah Khan: No posts of inspectors on the East Indian Railway are reserved for members of any particular community although it is a fact that Europeans and Anglo-Indians hold these posts in large numbers. These posts are generally filled by promotion and not by direct recruitment and are not, therefore, subject to communal considerations. The latter part of the question does not arise.

RECRUITMENTS OR APPOINTMENTS TO RAILWAY SERVICES, CLASSES I AND II, AND LOWER GAZETTED SERVICE.

559. Dr. N. B. Khare: Is it a fact that recruitments or appointments to Railway Services, Classes I and II, and lower gazetted service are made through the Public Service Commission?

The Honourable Sir Muhammad Zafrullah Khan: Recruitment to Railway Services, Class I, only is made through the Public Service Commission.

INDIAN RAILWAY CONFERENCE ASSOCIATION.

560. Dr. N. B. Khare: With reference to the reply to part (c) of starred question No. 464, asked in this House on the 22nd February, 1935, regarding Indian Railway Conference Association, will Government please lay on the table a copy of the notification or authority appointing the Association to frame regulations and act as a Board of Conciliation as required by Chapters V and VI of the Indian Railways Act?

The Honourable Sir Muhammad Zafrullah Khan: I am unable to find anything in Chapters V and VI of the Indian Railways Act requiring the issue of a notification or sanction to enable the Association to frame regulations and act as a Board of Conciliation.

POWER TO PASS AN ORDER OF DISCHARGE BY A SENIOR SCALE OFFICER ON STATE RAILWAYS.

561. Dr. N. B. Khare: With reference to the reply to starred question No. 555, asked in this House on the 26th February, 1935, regarding power to pass an order of discharge by a senior scale officer on State Railways, will Government please lay on the table copies of the notifications or authority through which the Agents of State Railways have delegated the powers to senior scale or junior scale or lower gazetted or subordinate officers to pass an order of discharge or dismissal on a non-gazetted railway servant?

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

DISMISSAL OR DISCHARGE OF AN EMPLOYEE BY A SENIOR SCALE OR ADMINISTRATIVE OFFICER ON STATE RAILWAYS.

562. **Dr. N. B. Khare:** With reference to the reply to starred question No. 558, asked in this House on the 26th February, 1935, regarding dismissal or discharge of an employee by a senior scale or administrative officer on State Railways, will Government please state:

- (a) the authority empowered to operate the terms of service agreement;
- (b) the term of the service agreement which permit or provide delegation of power by the Railway Administration;
- (c) whether the delegation in all these State Railways is equal, or there is any difference; and
- (d) the rule which governs the termination of service as per term of agreement without observing the rules of dismissal and discharge?

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

LETTER PUBLISHED IN THE HINDUSTAN TIMES ENTITLED "PENSION AND COMMUTATION".

563. **Dr. N. B. Khare:** (a) Has the attention of Government been drawn to the letter printed in the *Hindustan Times*, dated the 7th July, 1935, regarding "Pension and Commutation", written by one Sham Sundar, a Government pensioner?

(b) If the reply to part (a) be in the negative, are Government prepared to take action on it now?

(c) Are Government aware that the Ceylon Government has fixed a period of commutation up to ten years, after which period it is automatically dissolved and the pensioner's pension is restored to the original sum?

(d) If the reply to part (c) be in the affirmative, are Government prepared to fix the same period of commutation? If not, why not?

The Honourable Sir James Grigg: (a) Yes.

(b), (c) and (d). I would refer the Honourable Member to the reply given by my predecessor on the floor of this House on the 23rd November, 1933, to starred question No. 1127 by Mr. Gaya Prasad Singh.

PROCEDURE IN REGARD TO THE CONVENING OF SELECTION BOARDS ON THE HOWRAH DIVISION OF THE EAST INDIAN RAILWAY.

564. **Mr. Amarendra Nath Chattopadhyaya:** (a) Will Government please state the procedure in regard to the convening of Selection Boards on the Howrah Division of the East Indian Railway?

(b) What is the procedure when candidates who are summoned to appear before a Selection Board do not turn up on that date?

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

JOB ANALYSIS CARRIED ON ON THE EAST INDIAN RAILWAY.

565. Mr. Amarendra Nath Chattopadhyaya: (a) Is it a fact that Job Analysis is still being carried on on the East Indian Railway? If so, will Government please state:

- (i) whether the Deputy Agent, Organisation, is in charge;
- (ii) whether the gazetted officers who have worked as Deputy Agent, Organisation, have been recruited from the Engineering and Mechanical branches; if so, whether this post has been earmarked for those branches; and
- (iii) whether junior gazetted and non-gazetted staff have been selected for the section?

(b) Is it a fact that the majority of the recommendations have emanated from the Divisions and not from the Job Analysis sections? If so, what useful purpose is served in keeping this temporary section going?

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

(i) and (iii). Yes.

(ii) The reply to the first part is in the affirmative and to the latter part in the negative.

(b) The reply to the first part is in the negative. As regards the latter part I would invite the Honourable Member's attention to paragraph 12 of the "Report by the Railway Board on Indian Railways for 1934-35" which shows the economies effected by this organisation.

DATES OF THE MOVE OF THE GOVERNMENT OF INDIA TO SIMLA.

566. Sardar Sant Singh: (a) Will the Honourable the Home Member please state whether the dates of the move of the Government of India have not yet been decided upon?

(b) Is it a fact that the various branches of Army Headquarters have already fixed the dates of their move to Simla and intend to move between the 10th and 18th April, 1936?

(c) If the facts stated in parts (a) and (b) be correct, how is it that the Army Headquarters fix the dates of their move before the Government of India have issued any orders in the matter?

(d) Is it not a fact that in the past the Army Headquarters have moved to Simla after the Civil Secretariat and cannot this practice be adhered to this year?

(e) Is it a fact that this year the Government of India will move late consequent on the State departure of His Excellency the Viceroy and the State arrival of the new Governor General?

Mr. G. R. F. Tottenham: (a) The dates for the move of the Government of India have been announced.

(b) Army Headquarters will move between the 15th and the 18th.

(c) The dates for the move of Army Headquarters are fixed under the orders of the Government of India in accordance with administrative convenience.

(d) No. Army Headquarters generally move to Simla before the Civil Secretariat.

(e) The late move of the Government of India is largely due to the prolonged Session of the Legislature.

COMMUNAL ROTATION IN THE BOMBAY POSTAL CIRCLE IN THE MATTER OF PROMOTIONS OF INFERIOR SERVANTS.

567. Mr. N. M. Joshi: Will Government be pleased to state:

(a) whether it is a fact that the Government of India, while issuing orders regarding communal recruitment, have clearly laid down that those orders apply only in the cases of fresh recruitment and that they do not apply to promotions from one cadre to another;

(b) whether those orders do not contemplate communal rotation for inferior servants and that the Postal Department has laid down orders that communal rotation should be followed in the case of inferior servants also;

(c) whether it is a fact that the Postmaster General, Bombay, has ordered that permanent officials in the cadre of inferior servants for the purpose of promotion to superior service should be considered as fresh recruit, making thereby the communal rotation applicable to them even in the case of their promotion; and if so, why?

The Honourable Sir Frank Noyce: (a) Yes.

(b) The position is not exactly as stated by the Honourable Member. The general orders regarding communal recruitment do contemplate that they may be made applicable to any particular class of inferior servants regarding whom special orders to that effect are issued. In the Postal Department a special order has been issued applying the general orders regarding the communal recruitment also to inferior servants other than mail runners and menials paid from contingencies.

(c) Yes, but I may inform the Honourable Member that the Postmaster-General's order in question was issued before the issue of the special orders just mentioned and has, therefore, now been superseded by the latter order. The last part of the question does not, therefore, arise.

REMOVAL OF THE BAN ON CONFIRMATION IN THE CASE OF THE POSTS AND TELEGRAPHS DEPARTMENT IN THE BOMBAY CIRCLE.

568. Mr. N. M. Joshi: Will Government be pleased to state:

(a) whether the ban on confirmation issued by them has been removed in the case of the Posts and Telegraphs Department in the Bombay Circle;

- (b) whether the Postmaster General, Bombay, has once again issued orders imposing a fresh ban on confirmation, and if so, the date of such an order; and
- (c) whether the Director-General, Posts and Telegraphs, proposes to issue instructions to remove this ban forthwith and avoid hardship to the staff who are being asked to work on provisional basis without confirmation; if not, why not?

The Honourable Sir Frank Noyce: (a) The ban on confirmation which formed part of the measures taken to meet the adverse financial situation was removed on the 1st April, 1935, in the case of the Posts and Telegraphs Department in all Circles including the Bombay Circle.

(b) The Postmaster-General, Bombay Circle, has only ordered that no vacancy to which the new communal orders apply should be filled permanently until the percentages of vacancies to be reserved in each recruiting unit for the different minority communities have been finally fixed. The date of issue of the Postmaster-General's order is 23rd September, 1935.

(c) The removal of the restriction mentioned in the reply to part (b) is, as stated therein, dependent upon the issue of the final orders fixing the reserved percentages for the different minority communities in the different recruiting units. These orders are expected to be issued very shortly. The last part of the question does not, therefore, arise.

CONTRACT FOR CONVEYING MAILS BY THE KONKAN FERRY STEAMSHIPS WITH THE BOMBAY STEAM NAVIGATION COMPANY, LTD.

569. **Mr. N. M. Joshi:** Will Government be pleased to state:

- (a) whether it is a fact that the contract of conveying mails by Konkan ferry steamships with the Bombay Steam Navigation Company, Ltd., ends by the 1st October, 1936;
- (b) whether the steamship company has persistently refused to allow the mails to be landed at all the ports where the steamer touches without reference to subsidy; and
- (c) whether in the case of Railways, where similar reserved accommodation is given, no additional subsidy is demanded by them if the Post Office takes advantage of any additional halt introduced by the Railways for its own convenience to facilitate the disposal of mails?

The Honourable Sir Frank Noyce: (a) No. The contract expires on the 31st May, 1936.

(b) The Company has not refused to allow mails to be landed at ports where it is bound to call regularly under the terms of the contract. The question of landing mails at other ports where the steamer may call occasionally and irregularly does not arise nor has the Company asked for additional payment for allowing the landing of mails at ports not included in the contract as ports of call.

(c) No payment in addition to usual haulage charges is made to Railways in the circumstances postulated by the Honourable Member but, as he will see from the reply to part (b), the circumstances are entirely different.

CONTRACT FOR CONVEYING MAILS BY THE KONKAN FERRY STEAMSHIPS WITH THE BOMBAY STEAM NAVIGATION COMPANY, LTD.

570. **Mr. N. M. Joshi:** Will Government be pleased to state:

- (a) whether the Vijaydurg Mail steamer of the Bombay Steam Navigation Company Ltd., has been consistently calling at the Dabhol and Jaygad ports, except in case of stormy weather;
- (b) whether the said steamship company has no other steamship which touches Jaygad except the Vijaydurg Mail steamer referred to above; and
- (c) if the Bombay Steam Navigation Company Ltd., does not agree to allow the Post Office to take advantage of their mail steamer calling at Dabhol and Jaygad, whether Government propose, in the alternative to consider the question of utilising the existing railway and mail motor lines and do away with the contract with the said Steamship Company altogether, or else find out whether the other steamship companies would not be prepared to take up the work?

The Honourable Sir Frank Noyce: (a) Yes, but the company reserves the right to omit Dabhol on this run for other reasons than stormy weather.

(b) No.

(c) The suggestion made by the Honourable Member will be considered in connection with the tenders which will be shortly called for in connection with the Bombay-Vijayadurg mail steamer service.

OLD EAST INDIAN RAILWAY LEAVE RULES FOR THE STAFF EMPLOYED IN EAST INDIAN RAILWAY SCHOOLS.

571. **Mr. N. M. Joshi:** (a) Is it a fact that in May 1935 the Railway Board decided that the staff employed in East Indian Railway schools be treated as railway servants in all respects and should be subject to the same rules of discipline and control as the rest of the railway staff and in regard to leave such staff should be subject to the Revised State Railway Rules, promulgated with the Railway Department Resolution No. 8878-E., dated the 20th February, 1930, modified in the manner indicated in the enclosure to their letter dated the 11th May, 1935?

(b) Is it a fact that the enclosure referred to above contains an addenda to the Leave Rules and creates a new department of railway service called the vacation department?

(c) Is it a fact that the Revised State Railway Leave Rules are a modification of the Fundamental Rules to suit the exigencies of Railway service?

(d) Is it a fact that in the Fundamental Rules there is section 81 governing the vacation departments of Government service?

(e) Is it a fact that in the addenda issued by the Railway Board in 1935, the limits of leave permitted in their vacation department are far less than those allowed in the Fundamental Rules?

(f) Is it a fact that in the addenda to State Railway Rules issued in May, 1935, in the case of those who enjoy vacation leave has been reduced to nil?

(g) Is it a fact that in the addenda to State Railway Rules, issued in May, 1935, there is absolutely no provision similar to that made in Fundamental Rule 82 for leave in case of sickness and on medical certificate?

(h) Is it a fact that vacations in schools are allowed at fixed times in consonance with the rules of the educational department?

(i) Is it a fact that the staff employed in East Indian Railway schools have occasionally to take leave on medical certificate when there are no vacations in the schools?

(j) Is it a fact that according to the rules now in force there is absolutely no provision for leave on full average pay on medical certificate and the staff are allowed leave on half pay or without pay?

(k) Is it a fact that no rebate has been allowed to staff employed in railway schools for previous service in the rules enforced in May, 1935?

(l) Is it also a fact that the rules framed in 1935 have been enforced with retrospective effect?

(m) Is it a fact that the Oakgrove School at Jharipani for Europeans and Anglo-Indians has been exempted from these rules and staff employed therein still enjoy the old East Indian Railway Leave Rules? If so, why has this discrimination been made between Indian and Anglo-Indian or European staff?

(n) Do Government propose to take steps to remove the hardship involved by the omission of provision for leave on average pay on medical certificate and provide a saving clause in the rules framed in May, 1935, corresponding to the Fundamental Rule No. 82?

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

APPOINTMENT, DISCHARGE AND DISMISSAL OF THE STAFF IN THE EAST INDIAN RAILWAY SCHOOLS.

572. **Mr. N. M. Joshi:** (a) Is it a fact that in May, 1935, the Railway Board decided that all East Indian Railway Schools should be managed directly by the Railway administration and should for this purpose be placed under the control of Divisional Superintendents who should in future exercise powers regarding appointments, discharge and dismissal, etc., of the staff employed in these schools and that the staff should have a right of appeal to the authority next above to that passing orders, subject to the provision of the rules regulating the discharge and dismissal of State Railway non-gazetted government servants?

(b) Is it a fact that the East Indian Railway administration, in applying the above decision of the Railway Board, have ruled that the Divisional Superintendent is to act through an Executive Officer and he is to appoint, discharge and dismiss all staff employed in the school under his charge and all appeals against the order of the Executive Officer will lie with the Divisional Superintendent only?

(c) Is it a fact that, even prior to the decision of the Railway Board, these schools were managed by and through executive officers?

(d) Is it a fact that the Railway Board had arrived at their decision of May, 1935, consequent on the adverse criticism of the management and insecurity of service obtained in the East Indian Railway Schools?

(e) Do Government propose to enquire why the East Indian Railway administration have gone against the decision of the Railway Board and vested the power of appointment, discharge and dismissal in executive officers, instead of Divisional Superintendents themselves and deprived the staff of the right to appeal to the Agent—the authority next above to the Divisional Superintendents?

(f) Are Government aware that the executive officers are Railway officers, having no contact with educational matters?

(g) Is it a fact that headmasters have sometimes to differ from executive officers in opinions regarding the actual day to day administration?

(h) Are Government aware that headmasters of all Government schools under Provincial Government are gazetted officers in the provincial educational services of the provinces concerned?

(i) Are Government aware that headmasters of Provincial Government schools, are not even punishable by the Divisional Inspectors of Schools, though they are directly subordinate to and responsible to the latter?

(j) Do headmasters of East Indian Railway Schools enjoy the same powers and scales of pay as headmasters of Government schools of the provinces in which they are situated? If so, will Government be pleased to state whether they propose to place them directly under the Divisional Superintendents, but dischargeable and dismissable only by the Agent with a right of appeal to the Railway Board?

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

GAZETTED RANK FOR THE FOUR HEADMASTERS OF THE EAST INDIAN RAILWAY INDIAN HIGH SCHOOLS.

573. **Mr. N. M. Joshi:** (a) Is it a fact that the Railway Board, in the Government of India Gazette, dated the 11th January, 1936, gazetted the following as honorary gazetted officers on the East Indian Railway?

1. the headmaster of the Oakgrove School, Jharipani, for Europeans and Anglo-Indians;
 2. the first assistant master of the same school;
 3. the headmistress of the girls department of the same school;
 4. the headmistress of the junior department of the same school;
- and
5. the headmaster of the Asansol H. E. School.

(b) On what principles were these officers gazetted as officers?

(c) Is it a fact that in the Oakgrove School for Europeans and Anglo-Indians there are now, besides the Principal, four (two men and two women) gazetted officers working as headmasters, assistant masters and mistresses, etc.?

(d) Is it a fact that the four headmasters of East Indian Railway High Schools for Indians have been given the powers and scales of pay enjoyed by headmasters of the Government schools of the provinces in which their schools are situated, and have not been given the same status or the status afforded to the headmaster, first assistant master or the headmistresses of the junior departments of the Oakgrove School for Europeans and Anglo-Indians?

(e) Will Government please state whether they propose to consider the case of the four headmasters of the Indian High Schools and give them also the same rank as gazetted officers?

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

INCONVENIENCE OF CERTAIN CABIN STAFF ON THE GREAT INDIAN PENINSULA RAILWAY.

574. **Mr. N. M. Joshi:** Will Government be pleased to state:

- (a) if it is a fact that certain cabins on the Great Indian Peninsula Railway, such as Kurla 'H', Kurla 'J', Kalyan 'A', Kalyan 'E', Rawli, etc., are far away from stations and that there is no suitable conveyance for the cabin-staff working at these cabins;
- (b) if it is a fact that for the convenience of these cabinmen certain trains used to stop at the cabins to carry the cabin staff from and to the stations;
- (c) if it is a fact that this practice is now stopped;
- (d) if the answer to part (a) above be in the affirmative, whether it is not a fact that, as a result, these cabinmen are put to great hardship, especially in rainy season, due to the fact that there is no conveyance, whatsoever, between the cabins and the stations and that there is every danger from snakes, thieves, etc., as these cabins are situated in solitary places; and
- (e) whether Government are prepared to revive the old practice of carrying the cabin staff on the trains; if not, why not?

The Honourable Sir Muhammad Zafrullah Khan: Government have no information and do not consider any useful purpose will be served by collecting it. These are matters of detailed administration entirely within the competence of the Agent to decide, to whom a copy of the question has been sent for information and such action as he may consider necessary.

SUPPLY OF NECESSARY UNIFORMS FOR A CABINMAN OFFICIATING AS A GUARD ON THE GREAT INDIAN PENINSULA RAILWAY.

575. **Mr. N. M. Joshi:** Will Government be pleased to state:

- (a) whether it is a fact that when a cabinman or other employee on the Great Indian Peninsula Railway officiates as a guard for less than two months, he is not eligible for 'good conduct money' for the period he so officiates and therefore he cannot equip himself with the necessary uniform;
- (b) the total number of such officiating guards, who were paid the good conduct money, and the number of those who were not so paid for the year 1935-36;

- (c) whether there is no arrangement for supplying rain coats to staff officiating as guards, on the Great Indian Peninsula Railway;
- (d) whether these rain coats are *essential* for these officiating guards; and
- (e) if so, whether they propose to make necessary arrangements to equip these guards with rain coats; if not, why not?

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

DIFFERENTIAL TREATMENT IN RESPECT OF WORKING OF CERTAIN CABINMEN AND LEVERMEN ON THE GREAT INDIAN PENINSULA RAILWAY.

576. **Mr. N. M. Joshi:** (a) Is it a fact that at all the stations in the Bombay Division on the Great Indian Peninsula Railway, excepting Umarmali and Atgaon, levermen work for the same number of hours as cabinmen in the same cabins?

(b) If so, why are Umarmali and Atgaon, where cabinmen work for only eight hours and levermen for 12 hours, being treated differently in this respect?

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

CLASSIFICATION OF TICKET COLLECTORS AT MANMAD ON THE GREAT INDIAN PENINSULA RAILWAY AS "INTERMITTENT WORKERS".

577. **Mr. N. M. Joshi:** Will Government be pleased to state:

- (a) whether the Ticket Collectors at Manmad on the Great Indian Peninsula Railway were classified as "Continuous Workers" till 1934;
- (b) whether they are now re-classified as "Intermittent Workers";
- (c) whether the Labour Supervisor recently recommended that these Ticket Collectors should be classified as "Continuous Workers" and not as "Intermittent Workers";
- (d) the reasons why the recommendation of the Labour Supervisor was not given effect to; and
- (e) whether it is a fact that the pressure of work on these Ticket Collectors is heavier at present, due to the fact, that their number has been reduced from 21 to 15 since 1934 and that there is no decrease in the number of trains to be dealt with?

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

CLASSIFICATION OF GATEMEN WORKING AT UMARMALI ON THE GREAT INDIAN PENINSULA RAILWAY AS "INTERMITTENT WORKERS".

578. **Mr. N. M. Joshi:** Will Government be pleased to state whether the gatemen working at Umarmali on the Great Indian Peninsula Railway:

have been classified as "Intermittent Workers" and that the Labour Supervisor has recommended that they should be classified as "Continuous Workers"? If so, why has this recommendation not been given effect to?

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

INCREASE IN THE PAY OF THE INFERIOR SERVANTS WORKING NEAR IGATPURI ON THE GREAT INDIAN PENINSULA RAILWAY.

579. Mr. N. M. Joshi: Will Government be pleased to state:

- (a) whether the inferior servants at Igatpuri on the Great Indian Peninsula Railway get higher pay than those working in places near Igatpuri, because the standard of living in Igatpuri is higher;
- (b) whether the inferior servants working in these places near Igatpuri are required to purchase their food-stuff, etc., at Igatpuri, and whether they are supplied with Provision Passes by the Administration for this purpose; and
- (c) if the answer to part (b) be in the affirmative, whether they are prepared to raise the pay of these inferior servants in these places; if not, why not?

The Honourable Sir Muhammad Zafrullah Khan: Government have no information and do not consider the expense and trouble involved in collecting it will be commensurate with the results likely to be obtained. These are matters of detailed administration entirely within the competence of the Agent to decide and a copy of the question has been sent to him for information and such action as he may consider necessary.

RATERS EMPLOYED AT FORWARDING SIDE AT WADI BUNDER GOODS DEPOT ON THE GREAT INDIAN PENINSULA RAILWAY.

580. Mr. N. M. Joshi: Will Government be pleased to state:

- (a) the number of raters employed at Forwarding Side at Wadi-Bunder Goods Depot on the Great Indian Peninsula Railway;
- (b) the total number of consignments for the years 1920, 1924, 1928, 1932, and 1936;
- (c) the number of grades and the number of employees in each of these grades, working at Wadi-Bunder Goods Depot on the Great Indian Peninsula Railway, for the years 1924, 1928, 1932, and 1936;
- (d) whether it is a fact that there were five in-charge raters at Forwarding Side of the Wadi-Bunder Goods Depot on the Great Indian Peninsula Railway formerly;
- (e) whether it is a fact that the number of these in-charge raters has been reduced by one;
- (f) whether it is a fact that the pressure of work to be done by each of these in-charge raters has become heavier due to this reduction;

- (g) whether it is a fact that at the time of the Court of Enquiry, the contention of the Administration and the Railway Board was that the conditions of work would not be made worse due to retrenchment; and
- (h) if the answer to part (d) be in the affirmative, whether the above reduction in the number of in-charge raters is not contrary to the principles stated before the Court of Enquiry?

The Honourable Sir Muhammad Zafrullah Khan: (a) to (f). Government have no information. These are matters of detailed administration in which full powers have been delegated and Government are not prepared to interfere.

(g) Government have no information.

(h) Government have no reason to believe that the number of raters referred to has been reduced without justification. I am, however, sending a copy of this question to the Agent, Great Indian Peninsula Railway, for such action as he may consider necessary.

SPECIAL PAY FOR NON-OPERATIVE TELEGRAPHISTS FOR DOING SOME SUPERVISORY DUTIES NOT REQUIRING ANY TECHNICAL ABILITY.

581. Sardar Sant Singh: (a) Is it a fact that a special pay was provided in paragraph 99 (ii) of the Manual of Appointments and Allowances of the Indian Posts and Telegraphs Department, as it was originally worded, for non-operative telegraphists for doing some supervisory duties not requiring any technical ability? If so, why was the special pay provided?

(b) Is it a fact that the non-operative telegraphists mentioned in part (a) are being replaced by clerks?

(c) If the replies to parts (a) and (b) be in the affirmative, will Government be pleased to state whether they will grant the special pay to the clerks now doing the same duties? If not, why not?

(d) Is it a fact that Government maintain that the basis of the allowance for the non-operative duties of telegraphists referred to above is compensatory? If so, will Government be pleased to state how?

(e) Is it a fact that the signalling allowance of telegraphists is their pie-money?

(f) Is it a fact that all telegraph lines are not pie-money lines and all telegraphists cannot score and earn pie-money even if they wish?

(g) Is it a fact that many of the telegraphists, employed on non-operative duties on an allowance, were very senior men?

(h) Is it a fact all telegraphists employed on non-operative duties were granted allowance?

(i) If the replies to parts (e), (f) and (g) be in the affirmative, will Government be pleased to state why all telegraphists employed on non-operative duty were given an allowance?

The Honourable Sir Frank Noyce: (a) The facts in the first part of the question are substantially as stated by the Honourable Member, but I would point out that the rule referred to is obsolete. As regards the second part the allowance was granted to telegraphists employed on such duties, in order to compensate them for the loss of chances of earning pie money and overtime.

(b) Yes.

(c) Does not arise.

(d) Yes. The grounds for maintaining that the allowance was compensatory are given in the answer to the second part of the question at (a).

(e) No. Pie money is an allowance granted to telegraphists for disposing of traffic in excess of certain fixed standards.

(f) Yes.

(g) No.

(h) No.

(i) Does not arise.

CONVERSION OF DEPARTMENTAL TELEGRAPH OFFICES INTO COMBINED OFFICES

582. **Sardar Sant Singh:** (a) Will Government be pleased to state whether it is their policy to convert departmental telegraph offices into combined offices if this can be effected with economy and without loss of efficiency?

(b) Is it not a fact that conversion of departmental telegraph offices has resulted in greater number of cases of mutilations and of delay of traffic everywhere?

(c) Is it a fact that there were loud complaints from the public and the Chamber of Commerce soon after the conversion of Cochin departmental telegraph office?

(d) Is it not a fact that, according to new rates of pay, the pay of telegraphists and telegraph masters is almost equal to the pay of postal signallers and postal selection grade clerks respectively?

(e) Is it not a fact that conversion of departmental telegraph offices involves circuit charges, causing enormous expenditure?

(f) If the replies to parts (a) to (e) be in the affirmative, will Government be pleased to state how economy is effected and efficiency maintained by conversion of departmental telegraph offices into combined offices?

(g) Are Government prepared to reconsider the question of conversion of departmental telegraph offices and abandon their policy of conversion? If not, why not?

(h) Are Government prepared to invite the opinion of the different Chambers of Commerce of India and Burma regarding the efficiency of the departmental telegraph offices and combined offices? If not, why not?

The Honourable Sir Frank Noyce: (a) Yes, but the conversion is also subject to administrative considerations.

(b) Government have no reason to believe that the facts are as stated by the Honourable Member.

(c) No.

(d) Under the new rates of pay the difference between the scales of pay of telegraphists, and telegraph masters and of postal signallers and postal selection grade clerks, respectively, is less than under the old scales of pay.

(e) In considering the question of conversion the expenditure involved in making any circuit changes that may be necessary is not ignored. In no case can it be described as "enormous".

(f) Does not arise in view of the reply to parts (b) to (e) above.

(g) The policy of conversion as stated in reply to part (a) of the question is based on long established principles and Government see no reason to depart from it.

(h) No. If there is inefficiency anywhere the Chambers will no doubt bring the matter to the notice of Government.

COMMUNAL COMPOSITION OF CERTAIN STAFF IN THE FORMS PRESS, ALIGARH.

583. **Pandit Sri Krishna Dutta Paliwal:** Will Government please state in what respect the minorities in the Aligarh Press are in less number in the Press, and state the number of employees, all superior and inferior, by communities in the Composing Branch, Printing Branch, Bindery Branch, Stereo Branch, Mechanical Branch, separately?

The Honourable Sir Frank Noyce: A statement giving the communal composition of the staff in the Branches of the Aligarh Press named in the question is laid on the table.

Statement.

Branch.	Superior.				Inferior.			Total.
	Hindus.	Muslim.	Indian Christian.	Other Comm-unities.	Hindus.	Muslims	Indian Christ-ian.	
Composing . . .	7	9	2	..	1	3	..	22
Printing . . .	31	7	1	..	37	24	2	102
Bindery . . .	41	38	4	..	27	24	1	135
Stereo . . .	3	6	..	..	..	1	..	10
Mechanical . . .	5	5	2	1	5	2	1	21
Total . . .	87	65	9	1	70	54	4	290

ENQUIRY COMMITTEE TO INVESTIGATE INTO MATTERS IN THE FORMS PRESS, ALIGARH.

584. **Pandit Sri Krishna Dutta Paliwal:** Are Government prepared to appoint an enquiry committee to investigate all matters in the Aligarh Press?

The Honourable Sir Frank Noyce: No.

APPOINTMENT OF CIVILIAN ASSISTANT STOREKEEPERS IN EVERY FOURTH VACANCY IN THE CADRE OF B. O. R.'s.

585. **Pandit Sri Krishna Dutta Paliwal:** (a) Is it a fact that in the year 1929, it was decided to Indianise I. A. O. C. partly and to throw open every fourth vacancy in the cadre of B. O. R.'s to a civilian Assistant Store Keeper?

(b) Will Government please state if every such vacancy has since gone to a civilian Assistant Store Keeper? If not, why not?

(c) If the answer to part (b) be in the negative, has it anything to do with the new scheme of Indian Military Assistant Store Keepers? If so, does it not contravene the assurance given in writing by the Director of Ordnance Services to the association of Assistant Store Keepers and storemen that the recruitment of Military Assistant Store Keepers will not, in any way, encroach upon the proportion allotted to the civil wing?

(d) Will Government please state what led to the introduction of the military scheme over the head of the civilian scheme so soon after the introduction of the latter?

Mr. G. B. F. Tottenham: (a) Yes, but the decision was reached in 1928.

(b) No. After a trial at which they proved entirely successful, it was decided that Indian military personnel should be accepted up to 8 1/3 per cent. of the whole establishment, before more civilians were taken.

(c) A statement to the effect quoted by the Honourable Member was made by an Assistant Director of Ordnance Services, but it was made without authority.

(d) The military scheme was introduced five years after the civilian scheme because Indian Military Assistant Storekeepers proved better and cheaper than civilians.

QUALIFICATIONS DEMANDED OF THE CIVILIAN ASSISTANT STORE KEEPERS FOR APPOINTMENT IN THE CADRE OF B. O. R.'s.

586. **Pandit Sri Krishna Dutta Palwal:** (a) Is it a fact that a much higher educational standard and family state services were demanded of the civilian Assistant Store Keepers at the time of recruitment? Has this standard been lowered in the case of Military Assistant Store Keepers?

(b) Is it a fact that direct recruitment of graduates and men of higher family status has been given up in favour of departmental promotions from storemen?

(c) Is it a fact that Indian Non-Commissioned Officer, possessing only first class educational Army certificate which is hardly equivalent to the eighth standard in the schools, have been brought into the department?

Mr. G. B. F. Tottenham: (a) The educational standard was lowered because it was found that military training produced better candidates.

(b) Direct recruitment has generally been given up in favour of departmental promotions from storemen, and of the appointment of military storekeepers.

(c) Indian Non-Commissioned officers with the first class certificate of education have been brought into the department. This certificate is certainly equivalent to the eighth standard in the schools.

KIRKEE SCHOOL EXAMINATION RESULTS OF THE B. O. R. AND ASSISTANT STORE KEEPER CLASSES.

587. Pandit Sri Krishna Dutta Paliwal: Will Government place on the table of this House a statement of the Kirkee school examination results of the B. O. R. and Assistant Store Keeper classes held since 1929 and the number and proportion of distinctions obtained by each class and also state if any Assistant Store Keepers have been tried as storeholders and if so, with what result?

Mr. G. R. F. Tottenham: The labour involved would be considerable and the information of little value, since the syllabus for the two courses is different. So far as Government are aware, no Assistant Store Keeper has yet been tried as a Storeholder.

ARREST AND DETENTION OF SARDAR GURUCHARAN SINGH.

588. Sardar Sant Singh: (a) On what date was Sardar Gurucharan Singh arrested under Regulation III of 1818, and at which places has he been confined under the same Regulation?

(b) Has any allowance been fixed for his maintenance? If not, why not?

(c) Has his case been reviewed every six months, as is done in the case of other interneers under the same Regulation? If so, what are the reports of the judges who reviewed his case?

(d) Are Government aware that Sardar Gurucharan Singh has contributed towards the Silver Jubilee Fund, Delhi, and King George's Silver Jubilee Fund, London? If so, what amounts, and are Government aware that such contribution was accepted?

(e) Did Sardar Gurucharan Singh convey his respectful condolence through the Government of India on the death of His Late Majesty King George to His Majesty the present King? Has any message been received back from His Majesty the King?

(f) Is it a fact that the private property belonging to Sardar Gurucharan Singh has been taken possession of by Government? If so, why?

(g) Is it a fact that the maintenance allowance was reduced from Rs. 25,000 to Rs. 10,000? If so, when and why?

(h) Is it a fact that a deduction of Rs. 2,000 a month is being made from his allowance of Rs. 10,000 on the ground of having paid off some incumbrances on his private property? If so, how did Government reconcile the deduction of Rs. 2,000 a month with the deprivation of the ownership of the property redeemed?

Sir Aubrey Metcalfe: (a) He was arrested on 22nd February, 1928 and has since been detained at Kodaikanal.

(b) He receives a maintenance allowance of Rs. 10,000 per mensem.

(c) The reply to the first part is in the affirmative. Government are not prepared to disclose these reports which are confidential documents.

(d) Government are aware that Sardar Gurucharan Singh subscribed £100 to the King George's Jubilee Trust Fund, London, and that this contribution was accepted. They have no information regarding any contribution from him to the Silver Jubilee Fund, Delhi.

(e) Yes. An acknowledgment has been received.

(f) The answer to the first part is in the negative; the second part does not arise.

(g) I would refer the Honourable Member to the Communiqué issued on the 19th February, 1928. I lay a copy on the table.

(h) As regards the first part, the facts are that the Nabha Darbar make a deduction of Rs. 2,000 per mensem from the allowance of the ex-Maharaja towards liquidation of the amount paid by them in satisfaction of his private debts. The second part does not arise in view of my reply to part (f) of the question.

Communiqué, dated and issued on 19th February, 1928.

Under the conditions whereby Maharaja Ripudaman Singh, now known as Maharaja Gurcharan Singh, was permitted to sever his connexion with the Nabha State he undertook to remain loyal to Government: it was expressly laid down at the same time that in the event of his failing to act accordingly Government reserved the right to modify or annul the other conditions attaching to his severance from the State. From evidence in their possession the Government of India are satisfied that Maharaja Gurcharan Singh has repeatedly taken part in disloyal activities since his departure from Nabha. He has been clearly warned of the consequences which a continuance of such conduct would entail, but this warning has been without effect. The Government of India have accordingly been compelled to pass orders that he shall be deprived of the title of Maharaja and of all rights and privileges pertaining thereto, that his allowance from the Nabha State shall be reduced from Rs. 25,000 to Rs. 10,000 a month, and that he shall, until further notice, take up his residence at Kodaikanal in the Madras Presidency. His son, the Tikka Sahib, who becomes Maharaja in his stead, will be formally installed on the *gadi* of Nabha at the earliest opportunity.

LITERARY PROGRESS IN BRITISH INDIA IN CERTAIN LANGUAGES.

589. Mr. M. S. Aney: (a) Will Government be pleased to place on the table a statement showing the following information:

- (i) the number of periodicals published in British India in each of the languages (in the years 1932-33, 1933-34 and 1934-35) English, Sanskrit, Marathi, Bengali, Hindi, Gujarati, Kanarese, Telugu and Tamil; and
- (ii) the number of books classified according to subjects published in each of the above mentioned languages every year from 1921 to 1935?

(b) Do Government propose to issue a consolidated statement every year, giving the information regarding the progress of the literature in the above languages in British India?

Sir Girja Shankar Bajpai: (a), (i) and (ii). Almost all the information desired by the Honourable Member is available in the Quarterly Catalogues of Books and Periodicals published under the Press and Registration of Books Act, 1867 (Act XXV of 1867) by the various Provincial Governments in India. Copies of these Reports for 1932-33 and 1933-34 have been lent to the Library of the House, in case the Honourable Member should desire to follow up the matter. Steps will also be taken to supply the Library with copies of these catalogues in future.

(b) In view of the fact that each Provincial Government compiles quarterly lists of Books and Periodicals the Government of India do not consider it necessary to issue an annual consolidated statement such as that suggested by the Honourable Member.

RURAL CONDITION IN DELHI PROVINCE.

590. **Mr. Satya Narayan Sinha:** (a) Has the attention of Government been drawn to the statement of the General Secretary of the Delhi District Congress Committee *apropos* the statement laid by the Honourable the Home Member in reply to certain criticisms of rural condition in the Delhi Province?

(b) Will Government be pleased to state the names of the villages where new tube wells have been sunk and old ones repaired by the Local Government?

(c) Will Government be pleased to enumerate the names of the fifteen High English Schools in the rural area of Delhi referred to in the said statement?

The Honourable Sir Henry Craik: (a) I have seen the statement.

(b) I lay a statement on the table.

(c) The following fifteen Night Schools have been constructed: the reference to "High" Schools in the statement laid on the table on the 20th March was due to a typographical error.

- | | |
|----------------|-----------------------|
| (1) Barwala. | (9) Palam. |
| (2) Hauz Rani. | (10) Sultanpur Dibas. |
| (3) Isapur. | (11) Bakhtawarpur. |
| (4) Khureji. | (12) Bawana. |
| (5) Bijwasan. | (13) Daryapur. |
| (6) Badli. | (14) Kanjhawla. |
| (7) Narela. | (15) Najafgarh. |
| (8) Munirka. | |

Statement.

(a) *List of wells of Delhi Province villages selected for immediate repairs.*

Serial No.	Name of village.	Name of Zail.	Estimated cost.	Remarks.
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Rs.

Wells repaired by the end of March 1936.

1	Dindarpur	Najafgarh	75	
2	Paprawat	"	300	
3	"	"	260	
4	Nangli Sakranti	"	75	
5	"	"	46	
6	Mitraon	"	260	
7	Jharoda Kalan	"	100	
8	Dichaon Kalan	"	310	
9	Kakraula	"	25	
10	Hauz Khas	Mehrauli	330	
11	Begampur	"	265	
12	Kalu Serai	"	120	
13	Shahpur Jut	"	50	

Serial No.	Name of village.	Name of Zail.	Estimated cost.	Remarks.
			Rs.	
14	Hauz Rani	Mehrauli	180	
15	Chiragh Delhi	"	305	
16	" "	"	200	
17	" "	"	340	
18	Khirki	"	255	
19	"	"	210	
20	Rasulpur	Kanjhawla	195	
21	Ranikhera	"	150	
22	Madanpur	"	215	
23	Chataisar	"	230	
24	Nilwa'	"	210	
25	Tikri Kalan	"	150	
26	Qamardin Nagar	"	105	
27	Punjab Khor	"	115	
28	Bapraula	"	75	
		Total	5,156	

Wells in process of repairs.

1	Manthaula	Najafgarh	285
2	Chhaola	"	75
3	Pindwala Khurd	"	305
4	Katwaria Serai	Mehrauli	245
5	Meo Serai	"	245
6	Jia Serai	"	95
		Total	1,250

Wells for the repairs of which contracts have been given and the work is likely to be completed by the end of April, 1936.

1	Bamrauli	Najafgarh	120
2	Dhul Siras	"	120
3	Ambarhia	"	200
4	Pochanpur	"	55
5	Nanak Heri	"	75
6	Kangan Heri	"	270
7	" "	"	240
8	Badu Sara	"	195
9	Khaz Kari	"	160
10	Kharkhari Round	"	205
11	Pindwala Kalan	"	265
12	Manirka	Mehrauli	45
13	"	"	75
14	Basant Nagar	"	220
15	Deoli	"	290
		Total	2,535

(b) List of wells selected for repairs and the work of their repair will be taken in hand after April, 1936.

Serial No.	Name of village.	Name of Zail.	Estimated cost.	Remarks.
			Rs.	
1	Puth Kalan	Nangloi	75	
2	Kirari	"	295	
3	Nangloi Jat	"	265	
4	"	"	40	
5	Nithari	"	160	
6	Nangloi Sayyaddan	"	305	
7	Nilauthi	"	320	
8	Mogholpur Khurd	"	35	
9	Tehar	"	150	
10	Passangipur	"	235	
11	Ranhaulā	"	100	
12	Budhela	"	275	
13	Keshopur	"	325	
14	Tatarpur	"	110	
15	Rihala . . . .	" . . . .	..
16	Telangpur Kotla . . . .	" . . . .	..
17	Kapaserba	Palam	90	
18	Bindapur	"	215	
19	Bijwasan	"	40	
20	"	"	280	
21	"	"	310	
22	Nasirpur	"	45	
23	Bhartal	"	150	
24	Nawada	"	165	
25	Shahabad	"	165	
26	Naraina	"	70	
27	"	"	40	
28	Palam	"	40	
29	"	"	55	
30	"	"	80	
31	Nangal Raya	"	60	
32	Dabri	"	175	
33	Asalatpur	"	315	
34	Selampur	Shahdara	255	
35	Khureji	"	115	
36	Mandauli	"	100	
37	Garhi Mendho	"	210	
38	Usmanpur	"	160	
39	Ghazipur	"	165	
40	Patparganj	"	215	
41	"	"	70	
42	Jhil Khuranja	"	265	
43	"	"	215	
44	Karawal Nagar	"	95	
45	Chilla . . . .	" . . . .	..

Serial No.	Name of village.	Name of Zail.	Estimated cost.	Remarks.
			Rs.	
46	Kaithwara	Shahdara . . . .	..
47	Dandasa	Issepur	310	
48	"	"	140	
49	Ujwa	"	180	
50	"	"	310	
51	Kazipur	"	300	
52	Bakargarh	"	280	
53	Milakpur	"	165	
54	Sarangpur	"	105	
55	Mundhela Kalan	"	350	
56	Mundhela Khurd	"	340	
57	Jafarpur	"	320	
58	Shamashpur	"	250	
59	Jhuljhuli	"	320	
60	Ghalibpur . . . .	" . . . .	..
61	Ghuman Hera . . . .	" . . . .	..
62	" . . . .	" . . . .	..
63	Salahpur	Bawana	260	
64	"	"	230	
65	Tikri Khurd	"	100	
66	Bohore Garh	"	225	
67	Buraini	"	130	
68	Lampur	"	235	
69	Ghoga	"	130	
70	Bawana	"	145	
71	"	"	75	
72	Narela	"	135	
73	Bankner	"	100	
74	Bazidpur	"	210	
75	Daryapur Kalan	"	180	
76	Puth Khurd	"	190	
77	"	"	60	
78	Sultanpur	"	115	
79	Hulambi Kalan	"	160	
80	Naya Bans	"	160	
81	Khara Khurd	"	200	
82	Katowra	"	160	
83	"	"	220	
84	Auchandi . . . .	" . . . .	..
85	Singhaura	Alipur	145	
86	Singhru	"	130	
87	Padipur	"	200	
88	Burari	"	90	
89	Garhi Bakhtawarpur	"	160	
90	Hamidpur	"	90	
91	Bakhtawarpur	"	200	
92	Tegipur	"	190	
93	Sahibabad	"	120	
94	Siraspur . . . .	" . . . .	..
95	" . . . .	" . . . .	..
96	Khara Kalan . . . .	" . . . .	..
97	Khampur . . . .	" . . . .	..
98	Hiranki Khurd . . . .	" . . . .	..
		Total	15,015	

NOTE.—The estimates of a few wells have not yet been prepared and the total estimated cost may come to Rs. 16,000.

(C) *List of villages where new wells are proposed to be sunk.*

Serial No.	Name of village.	Name of Zail.
1	Tajpur Khurd	Najafgarh.
2	Jharoda Kalan	"
3	Jhatikra	"
4	Mitraon	"
5	Ladpur	Kanjhawa.
6	Gheora	"
7	Samada	"
8	Karala	"
9	Shikarpur	Issepur.
10	Asa'atpur	Palam,
11	Bagraula	"
12	Nangloi Zolib	"
13	Chandpur	"
14	Badhampur	"
15	Sanoth	"
16	Alipur	Alipur.
17	Garhi Alipur	"
18	Garhi Khera	"
19	Bhorepur	"
20	Ibrahimpur	"
21	Mohammedpur	"
22	Zindpur	"
23	Mukhmelpur	"
24	Banksuli	"
25	Begampur	Nangloi.
26	Chaukhandi	"
27	Todapur	Delhi.

(d) *List of villages where tube wells are proposed to be fitted up.*

Serial No.	Name of village.	Name of Zail.
1	Najafgarh	Najafgarh.
2	Surekhpur	"
3	Kakraula	"
4	Mundka	Kanjhawa.
5	Hirankudna	"
6	Lampur	Bawana.
7	Bazidpur	"
8	Nangal Thakran	"
9	Hulambi Khurd	"
10	Jat Khor	"
11	Mangeshpur	"
12	Harenli	"
13	Burari	Alipur.

Serial No.	Name of village.	Name of Zail.
14	Hiranki	Alipur.
15	Jbingaula	"
16	Barwala	"
17	Qadipur Kushak	"
18	Tajpur Kalan	"
19	Nangli Poona	"
20	Ramzanpur	"
21	Fatehpur Jat	"
22	Pahladpur	"
23	Saboli	Shahdara.
24	Taharpur	"
25	Ghonda	"
26	Manjpur	"
27	Gaonri	"
28	Shakarpur	"
29	Mandauli Fazalpur	"
30	Karkar Doma	"
31	Samaspur	"
32	Salahpur	"
33	Ghondli	"
34	Khichripur	"
35	Sherpur	"
36	Khajuri	"
37	Farkhnirpur	"
38	Dayalpur	"
39	Babarpur	"
40	Gokulpur	"
41	Wazirabad	"

HARDWAR STATION ON THE EAST INDIAN RAILWAY.

591. **Mr. Muhammad Azhar Ali:** Will Government please state:

- (a) the date when Hardwar station on East Indian Railway was built, together with the cost;
- (b) the date, when alterations and additions were made together with the cost for each alteration or addition;
- (c) the average number of passengers per day during the first year of the opening of the Hardwar station;
- (d) the average earning of the station during the first year;
- (e) the average number of passengers per day during 1935;
- (f) the average earning during 1935;
- (g) the particulars of alterations and additions made to the station building during days of *melas* along with cost per *mela*; and
- (h) the earnings of the station from *melas*?

The Honourable Sir Muhammad Zafrullah Khan: Enquiries are being made from the Railway Administration and a reply will be laid on the table in due course.

ALLIANZ UND STUTTGARTER LIFE INSURANCE BANK, LIMITED.

592. Dr. N. B. Khare: Is it a fact that the Registrar, Joint Stock Companies, Delhi, on the 23rd January, 1929, registered the Allianz Und Stuttgarter Life Insurance Bank, Limited, under Act VI of 1912? If so, will the Honourable Member of the Government for Commerce please place on the table a copy of the first annual report of the affairs, account, etc., under the policies effected in India on registration of the said Bank under Act VI of 1912, or state the date on which the said report was issued by the said Bank?

The Honourable Sir Muhammad Zafrullah Khan: The answer to the first part of the question is in the negative. The second part, therefore, does not arise.

ALLIANZ UND STUTTGARTER LIFE INSURANCE BANK, LIMITED.

593. Dr. N. B. Khare: Is it a fact that under section 4 of Act VI of 1912 the Allianz Und Stuttgarter Life Insurance Bank, Limited, had deposited securities equal in amount to one-third of the increase to Life Assurance Fund, as shown in the Revenue account for the first financial year? If so, will the Honourable Member of the Government for Commerce please state:

- (a) the date, the amount and the nature of securities deposited;
- (b) the amount of the revenue account of the Life Assurance Fund upon which the amount of securities deposited is based; and
- (c) the amount of policies effected in India?

The Honourable Sir Muhammad Zafrullah Khan: The answer to the first part of the question is in the negative. The second part, therefore, does not arise.

ALLIANZ UND STUTTGARTER LIFE INSURANCE BANK, LIMITED.

594. Dr. N. B. Khare: Is it a fact that the Allianz Und Stuttgarter Life Insurance Bank, Limited, keeps a separate account of all receipts of the Life Assurance business in Indian currency as required by section 5 of Act VI of 1912? If so, what is the amount of the said account as it stood on 1st April, 1930, 1931, 1932, 1933, 1934, 1935, and 1936?

The Honourable Sir Muhammad Zafrullah Khan: The answer to the first part of the question is in the negative. The second part, therefore, does not arise.

ALLIANZ UND STUTTGARTER LIFE INSURANCE BANK, LIMITED.

595. Dr. N. B. Khare: Is it a fact that the Governor General in Council have satisfied themselves that the Life Assurance Fund in Indian currency of the Allianz Und Stuttgarter Life Insurance Bank, Limited, is absolutely secured against the policies effected in India, as required

under section 6 of Act VI of 1912? If not, what action has been taken by the Honourable Member of the Government for Commerce to absolutely secure the Life Assurance Fund against the policies effected in India in Indian currency, and if not, why not?

The Honourable Sir Muhammad Zafrullah Khan: The answer to the first part of the question is in the negative. The second part, therefore, does not arise.

ALLIANZ UND STUTTGARTER LIFE INSURANCE BANK, LIMITED.

596. Dr. N. B. Khare: Is it a fact that under section 7 of Act VI of 1912 the Allianz Und Stuttgarter Life Insurance Bank, Limited, prepares the revenue accounts, etc., in Indian currency in each financial year under policies effected in India? If so, will the Honourable Member of the Government for Commerce please place on the table a copy of the said account for each financial year, and if not, why not?

The Honourable Sir Muhammad Zafrullah Khan: The answer to the first part of the question is in the negative. The second part, therefore, does not arise.

ALLIANZ UND STUTTGARTER LIFE INSURANCE BANK, LIMITED.

597. Dr. N. B. Khare: Is it a fact that under section 8 of Act VI of 1912 the Allianz Und Stuttgarter Life Insurance Bank, Limited, caused an investigation including valuation of its liabilities under policies effected in India by the Actuary? If so, will the Honourable Member of the Government for Commerce please state the date on which and the result of the valuation of the liabilities under policies effected in India was last investigated by the Actuary; and if not, why not?

The Honourable Sir Muhammad Zafrullah Khan: The answer to the first part of the question is in the negative. The second part, therefore, does not arise.

ALLIANZ UND STUTTGARTER LIFE INSURANCE BANK, LIMITED.

598. Dr. N. B. Khare: Is it a fact that under section 11 of Act VI of 1912 the Allianz Und Stuttgarter Life Insurance Bank, Limited, had deposited with the Governor General in Council the accounts in Indian currency under the policies effected in India? If so, will the Honourable Member of the Government for Commerce please state the date on which the accounts in Indian currency under policies effected in India were deposited? If none, why not?

The Honourable Sir Muhammad Zafrullah Khan: The answer to the first part of the question is in the negative. The second part, therefore, does not arise.

ALLIANZ UND STUTTGARTER LIFE INSURANCE BANK, LIMITED.

599. **Dr. N. B. Khare:** Is it a fact that under section 12 of Act VI of 1912 the Allianz Und Stuttgarter Life Insurance Bank, Limited, had submitted to the policy-holders a report on the affairs of the Bank under the policies effected in India? If so, will the Honourable Member of the Government for Commerce please state the date on which the report was submitted, and if none, why not?

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

SUPPLY OF SWEETS AND *Puris* AT RAILWAY STATIONS ON PIECES OF DIRTY AND WASTE PAPER.

600. **Mr. Ghansham Singh Gupta:** (a) Are Government aware that sweets and *puri* vendors at the various Railway stations supply vegetable, *puris* and sweets on pieces of dirty and waste paper to the passengers?

(b) Are Government prepared to compel the vendors to use leaves instead of waste paper?

The Honourable Sir Muhammad Zafrullah Khan: (a) Government have not received any complaints on this point.

(b) I am bringing the Honourable Member's question to the notice of the various Railway Administrations, and am asking them to look into the matter.

RELATIONSHIP OF SOME CLERKS OF THE MEDICAL STORE DEPOT, LAHORE CANTONMENT, WITH CONTRACTORS IN THAT DEPOT?

601. **Raizada Hans Raj:** (a) Will Government please state if it is a fact that some clerks of the Medical Store Depot, Lahore Cantonment, have got their relatives as contractors in that Depot?

(b) Is it not against regulations?

(c) What steps do Government intend to take to disallow contracts in one particular department in which the employee is related to the contractors?

Mr. G. R. F. Tottenham: (a) Government have no definite information, but it is possible that some of the contractors may have relatives in the clerical establishment of the Depot.

(b) No.

(c) Government do not intend to take any action because the placing of contracts does not lie within the competence of clerks.

REMOVAL OF IMPORT DUTIES ON MIMOSA EXTRACT.

602. **Mr. Sami Vencatachelam Chetty:** (a) Are Government aware that wattle bark was being used for tanning purposes and that the import duties thereon were cancelled?

(b) Are Government aware that Mimosa extract is now being largely used?

(c) Is it a fact that Mimosa extract is subject to a duty of 25 per cent. *ad valorem*?

(d) Are Government prepared to remove any duties on the imports of Mimosa extract also?

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

(b) Government have received representations to this effect.

(d) Government have the matter under consideration.

PAUCITY OF MUSLIMS IN THE NORTH WESTERN RAILWAY DIVISION, DELHI.

603. **Qazi Muhammad Ahmad Kazmi:** (a) Is it a fact that out of the 32 officers employed in the North Western Railway Division, Delhi, 20 are Hindus and 12 Anglo-Indians and Europeans?'

(b) Is it a fact that the office Superintendent is also a non-Muslim?

(c) Is it a fact that of the ten head clerks in that office, only one is a Muslim?

(d) Is it a fact that both the Divisional Engineers in that office are residents of Delhi?

(e) If the figures given in parts (a) to (c) be not correct, will Government be pleased to state the correct figures?

(f) Do Government propose to recruit more Muslims in the official class, and if not, are Government prepared to have some Muslim officers by means of necessary transfer?

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

TRAFFIC IN MONKEYS FROM THE PROVINCES TO CALCUTTA FOR EXPORT TO FOREIGN COUNTRIES.

604. **Pandit Krishna Kant Malaviya:** (a) Are Government aware that there still exists considerable traffic in monkeys from the provinces to Calcutta for export to foreign countries? Can Government state to which countries the monkeys are mainly exported and for what purposes?

(b) Has the attention of Government been drawn to a recent case in which a consignment of monkeys was brought to Charbagh Station (Lucknow) for transport by rail to Calcutta in conditions which violated the regulations described in the reply to questions Nos. 659 and 660 asked in this Assembly on the 22nd September, 1931?

(c) Do Government propose to issue special instructions to Railways to see that the regulations are strictly carried out, and not to book monkeys for conveyance by train unless the Station Master has satisfied himself that the box or crate is adequate in size to avoid overcrowding and that food and water is provided?

The Honourable Sir Henry Craik: (a) I am making enquiries and will lay the information on the table of the House in due course.

(b) and (c). No, but if the Honourable Member will let me know the date to which the case refers, I will have enquiries made and consider what further instructions, if any, are called for.

STATEMENTS LAID ON THE TABLE.

Information promised in reply to starred question No. 792, asked by Pandit Sri Krishna Dutta Paliwal on the 25th February, 1936.

VILLAGERS ASKED TO LEAVE THEIR VILLAGES IN JHANSI TEHSIL FOR MILITARY MANŒUVRES.

(a) and (b). The required information is given in the attached statement.

(c) The Royal Artillery Headquarters at the Babina camp gave notice of the villages to be cleared a week before the date on which they were to be cleared. The information was communicated to the villagers by means of patwaris and police constables and every village received at least four days' notice. On November 27th, a rehearsal of the evacuation was carried out by the police and villagers were on that occasion warned in writing to remove old and infirm persons and pregnant women. The actual clearing of individual villages was carried out under the supervision of the police in the early morning at about 6 A.M. on the day of evacuation.

(d) The information is given in the attached statement.

(e) The artillery practice ceased between 4 P.M. and 4-30 P.M. on each day and after that hour the villagers were at liberty to return to their homes. During the period of evacuation they were free to go anywhere they wished outside the danger area. Some went to villages outside this area, while others encamped for the day under trees. No special arrangements were made for shelter.

(f) No. This allegation was made in the *Pratap* newspaper of January 9th. The District Magistrate ordered an enquiry to be made by the Compensation Officer, an Indian Member of the Indian Civil Service. His report was to the effect that a woman belonging to Nagda village gave birth to a child in a house in the village of Todi on December 11th, 1935.

(g) It is a fact that a man named Latkan, Lambardar of Kasodhan, died during the evacuation of his village on December 10th. He had been suffering for some time from asthma.

(h) The information required is given in the attached statement.

(i) In general, such loss and hardship as is caused by the evacuation of villages is sufficiently met by the monetary compensation which is paid. The rates at which this is paid are those laid down in paragraph 1601 of the United Provinces Revenue Manual, of which an extract is attached. These rates are, it is understood, determined for the whole of British India. In December last owing to the fact that extra discomfort was caused by the evacuation of the villages during wet weather, a sum of Rs. 532-14 over and above the amount payable in accordance with the standard rates was approved by the Eastern Command Headquarters for payment to the villagers. Government have under consideration a suggestion that the rates of compensation should be raised in the case of landholders on the ground that the hardship caused varies to some extent with the status of the person who is required to evacuate his home. It is reported that the daily wage paid to labourers in the villages in the vicinity of the practice camp is from -/2/- to -/3/- a day and the rates laid down in the Revenue Manual are therefore considered to be suitable for ordinary villagers.

(j) Artillery practice which is essential, demands a large uninhabited area and there is no unpopulated area of sufficient size within a reasonable distance of Jhansi. The sparsely populated tract of which Babina is the centre is reported to be the most suitable area in the whole district. It has been used for many years for this purpose and no complaints have been received on previous occasions.

STATEMENT I.

Statement showing the Villages in the Range Area with their Population and the Dates on which they were cleared during December 1935.

Name of village.	Population.		Total.	Dates on which cleared in December, 1935.
	Men.	Women and children over 15 years old.		
1	2	3	4	5
1. Ratauli	217	369	586	2, 3, 4, 5, 6, 7, 10, 12.
2. Nihona	254	368	622	2, 3, 4, 5, 7, 12.
3. Nanora Khurd	36	69	105	2, 3, 4, 5, 6, 7, 9, 12.
4. Ramnagar	32	42	74	2, 3, 4, 5, 7, 9, 11, 12.
5. Nagda	280	379	659	2, 3, 4, 7, 11, 12.
6. Mawai Babina	83	134	217	11.
7. Nanora Buzurg	54	75	129	5, 6, 9, 10.
8. Raipur	53	84	137	7.
9. Jhanda	56	67	123	5, 10.
10. Tunka	253	372	625	5, 6, 9, 10.
11. Kasodhan	208	295	503	10.
12. Bhandra Buzurg	235	347	582	6, 10.
13. Sarwan	253	371	624	6, 9, 10.
14. Bhandra Khurd	146	180	326	10.
15. Phutaira Pichor	165	198	363	10.
Total	2,325	3,350	5,675	
16. Burpura	248	340	588	} These villages in the range area were not cleared.
17. Udaipura	99	152	251	
18. Hirapur	105	151	256	
19. Dubki	27	37	64	
20. Babina (hamlet)	11	15	26	
Grand total	2,815	4,045	6,860	

STATEMENT II.

Statement showing compensation paid to villagers during December Practice Camp of the Royal Artillery at Babina.

Name of village.	Compensation paid for December, 1935, for				Other damage.
	Building and Clearing.	Damage to Tili Crop.	Loss of kids and calves.	Extra compensation for rainy days.	
	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.
1. Nagda	557 5 0	845 8 0	49 8 0	124 2 0	51 0 0
2. Nanora Khurd	123 9 0	229 8 0	32 8 0	10 3 6	2 0 0
3. Ramnagar	94 5 0	119 8 0	..	13 14 0	..
4. Sarwan	208 1 6	..	17 0 0	58 12 6	17 13 0
5. Tunka	330 5 6	..	44 8 0	58 9 6	20 10 6
6. Mawai Babina	121 15 6	230 8 0	17 0 0	20 5 6	..
7. Jhanda	54 11 0	..	16 0 0	11 8 6	..
8. Nanora Buzurg	129 8 0	148 8 0	8 0 0	13 0 6	..
9. Nihons	453 6 6	457 8 0	52 8 0	58 5 0	69 14 0
10. Ratoli	617 6 6	477 8 0	16 0 0	109 8 0	82 0 6
11. Raipur	43 9 6	..	..	..	..
12. Kasodhan	109 15 6	..	34 0 0	..	..
13. Bhandra Buzurg	179 7 0	..	..	54 9 0	..
14. Bhandra Khurd	16 2 0	..	..	..	..
15. Hirapur . . . . .	..	..	..	..	19 10 6
16. Babina . . . . .	..	..	..	..	25 15 6
Total	3,039 11 6	2,508 8 0	287 0 0	532 14 0	288 16 6
		5,835 8 6			

Total compensation paid in December Rs. 6,657-1-0.

MANUAL OF THE REVENUE DEPARTMENT, UNITED PROVINCES, VOLUME II.

CHAPTER LXXV.

Compensation for damage by Military Manœuvres.

1601. When villagers are turned out of their houses for a time or have to avoid certain portions of their lands during the actual time of firing they will be compensated at the rate of Re. 0-2-6 per man and Re. 0-1-6 per woman or child above 15 years of age, for each day after the first in any one month, or for the fourth and every subsequent day in any one season. These rates may be reduced when the disturbance to ordinary work consists in confinement within certain limits and is slight.

Information promised in reply to a supplementary question to starred question No. 1051, asked by Mr. S. Satyamurti on the 10th March, 1936.

PROHIBITION OF MR. AMARENDRA NATH CHATTOPADHYAYA, M.L.A., FROM ADDRESSING ANY PUBLIC MEETING IN THE MIDNAPORE DISTRICT.

Order.

To

Mr. Amarendra Nath Chattopadhyaya, M.L.A.

In exercise of my powers under section 4 of the Bengal Public Security Act, 1932, conferred upon me in Notification No. 3225-P., dated 21st March, 1933, I hereby direct that while you are in the district of Midnapore you shall abstain from inciting to or encouraging by speech or action, opposition to the carrying out of the provisions of the Bengal Village Self-Government Act, 1919, in force within the areas of the Contai, Egra, Kamarda, Danton and Kolaghat Unions—*vide* Notification No. 5950-L. S. G., dated 19th October, 1935. In particular you shall not attend any meeting called for the purpose of discussing the establishment of such Union Boards, nor shall you remain present in any meeting at which such establishment may be discussed.

P. J. GRIFFITHS,

District Magistrate, Midnapore.

MIDNAPORE,

23rd December, 1935.

Order.

To

Babu Amarendra Nath Chattopadhyaya, M.L.A.

In exercise of the powers under section 4 of the Bengal Public Security Act, 1932, conferred upon me in Notification No. 3225-P. of 21st March, 1933, I hereby direct that while you are in the district of Midnapore you shall abstain from inciting to or encouraging by speech or action opposition to the carrying out of the provisions of the Bengal Village Self-Government Act, 1919, in force within the areas of the Contai, Kamardah and Egra Unions, *vide* Notification No. 5950-L. S. G., dated 19th October, 1935.

P. J. GRIFFITHS,

District Magistrate, Midnapore..

MIDNAPORE,

3rd November, 1935.

Information promised in reply to starred question No. 1193, asked by Mr. S. Satyamurti on the 13th March, 1936.

MOVE OF CERTAIN OFFICES FROM AND TO SIMLA.

The offices enumerated at (A) in the question move down to Delhi in the interests of efficiency and to suit administrative convenience as their work is closely connected with that of the Secretariat of the Government of India. As regards some of them I might add the following information. The Public Works Branch is a part of the Department of Industries and Labour and moves with it. The Solicitor's Branch is a part of the Legislative Department and his headquarters are those of the Legislative Department. The Statistical Research Branch of the Commercial Intelligence and Statistics Department which is no doubt intended by the term "Department of Commercial Statistics" was created in order that there might be at headquarters an organisation for the supply of economic information; it is therefore obviously undesirable to leave it at Simla during the winter. The reasons for bringing down the offices of the Military Accountant General and Director of Army Audit are :

(1) The Military Accountant General's office is an attached office of the Military Finance Department of the Government of India. It maintains the accounts of all the Defence Services and in that capacity acts as the Accounts Section of the Military Finance Department. It would therefore be inconvenient to locate it in any station except that in which the Military Finance Department and the Defence Department are also located. The inconvenience would be particularly acute during the budget season.

(2) Throughout the year, the staff of Army Audit has to conduct the audit of certain accounts and statements maintained in the offices of the Military Accountant General, Deputy Financial Advisers and certain Branches of the Army Headquarters. Apart from this, constant consultation between the Director of Army Audit and his staff on the one hand, and the officers and offices at Army Headquarters on the other hand, has been found to be necessary for the speedy disposal of cases, particularly in view of the fact that the Director of Army Audit's staff is small and work can only be kept current by avoiding formal correspondence on points which can be speedily settled by a verbal discussion.

As regards the stay at Simla of the offices enumerated at (B) in the question I would refer to the answer given to starred question No. 1192 by my Honourable friend, Mr. Tottenham.

Information promised in reply to part (a) of starred question No. 1906, asked by Bhai Parma Nand on the 13th March, 1936.

TRANSFER OF POSTS AND TELEGRAPHS EMPLOYEES FROM QUETTA AFTER THE EARTHQUAKE.

(a) The facts regarding the Railway and other departments are as follows :

As regards the Railway Department, of the staff employed at stations affected by the earthquake those who were injured, on being declared fit, were allowed to elect the division to which they wished to be transferred. Others employed in the affected area at the time of the occurrence were allowed transfer if they so desired to the divisions from which they were originally ordered to the Quetta Division.

In the case of the staff under the Auditor-General, the military Test Audit staff at Quetta was granted the concession of transfer to the stations nearest to their homes. No such concession was required in the case of any other staff under the Auditor-General.

In regard to establishments under the administrative control of the local administration of Baluchistan, as the members of such establishments are recruited for service in Baluchistan only, they are not liable to be transferred elsewhere.

As regards officers of the Political Department those who were in Quetta at the time of the earthquake and who subsequently applied for transfer or in whose interests it was considered that it was necessary were transferred or are being transferred from Quetta.

Information promised in reply to starred questions Nos. 1301, 1302, 1304 to 1307, 1309 and 1310 asked by Dr. P. N. Banerjee on the 17th March, 1936.

COMMITTEE TO ENQUIRE INTO THE WORKING OF THE GOVERNMENT OF INDIA PRESSES AND STATE RAILWAY PRESSES.

1301. Yes.

PAYMENT FOR TIFFIN TIME TO THE EMPLOYEES OF THE EAST INDIAN RAILWAY PRESS.

1302. (a) Yes.

(b) and (c). No.

(d) Does not arise.

(e) Government are informed that before the introduction of the new conditions of service for press employees, in 1930, those of the staff who were hourly rated, were paid for tiffin time.

(f) and (g). The new conditions of service placed all staff on monthly scales of pay and the initial pay in these scales was fixed for hourly rated and piece-rated staff based on their previous earnings under the old rates of pay. The question of separate payment for tiffin time does not, therefore, arise.

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GRANT OF COMPULSORY HOLIDAYS TO THE INDUSTRIAL EMPLOYEES OF THE EAST INDIAN RAILWAY PRESS.

1304. (a) Workshop staff employed in the Press are entitled to full pay on the thirteen shop holidays.

(b) and (c). Government are informed that the 3rd January, 1936, was declared a holiday for the administrative officers in Bengal but that the East Indian Railway Press was not closed. The staff were, however, permitted to apply for leave under the existing leave rules which was granted subject to the exigencies of service. Staff granted leave under these circumstances were granted leave with pay if due or leave without pay if no leave was due.

(d) In view of my reply to parts (b) and (c), there was no compulsory deduction.

(e) Does not arise.

PROMOTION OF EMPLOYEES IN THE EAST INDIAN RAILWAY PRESS.

1305. (a) Promotion is made according to seniority, good conduct, regular attendance and fitness to carry out the duties of the higher post.

(b) No.

PRACTICE IN THE RAILWAY PASSES REGARDING RETIREMENT AND GRANT OF INCREMENTS.

1306. So far as the East Indian Railway Press is concerned Government are informed that :

(a) (i) Retirement is compulsory on reaching the age limit of fifty-five years.

(ii) Increments in time-scales are granted for approved service.

(b) No.

RIGHT OF APPEAL GIVEN TO THE EMPLOYEES OF THE EAST INDIA RAILWAY PRESS.

1307. (a) Yes, if an appeal lies under the rules.

(b) I would invite the Honourable Member's attention to the 'Instructions for the submission, receipt and transmission of memorials', a copy of which is in the Library of the House.

EMPLOYMENT OF RETRENCHED PERSONS IN THE EAST INDIAN RAILWAY PRESS.

1309. (a) In connection with the retrenchment effected on railways during 1931 and 1932 orders were issued that staff discharged as a result of the economy campaign should be placed on a waiting list with a view to re-employment on the occurrence of vacancies in preference to outsiders, provided they possessed the necessary qualifications.

(b) Government are informed that outsiders have been employed as qualified re-trenched hands were not available.

(c) No.

(d) I lay a statement on the table of the House giving the required information.

Statement showing the Staff recruited against Permanent Posts in the East Indian Railway Press since 1st January, 1934.

	Retrenched staff.	New recruits.
Record Supplier	1	..
Duftry (literate) . . . . .	..	1
Peon . . . . .	..	1
Shop Messengers	2	3
Copy-holders	1	5
Monotype learner . . . . .	..	1
Compositors	3	..
Impositors	4	..
Distributors	2	..
Proof Pressmen	1	..
Assistant Proof Pressmen	1	1
Assistant Machinemmen	2	..
Assistant Litho Machinemmen . . . . .	..	1
Forms Carriers	1	..
Binders	11	..
Packormen	12	1
Carpenters . . . . .	..	2
Coolies	16	7
Counters	1	..
Despatcher	1	..
Clerk	1	..
Van delivery Siroar	1	..
	61	23

HOLIDAYS IN THE EAST INDIAN RAILWAY PRESS.

1310. (a) I presume the Honourable Member is referring to the letter addressed to the Agent, Eastern Bengal Railway, prior to the amalgamation of the East Indian and Eastern Bengal Railway Presses. Since the amalgamation of the Eastern Bengal and East Indian Railway Presses the combined staff are governed by the rule on the East Indian Railway under which 13 paid holidays are allowed.

(b) and (c). The workshop staff of the East Indian Railway Press (in common with the workshop staff of other Departments) have been granted the privilege of thirteen days shop holidays since the introduction of the new conditions of service for press employees from 1st November, 1930.

Information promised in reply to unstarred question No. 427, asked by Sirdar Jogendra Singh, on the 20th March, 1936.

KATCHA DRAIN DUG NEAR KAROL BAGH, DELHI.

427. (a) and (c). The *katcha* drain has been in existence for a number of years. It was not dug under the orders of the Secretary, Delhi Municipal Committee. In the absence of proper drainage in the area sullage water which would otherwise remain in the lanes, has to be discharged into the maidan through the drain. The whole question of the provision of essential services, including proper drainage, in Karol Bagh, is under consideration.

(b) The stagnant water is oiled by the Health Department of the Municipality to prevent mosquito breeding.

Information promised in reply to starred question No. 1396, asked by Pandit Sri Krishna Dutta Paliwal on the 23rd March, 1936.

INCREASE IN THE FREIGHT ON FIROZABAD BANGLES ON THE MADRAS AND SOUTHERN MAHRATTA RAILWAY.

(a) Yes, from 1st February, 1936.

(b) No.

(c) Yes. The Committee had recommended that the 2nd class rate should apply on certain railways and the Madras and Southern Mahratta Railway Administration accepted this recommendation and acted on it.

(d) The matter is one for the Madras and Southern Mahratta Railway Administration to consider. Government understand that that Administration is prepared to consider applications for special rates on bangles from Firozabad to specific points on that system.

Information promised in reply to unstarred question No. 444, asked by Mr. Muhammad Azhar Ali, on the 23rd March, 1936.

HOURS OF EMPLOYMENT OF THE TERMINAL TAX STAFF UNDER THE NEW DELHI, DELHI, NOTIFIED AREAS OF CIVIL LINES AND SHAHDARA MUNICIPAL COMMITTEES.

The New Delhi Municipal Committee and the Notified Area Committee, Civil Lines, employ no terminal tax staff as under an arrangement made with the Delhi Municipal Committee the tax is levied at their boundaries through the staff of the Delhi Municipal Committee. The hours of duty of the terminal tax staff vary according to the situation of a barrier. As a rule no clerk is employed at a barrier for more than three months. At some barriers clerks remain present for 24 hours and then are off duty for another period of 24 hours. The barriers at which this arrangement exists are situated at a considerable distance from the city and the arrangement was made at the request of the clerks themselves who do not like returning to the city late at night.

At other barriers the period of duty is 12 hours and at the Railway barriers the hours are from 10 A.M. to 5 P.M. with a holiday on Sundays.

The hours of duty of Inspectors vary from 7 to 8 hours daily, and those of chaprasis from 8 to 12 hours with intervals after a period of every 4 hours.

The hours of duty of the terminal tax staff of the Notified Area Committee, Shabdara, are from 10 A.M. to 10 P.M. during the cold weather and from 8 A.M. to 8 P.M. during summer. The clerks and peons are employed on night and day duty alternatively from week to week. Traffic between the hours of 10 P.M. and 5 A.M. is very limited so that the duties during the night shift are not heavy.

THE CANTONMENTS (AMENDMENT) BILL.

PRESENTATION OF THE REPORT OF THE SELECT COMMITTEE.

Mr. G. B. F. Tottenham (Defence Secretary): Sir, I beg to present the Report of the Select Committee on the Bill further to amend the Cantonments Act, 1924, for certain purposes.

RESOLUTION *RE* RELEASE OF POLITICAL PRISONERS DETAINED WITHOUT TRIAL.—*contd.*

Mr. President (The Honourable Sir Abdur Rahim): The House will now proceed with the further discussion of the following Resolution moved by Mr. Mohan Lal Saksena on the 18th February, 1936:

"That this Assembly recommends to the Governor General in Council to release, or direct the release of, all political prisoners detained without trial."

Mr. A. S. Hands (Government of India: Nominated Official): Sir, in rising to oppose this motion, I venture to speak for the first time in this Honourable House, because the subject is one of which, through having been District Magistrate in Chittagong for three years from December, 1931, I have a fairly close personal knowledge. I very fully appreciate that, to many Honourable Members of this House, the idea of detention without trial must appear very unpleasant, but so also terrorism is very unpleasant. My object in speaking now is simply to put before the House some facts which, in the nature of things, cannot very well be in the possession of most Honourable Members and also to put before them certain aspects of this question which perhaps have not occurred to them, before they record their votes on what is, I think, a very important Resolution. I call it an important Resolution, because I notice that it has been tabled by no less than 21 individual Members.

Pandit Lakshmi Kanta Maifra (Presidency Division: Non-Muhammadan Rural): Will the Honourable Member kindly speak up? We can't hear him.

Mr. A. S. Hands: I admit that my experience of terrorism has been confined only to the Chittagong district, that is, one district out of twenty-eight districts in Bengal, but it is a district in which in recent years there has been a larger volume of terrorist crimes than in any other single district in Bengal, and it is a district from which, as a natural consequence, a larger number of detenus have been sent to detention camps. I refer particularly to Bengal, because, whatever the wording of this Resolution, it is in fact a Resolution for the release of the Bengal detenus. Out of 1,435 persons at present detained without trial in India, 1,428 are Bengali terrorist detenus.

As to Chittagong, I would remind the House that, in two and a half years, beginning with the Armoury Raid, sixteen persons were murdered and sixteen were wounded by terrorists with fire-arms and bombs.

Several Honourable Members: We cannot hear the Honourable Member.

Mr. President (The Honourable Sir Abdur Rahim): Will the Honourable Member speak up?

Mr. A. S. Hands: [In three and a half years, following the Armoury Raid, 27 armed terrorists were killed in that district in action with the police and troops.

Now, I will attempt simply to deal with the main criticism which is usually levelled against Government. That criticism is that the information on which people are detained is false, that it is the work of the police spies, and, if it were true, why can we not put the cases into Court. Now, it is essential first to appreciate that the terrorists and Government have before them each one distinct object. The chief object of the terrorist is to murder those who disagree with him, and, by dacoities and robberies, to collect funds for his organisation. The prime object of Government, therefore, must be to prevent these outrages. It is a mistake to imagine that an outrage by terrorists can be carried out casually on the spur of the moment. In actual fact, the most elaborate preparations have to be made. The preparations consist, amongst other things, of selecting the victim. Then, it is necessary to study his habits and movements, sometimes for months, and then to decide upon the most favourable place and the most favourable time at which to attack him. In addition, it is necessary to consider the chances of the perpetrators escaping and the chances of the victim putting up defence. At the same time, the leaders have to select from their party organisation reliable party-members who will undertake the outrage. I use the phrase "party-members", because it is the terrorist's own jargon to describe any member of his own organisation. The party-members who have been selected for this outrage have to abscond. Obviously, they must do this, because, if they remain at their ordinary residences, the police are bound to get at them, and it is an absolute fact that whenever you hear that a party-member has absconded, you can bet a hundred to one that he is detailed for an outrage. As these party-members who are detailed for the outrage have to abscond, there follow other preparations to be made for keeping them in safe shelters until they are ready for the act. After that, when the time comes to commit the outrage, it is necessary to assemble these party-members from the different places in which they are hiding, and very often it is a question of bringing them from places twenty miles apart and getting them safely assembled near the scene of the outrage at the right time. Very often they even come from another district. Now, it is quite obvious that the carrying out of those preparations which may take weeks or months must be done by the terrorists with the utmost secrecy, and it must be obvious too that these preparations consist of doing acts which are in themselves criminal offences, but they are not overt acts and their commission at that stage, I mean the preparatory stage, does not actually hurt any one. If, however, the police cannot stop these preparations then the terrorists can achieve their object and bring off their outrage. The House will, therefore, appreciate that there are two distinct forms of terrorist crime—first, the concealed crime in making preparations for murder, and, after that, there is the unconcealed crime, the actual commission of the murder which is the object of the preparation. It must follow, therefore, that Government must attack the terrorist organisation in two distinct ways. The most important aspect of the attack is of course the preventive action

and because the preparation for that crime is secret, so Government must adopt secret means to deal with these preparations. It is only when prevention has failed and the outrage has been committed or when the terrorist has come into the open that Government can deal with him in open Courts. I do not think any one in the House can deny that it would be criminal on the part of Government's officers if, when they have in their possession information which they knew to be true, that preparations were going on for the commission of a murder, they failed to put those persons away and waited instead for some persons to be murdered, merely for the satisfaction of being able to try the terrorist in open court instead.

I now refer to the suggestion which has so often been made that the police rely on scallywag paid informers and it is on that kind of information that people are sent to detention without trial. It must be obvious to any one that the information about these secret preparations can only come from important party-members themselves. Nobody else can possibly be in a position to provide that information or know of the conspiracy; and when terrorist leaders are plotting an outrage you cannot imagine that they would allow into their inner councils some stranger or some person paid by the police. They can only admit to their councils their own important and, as they think, trusted party-members. On the information which the police thus get from these party-members, they can very often prevent the outrage by arresting the conspirators; but they cannot put these persons in the dock and they cannot put the party-member who gave the information in the witness box. There are two reasons for this: one is that it is almost certain that if you put that party-member or informer into the witness box, he will be murdered; the other reason is that, even if he is not murdered, he henceforth will cease to be of any use as a source of information. Obviously, once he is exposed in the witness box the leaders of his group will say: "Next time we are plotting a murder we will not tell you anything about it", and we would foolishly be discarding the very men on whom we are relying to get information of further plots. That is the whole—not the whole perhaps—but one of the strongest and the most valid argument why Government has this difficulty in putting these people into Court.

I emphasised that so long as the acts of the terrorist are secret, so long must the action of Government against them be secret too; and I am supported in this argument by repeated statements which appeared in the Bengal Press and were frequently made by public men in Bengal in the years 1931 and 1932, when terrorism flourished. When these people were asked to co-operate with Government in putting down terrorist crime, they invariably replied, and it was invariably published in the nationalist press: "How can the public help the Government? Terrorism is a secret movement: how can we know anything about it?" I fully agree with that argument, so far as it goes, and it is in fact precisely Government's case for putting away detenus without trial. We never have expected and do not expect now that the public can give us information of secret preparations. But they can help, of course, in other ways. But it is impossible—and it is unfair—for the critics of the Government to have it both ways; they cannot on the one hand say: "We cannot help you because this is a secret movement"; and then when Government take secret action say: "you should not do that because you are putting people away without trial." Fortunately, in Bengal,

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in the last year or two, they have realised the stupidity of that argument and are now helping Government in many ways, in the ways in which the public can help, but not in the secret way which they cannot possibly do. As soon as the preventive action fails and the crime is committed, the whole situation is entirely different. You can put the accused in court at once because you are not relying on your party-member as a witness: the crime is committed, the thing is open and the evidence is the evidence of ordinary members of the public who are witnesses of the crime; and, as a result, an enormous number of cases actually are put into Court.

Even if the Mover and supporters of this Resolution were to admit that the information is obtained from party-members, they would probably argue, "how do the police know, that this is reliable information?" I should argue this way: if it can be shown that on getting information from party-members we have achieved certain concrete results, then when the information on which we put detenus in detention without trial, is also obtained from similar sources, that information is also true. I will try and make it more clear in this way. During a period of 15 months in the Chittagong district, the police and troops arrested 30 absconders, many of whom were armed with revolvers and bombs; and during the same period the police and troops recovered 12 pistols and revolvers, three muskets and eight live bombs. All that information on which we secured these results was the information obtained from party-members; and the information on which we put away certain people in detention camps is obtained from the same or similar party-members. If we could arrest 30 armed absconders in 15 months and recover a large amount of arms and bombs, that information must be true; otherwise we could not have achieved those results; and it is surely reasonable to argue that the same information from these party-members who advise us that so and so is a most dangerous terrorist must be true also. I cannot see how you can get round that; but I can make it clearer still by quoting two or three out of very many cases, which I think are striking, which I actually know because I was present there.

I have just referred to absconders. Now, it is necessary to point out that this means two kinds of absconders. There is the ordinary absconder who is a proclaimed offender in a criminal case. That is, a man against whom there is a specific charge; his case has been put in court and it is awaiting trial. The other absconder is the man or woman whom the police want to arrest under the Bengal Criminal Law (Amendment) Act, because they know he or she is a dangerous terrorist. He knows they know it, and so he absconds. Now, I suggest that, if, when you have to arrest a proclaimed absconder in a specific criminal case, you find also in the same house with him two absconders who are wanted under the Bengal Criminal Law (Amendment) Act, it is reasonable to suppose that the information which you have had that these two Criminal Law Amendment Act absconders were dangerous is reasonably correct. I would point out a concrete case. In May, 1933, acting on information obtained from different sources, the police and troops surrounded two houses at night in search of three terrorists named Tarakeshwar Dastidar, Sudhindra Das and a girl, Kalpana Dutt. As soon as they saw that the troops were round the house, they opened fire at once. The troops replied and succeeded in killing Sudhindra Das (he tried to bolt across an open space in

the compound), and the other two eventually decided to surrender. Now, in that house were found three revolvers, ammunition, and a quantity of incriminating papers belonging to the *Yugantar* Party. In case anyone asks how do you know the papers were incriminating, I may mention that they were sufficiently incriminating to hang Tarakeshwar Dastidar a few months later. Now, of these three terrorists, Tarakeshwar Dastidar was wanted in the Chittagong Armoury Raid case; he was also wanted for having shot a sub-inspector in broad daylight. His name was in the list of people who were sent up for trial before the Special Tribunal, and the case against him was to be proved by witnesses in open Court. The other two terrorists, Sudhindra Das and the girl Kalpana Dutt were not wanted in any specific case, but they were wanted under the Bengal Criminal Law (Amendment) Act. We wanted to arrest them and detain them as detenus, because our information was, they were dangerous terrorists. Now, if that information had been the false information of paid spies, how can any one account for the fact that those two were found in the same house with a proclaimed absconder, revolvers and ammunition and a mass of incriminating papers of the *Yugantar* organization? I don't see how any one can suggest that the information we had that those two men and that girl were dangerous terrorists was untrue, and I remember sometime before this talking to Kalpana's father and warning him that she was a bad lot. He assured me that she was a good girl. She is now serving a term of transportation for life. Now, that is a case that illustrates the point that our information is true, and if Kalpana Dutt and the other youth had not absconded, we would have arrested them and we would have made them detenus, and then the Mover and those who support this Resolution would have told us that our information was false, and they should not be arrested.

Sir, there are a good many more cases, and if I have a few minutes more, I could mention some. There is another very interesting case. In November, 1933, a man, called Kali Kinkar De, and another, Manindra Dutt, were arrested in a house. In 1931, there was a plot to blow up a part of the Court compound at Chittagong, and canisters full of explosives had been buried under a portion of the compound on which habitually the cars of the Commissioner, the District Magistrate and the Superintendent of Police were parked. From there an electric wire ran underground to a point below the hill, and the plan was to press a button and touch off the explosives at a time when one of these officials was in his car over the place where the explosives were buried. Fortunately, the plot was detected, and four people were sent up for trial. Two of them made judicial confessions, and all four were convicted. One accused absconded, and that absconder was Kali Kinkar De. Thus he was a proclaimed absconder in a case which had actually been brought to Court and tried, and in which his co-accused had been convicted, so that there could be very little doubt of his guilt. He was arrested in this house, and we found with him a revolver which had been stolen shortly before from a police officer. The other man, who was arrested with him, Manindra Dutt, was an absconder under the Bengal Criminal Law (Amendment) Act; we wanted to make him a detenu, because the police had information that he was a dangerous man and they had for some time been trying to arrest him. Now, if the information that he was a dangerous terrorist was not true, how can you account for the fact that he was arrested in the same house with Kali Kinkar De, who was

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armed with a revolver? On two previous occasions, attempts were made to arrest Manindra, but our information from separate sources was that each time he evaded arrest by the neat device of getting into a tank, standing up to his neck in water with his head under a bathing platform. On this occasion, he could not be found in the house, and some bright officer, remembering the story of his means of evading capture previously, went straight to the tank and there was Manindra Dutt under the bathing platform. My point is that, on two previous occasions, we had information from two different sources that this was his method of evading arrest, and when, on this occasion he could not be immediately traced, the bright officer, remembering the previous information, at once thought of looking in the tank. Now, can anybody say that that sort of information was not reliable?

There is still another interesting point in this particular case. The house in which these two people chose to take shelter belonged to a man called Bharat Dutt. Now, Bharat Dutt's son had already been under detention for 18 months on the ground that he was a dangerous terrorist. Unless the other two absconders were very sure of a warm welcome, why should they go to Bharat Dutt's house? Does that not go to show that Bharat Dutt's son too had been rightly detained? There is a still more interesting point in this case, and that is, Bharat Dutt was then, of course, arrested on a charge of harbouring armed absconders and lodged in Chittagong jail. Very shortly afterwards, a letter addressed to him at his house was redirected by the post office to the Chittagong jail where he was then lodged, and this letter was in the handwriting of S. Sen, the leader of the *Yugantar* Party, who was at that moment under sentence of death in the jail. All these facts seem to me to show that these people were closely implicated in the terrorist movement, and that our information is not false. And, if I may have two or three minutes more, there is one other rather instructive case which I should like to mention. There was a young boy of about 16, named Harendra Lal Chakravarty. Our information was that he was a party-member, but he was not very dangerous, and, following our practice, an officer went to his parents' house to warn them that he was getting mixed up with terrorists and that they ought to look after him. The parents, of course, said that he was an excellent boy and that he never gave trouble and that he was even then studying in his class in the school. The officer said: "I will just go and see him in school". As soon as the officer got into the school, Harendra Lal Chakravarty cleared out of the school and was not seen again for about 12 weeks, and when he was seen again, it was 7th January, 1934, he had a bomb in each hand and with three other terrorists was throwing bombs at a group of spectators at a cricket match. Can you say that our information previously that Harendra Lal Chakravarty was not a good boy was false?

Mr. Satya Narayan Sinha (Darbhanga *cum* Saran: Non-Muhammadan): On a point of order, Sir. The Honourable Member has

Mr. President (The Honourable Sir Abdur Rahim): The Chair is the sole judge of time. The Honourable Member has nothing to do with it.

Mr. A. S. Hands: There is only one other point about this. Harendra Lal Chakravarty has now been hanged, but if the police, instead of withholding their hands, had arrested him straightaway at a much earlier date and he had been detained without trial, he would have been now alive.

I feel that I should not go through any more of these cases, because there are many, many instances, but I do hope that it serves a little to illustrate the fact that the information on which the Government do act is true,—and the information on which we send people to detention camps is exactly the same type of information,—is from exactly the same type of sources as I have mentioned in these cases. I trust the House will believe that there is some truth in the assurance of the Government that the information on which they act is most carefully sifted and is true. To my mind, the acceptance of this Resolution by the House could hardly be interpreted by the outside world, and I think, especially by the public of Bengal, except in two ways. Either as a Resolution of sympathy with terrorism or as a confession of complete irresponsibility. Sir, I oppose the Resolution.

Mr. Akhil Chandra Datta (Chittagong and Rajshahi Divisions: Non-Muhammadan Rural): Sir, I rise to support this Resolution. I feel, Sir, that I should be failing in my duty if I do not give sufficient vent to the feeling of deep resentment and profound grief which is convulsing the national mind, particularly in my province.

Now, what is this Resolution? The real scope of this Resolution is, it is a protest against detention of people without trial. We have protested against the vicious and pernicious system of detention of persons without trial; we have protested against it for a very large number of years. In fact, the other day, we were taunted by the Honourable the Home Member that it had become a hardy annual. Now, I want to tell him this, that, as long as this system prevails, as long as people are detained without trial, we are bound to protest against it, not only annually, but monthly, if necessary, whatever the actual effect of it may be.

In order to give some idea of the magnitude of the evil, I should like to place some figures before the House. The last speaker has given certain figures. Without in any way contradicting those figures, I shall give my figures from the Report on the Administration of Bengal for last year. I find in that Report that at the end of 1935, as many as 1,517 were detained in jails and camps without trial.

Mr. A. S. Hands: May I explain. . . .

Mr. Akhil Chandra Datta: I do not give way, I have no time. I took the figure from the Report itself. The number of home domicile is 214, and that of village domicile is 888, and, therefore, the total is 2,560, excluding some other people who have been externed from the province.

Mr. Mohan Lal Saksena (Lucknow Division: Non-Muhammadan Rural): Their number is very large.

Mr. Akhil Chandra Datta: Their number is not very large, I think it is below 50. That is the position: over 2,500 are now under detention without trial. I shall not discuss the principle of detention without trial, nor shall I dilate upon another monstrosity, namely, that these unfortunate people are never told what the charge against them is. No charge is

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formulated, either formally or informally, either in writing or verbally, and, therefore, the question of safety of witnesses does not arise here. At all events, you might tell these people: "Here is an allegation against you. You are concerned in this, that or the other sort of activity. What is your explanation?" You may not take the matter to a Court, but you may ask for explanation from them. Even that is denied. Sir, I shall not go over this principle, because I know it is useless. I propose to discuss the question on a lower plain and to examine on the present occasion the position according to the declared policy of the Government itself. On the 11th March last, we were told by the Honourable the Home Member, while answering a question about the release of Mr. Sarat Chandra Bose,—he said the Government released him the moment they found the situation had improved sufficiently for his release. That is the Government formula on the question of release of political prisoners. At the very outset, I may submit this, that the case of the Government was that Mr. Sarat Chandra Bose was deeply involved in revolutionary activities. Now, the question that I want to ask is this. If a gentleman of his position, a leader of his position, deeply involved—that is not my case, that is the case of the Government, I do not admit the truth of that case—if a man of that position, deeply involved in revolutionary activities, could with safety be released some time ago on the ground that the situation had improved sufficiently, may I ask why these 2,500 lesser people, these younger people, without that capacity for organisation or that intellectual power,—why should these people not be released? Before I proceed further, I should like to say this. What, after all, is the case of the Government about these detenus? In an unguarded moment, the whole thing has come out from the mouth of the Government. In the Administration Report for the year 1934-35, the Government say this:

"While Congress politicians were indulging in these misguided efforts to secure a general release of all detenus and to excite sympathy on their behalf, irrespective of the merits or demerits of individuals, and cheerfully oblivious of the public danger involved (Here comes the important portion) . . . by the proposal to flood the Province with potential anarchists, Government began to develop a policy calculated to wean the majority of those detained from their mistaken leanings towards terrorism"

That is the whole case of the Government against these people—they are potential terrorists and not actual terrorists and there is only a leaning in these people towards terrorism. That is the whole case. May I submit that this is an unjust and unsound policy? What is the real implication of this policy? It is practically tantamount to a declaration like this: Look here, you 2,500 people. We can release you this very moment if the atmosphere outside is all right. There is nothing wrong with you. Your release depends upon the state of things in the country. If there is quiet in the country, then this very moment we can release you, but your release will be delayed if things are not improving outside in the country. In other words, a man is not to be released on the merits of his own case, but his release depends on the activities of other people. Let us, however, see whether it is not high time to release the detenus even according to this policy. Therefore, the question arises, has there been an improvement in the general situation? On that question, I have got a statement of the Honourable the Home Member made on the 14th February, 1935, over a year ago, that there has been

a substantial and steady decrease in terrorist crimes since 1932. His exact words were: "It is correct that the terrorist crimes, since 1932, show a substantial decrease." Again, on the 12th March last, we have a picture of the present conditions in Bengal given by the Honourable the Home Member. There he says that although there are no terrorist crimes and outrages, terrorist conspiracies are still in existence, and, in support of this, the gravest piece of evidence he cited was that, some time ago in 1935 some weapons were found in a vessel in a dock in Calcutta, and this, according to the Home Member, constitutes the gravest piece of evidence as regards the existence of terrorist conspiracies. One of my friends, I think it was Pandit Krishna Kant Malaviya, asked: "How do you know that the terrorists have got anything to do with it? It may be the work of smugglers." Thereupon the Home Member was constrained to admit: "I quite agree. I am not in a position to say definitely that the arms were intended to be sold to terrorists."

The Honourable Sir Henry Craik (Home Member): For whom else could they be intended?

Mr. Akhil Chandra Datta: I am quoting the exact words used by the Honourable the Home Member. He cited this as the gravest piece of evidence in support of his contention. If that is so, I must say it is really a case of "belief is bias". You wish to believe there are conspiracies and merely because there is a find of arms in a certain place, you connect the two. If the Honourable Member will excuse me, if that is the mentality of one in such a responsible position, then, what will be the mentality of the ordinary police officers and ordinary magistrates and other people who are the real instruments in passing the orders of detention and restriction? Therefore, to say that, until things improve in the country, these terrorists cannot be released is an argument which is not *bona fide* and which cannot hold water for a single moment.

The same principle that release of detenus depends upon improvement in the general situation was enunciated by the Honourable the Law Member the other day, while speaking on the adjournment motion in regard to Mr. Subhas Chandra Bose. His point was that conspiracies have not yet broken up, and that, therefore, there is still necessity for detention without trial. That was his case. The Honourable Member is not here now. He is one of the shrewdest lawyers in the country, and all his legal acumen and astuteness were brought into requisition by the Government to support their case; but, after all, what did he prove? All that the Honourable the Law Member claimed he had established was that there were terrorist conspiracies and activities till the middle of 1933. We are now in the year of Grace 1936. Three long years have gone by. Much water has flown down the Jumna in these three years, and yet these people cannot be released, because, forsooth, things have not yet sufficiently improved. I might call it the case of the Government of India. Let us next see what is the case of the Government of Bengal with regard to the question whether there has been any improvement in the general position to justify the release of the detenus. I have gone carefully through their Administration Reports for the last four years, because the terrorist activities began in 1930. The Honourable Member, who spoke last, has described his experience in Chittagong. Of

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course, I could not hear him throughout. He was so inaudible throughout. As far as I have been able to get at what he said, he wanted to prove that there were terrorist outrages in the district of Chittagong. I am not here to dispute that proposition. That is not my case—I do not for one moment suggest that there were no terrorist outrages in Chittagong or in any other part of the country.

Mr. M. S. Aney (Berar Representative): It proves that police information is true?

Mr. Akhil Chandra Datta: I am reminded about the two incidents which took place recently in which some police informers have not only been suspected and prosecuted, but they have been convicted for planting bombs, one of the cases being in Midnapore and the other in Calcutta. This is my answer to the case so laboriously made that the information of police and police informers is always true. The other day I read in the newspapers that there was an application made before the Honourable the High Court for an enhancement of the sentence of one of these informers. Now, Sir, I was examining the case of the Government of Bengal. As regards the state of things in the year 1932, it was admitted in the report that year that an improvement had already commenced towards the end of 1932. As regards 1933, the Report says:

“The truth, however, is that the general situation as regards terrorist crime decidedly improved during 1933.”

And there is another very important admission:

“There is a definite reason for believing that terrorist groups have been in a large measure disorganised”,

although the Honourable the Law Member was telling us the other day that they were still in existence in the middle of 1933. Now, Sir, as regards the year 1934, we are told that:

“The situation has improved.”

Coming to 1935, it is admitted that there was not one single terrorist crime in that year. That is the admission of the Bengal Government. But it is said that although the terrorist activities have subsided, there is the terrorist mentality still remaining in the youths of Bengal, and that that mentality, it is said, is proved by these things—the distribution of leaflets, posters, threatening letters, terrorist literature, robbery with pistols, and so on. Sir, I have read very carefully these reports, but I do not find a single sentence in which it is said that those people who were responsible for these things have been traced or that they were the work really of the terrorists and not of the police informers or the police spies or the police officers themselves.

Now, so far as the Government of Bengal is concerned...

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has exceeded his time limit.

Mr. Akhil Chandra Datta: I shall finish, Sir. The case of the Government of Bengal is this:

"The events of the year (1935) showed that the main onrush of the terrorist attack, which began in 1930, has been broken; but the history of the movement also shows that it always comes in waves, and that if one wave is neglected, the next is more extensive and more violent. There still remain in the Province materials for the resuscitation of terrorist activity, and potential leaders who are merely awaiting a favourable opportunity."

And then, it is said that:

"vigilance cannot yet be relaxed, and unremitting search must still continue for the secret organizers and hidden apparatus of mischief."

Now, Sir, I do not quarrel with that policy. I do not say that you should relax all your police efforts and all your police vigilance. That is not my case. So far as this Resolution goes, it is a Resolution in which we ask for the release of old political prisoners who have been indefinitely detained without trial. But it is said that there is a theory of "waves", that there is a cycle, a wave, and if you neglect one wave, the next wave will be more violent. It is not our case that you should not take any precautionary measures. If there is a calm in the country, you should take full advantage of it. Do not relax your efforts; let the policy of vigilance be continued, but the question of release of detenus is quite a different question. You have been detaining these 2,500 people for about six years now, and you must release them now, when, admittedly, there has been a decided and substantial improvement in the general terrorist situation. Sir, the Government insist that there must be a change of heart. Well, Sir, a change of heart cannot be a one-sided change of heart, it means an exchange of hearts.

Mr. M. S. Aney: How can there be an exchange of hearts when there is no heart?

Mr. Akhil Chandra Datta: One of my grievances is this. I can quite understand your asking them to change their heart, but have you ever cared to understand as to why these young people are making the utmost sacrifices in life, I mean the sacrifice of life itself. Before you ask for a change of heart, you must know their heart. I for one and my revered friend, Sreejuti Bhagavan Das, have all along been waiting for an answer from the Government as to what, according to them, is the root cause of the terrorist movement. In my speech on the Criminal Law Amendment Bill, although I have discussed at great length this question of paramount importance as to what is the root cause of the terrorist movement, I regret to say that up to now we have not heard a single word from any one of the Government Members as to what that root cause is, and as to why is it that these young men are sacrificing their lives. Sir, one word more, and I have done. My Honourable friend, Mr. Chunder, said the other day in this House that all honour was due to His Excellency Sir John Anderson for the policy he is pursuing now in Bengal. I do not find myself in that happy mood, Sir, of being able to congratulate H. E. Sir John Anderson. Sir, I shall not be in that happy mood until I find that the principle that he has advocated is translated into action, into actual reality. It won't do merely to say that repression is not sufficient.

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You have to find out the remedy of this malady in the body politic and apply that remedy. You have never tried a constructive policy, and, therefore, I am sorry I cannot join Mr. Chunder in singing hallelujah to Sir John Anderson. Sir, I support this Resolution. (Applause.)

Mr. Muhammad Anwar-ul-Azim (Chittagong Division: Muhammadan Rural): Mr. President, after a lapse of about a couple of weeks on account of illness, I am sitting here, and I consider it necessary to take part in this debate. Sir, at the very beginning, I must congratulate my Honourable and esteemed friend, the Deputy Secretary in the Home Department, Mr. Hands, for his lucid exposition of his case, and, I am certain, Mr. President, knowing as I do many of these things connected with all aspects of this Resolution, I think I ought to be able to enlighten the House on certain additional matters as well. Sir, there is no denying the fact, as has been stated by the Government spokesman, that there has been trouble in Bengal, mostly in my part of the Presidency, and at Midnapore. It is very difficult to pass a judgment off-hand, least of all on the part of people who are neither in the secret conclave of Government and who are neither in the good books of the Opposition. But nonetheless, as a man who just looks round, and as a layman, Mr. President, if I may say so, and as one who has got the greatest wish for the gradual evolution of his country and for his countrymen to pursue the right goal and right purpose, I think it was high time, Mr. President, that Government reiterated their position and not follow the Ostrich policy which they have hitherto been doing in this matter. (Hear, hear.) Mr. President, I should be the last person who would like it to be thought that I take any prejudiced view on important matters like this, but this is my impression, Sir, that, so far as things that were taking shape and has worked in my part of the Presidency, it must be said to the great credit of my Honourable friend, Mr. Hands, that very largely, through his sagacity and judgment, he was responsible for allaying the great trouble which started about the year 1930 in my part of the Presidency of Bengal. What Mr. Hands states are all correct, but I think by now these misguided people have learnt the folly of doing unconstitutional things, and the atmosphere seems to be improving gradually. Whatever is needed has been said by the previous speakers. In trying on experimenting with these gentlemen, who have been detained without trial, it is said that caution is the motive. I am afraid they have not got what they call the right kind of understanding. I think it has been very well focussed by the Honourable the Deputy President that, unless you have a real change of heart, unless you have a real orientation of the whole picture, I do not know how far Government will be able to sit over this matter and not decide it finally one way or the other. I submit this is a very psychological moment, because the Honourable Member representing the Government of India knows very well in what part of the year we are just now. It is 1936, and, I think, within nine or ten months' time, the Governments in every part of India are likely to undergo a certain amount of change, whether for good or bad, I cannot say, but a change of Government is their aim. If the Government of India are anxious that Provincial Autonomy should be started with proper perspective, I very respectfully and humbly suggest that this matter of releasing gradually those who have been detained without trial should be sympathetically considered. (Hear, hear.)

I think the great ill is want of contact. That is very patent. If you have a district where you have a trouble of this kind, and if you have a first class—"A-1"—District Magistrate, and if he were a man of the right type with proper understanding of the psychology of the people. I think all the troubles of the Government will vanish like the morning dew. As a matter of fact, I do not think this is really time for fencing with words, not certainly the time that there should be diplomatic answers on matters of importance and of much moment of this kind. I say this that Government ought to take a more liberal view of the matter and not sit on it any longer though they have done something in this direction. I think it has been mentioned by certain Honourable Members that it is a wonder how this terrorism could start in a country like ours, a peaceful country where people are so docile and meek. You know very well, Mr. President, that history repeats itself. Students of history, as a result of the so-called advance in education that has been given to the people of this country, must have known the history of the carbonaris (charcoal burners) of Italy, and if that history was taught to the people of this country and if that has roused fire within them, the Government of India ought to thank themselves for it and none else.

Lastly, I should say this much that so far as experiment about home internment and giving people their own domicile under the care of parents is concerned, I think that is proving very useful in my part of the Presidency. I think it may be tried elsewhere, and perhaps it would bring better results. The experiment of the Bengal Government is producing good results. That being the case, the Government ought to consider very seriously whether they should not hit on some course which will pacify all. (Applause.)

Mr. C. H. Witherington (Assam: European): Sir, the Honourable the Deputy President, in the course of his speech, pointed to the fact that terrorism, and the manifestation of terrorism has considerably lessened during the last few months—I think he said, during the last eighteen months,—and he drew the conclusion that there was no terrorism at all in the country, and that there had been a change of heart on the part of the terrorists. But I prefer to take the other view, and I say that the detention of these 2,500 suspected persons, I take his own figure, is one of the main reasons why terrorism has lessened during the last few months.

Coming to the points the Honourable the Mover made in his speech when he moved this Resolution, he painted a very heart-rending picture of the deplorable condition in which these suspected persons are detained in custody. He said the flower of the youth of Bengal is being smothered, that they had no knowledge of what charges had been brought against them or when they would be released, and that if the present policy of the Government was continued with regard to detention, they would either go mad or commit suicide. Well, Sir, that is a very deplorable tale and it is gratifying to know it is not true. Since that Resolution was moved, the Honourable the Home Member has taken the House very fully into his confidence, far more fully as he said, than it had ever been taken before, and he has explained the circumstances in which these suspected people are detained and why it is impossible to put them on trial. He explained to the House that the very greatest care is taken in checking and cross-checking the evidence to prove that the evidence is true before detention is carried out, and action is never taken unless it is proved

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beyond a shadow of doubt that the release or the freedom of these people is a danger to society and the State. If I have any criticisms to make about this subject, it is that the authorities in Bengal have been over-cautious in their final decision as to whether to detain or not to detain suspected persons, for I shall never forget what the Honourable the Home Member told us the other day that the failure—he did not use the word failure, but I use it—of the authorities in Bengal to detain three suspected persons was instrumental in the murder of Mr. Burge only a few weeks after the examination of these men's dossiers. Had the authorities in Bengal exercised a little more latitude in their final decision, it is possible that Mr. Burge might have been alive today.

Then, Sir, we have been assured time and again by the Government that the detenus' cases are being reviewed periodically, and that they are released when it is considered that they will no longer be a danger to the community. The Honourable the Mover of this Resolution criticised this on the ground that he had no confidence in the people who review these cases. Well, Sir, the Mover of the Resolution cannot be so stubborn of belief as to think that the Governments wish to detain at great cost to themselves and enormous trouble to themselves, those persons who are no longer a danger. We can believe that just as much care is taken to review these cases as is taken in the first instance in testing whether a man should be detained or not. The action of the Bengal Government in organising training centres to teach the detenus useful trades and callings is sufficient proof, if one was wanted, that they are anxious to interest the detenus in subjects other than terrorism, so that they will turn out useful citizens. And it is also proof that Government do not want to keep these people in detention interminably, but want to release them directly it is safe to do so.

It is untrue to say that the detenus do not know when they are going to be released. The remedy lies in their own hands. If they acknowledge that terrorism, murder and so on are bad things, they should say so, and thus gain their release. But if they still persist in their leanings towards terrorism then their continued detention is fully warranted, and, no Honourable Member of the House will deny this.

This country has fortunately been free from the manifestation of terrorism during the last few months as the Honourable the Deputy President said, but the canker is still present and nobody can deny that it is not present, we know it from evidence. It only needs a stimulus such as the release of dangerous characters, who are at present detained without trial, to bring it to active life again. In Bengal especially, there is fertile ground for the play of insidious, underground and despicable propaganda for evil. And, if the terms of this Resolution are carried out, the results will be disastrous. We know that for a fact. If we put aside all other considerations such as the danger to the State, the enormous ~~ing that~~ devolves on provincial Governments to combat terrorism is the need to protect law-abiding citizens,—if we put aside all these considerations, which we obviously cannot, there is one consideration, Sir, which I think should appeal to all Members who are in favour of this Resolution; and that is the need to protect the youth of this country from the contaminating influence of terrorism and murder and to allow them to grow up as worthy citizens of this country. Terrorism is not merely directed to oust the British from India. It is directed indiscriminately

-against any form of authority, whether British or Indian, it is indeed a sorry training for the youth of this country to be brought up in the thought that any authority can be undermined by force and intimidation.

It is not only Bengal that we should consider, but the whole of India, for there is no doubt that the canker of terrorism has spread to other provinces. I think specially of my own province of Assam which is a near neighbour of Bengal. Generally speaking, it can be said that Assam has been singularly free from terrorist activity in the light of our close proximity to Bengal. But it is a fact that we have not been entirely free from these activities. The movement introduced itself from Bengal into Assam owing to the pressure in Bengal caused by the control instituted by the police over terrorism; and bad characters, finding the pressure in Bengal too much for them, came to Assam where they hoped to have a happy hunting ground for their activities. And this can be said of every province near Bengal. Fortunately, these bad characters met with very little success in my province owing to the good sense of the people of Assam. And we can congratulate ourselves,—and I hope Honourable Members from Assam will support me in this,—we can congratulate ourselves that the attempts to undermine the integrity of our young men in Assam have not fully succeeded. But Assam certainly has got a little of this virus in it, and it only wants an unusual stimulus such as the wholesale release of these Bengal detenus, to bring it to life again. We want to avoid every possible chance of that stimulus taking place, and to save our province from the disgraceful episodes which occurred in Bengal in the past. I have given Assam as an instance, Sir, but the same applies to any province in India. For, of nowhere in India can it be said that there do not exist seeds of terrorism, and danger to the integrity of the youth through that movement. I am very glad indeed that the Honourable the Home Member has had an opportunity to make a statement in the House the other day, I think on the 12th March, in connection with another motion; and I was extremely interested in the speech delivered today by the Honourable Member, Mr. Hands, giving his intimate experience and first-hand knowledge of terrorism in Chittagong. I cannot believe that any Member of this House can ignore the instances which Mr. Hands has given of the danger which exists in his province. The Home Member, as I say, had an opportunity to make that statement explaining the circumstances in which the detentions are made,—a statement which I feel must relieve the anxiety of any Member of this House who thinks that the wrong people are being detained. The people who are detained are potential murderers—I noticed that the Deputy President objects to that word “potential” because he thinks that no potential murderer should be incarcerated. I have different views on that, and I think that potential murderers should be restrained, in case their potentiality comes to fruition. As I say, these people who are detained are potential murderers, revolutionaries and sedition-mongers, people who are afraid to do murder themselves and who are ready to work underground, secretly, insidiously, to incite more or less innocent youths to do murder in their place. These are the people for whose release this Resolution is moved. The House knows perfectly well the circumstances in which these people are detained and the impossibility of bringing them to trial. Honourable Members know perfectly well that this is so, and they know that the detenus will be released directly they are proved to be no longer a danger to the community. The Opposition has given its assurance time and again that they have set their face against terrorism and they must surely,

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therefore, concur that the detention of these people, while they remain obdurate and in favour of terrorism, is wholly and essentially necessary for the peace and security of the law-abiding community and the State. I appeal to the Honourable Members of this House who hold murder and terrorism in abhorrence to vote against this Resolution which aims at the release of dangerous people who will inflame the villainous canker of terrorism which is known to exist at present. I want to refer to one point which the Honourable Member, Mr. Hands, made, and that was that this Resolution was in effect a vote of confidence in terrorism. That is an extremely useful sentiment in my view, and I wish I had thought of it myself; and I would draw the attention of the House again to that point in this way that those who vote in favour of this Resolution are voting for the furtherance of terrorism in this country.] (Cries of "No no" and "Certainly not.")

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.

Mr. Basanta Kumar Das (Surma Valley *cum* Shillong: Non-Muhamadan): Mr. Deputy President I beg to thank you for giving me this opportunity to take part in this debate and say a few words in support of the Resolution before this House. The Government case on the subject of the release of political prisoners has been put forward by the Honourable Mr. Hands, and you, Sir, by your speech this morning have given an effective reply to what Mr. Hands has said. You have given unanswerable facts, which are alone pertinent in a consideration of the subject and in proving the hollowness of the Government's point of view.

Sir, The question of the release of political prisoners is a very sore one and cannot be too strongly pressed upon the attention of this House. Sir, who are these political prisoners? Are they not the best type of young men and women of India who are detained without trial merely on the suspicion of possessing terroristic proclivities? But the question is, how long are they to be detained in this heartless manner, and what is the real danger in releasing them even now? How these prisoners came to be clapped in jail and how Government justify their claim that they are still to be detained are well known. Yet the importance of the question in the interests of public life in India demands that this House should record once more its verdict against the terrible injustice of prolonged detention of these prisoners without trial. If terrorism is to be stamped out and if law and order is to be saved from jeopardy, the detention of suspects in the manner in which it is being done is not certainly the remedy. It is like treating a sore with a superficial application of medicine without adopting a radical method which would deal with the root cause of the disease. Government are fully cognisant of the various causes which breed terrorism. They should take steps to eradicate those causes. If they think that the supposed terroristic proclivities of the detenus would be curbed by their prolonged detention, they are certainly mistaken.

This is against human psychology, which cannot be ignored in devising all practical steps for killing the pernicious growth of terrorism in the land. Granting that every one of the detenus is a terrorist or a Communist, his segregation from the family and society for a prolonged period is bound to goad him into desperation and develop in him a perverse mind which, imbued with hatred against Government, will think of vengeance only. Detention, therefore, is certainly not the method to wean away a terrorist from the path of terrorism. It is the method of a demoralised Government, and the fact, Sir, is that the Government, conscious of their misdeeds which have really contributed to the growth of terrorism in the land, persist in their perversity and will not listen to sound advice sincerely given. The supposed terrorist cannot be indefinitely detained and will have to be released one day. But why should the mind of this supposed terrorist be made bitter by prolonging the detention at a time when admittedly the atmosphere in the country is definitely against the growth of terrorism? The Congress is wedded to non-violence and is definitely in favour of the policy of carrying on a country-wide propaganda against terrorism. The Congress is no doubt out to attain complete independence and shake off the leprous subjection from which the country is suffering. But the Congress will always be in revolt against all terroristic activities and methods. Therefore, let the Government take note of this, and not suspect the intentions of the Congress in getting these political prisoners released. The Congress will certainly utilise the intense nationalism of these detenus for the cause it represents, and the Congress will also see that they do not find any scope for the play of their terroristic proclivities, if they have any.

Sir, there is another side of the question which this Honourable House should consider in connection with this Resolution. Government admit that there has been a considerable improvement and that public opinion in the country is definitely against terrorism, and you, Sir, have shown by ample quotations from Government Reports this morning that this is the Government view. I, therefore, ask: "Will it not be sheer prudence on the part of the Government to take full advantage of it and allow those who are suspected of terrorism to be under the healthy and restraining influence of that opinion?" I need hardly emphasise the fact that strong public opinion against terrorism which happily now prevails in the country, if allowed to act upon suspected terrorists, who are styled as potential terrorists by the Government, will be a more effective deterrent against terroristic tendencies than detention in prison,—the rigours of which are bound to whet those tendencies. Again, Sir, the futility of terroristic methods has been sufficiently established, and, I am sure, that those who are being detained will not fail to realise the folly of being terrorists if they are at all terrorists. This, therefore, is the proper time to release the detenus, and if really they were going wrong, they would certainly take note of the country's mind, which is undoubtedly against terrorism, and mend their ways.

My Honourable friend, Mr. Mohan Lal Saksena, has put forward this Resolution with a speech of great vigour and has been able to establish with great alacrity the injustice of the detention of political prisoners: and that alone is a sufficient ground for this House to recommend strongly to Government the release of political prisoners. Those who are the supporters of Government must also realise that, having regard to the present attitude of the people in the country, it will be sheer folly on the

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part of Government to persist in prolonging the detention of the political prisoners, if really Government are sincere in having peace in the land. It is well known that Government care very little for justice when administrative expediency leads them to a certain line of action, but I put it to them with all seriousness whether it is even administrative expediency to allow this heartless act of detention of political prisoners to continue. The present political situation in the country requires—and it would be sound expediency also to release the political prisoners now.

Sir, Government's demand for co-operation from all sections of the people in the country in the matter of stamping out terrorism from the land has been sufficiently responded to, and when the co-operating public cry for the release of political prisoners as an act of bare justice, Government should not maintain their stiff attitude and turn a deaf ear to that demand. The public stand sufficiently exasperated by the various unpopular measures and acts of Government. Let them not ride roughshod over popular sentiments in this matter of political prisoners and add to that exasperation.

Government's action with regard to Mr. Subhash Chandra Bose has already evoked a great popular resentment. When the atmosphere is clearly unfavourable to the growth and spread of terrorism, is it wise on the part of Government to hurl Mr. Bose again in prison when he is returning to the country after a long exile and no doubt with the best sentiment in him to serve the motherland as a member of the Congress? Even the hardened criminal is given time to correct himself, and there is absolutely no reason why political prisoners should not be allowed, after long detention, to be free to take to healthy ways of life which the public opinion in this country will certainly urge them to do.

Sir, I have nothing more to add. But, I warn the Government that the policy they are following in the name of law and order is a policy which is detrimental to the best interests of the country. It gives a long rope to the police, leading them inevitably to become unscrupulous, over-zealous and even vindictive. There are cases of over-zealousness and vindictiveness on the part of the police, and I have personal experience of some. This morning, Sir, you said in your speech that there were cases in which the police tried to manufacture evidence against supposed terrorists and the police even go the length of planting bombs and revolvers. Sir, I had once an opportunity to come to know of an attempt on the part of a police spy to plant a revolver in order to bolster up a case against one in whom I was interested and I was told by the Judicial Member of my province after an enquiry that the allegation of such an attempt was true.

My Honourable friend, Mr. Witherington, spoke of terrorist activities in Assam. As these terroristic activities concern principally my district of Sylhet, I am in a better position to contradict him directly by saying that there is no terrorism in my district and in Assam. No doubt there have been a few cases of dacoities and robberies by some misguided young men in my district, but what happened during the trials of some of these cases which were brought to Court? They disclosed the fact that the dacoities were not committed with any political motive: they were ordinary crimes committed by educated young men under the stress of economic difficulties and goaded by the terrific problem of unemployment. There

have been protests from my district from time to time that there is no terrorism there; but the newly organised I. B. Department will not allow the Government to believe that there is no terrorism there. After the Assam Criminal Law Amendment Act had been passed, they drew up a list of supposed terrorists which, I am told, included even the names of girls, and submitted proposals to the Government for action. It should be said to the credit of the Honourable Member in charge of law and order in my province that, he, being a man of the district affected, took courage in both hands and persuaded Government not to give effect to the proposal of the police in its entirety. If really the proposals of the police were given effect to in full, there would not have been a single educated family in my district which would not have supplied one or two young men or women to be detained. That was in the beginning of 1934. During these two years, there has not been any case in which it has been established that there is a terrorist organisation in my district. No doubt, the most annoying police method of shadowing and pursuing of suspected young men and women is going on. No doubt, the police are submitting reports daily of the movements of these men and women; yet I may tell you, Sir, that it is quite unnecessary so far as my district is concerned. Through the overzealousness of the police, some innocent young men's careers are going to be blasted. They came unfortunately to be noted down by the police, and, whenever any of them applies to the Government for any job, the report goes that he has got terroristic tendencies. There are some brilliant graduates of the University who complain that though they have no connection with any political or semi-political organisation, yet they have been reported against as being terrorists or having proclivities which are not at all liked by the Government. This is the state of things in my province, and it might be the case in other provinces also; and I submit that if this sort of thing goes on, there will be in no time a state of affairs brought about which it will be very difficult for the Government to control later on. There will be seething discontent in the country, and stray cases of exasperated young men, getting implicated in some violent acts against some officers or against Government measures may certainly be attributed to that cause. The multiplication of such cases may follow as a matter of course if the Government do not change their present policy. We, therefore, ask the Government to change the policy and release the political prisoners, which will certainly be a step in that direction. With these few words, I commend the Resolution to the acceptance of the House.

Pandit Lakshmi Kanta Maitra: Mr. Deputy President, I had no intention of taking part in this debate today as we had a full dress debate on the subject some two or three weeks back in connection with the censure motion regarding the repressive policy of the Government of India. But we have just had the speech from my Honourable friend, Mr. Witherington of Assam, who has made certain observations which are of so sweeping a character that I think I shall be failing in my duty if I were not to challenge them. The Resolution before us only asks for a recommendation of this House to the Government of India for the release of persons who have been kept in detention, without any trial in a constituted Court of law. On the principle of this, I believe no long drawn speech, no laboured disquisition is necessary.

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I had the pleasure of listening this morning to the mild and measured speech of my Honourable friend, Mr. Hands; and, as I was listening to him, I could feel that Mr. Hands knew perfectly well what a nasty case he had to deal with, and that explains why he had to put in a lot of energy and enthusiasm to warm himself up on the subject; but he failed. Mr. Hands has mainly referred to the incidents that took place during the years 1930 and 1933, but we are now in the year of Grace 1936: events have changed so far—so many things have intervened, and, according to the admission of the Government of India represented by the Honourable the Home Member, there has been such a distinct change in the situation that the matter needs handling in a different way and on different lines. About this policy of detention without trial, about its fundamental injustice and inherent viciousness I believe it is not necessary for me to try to convince Honourable Members of this House, particularly those Members who come from Great Britain, because the principle is so repugnant, so revolting to their sense of individual liberty

Sardar Sant Singh (West Punjab: Sikh): In England: not in India.

Pandit Lakshmi Kanta Maitra: I am talking of Englishmen in England. As soon as they cross the Suez Canal, as soon as they land in this country, we see that they lose most of the virtues they have in their own country: that is the misfortune of the whole situation. Their whole history is a history of incessant struggle against tyranny, struggle for individual liberty, and they have achieved success to an extent which no other nation in the world has been able to do. In fact, their history is one long record of triumphs of the writs of freedom over *lettres de cachet*. We in this country, who have been bred on British constitutional law and British history, have learnt to value this right of individual liberty more than anything else, and we must strenuously oppose any measure of the Government which tends to bring it into jeopardy. It is a tragic irony of fate that, after nearly 170 years of British Rule, in this country, we now find it a part of the general policy of the British Government to detain people without any form or semblance of a trial, and that for an indefinite length of time. I would ask, what is the justification for this continued detention without bringing them before a Court of justice? We are asked seriously to believe that there is in the archives of the Government such incriminating material that it is sufficient to warrant the conclusion that these detenus, numbering about 2,500, who are now under some form of restraint or other, are involved in revolutionary conspiracies. That is their whole case. Let us examine for a moment this contention of the Government. During the important debate which we had on the repressive policy, we had a very remarkable speech from the Honourable the Home Member, and I congratulate him on that powerful and impressive speech. I have read it several times, but I can tell him quite frankly that, in spite of all the material which he had been able to present in that speech, we still stand unconvinced. I will only analyse two or three sentences from that speech. What is the nature of the material on which the Government base their case? The Honourable the Home Member has definitely stated that, first of all, they start with a confessional statement, I am giving his exact words, and here I must thank the Honourable Member for the frankness with which he has admitted

that he is not in the know as to the methods which the Government employ in dealing with the terrorists. He says:

"The police do not employ professional spies."

We have never contended that. But there is a far-flung C. I. D. organisation with I. B. and S. B. Departments maintaining a vast army of ill-paid, ill-fed, ill-bred informers and spies who, in co-operation—or I may say—in collusion with the police, work havoc in the country.

Sardar Sant Singh: Ill-paid?

Pandit Lakshmi Kanta Maitra: They are ill-paid. The men in the higher grades get very handsome pay and allowances, but those in the lower rungs are ill-paid and they can stoop to any means and methods to earn their pittance. They are generally unreliable and unscrupulous.

An Honourable Member: You are pleading their cause!

Pandit Lakshmi Kanta Maitra: I am pleading for improvement of their morale and methods!

Sir Muhammad Yakub (Rohilkund and Kumaon Divisions; Muhammadan Rural): It means that they ought to get more salaries!

Pandit Lakshmi Kanta Maitra: If the heart of the Honourable Knight of Moradabad bleeds for them, I shall not grudge their lot!

Some Honourable Members: Go on.

Mr. Deputy President (Mr. Akhil Chandra Datta): The Honourable Member will please go on.

Pandit Lakshmi Kanta Maitra: He continues:

"The information which we get about these people almost invariably starts with some kind of a confessional statement, not by the person himself, of course, but by a person in his confidence. Now, even that is never accepted until it is cross-checked by at least one other statement of a person in the inner circle."

All this process is being pursued by the police officers and finally they are said to be placed before two Sessions Judges. But how can Judges persuade themselves to adjudicate on these dead records? How can they come to a correct decision on this one sided evidence? So, first of all, you get a confessional statement, not by the person himself, but by somebody else who is said to be in the confidence of that man. That is checked by the confessional statement of another person, and those persons are not known to each other, according to the statement of the Honourable the Home Member. It is all very well to state in this House that Government are taking every possible precaution, every possible care, to see that no injustice is done, and no person is unduly deprived of his liberty. But those of us who are bred for the profession of law, who practise the noble profession of law,—know what these assurances are worth. After all, police evidence, not properly tested and sifted by well recognised methods, should not be trusted, that is our definite, deliberate opinion. We know what a police enquiry, pure and simple, means. Do

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not the police in every trial make out a *prima facie* case and submit a charge sheet to the Court? And still do we not find that in open Court, in open trial, their evidence cannot generally stand the test of cross-examination and cases eventually end in acquittal? In my own province, we have had the experience of the Narsingarh Train Wrecking Case, the Mussalmanpara Bomb Case, the Howrah Conspiracy Case. The Government commandeered all the resources at their disposal, and, piecing together confessional statements drawn from several quarters, launched these cases with all the paraphernalia of a State Prosecution. Some lawyers, who volunteered their services for defence, smashed the prosecution evidence in such a way that there was acquittal in all these cases. In one particular case, relying on the confessional evidence of the police, the Government went so far as to give prizes to persons who were said to have actually captured the culprits. But, at the right moment, the actual culprits turned up and said: "We are the guilty people, and not they." These experiences are still fresh in our minds. I ask Honourable Members on the Treasury Bench and British friends over here, and especially, my Honourable friend, Mr. Witherington, if in his own country the Government of Great Britain had given them an assurance, "There is terrorism going on here. But we cannot bring the men before an open Court. The Scotland Yard has been investigating the case with meticulous care, and you should depend upon them,"—I ask, if a Government, making such a statement there, would have lasted even twenty-four hours? Would such a Government be worth a moment's purchase in Great Britain? Then, may I ask what is the meaning of all this? Again, can Government indicate the time, near or approximate, when they expect to release these people? They say, when there is a change, an improvement in the situation. When is the change coming? We have already seen a considerable betterment in the situation. This procedure of detaining people on suspicion, on uncorroborated one-sided confessional evidence, is one which is repugnant to all canons of civilized jurisprudence. It is extremely disgraceful that the British Government would stick to such a principle of indiscriminate arrest and indefinite detention of persons whose offences have not been proved. It is said that the Government cannot bring them into a Court of Justice, because it is apprehended that the witnesses, the judges, the magistrates, will be in constant fear of losing their lives, constant fear of being murdered or assassinated by "potential", or kinetic, if I may say so, terrorists. Do the Government seriously mean to press forward such an argument? Do the Government mean to say that their police is so ineffective and inefficient in this country that they cannot protect these men? Can that argument be seriously put forward, especially in my province of Bengal, where there is a disproportionately heavy expenditure on the police and the military, and all the nation-building departments are being starved in order to feed fit the police and the military? Do they mean to say that the police is in such a hopeless plight, or that it is so inefficient, that if you bring detenus into open Court for an open trial, there will be wholesale murders of witnesses and judges and magistrates? If so, that is the greatest indictment against British rule in India. That condemns it more than anything else that, after a hundred and seventy years of rule in this country, they have not been able to manage things in such a way that they can bring offenders to trial in an open Court. And that Court is their own

court, not a Congress Court. It is their own constituted Court. Try them in those Courts, and, if they are guilty, put them in jail. We do not stand for violence or terrorism, but what we do stand for is the vindication of justice, the vindication of the noble principle of individual liberty, which is more sacred to a man than anything else. We have been told by the Honourable the Home Member the other day that the Bengal Government is doing all it can to ameliorate the conditions of these detenus. 80 persons are going to be given industrial and agricultural training? That does not touch even the outer fringe of the whole problem. We have 2,500 detenus, and, out of them, only 80 are to be trained to handle a spade or a scythe, or to manufacture sticks or handles of umbrellas.

An Honourable Member: Arrangements are being made.

Pandit Lakshmi Kanta Maitra: Yes, arrangements are being made for the training of these detenus to fit them for a better life. 3 P.M. Cogitation is going on, and we do not know how it will end. But in this respect we stand on a definite principle. You cannot deprive a man of his liberty and then give him something by way of recompense. Sir, individual liberty cannot be snatched away like that, and anything which deprives a man of his liberty deserves the strongest condemnation of this House. No one should be deprived of his valued right of citizenship and liberty—on mere suspicion, however strong—that is a proposition which admits of no compromise. Sir, one great argument against the release of these political prisoners is that on several occasions in the past when steps had been taken to release them, there was a recrudescence of terrorist crime. May I know from the Government if it is their case that these 2,500 detenus are the identical set of persons, this fixed number, who are always responsible for these terrorist outrages? Is it their contention that, so long as these people are kept in detention, terrorist outrages decrease, but the moment they are set at liberty, these crimes increase or there is a fresh recrudescence of terrorist crimes? Certainly, such an argument is not only fallacious, but simply ridiculous. The reason must be looked for far deeper than on the surface. The Government have never probed into the question as they ought to have done. They have simply tinkered with the situation. After all, it does not pay anybody to gamble with one's life, to risk his liberty or to risk his all. Why is it that young boys and girls enter upon a scheme of murder and assassination on a wide scale? They ought to look for reasons far deeper. Have they tried to apply their mind to the broader issues, to the real causes which have brought about such a condition of things in this country? Sir, whenever there is a defect in the Constitution, we find from the history of political movements, there is discontent, and as soon as discontent manifests itself, repression follows, and then there is greater discontent and wider manifestation of it, and greater repression is pursued, and thus the vicious circle moves on. If they had taken the trouble to analyse and get into the root cause of this trouble, and if they had tried to remove them earlier, probably they would not have been faced with the present situation. Up till now, we have heard nothing from the Government of India except a stray passage from the Government of Bengal to say that they are applying their mind to the problem. Sir, terrorism cannot be cured by terrorism alone, something else has to be done, and the root cause is economic distress. Sir, it is no surprise that, of all the provinces in India, my province of Bengal is the most

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furnished province; all the nation-building departments have been practically starved. If the bulk of the revenue of a province is spent on the salaries and allowances of Government officials, the military and the police, if there is no scope for youngmen to enter upon industrial or other kinds of useful careers which will enable them to face the battle of life, what should these youngmen do? The Government have always tried to squeeze out as much money as they could, with the result that there has been acute economic distress in the country, which is the breeding ground of discontent and terrorism. If they had applied their minds to solve the economic problems of the country, if they had opened out new avenues, new careers for our youngmen, the situation would certainly have been different today.

Mr. Deputy President (Mr. Akhil Chandra Datta): The Honourable Member's time is up.

Pandit Lakshmi Kanta Maitra: If that is so, Sir, I will close now. I conclude by saying that this policy of detention without trial is a policy which stands self-condemned. It is repugnant to all notions of justice and righteousness. It is indeed a surprise that Sessions Judges in this country are called upon to do duties which are so revolting to their judicial instincts. Recently, Sir, we had an adjournment motion in this House about the ban on the return of Mr. Subhash Chandra Bose, and what was the attitude of the Government? The theory of potential culprit was trotted out. Mr. Subhash Chandra Bose has been banished from the land of his birth for his patriotism, and when he wants to come back to his own country, we are told that he is such a potential danger, such a potential menace to this country that the whole of the atmosphere will be changed to such an extent that there will be disaster and chaos in the country. My friend, Mr. Witherington, was telling us today that these detenus are potential terrorists and that there are great potentialities of danger. Sir, I say that every man has potentialities of both good and bad in him. Is it his contention that because a man has some potentialities of evil in him, he should be put into jail indefinitely, and that my Honourable friend, Mr. Witherington, and his friends only be left to enjoy unchartered liberty to get on merrily in this country and to do whatever they like with it and the 350 millions of people? Sir, I would, therefore, ask my Honourable friends to support this Resolution, because it is a vindication of a principle, it is a vindication of justice, and, on grounds of justice, on grounds of equity and on grounds of humanity, I would ask them to support this Resolution. (Loud Applause.)

Dr. J. H. Hutton (Assam: Nominated Official): Mr. Deputy President, as a representative of the Assam Government, I oppose this Resolution. The Government of Assam has always held the view that prevention is better than cure, and it is supported in their opinion, I maintain, by the general public of Assam. When the Criminal Law Amendment Act was before the Assam Council, a motion for circulation was rejected by 33 votes to 14, a motion to refer it to a Select Committee was rejected by 29 votes to 19, and an amendment to the effect that it should remain in force for two years only was also rejected by 35 votes to 9, and, of these 35 votes, only 9 were either Ministers or official Members. That, I think, is proof in itself that Assam as a whole does not regard the Act under which these persons have been detained as a desperately unjust law.

Mr. S. Satyamurti (Madras City: Non-Muhammadan Urban): How old is that Council?

Dr. J. H. Hutton: The one point, I think, in favour of the Criminal Law Amendment Act is the results it shows. The Honourable Member from Sylhet said that there was no terrorism in his district. I very much doubt if the Law Member in Assam, who also belongs to Sylhet district, will agree with him. I may tell my Honourable friend that I think the Law Member of Assam himself examined the cases of those detenus that we have in Assam. I think there are only three under detention at present in jail, and that he was satisfied that it is necessary to detain them. Then, the Honourable Member from Sylhet said that there were no outrages or political crimes at all in his district; I would remind him of the occurrences at Kalighat, at Umednagar and at Jaldukha, and I think it is not insignificant that when, I think, ten Sylheties were arrested after the Act was passed in 1934, it made an immediate change in the number of political crimes in the province. Further, it reduced at once the number of thefts of firearms; the number of such cases reported in the Province is as follows:

In 1930, there were 40 cases.

In 1931, there were 46 cases.

In 1932, there were 55 cases.

In 1933, there were 41 cases.

And it was the information of the Government that a very large number of these thefts were of a political nature; but, after we put away some principal centres or rather foci focuses, if I may speak of a person as a focus, of political crime, the figure came down to 17 cases only.

Then, the Honourable Member talked also about the length of the detention. I think it is within his knowledge that the Government of Assam released at least six detenus last autumn from detention in jail, substituting restriction in their villages, and I have not the least doubt, and I don't think he has any either, that as soon as the Government are satisfied that restriction to their villages can be relaxed without increasing crime, those restrictions on their movements will also be removed.

Then, Sir, the last speaker argued that if some particular persons were removed from pursuing their political activities, if they were kept away from political activities, there would be no decrease in political crime. That at any rate, Sir, is not the experience of Assam. In regard to the district of Sylhet, I may say that when certain persons, who were well-known to the police and to the Government, were put under restraint, political crimes decreased in number, and the fear is that, if they are let out again, those crimes will increase. It is better that a few persons should be kept under detention than they should be allowed to murder others and should then be hanged for doing so, it saves double lives.

Mr. Sham Lal (Ambala Division: Non-Muhammadan): Sir, I rise to support the Resolution moved by my Honourable friend, Mr. Mohan Lal Saksena. The position, so far as the Government are concerned, is that they take up a position and then begin to invent arguments. That used to be the position when the situation improved and when there were no revolutionary crimes and the question of release could be considered. Today, the Honourable Member from Assam says that it is on account of the

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detention of these 2,500 men that the situation has improved. We ought not to release these persons if the situation is bad, we ought not to release these persons if the situation is good. This is arguing in a circle, and I do not think we can reach any result, and there can be any time when it can be said that the situation has improved, and even if the situation has improved, it would be credited to the action taken by the Government. There used to be the argument that these persons, who have been detained, are not revolutionaries or terrorists, but, as quoted by you, from the reports of 1934 and 1935, they are potential anarchists. They have got leaning towards terrorism, but today the argument is actually advanced that they are actual terrorists and that preventive action has been taken against them. The position is really this—can these persons remain in detention on the *ex parte* reports of police officers? How long is this detention to continue, and the third point is, even if the situation in the country improves, should they be released. Mr. Hands, from Bengal, clearly stated that there is every sympathy with those persons who have been detained, and it is, after all, not a pleasant task to keep them in detention, but the circumstances compel the Government and he has put the case of the Government.

As Mr. Aney remarked, Mr. Hands has got hands, but the Government he represents have got no heart. They cannot feel at any time that the time has arrived when these young men detained without trial should either be put on their trial or released. His arguments are that, in committing a terrorist crime, elaborate preparations are to be made. The place is to be selected, the time has to be selected and the habits of the person who is to be murdered has got to be studied; the place of shelter is to be selected, and it would be criminal on the part of the Government having information in their possession that a terrorist crime is going to be committed and there are some persons against whom there is information, if they did not detain them. That is the case. These things are done secretly. Generally, the information is obtained from members of the party, and if we put the members of the party in the witness box, there is risk of their being murdered. That is the position of the Government for the present. The position of the Government is that at one stage these 2,500 persons were party to the crime. They were accessories before the act or accessories after the act, and it was in order to prevent the commission of the crime that these persons were kept under detention. Now, let us take the argument as correct that at one time the Government had information with regard to these persons that they were in some way connected with revolutionary crime, and it was in order to prevent the commission of the crime that this action was taken. I would submit that, as a matter of fact, if they had been put on trial before any Court, they would have got two or three or four years, because they were only accessories before the crime and by this time they would have served their sentences. With regard to the persons who actually committed the crime and whom you put before the Court, they would have also served their sentences and they would be living as free men now. Now, are these men to be detained for life? What is the criterion? How and when are they to be released? The position of the Government is that these men are to be judged by their antecedents and not their mental attitude in jail. Then, I put the question, when will the time come for their release? When there is quiet and

there is no revolutionary crime, you say it is due to the action of the Government. If antecedents are to be the sole criterion, then when are they to be released? That is the first question.

With regard to the second question, Mr. Hands has clearly stated that they get information from party-members. It is the police who make the report that they have got information from a member of the party. How are the Government satisfied that the information which the police have got is from a member of the party? If a person gives you information and if an assurance is given to him that he will not be put in Court, and that he could not be subjected to cross examination if there is that sense of security, then the informer or the so-called member of the party will be inclined to concoct evidence and invent any story he likes. It is in order to decide whether you have actually got information from a police informer who makes a living by making false reports or whether he has actually got information from a person who is a member of the party or whether he is an *agent provocateur* that we want the matter to be brought before a Court of law. If all these police reports were to be believed, there is no use of a trial. You say it would have been criminal on the part of the Government if they had sat quiet when they have definite information before them. Now, Sir, this preventive action can be taken only when the atmosphere warrants such action. When there are no crimes and no crimes are apprehended, where is the hitch in producing these men before the Court and producing your evidence and get them convicted? Where is the necessity for preventive action at this stage? Preventive action might be necessary for you at the time when they were actually arrested, and I think it is the consciousness of the weakness of their case that prevents them from bringing the case before the Court. My position is this. Any number of arguments can be invented, but really it is the conscience of the Government itself, that is concerned. The Government having suppressed the liberties of the people, having suppressed the free expression of opinion of the people, knowing full well that they are not a popular Government, are afraid of their own shadow; they are afraid of everybody, they suspect everybody, they begin to think that every young man who has got any patriotic feeling is a revolutionary; that is the mentality of the Government. (Hear, hear.) Otherwise, these people are quite innocent.

Now, Sir, I quote a specific case, and I put it to the House, and the House can judge. The Honourable Member has quoted some cases, and now I can quote one case. There was a case of one Mr. Iqbal Krishna Rama Krishna booksellers, and the Honourable the Home Member can note and ascertain if it is a fact or not. Now, this man was arrested and convicted for the possession of a revolver and sentenced to two years' rigorous imprisonment. He was acquitted by the High Court and the Judge held that the revolver had been planted in his house. He was acquitted, and, then, after he had been acquitted, a watch was kept over him. The police was after him. If he went to his shop, a C. I. D. man would sit there. If he went out for a walk, a C. I. D. man would follow him. He was being shadowed every minute, and he could not do any business. If he wanted to open a shop, they would stand in his way, and they won't let him do any business. He had a passport for England which he got in 1930. He eluded the police, he went to England, the police could not find him, and his brother told the C. I. D. that he had gone to England. He went to England, he learnt printing and became

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an expert in printing, and now he is in Madras in charge of some printing work getting Rs. 400 a month. (Hear, hear.) Now, if the position had remained on thus of his being shadowed by the police, he might at any time have been detained under some of these numerous enactments or under Regulation III of 1818, and his career would have been marred. He has now returned, and, of course, he is teaching printing to other persons also. Now, exactly the same is the position with regard to these detenus. We do not know how many careers this Government have marred of countless, brilliant young men, who, alas, are prevented from learning any craft or business and who might, but for the action of the Government, have proved very useful and profitable citizens of the country. Therefore, the position is this. It has been made out that the Government get the cases tested. Sir, we lawyers know what these *ex parte* decisions are. Let us not assume that the judges are not honest. But let us take up the position that if *ex parte* judgments are to be given, I think such judgments cannot be relied upon. In how many instances, if the defendant does not appear, cases are simply as a matter of course decreed! It has been argued for the Government,—well, these persons have been detained on information given by the police which the Government consider to be reliable. If that were the source of information,—and I do not say that the Government are very desirous or anxious to keep those persons in detention—it certainly does not show that the Government are not or cannot be misled.

Mr. Deputy President (Mr. Akhil Chandra Datta): The Honourable Member's time is up.

Mr. Sham Lal: And, Sir, just as a Government can be misled, so a judge can be misled, and, therefore, it is that this procedure of a trial has been provided. I think, therefore, if this Government have got any regard for the laws of justice or for a fair trial, it is the duty of the Government to release these prisoners detained without trial, without any delay, and should not keep them in jail for such a long time without trial. Sir, I support the Resolution.

The Honourable Sir Henry Craik: Sir, before I address myself to the main question raised in this Resolution, I should like to answer very briefly one or two observations made by previous speakers, and if the first speaker whose observations I refer to is, Sir, yourself, I trust I shall do so with the respect due both to your position as a Member and to the high position you now occupy. It was observed in the course of your speech, Sir, that the detenus are kept under restraint, only because they are potential, and not actual, terrorists. Well, that, I admit, is true to this extent that they are potential terrorists in the sense that if they were free they would commit terrorist outrages, but they are restrained from doing so by the fact that they are not free. The argument pursued a little further would come to this that, as these people are only kept under restraint because they are "potential terrorists", therefore you ought to release them and you ought to take no action against them until they have committed a murder. Sir, that is not an argument which I can for a moment accept.

[At this stage, Mr. President (The Honourable Sir Abdur Rahim) resumed the Chair.]

The second point taken, Sir, was that it is hard on these detenus that their freedom should depend on circumstances outside their own control, that is to say, on the state of the country and not on their own possible reformation. Now, that argument is refuted by the fact that releases are continually taking place, that the form of detention is being steadily relaxed, that more men are being allowed to go into home domicile or village domicile, and that the number kept under detention is steadily declining, and, within the last few months, the figures I quoted the other day showed that the decline has been rapid. At the present moment, the number either in jail or detention camps is according to the latest figures just over 1,400. I have not with me the figures for other forms of detention, but I can assure the House that it is steadily declining and that the decline in recent months since terrorist outrages of a serious nature have been stopped has been rapid.

That brings me to another point. The Honourable Member for the Chittagong Division said that things were quietening down and it was months since there had been any serious incident. Well, Sir, it is a common saying that one is inclined to miss the very thing that happens under your nose, and the Honourable Member should have been aware that the latest incident, and I think a very serious and significant incident, took place only three days ago in his own constituency. At a village called Feni, in the Noukhali district, an escaped detenu was arrested after putting up a desperate fight with the police and he was on that occasion in the company of an absconder whose name has not been given, but of whose identity I personally have very little doubt, who is one of the most dangerous terrorists in the whole province. That incident is significant, not only because the man was fully armed and put up a fight, but also because he was himself a man who had been under detention, but had escaped from detention.

So much, Sir, for those two speeches. Now, I would like the House to believe that I entirely share the feeling that detention without trial is *per se* an odious thing in the eyes of law. But that feeling must be qualified by a regard to the circumstances under which Government have had to have resort to this admittedly exceptional and admittedly extreme measure. In the first place, I would like the House to remember that the ordinary law presupposes that the great majority of the population are prepared to support the law and are ready to see, and will help in seeing, the wrong-doer punished. That has most emphatically not been the case in Bengal during the last five or six years. It is only lately that has begun. We have had to face a situation when not only a very large section of the population was definitely hostile, but I should say it is no exaggeration to state that in certain districts the majority of the population was so terrorised and so frightened by the activity of the terrorists that they were definitely afraid to support the law in consequence the law had quite clearly and without any doubt broken down. In those circumstances, Sir, not in order to punish, but in order to prevent further outrages, Government were compelled to arm themselves with exceptional powers granted to them by perfectly constitutional means through the Legislature and they have had to use those exceptional powers. So much, Sir, for the theoretical objection to detention without trial.

I would ask the House to observe for one moment the wording of the Resolution. We are advised to release or direct the release of all

[Sir Henry Craik.]

persons detained without trial. We are not advised—let the House mark the words—we are not advised to put them on their trial, we are not advised to take measures to expedite their release, a process which I should say is steadily going on, but we are advised to release here and now and all at once all the prisoners detained without trial. What would be the result. What has experience shown would be the result of such a release? On three occasions we have had in the past a general release, a general amnesty of detenus. One occasion was on the expiry of the Defence of India Act in 1919. Early in 1920, all the internees were released, and what happened? Within a year or two, there was a serious recrudescence of terrorist outrages and perhaps the most serious feature of that period from 1920-1924 was that the terrorists during those years succeeded in penetrating inside the Congress organisation. It was in 1924 that the Bengal Provincial Congress first passed a Resolution eulogising the murderer of Mr. Day. In 1923-24, there was a very serious recrudescence of terrorist crimes, the most notable case being the armed dacoity in Chittagong. Then, Government had again to take special measures in 1924 by means of an Ordinance which subsequently became a Regular Act. Between 1924-28, a considerable number of persons, about two hundred, were put under restraint, and, during that period of four years, only one outrage occurred. By September, 1928, again, for a second time, all the detenus were released. (Interruption.) I always know when my arguments are unpalatable by the number of interruptions. Coming to 1930, the terrorists had by then again organised their plans, and, two years after their release, they began once again the most serious and grave series of outrages beginning in April 1930 with the Chittagong armoury raid which as the House will remember was a most formidable and well organised raid resulting in several murders. It was not till 1932 that again special measures were taken, and gradually this serious outbreak of crime was brought under control. It is thus clear that as the Bengal executive were armed by its Legislature with special powers and as they steadily applied those powers, crime steadily decreased, but when the pressure was relaxed, there was an immediate recrudescence of crime. If we were foolish enough to disregard the lessons of experience three times impressed upon us and to accept this Resolution and release the whole of these detenus, who could have the slightest doubt that there would be another immediate recrudescence of serious terrorist crimes? In that sense, my Honourable friend, Mr. Witherington, was perfectly entitled to say that a vote for this Resolution was a vote for terrorism.

Some Honourable Members: No, no.

The Honourable Sir Henry Craik: He is perfectly entitled to say that if Government acted on this Resolution, there would undoubtedly be a recrudescence of murder.

Some Honourable Members: You are wrong.

The Honourable Sir Henry Craik: Three times I have been right and have been proved to be right.

Mr. S. Satyamurti: You may succeed the fourth time!

The Honourable Sir Henry Craik: A man who deliberately disregards the lessons of experience in that way

Pandit Krishna Kant Malaviya (Benares and Gorakhpur Divisions: Non-Muhamadan Rural): Why do you disregard the lessons of history?

The Honourable Sir Henry Craik: I cannot describe him in polite language.

Mr. Mohan Lal Saksena: I will specify him when I reply.

The Honourable Sir Henry Craik: Let me take one other point. The supporters of this Resolution are all Members of the Congress Party and that fact seems to me to be somewhat significant. There would be no support for such a Resolution and there has never been such a Resolution ever tabled in the Bengal Legislative Council. No doubt Honourable Members will retort to that; "Because there are no Congressmen in the Bengal Legislative Council".

Mr. S. Satyamurti: The Bengal Legislative Council has been given extension after extension, for the past seven years.

The Honourable Sir Henry Craik: That only shows that the only people who sympathise with the detenus are Congressmen. The Bengal Legislative Council, as I pointed out the other day, has passed by a sweeping majority every Act necessary to strengthen the hands of the executive.

Sardar Sant Singh: We do not deny the existence of reactionaries in this country.

Pandit Lakshmi Kanta Maitra: They are all rewarded by extension of their life in the Bengal Legislative Council.

The Honourable Sir Henry Craik: There is another significant fact in this connection. It has been proved to the hilt that many Members of the Congress were concerned in and convicted of terrorist crimes.

Mr. Mohan Lal Saksena: Question.

The Honourable Sir Henry Craik: It has been proved to the hilt. The Honourable the Law Member quoted, I think, 58 cases in which such convictions had been recorded.

Mr. Mohan Lal Saksena: Do you refer to the Congress Party in the Assembly?

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member will have a right of reply. Let him not interrupt now.

The Honourable Sir Henry Craik: It is said that Government are making too much of these terrorist crimes and that they are making an unnecessary fuss over the murder of a few officials. Well, the actual figures since 1930 of officials murdered were 24, injured 36, of non-officials murdered 20 and injured 44. These officials and non-officials comprise every class of the community but one. There have been Europeans, both officials and non-officials,—Anglo-Indians, both official and non-official,—Muhammadans, Hindus and women. Among the officials, many of the lower grades such as school masters, railway employees, postmen, motor car drivers and as I say several women. Can any Honourable Member of this House mention to me a single case in which a member of the Congress has been the victim of a terrorist outrage?

Mr. Sri Prakasa (Allahabad and Jhansi Divisions: Non-Muhammadan Rural): In Benares, three Congressmen were shot down.

The Honourable Sir Henry Craik: Can any Honourable Member of the House mention a single case in which the house of a Congressman was subject to dacoity? There have been numerous cases of dacoities and numerous cases of murders in this period.

Mr. Sri Prakasa: The police committed three dacoities in my house.

The Honourable Sir Henry Craik: Among the list of persons murdered or injured, among the list of victims of dacoities and robberies, there is never the name of a Congressman. The point is this that the only section of the community that is immune from terrorist outrages is the Congress, and it is not surprising that they want to have the terrorists released. In the case of the Honourable Member who has moved this Resolution, he is always ready to sympathise with the terrorist whether he is in detention or whether he has been convicted by a Court. He was, I believe, many years ago a very active member of a body called the Kakori Defence Association, and even when the persons convicted of those abominable crimes had been sentenced and had appealed in vain to the High Court, he pursued with every kind of vigour his attempts to get them clemency at the hands of the executive. One of those Kakori convicts, not a detenu but a man convicted in Court of the most heinous crimes of organising dacoity and murder, again commanded the active sympathy of the Honourable the Mover the other day when he went on hunger strike in order to blackmail Government to accede to certain completely preposterous demands. The Honourable gentleman's sympathy is so wide that it extends even to those terrorist convicts in the Andamans. He asked to be allowed to go there specially in order to inquire into their grievances. They are a handful of about three or four hundred amongst some five or six thousand other convicts. He is not interested in the other convicts; he is only interested in the terrorists. It is idle to pretend in the case of the Honourable the Mover that it is merely on a point of principle that he cannot bear the thought of detention without trial. He is equally interested and equally sympathetic to the terrorist whether he has been convicted after trial or whether he is detained without trial. The Honourable gentleman quoted his own

experience. Nine times, he boasted proudly, had he been convicted, and every time, he said, on false evidence, every time on the evidence of a police informer or spy. Now, I rather like to follow up these rash assertions, and so I sent for the judgments in the cases of some of the Honourable Member's convictions. I secured seven of the nine, and I read the judgments with some care. In no case was there any mention of any witness who can by any stretch of imagination be called a police spy. The witnesses were nearly all uniformed policemen or a magistrate on duty. In every single case there was no defence. In two or three cases, the accused himself admitted the commission of the offence and in every case the offence was one that was committed in the sight of some hundreds of people. And yet we are told that this system is so wicked that even the Honourable Member was convicted and wrongly convicted nine times on the evidence of police spies. The judgments which I have read, as I say, with some care entirely failed to corroborate any statement of the sort.

Mr. Mohan Lal Saksena: Sir, may I interrupt the Honourable Member?

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member will have a chance to reply.

The Honourable Sir Henry Craik: I now come to another proof of the Honourable Member's sympathy and the Congress sympathy with the detenus. They organised a Bengal Detenus' Day and made a great splash about it in the papers. The actual day was the 19th May, 1935. In spite of the efforts of the All-India Congress Committee, the day was a lamentable "flop". The total amount of money subscribed from the whole of India, according to my information, came to about Rs. 10,000. Of that, Rs. 7,000 was collected in Bombay, the home of the rich, and only about Rs. 150 in Bengal. In two places in Bombay, an appeal for funds produced the magnificent total of Rs. 2,300. But the meetings decided,—they were meetings of the Congress Socialist Party of which I understand the Honourable the Mover is an ornament,—the meetings decided that Rs. 1,000 of that sum, or rather less than half, was to be despatched to Bengal. Rs. 400 was debited to expenses and Rs. 900 was to go to the funds of the Congress Socialist Party. I wonder how much of it reached the detenus. In Madras, two meetings were held in Madras City and the total sum subscribed was Rs. 28. In the Punjab, there was no enthusiasm and in fact two Congressmen,—and I understand quite respectable Congressmen,—thought that the whole thing was a great mistake and wrote to the papers and said so. They addressed the All-India Congress Committee and said:

"It does not behove the Congress to organise the celebration of 'Detenu Day' which is being widely interpreted as indicating sympathy and support of the Congress for terrorism."

(Interruption from Sardar Sant Singh.)

This was in a letter sent to the newspapers by two gentlemen named Sardar Boota Singh and Lala Hari Ram, both Congressmen:

"Although Congress may have no such intentions, as pointed out by you, there is no denying the fact that such a celebration is a great concession to the detenus who are in jail on account of their complicity with terrorism, whether supposed or real. This policy of placating a few Congressmen to the detriment of true principles will be greatly harmful and the sooner it is abandoned the better."

[Sir Henry Craik.]

I venture to think that that was pretty sound advice, and I venture to think that if, instead of constantly showing on every possible occasion their sympathy with the detenus, with potential or actual murderers, in this way, if the Congress had come down boldly on the other side as they did a good many years ago, it would have been far better for the country. The fact is, Sir, that so far as terrorism is concerned, the Congress as a body has not only failed to give any definite lead, but their nebulous attitude affords some real justification for doubts as to their motives in failing to do so. So long ago as May, 1934, at a meeting of the Congress at Ranchi resolutions were passed demanding the release of detenus, the repeal of all repressive laws, the closing down of the Andamans as a prison for convicted terrorists; but the resolution failed to say one single word in condemnation of the outrages and murders which were at that time constantly happening. A few days later, on the 8th May of that year, there was the abortive attempt to assassinate the Governor of Bengal at Darjeeling. On the 16th and 17th May, that is, eight days after that attempted murder, a meeting of the All-India Congress Committee took place at Patna. There was then clear evidence, published evidence in the papers regarding the conspiracy to murder the Governor. The All-India Congress Committee passed various resolutions. It totally ignored that outrage. It failed to say one word in condemnation of terrorism as a whole. Has that omission ever been made good? No Member opposite can produce a resolution of the Congress as a whole condemning terrorism within the last five years. It may have been condemned—I do not say it has not been—by individual members, but no individual condemnation

Mr. M. S. Aney: It has been condemned by the All-India Congress Committee.

Mr. M. Asaf Ali (Delhi: General): It has been condemned times out of number.

The Honourable Sir Henry Craik: No, Sir, it has not. It is not enough to say that individual members of the Congress have condemned it, but Congress as an organisation has given no indication, no lead, against terrorism.

Mr. S. Satyamurti: This is very unfair.

The Honourable Sir Henry Craik: Whatever improvement has taken place in the general attitude in Bengal—and I am glad to say that there has been improvement, but not so great as some Members have made out—whatever improvement has taken place in Bengal, the Congress has played very little part in bringing it about, and until they take a definite stand against this abominable form of crime, it seems to me that their claim that their policy is based only on non-violence must fail to carry conviction. Until we know definitely that the Congress as an organisation will really oppose terrorism and will do its best to stamp it out, I say that there can be no general release of the detenus. Gradual releases will go on as they are going on now, but, for a general amnesty and the risks which such a policy involves, we must wait till there is some far greater, far more drastic, far more revolutionary change than has yet occurred in public feeling in Bengal. (Loud and Prolonged Applause.)

(Some Honourable Members rose to speak.)

Mr. President (The Honourable Sir Abdur Rahim): If the Honourable the Mover wishes to reply, he can do so now.

Maulana Shaukat Ali (Cities of the United Provinces: Muhammadan Urban): With your permission, Sir, I would like to take part in this debate.

Mr. President (The Honourable Sir Abdur Rahim): If the Honourable Mover wishes to reply, he can do so; otherwise the debate is closed.

Mr. M. Asaf Ali: There has been no suggestion for closure from any side.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member is in charge, and it is in accordance with the ordinary practice that he, on behalf of Government, should wind up the debate subject to the reply by the Mover.

Mr. S. Satyamurti: On a point of order, Sir, No Member is in charge of this Resolution. It is our Resolution.

Mr. President (The Honourable Sir Abdur Rahim): The Chair means he is in charge of the subject. The Chair is merely following the ordinary practice.

Mr. Mohan Lal Saksena: Sir, I hope you will extend a reasonable time to me so that I may be able to reply to all the points that have been made by the Honourable the Home Member. The first thing that he said was about the wording of the Resolution. He gave the impression that if the Resolution had been worded otherwise than it has been and if we had asked Government to expedite the release of political prisoners after considering each case on its merits, he might have accepted it. But I want to tell the House that only the other day a Resolution was brought in the Council of State by Rai Bahadur Lala Mathura Prasad Mehrotra. That Resolution only wanted the cases to be examined by a judicial committee consisting of Judges, but it was not accepted by Government in the Council of State.

The Honourable Sir Henry Craik: It was not accepted by the Council of State.

Mr. Mohan Lal Saksena: Government did not accept it. If Honourable Members will read the speech of the Home Secretary, they will find that he did not want to accept the Resolution. So I hope Honourable Members will not be carried away by the arguments of the Home Member.

The second point that he raised was that no such Resolution was ever moved in the Bengal Council and that these prisoners were being detained statutorily, because their detention has been approved by laws enacted by the Bengal Council. I know—and Honourable Members here know—how long that Council has been in existence. It was elected in 1929 for

[Mr. Mohan Lal Saksena.]

a term of three years, since then, its life has been extended from year to year, and it is still going on, and it will go on unless Government are compelled to dissolve the Council statutorily. But, what is the verdict of the public there? There was an Assembly election there, and all the candidates were Congressmen. Leave the Congressmen alone. The Honourable the Home Member said that this Resolution has been supported only by members of the Congress Party. May I know if Mr. Anwar-ul-Azim, who has been voting all along with Government, is a member of the Congress party? Does he not come from Bengal, and what has he got to say? He said that Government ought to change their policy, and I think the Honourable Member was unfair in saying that this Resolution has no supporters other than the members of the Congress Party. Who is Mr. Mathura Prasad Mehrotra, Member of the Council of State? He is a talukdar, he has got his stake in the land, he is a man who can be a victim of the terrorists, there can be dacoities in his house, but still he brought this Resolution in the Council of State. So it is entirely wrong and misleading to say that this policy is being supported by no section of opinion excepting the Congress

The Honourable Sir Henry Craik: I said nothing of the kind.

Mr. Mohan Lal Saksena: Then, Sir, it does not lie in the mouth of one who has been flouting the verdict of the Assembly every day to say that this Resolution has been opposed by the Bengal Council, and that otherwise action would have been taken? Was not this question raised during the budget discussion on the Home Department issue? Did not the Home Member make a speech that very day—probably he delivered the very speech which he had prepared for this Resolution—and after hearing his speech the House passed a vote against the Home Member. Honourable Members should not be misled into believing that a vote for this Resolution will be a vote of confidence in the terrorists. Nothing of the kind. When, the other day, after the speech of the Honourable the Home Member, the House passed that motion, it does not mean it was a vote of confidence in the terrorists. It is a vote for justice and fair play, it is a vote for the vindication of the civic rights and liberties of the people which Englishmen value so much. It is a vote, again, for humanity and good conscience. It will be a vote for future better relations between the people of this country and that of Great Britain. So I hope that Honourable Members will not be misguided by the Home Member's argument.

Then, Sir, the Home Member came forward and said that so far as
 4 P.M. he (meaning myself) was concerned individually, his sympathies were always for the terrorists—not only for those detained, but for those who had been convicted. I can only say that since we have come here we have been looking forward for a change of heart, but leaving the change of heart alone, there is no change even of vision. The vision is jaundiced with power and prejudice, jaundiced with fear, mistrust and suspicion, jaundiced with hatred and haughtiness, jaundiced to such an extent that every peaceful activity appears to be red to the Honourable the Home Member. Even avowedly declared peaceful associations like the Khudai Khidmatgar and the Hindustani Seva Dal are, according to him, allied with terrorism and Communism. His vision is jaundiced to such an extent that every activity on our part, whether it be in the shape of questions to

bring to the notice of the Government the sufferings and hardships of those detained or whether it be an endeavour on the part of the Members of the House to get first-hand information regarding the conditions of detention in Bengal or regarding the administration of repressive laws in Bengal, or whether it be to raise some money to help those who have not been provided for and who are the victims of this repressive policy of the Government, all these activities seem to him to be inspired by one motive and one motive alone, namely, sympathy for terrorism. I submit that that is not so. These things appears so to him, because his vision is jaundiced, and unless that is removed, he will hold the same opinion. I have come to believe that the Honourable the Home Member and the Government of India, as constituted at present, are incapable of learning anything from the past or looking ahead to the future. We have asked the Government to have a dispassionate diagnosis of the causes of the present discontent and unrest. We have told them that Communism and terrorism are merely a symptom of a deep-rooted disease.

(At this stage, the Honourable Member paused for a minute.)

Sir, in view of the sweeping attacks which the Government have made on the Congress, the debate should not have been closed without giving a further opportunity to the Congress Party to participate in the debate. The Congress Party, therefore, records its protest by declining to take any further part in the proceedings of the Assembly in connection with this Resolution. (Laughter from the Official Benches and Opposition Applause.)

Mr. Akhil Chandra Datta: Sir, In order to remove certain misconception I think I owe it to myself and to Honourable Members to tell the House under what circumstances, when I was occupying the Chair, I called on Sir Henry Craik to speak. I was never told that he was replying. Several gentlemen stood up, and out of respect for him as Home Member and as a senior Member, I called upon him to speak. It was not my idea to close the debate.

Mr. President (The Honourable Sir Abdur Rahim): As I have already stated, the ordinary practice is on a Resolution like this for the Honourable Member of the Government who is in charge of the subject to wind up the debate, subject to a reply from the Mover of the Resolution: and finding that the Honourable Sir Henry Craik, the Home Member, was winding up the debate I followed the ordinary practice: otherwise he would have lost the right, that Government enjoy under the practice, of winding up the debate. I shall now put the question to the House. The question is:

"That this Assembly recommends to the Governor General in Council to release, or direct the release of, all political prisoners detained without trial."

The motion was negatived.

RESOLUTION *RE* IMPORT DUTY ON UNBROKEN RICE AND PADDY.

Mr. Muhammad Nauman (Patna and Chota Nagpur *cum* Orissa: Muhammadan): Sir, I move:

"That this Assembly recommends to the Governor General in Council that an import duty of rupee one per maund on unbroken rice and annas eight per maund on paddy be levied."

Sir, representing as I do the area of Bihar and Orissa, where the chief crop grown is rice and paddy, I think it is my duty, both in the

[Mr. Muhammad Nauman.]

interest of my constituency and of the whole country, that I should move this Resolution. It is essential that these areas should be protected and developed and special regard should be given to their agricultural conditions, their cost and their value, and, in this way, protection for rice-growing areas should be adequate. Recently, we have seen broken rice and rice in husk being imported into India by Siam and Indo-China to which places we used to be important exporters of rice even a few years ago. Not only that, but even Japan exported rice to us last year and the year before last. I may inform the House that, only a few years back, we were the biggest exporters of rice, not only to Bangkok, but also to Japan and China. The import of rice from other parts of the world into India is substantial. It is hampering our agriculture: this dumping by Indo-China creates unhealthy competition in our only industry—the poor land industry of agriculture. In the absence of any material encouragement having been given to the agriculturists, at least a moral support of protecting our agriculture should be the least that we can expect and the least that the Government should give. I may further say that, as rice is one of the staple foods of this country, there should be given a chance to all such areas to develop their lands under cultivation which are not so occupied, and this is not possible unless agriculture is made profitable and unless we find that paddy fetches a price which makes it profitable to grow. In this connection, I may further inform the House the fate of the jute growing areas in Bengal and Bihar when it actually so happened that, by commercial combines and jugglery of foreign consumers, the prices of jute were reduced to a point where even the harvesting of jute was more costly than the value which could be realised by the sale. Everybody knew that the European combines were often making huge profits on the Indian products and playing with Indian agriculture. The poor agriculturist growing jute and the people connected with such lands had no option as they could not replace jute by paddy as it was also profitable to grow. The question of growing rice and paddy as a substitute for jute became an acute question for the reason of finding a suitable market for it at a price which would make it profitable for those engaged in the cultivation. People may say that it may be to the disadvantage of the consumers, but this is another fallacy which is often introduced by that section which wants to profit themselves by creating competition in our own products. Let us examine this fallacy. Who are the consumers in this land? Out of 100 per cent consumers, or population, over 70 per cent. are engaged in agriculture, and 30 per cent. more or less are engaged in other professions of life. To sacrifice 70 per cent. in the interests of 30 per cent. is not at all equitable. Besides, I may further inform the House that the allied professions depend practically on the prosperity of the agriculturist. Take law or medicine or other lines. It will not be at all a sacrifice as some people are being impressed.

Now looking to the figures, we find that in 1933-34, the import into India of rice in husk was 1,303 tons in 1934-35, it was 1,07,197 tons, and in 1935-36, it was 92,924 tons. The imports of rice not in husk were 45,176 tons in 1933-34; 2,32,794 tons in 1934-35, and 76,212 tons in 1935-36. This year, imports in January alone are 16,975 tons as against 5,855 tons last year. It may be argued that the imports in 1934-35 showed a decrease definitely, but, from the figures for January, 1936, it

is clear that the situation appears to be grave and that the imports from Indo-China and Siam might increase in total.

Now, looking to the value, we find that millions of rupees worth of rice are being imported here from other parts of the world and, at this speed, I am afraid, the rice industry, which is the only so-called industry in this country, will be considerably damaged. I, therefore, strongly urge that this Assembly should recommend to the Governor General in Council that an import duty of rupee one per maund on unbroken rice and annas eight per maund on paddy be levied in the interest of the agriculture of this land and in the interest of the people of this country. Any import from foreign countries of our agricultural products is against the interest of our land, and, with these few words, I resume my seat.

Mr. President (The Honourable Sir Abdur Rahim): Resolution moved:

"That this Assembly recommends to the Governor General in Council that an import duty of rupee one per maund on unbroken rice and annas eight per maund on paddy be levied."

Prof. N. G. Ranga (Guntur *con.* Nellore: Non-Muhammadan Rural): Sir, I rise to support this Resolution, and, in doing so, I wish to state that it is not because I am a whole-hearted supporter of the policy of full-fledged protection to our industries to be given indiscriminately, but because I am perfectly convinced that this particular section of the agricultural industry needs this protection and it ought to be given. Sir, this protection ought to have been given long ago, this protection should have been given nearly five years ago as soon as the dumping of rice and broken rice and paddy began from Siam and Indo-China, but the Government were always indifferent to the plight of the agriculturists and were unwilling to do anything in time. Even last year this House passed a Resolution unanimously demanding protection for agriculturists, and it was after the Crop Planning Conference had made its recommendations and the Subcommittee of the Imperial Agricultural Council had also supported that particular Resolution, and after the Madras Government had pressed it very hard upon the attention of the Government of India the necessity for affording this protection to the agriculturists, that the Government of India had thought fit to afford a very slight bit of protection to rice and paddy growers in this country. We asked for protection for all kinds of imports of rice into this country, and we got only a very inadequate protective duty upon broken rice alone. We were told at that time that the real import which affected our rice in this country was broken rice, and, therefore, it was said then that it would be enough if protection were extended to broken rice alone and not to all kinds of rice imports. We were also assured that the particular duty would be enough to bring down the imports of rice into this country and it would help the agriculturists, but as my friend, Mr. Nauman, has shown us, we find that, during the last ten months of 1935-36, the imports of rice and rice in husk have not fallen very perceptibly when compared to last year, and these imports are certainly a menace to the rice growers of this country.

It is easy for the Government of India to say that if import duties were extended, not only to broken rice, but also to rice in husk and rice, the consumers would be affected. Sir, I am myself anxious to protect the interests of the consumers; I am myself anxious to see that when-

[Prof. N. G. Ranga.]

ever protection is given to any industry in this country, the interests of the consumer are protected, but at the same time it must be said in fairness that the producers must be assured of their cost of production and justice. When we ask for a minimum wage for our workers, we should also be prepared to demand a minimum wage for our agriculturists. It is not reasonable either for this Government or for the consumers or others who claim to speak on behalf of the consumers to maintain that the producers should be allowed to go to rack and ruin in order that the consumers should be benefited and in order that this Government may be allowed to go on without doing anything for the agriculturists.

Sir, the rice industry is the biggest industry in this country. It takes the first place in the crop planning of this country. It comes first amongst our crops, and there are as much as 80 millions of acres of land under rice. The only other crop which comes anywhere near it is wheat, and its acreage is 27 millions acres and more. Sir, the rice industry has fallen on bad days. Why is it so? It is because, I maintain, of the policy of this Government to do nothing whatsoever to relieve the severity of the economic distress. Only this morning, at question time, we asked this Government as to what they proposed to do to relieve the distress of the people, to relieve the acute economic distress. The Honourable the Finance Member was good enough to say that he was not going to adopt any of the monkeying methods that are being adopted by various Finance Members in other countries, that he was not going to adopt any suggestions made by this side of the House during the last 14 or 15 months. In fact, he was good enough to characterise all our suggestions as idiotic. Sir, it is because the Government have been so indifferent all this time to the plight of our peasants, to the plight of our rice growers who have under them the largest amount of land under rice cultivation, that we are obliged to seek protection from this Government. Sir, it is not a pleasure to me to come here and plead for protection for the biggest industry; it is not a pleasure to me to ask Honourable Members of this House to support this Resolution in order to protect the growers of rice and millions of peasants. If, Sir, it has become necessary for us to ask for protection for one of the largest industries of the world, then what is the position with regard to the other industries? What would be the limit of our demands for protection? We are placed in a very unenviable position, because this Government have done nothing whatever. And what is more, they have done many things to aggravate the economic distress.

As I put it this morning, and as the Finance Member was not able to deny the fact, there has been an actual contraction of currency in this country during the last five years. Gold exports there have been, and one would have expected that, in place of these gold exports, there would be a healthy expansion of our currency and a healthy free flow of money from Government into the hands of the peasants. But, instead of that, we find that there has been an actual contraction of our currency, with the result that the prices have shown a progressively downward trend. Sir, it is easy for the Honourable the Commerce Member or for the Secretary in the Department of Education, Health and Lands to maintain that, after all, the prices of paddy even have shown a tendency to rise during the last 14 or 15 months. But, by how much, I would like to know. The

price of rice in 1929-30, according to their figures, was Rs. 6-6-0 per maund of 82 2/7 lbs. It came down to Rs. 3-2-0 in 1933-34, and it is not more than Rs. 3-9-0 even today in this country. It is not, therefore, easy for them to come and say that, after all, the condition of the peasants has been improved because of this duty, the unsatisfying duty upon broken rice, and so the peasants ought to be satisfied with it. Really speaking, their condition is worsening day by day. Last year, there was some talk of debt relief legislation in the Madras Presidency, but nothing has come out of it. There was some legislation passed in the Central Provinces for debt conciliation boards, but nothing has come out of it, merely because the Central Provinces found it impossible to finance the debt conciliation boards. They were obliged to spare one lakh of rupees from the rural development grant for opening four debt conciliation boards. The Punjab Legislative Council has passed some legislation, but the Governor has sent it back for further review and amendment by the Legislative Council. Even in regard to the debt relief, the Government have been failing in their duty to relieve the peasants.....

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member is really wandering away from the subject. He will confine himself to the Resolution.

Prof. N. G. Ranga: Because of the fall in prices of paddy

Mr. President (The Honourable Sir Abdur Rahim): That is far too remote. He must confine himself to the Resolution.

Prof. N. G. Ranga: If you will listen to my argument, Sir,

Mr. President (The Honourable Sir Abdur Rahim): The Chair has been listening to the Honourable Member's argument. He must be really relevant. He had better confine himself to the Resolution itself.

Prof. N. G. Ranga: Because of the fall in prices, the weight of the indebtedness of the agriculturist has become too great, it has been redoubled and they have not been able to pay off their debts.

There has been an invisible drain of their resources, from them to the non-agriculturists, to the urban classes, to the salaried classes, because their grain has had to be sold at less than half the price for which it was sold in 1929-30. It is time that efforts should be made to raise the prices of the agricultural commodities. It is time that efforts should be made to improve the condition of these peasants in their bargaining capacity with non-agriculturists and in their bargaining capacity with manufacturers by adopting this particular Resolution and the course suggested therein. We do not ask for very much: we do not ask for permanent protection. We ask for temporary protection, and this is to go on for one year. If, in the meantime, conditions were to improve, imports were to be lessened and there was no fear at all of these imports, then it would not be necessary for us to have to come here and ask this Government to continue this particular protection.

It may be said that the total amount of rice produced in this country will not be enough for all the consumers in this country, and, therefore, it is always necessary to keep the door open for foreign imports of rice, rice unhusked and paddy in this country. I am prepared to admit this much, that, if Government were to come to the conclusion, after making a detailed survey of the total needs of the country for rice, rice unhusked and all

[Prof. N. G. Ranga.]

other by-products of rice, that foreign imports were really necessary, then it was for them to follow the practice of issuing licenses so that there would never be any kind of dumping at all as there has been in the last three or four years, even as has been admitted by Government, in the case of broken rice. But I do not want the Government to trot out the argument of the insufficient supplies of rice in this country for consumers and then say that they propose to do nothing whatsoever beyond what they had done last year and what they propose to do this year by imposing a duty on broken rice. I claim, although they seem to think that as much as three million tons of imports of rice are annually necessary in order to supply our people with the necessary quantity of rice,—I think they are wrong in their estimate, and even if they were to be right in their estimate, it would not be impossible for this country to allow that quantity of rice to come into this country from Burma, because Burma has always been our most important importer and we can certainly go on with Burmese imports. In addition to that, if we need any more imports, we can allow other countries to import rice by issuing the necessary licenses as I have already suggested. If Government wish to follow their present policy of *non-possumus*, of having nothing beyond this unsatisfying import duty on broken rice, I can only say that that would intensify the dissatisfaction of the peasants.

They may snap their fingers at the dissatisfaction that prevails amongst the peasants, but as the Honourable the Home Member himself has stated today that the Government are not, after all, so unconscious of public opinion in this country when it suited them, I would like the Government also to note one particular point. All over the Madras Presidency, a Presidency which is responsible for producing nearly one-eighth of the total quantity of rice produced in this country, a Presidency which is mostly affected by these imports, there were peasants' marches. The Government were good enough to state here in this House that there were some four hundred peasants altogether in a peasants' march in which I took part. I can tell this House that there were in that particular march only a hundred peasants who went along with me. That is the way they get their information, but they would not mention the other marches that had taken place all over the country, marches in which five to six thousand peasants had taken part in each, peasants not gathered from towns, but who had come from villages. And all these people had come, not to ask for the continuation of this particular import duty on broken rice, but an extension of it to rice unhusked and cleaned rice. Not only is it the case in the Madras Presidency, it is the case in the Central Provinces, in Bihar and in Orissa. Everywhere these marches are being organised. In Guzarat, only the other day, the peasants were not able to pay their *kists*, the *patwari* and others resigned, and seeing that such extreme steps had been taken by their own officers, the Government were obliged to grant some remission. This is the way in which peasants are expressing their discontent. Is this discontent to grow unabated? Will Government be prepared to exasperate the peasants by refusing to offer even this minimum bit of help to them? If they are prepared to do so, let God alone look after them. If, on the other hand, they wish to do anything at all to help the peasants, then let them adopt this particular Resolution

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has exceeded his time.

Prof. N. G. Ranga: Is it so?

Dr. F. X. DeSouza (Nominated Non-Official): I want to intervene in this debate just for a few minutes in order to draw the attention of the Government of India to the effects of their neglect of the rice growing industry, more especially in the Madras Presidency. I pointed out the other day that rice growing in this country at the present moment, under present conditions, had become so unprofitable that a large amount of land under cultivation had had to be abandoned. I pointed out that, in consequence of the catastrophic fall in prices, the area under rice cultivation had fallen from 84 million acres in 1931-32 to 81 million acres in 1934-35, and that the outturn had fallen from 33 million 200 thousand tons in 1931-32 to 27 million 719 thousand tons in 1933-34, a fall of 18 per cent. What is the result of this abandonment of so much land under cultivation. Can any Member of the Government of India with a sense of statesmanship contemplate the results of this abandonment of land with equanimity? Look at the state of the provincial budgets. Abandonment of land means that the revenue from land is not paid to the Provincial Governments and the result is that every provincial budget last year showed deficits of very large amounts. The abandonment of three million acres of land means unemployment to those who were engaged in the cultivation of land. Assuming that two acres are cultivated by a family of five, the abandonment of three million acres means unemployment for nearly seven million persons. How is the Government going to meet the deficits in the provincial budgets and the unemployment in the countryside? How do they contemplate meeting this economic collapse in the countryside? There is another and a wider aspect of this question to be considered. Those who have studied the Census Report for the last decennial period will be astounded to know that the population of India has increased by more than 34 million people during the last decennial period. It means nearly 34 million more mouths to be fed and that number will go on progressing by geometrical progression in the succeeding years. Is the Government looking ahead to make provision for the feeding of this vast and increasing population? A suggestion has been thrown out, for the first time in an official publication, that birth control should be resorted to in order to reduce the population. I hope that this recommendation made by the Census Commissioner was not made under the imprimatur of the Government of India. Be that as it may, surely a great Government like the Government of India is not going to look forward to race suicide as a means of saving themselves from the difficulty of feeding the population. When these startling figures were published in the Census Report, Indian economists, with feverish haste, attempted to think out means for meeting the situation. We know what researches were made by General Megaw, lately Director General of the Indian Medical Service, in connection with the problem of nutrition and what the results of his investigation were. He told us on a carefully made calculation that only 39 per cent. of the population were well nourished, 41 per cent. of the population were poorly nourished and 20 per cent. were very poorly nourished. If that is the position, with the condition of rice cultivation and other food grains as it is at present, what will be the state of the nutrition of the population when it will increase by leaps and bounds in a few years as shown by the Census Report. I ask the Government respectfully to consider this question in a serious manner and not to follow a policy of *laissez-faire*.

[Dr. F. X. DeSouza.]

What then do I recommend? Every other country in the world, both on the continent of Europe as well as in Asia, so far as the food supply is concerned, has adopted a policy of self-sufficiency. They have fixed a quota beyond which foreign countries will not be allowed to import rice into their country. Countries in the Far East to which we have hitherto been exporting rice, countries like Siam, Indo-China, Java, Japan and China have all adopted a policy of protection. They have subsidised the growers of rice, with the result that our exports to those countries have fallen from 2½ million tons before 1929 to something like 1½ million tons last year. Is it not our duty then to provide for self-sufficiency so far as food is concerned? I put it also on another ground. We live in fear of war and alarms of war. What would happen if there is an attack by another 'Emden'? My Honourable friend, Mr. James, would remember the terrible havoc caused by one German cruiser when it attacked Madras during the War.

Mr. F. E. James: (Madras: European): People ran away.

Dr. F. X. DeSouza: They ran away no doubt but they have got to be fed. We have got to take steps against starvation. I respectfully ask the Government to consider this question in a spirit of statesmanship and not follow a policy of drift from day to day. I ask them to levy a tariff on rice, such as would make the rice grower to grow more rice and grow it more profitably to himself and to the country. With these words I support the Resolution.

Mr. F. B. Leach (Burma: European): We have had a very harrowing picture drawn us by the last speaker of the appalling state of wars and impending starvation that is hanging over this country, but I must confess that I am at a loss to see how this prospect can be cured or even seriously affected by the imposition of an import duty on rice. Dr. DeSouza gave us a few statistics, and I am sorry to weary the House with more figures, but there are one or two which I should like to give. As he said, the population of India is growing very rapidly indeed. It has grown in the last 30 years by 19 per cent. from 295 to 353 millions of people. It is likely, so far as one can see, to go on growing as rapidly as that in the future. As against that, cultivation is increasing very slightly. The net area sown in British India in the last 20 years has only increased by two per cent. (I take these figures from the agricultural statistics of India), and the area under food grains has increased by an even smaller figure, only about .8 per cent. Such increases, as have taken place in cultivation, have been mainly in non-food crops. My Honourable friend, Mr. Nauman, asks who is responsible for it. One cause of it is the tremendous demand that there has been during the last 15 years for the industrialisation of India and for growing such crops as sugarcane. If you are going to divert rice land to sugarcane, if you are going to divert your agricultural population in the villages to the towns to work in industries, you must not be surprised if it has an effect on the agricultural produce of the country. I do not see how you can have it both ways. I do not say that that is the only cause, but it certainly is one cause. Another cause was suggested by my Honourable friend, Sir

Hormasji Mody, who spoke in this House a few weeks ago and who said in another connection:

"It is well-known that agriculture cannot possibly support anything like the population which exists in this country. With our primitive methods, with a precarious rainfall, with a poor soil, with large tracts of unirrigated land, it is quite impossible that agriculture can provide food to the teeming millions of India."

Well, I suppose Mr. Nauman was suggesting that what Government should do was to take drastic steps to improve methods of cultivation in India, so that India can increase her production of food crops as rapidly as she is increasing her population. I wish I was as optimistic as Mr. Nauman is, but it is fairly well-known that agriculture is the most conservative of all industries in the world, and I do not think . . . (Interruption by Mr. Muhammad Nauman), . . . I should be very much obliged if Mr. Nauman will allow me to make my speech. He has made his own speech, and I am endeavouring to reply to him. Now, even the most optimistic person can hardly imagine that the production of food crops could be increased by any very large amount within less than, I should be inclined to say, two generations; perhaps one generation would be a possible limit in this country. Well, within one generation the population in India is going to be well over 400 million, possibly 450 million. Does Mr. Nauman think that the produce of foodgrains in this country can be increased in anything like that proportion? Personally I do not.

Mr. Muhammad Nauman: Why not? What was the position of Australia twenty years back? What were they growing then and what are they growing today?

Mr. F. B. Leach: Sir, Australia is a slightly different country to India. The area of Australia is considerably larger than that of India, and, while her population is some six million, India has a population of 350 million. I have never seen in any book on the subject any reasons given for supposing that the area under rice in India could be substantially increased. The great irrigation schemes of North India are in tracts which do not grow rice. Bengal and Bihar and that part of India are already cultivating now as fully as they can in area, and I am informed with regard to Madras by those who know it that there is not much scope for further irrigation schemes in Madras covering any large area, and rice can only be grown on irrigated land in Madras.

An Honourable Member: What about Mysore?

Mr. F. B. Leach: I believe there is a large scheme covering Madras parts of Hyderabad and Mysore, but the probability of its being brought into operation in the near future is very small.

(Interruption by Mr. Muhammad Nauman.)

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member had better not interrupt the Honourable Member, Mr. Leach.

Mr. Muhammad Nauman: Sir, on a point of information, I only wanted to say that in Chota Nagpur there are still big tracts of land remaining uncultivated, and, as such, rise in produce is possible.

Mr. F. B. Leach: Possibly there may be a small increase. But in no province, and, certainly, of Burma I can say quite definitely, is there

[Mr. F. B. Leach.]

much prospect of any large increase; and, remember, when I am talking of large increases, I mean large increases—increases of 50,000 acres or even of 200,000 acres are useless for this purpose. The amount of land under rice cultivation in India is at present, as Dr. DeSouza said, about 80 million acres. Dr. DeSouza said that this area is decreasing. I do not know where he got his figures from, he only quoted two particular years, and I cannot find any confirmation of that in the Crop Planning Conference report which states that the average area under rice for the five years ending 1927-28 was 80 million acres and the area in 1933-34 was 82 million acres. It is very unsafe, in dealing with rice, to take two particular years and contrast them, you must take quinquennial averages over a long period to see whether there is any real tendency to increase or decrease. A few months ago, I did take those figures for the whole of India and the tendency they showed was a small increase in the last thirty years, and I think for the two years Dr DeSouza has picked out, where he has shown a decrease, there must have been some special reason; I do not believe that there is any real tendency to decrease.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has already exceeded his time.

Mr. F. B. Leach: May I have two minutes more, Sir, as I have been interrupted a good deal. The outturn of 80 million acres of rice is at the outside 40 million tons. The Crop Planning Conference gave it at about 33 million tons. I don't mind taking it at 40 million tons. Now, a ton of rice will feed decently about four people. That gives them about a pound and a half a day each. That means that these 80 million acres are enough to feed about 160 million people. Well, I think I am right in saying that considerably more than half the population of India are rice-eaters. Therefore, I hold that the 80 million acres of rice land in India are quite insufficient without vastly improved methods of agriculture to support the rice-eating population of the country.

The Honourable Sir James Grigg (Finance Member): Hear, hear.

Mr. F. B. Leach: I quite agree that if the methods of cultivation could be improved, it would be an excellent thing; but I do not think that that can be done at once, and I do not think that it is desirable, before you start that, to impose an import duty on imported rice, which is merely going to raise the price of food for the poorest classes of the population.

The Honourable Sir James Grigg: Hear, hear.

Prof. N. G. Ranga: What about Burma?

Mr. F. B. Leach: But I understand the Honourable Member did not wish to apply this duty to rice from Burma. Well, there is just one other point I would like to make, and that is that there has been a good deal of talk about dumping and the harm done to the indigenous cultivator. Now, as I said, the amount of rice produced in India is about 40 million tons, and the rice imported from foreign countries last year, as far as I can make out, was about 360,000 tons,—which is about 4 per cent. of the consumption of the country!

The Honourable Sir James Grigg: Hear, hear.

Mr. F. B. Leach: I am quite unable to believe, whatever my Honourable friend might say, that 360,000 tons of imported rice, or 4 per cent of the amount consumed in the country, is going to have any appreciable effect on the general price level of rice.

The Honourable Sir James Grigg: Hear, hear.

Mr. F. B. Leach: I do not believe that this import duty would do any good to the Indian agriculturist. The way to help the Indian agriculturist is to educate him and to try and teach him to improve his methods of agriculture. I do not see why that should not be done. In Japan, the outturn of rice per acre is half as much again as in India, and, if we can work up to that level, then, when we do increase our rice output by 50 per cent. then would the time come to think of putting duties on imported rice, but at present that time has not come.

Mr. M. Ananthasayanam Ayyangar (Madras ceded Districts and Chittoor: Non-Muhammadan Rural): Sir, I listened very carefully to the speech of the Honourable Member from Burma who just spoke. Sir, he comes from Burma and we know all along for several years past that Burma has been exporting rice. Though Burma has been exporting a lot of rice to foreign countries, of late Burma has increased her export of rice to India. The Honourable Member who has just spoken has no intimate touch with the state of affairs in the Southern India, in the Madras Presidency. We all know there is no dearth of rice in this country, there is more than a sufficient quantity of rice in this country, but, unfortunately, cheap rice from foreign countries is competing and we are not able to compete favourably with cheap rice. I heard the Honourable the Finance Member, when the Honourable Member from Burma was speaking to cry 'hear, hear'. I am sorry he is not in his place now. We heard him the other day say that the only way in which he could improve the condition in this country was by making people consume more and more which will induce greater production of the necessary articles and thus improve the industries of this country. I am not able to understand why the Honourable the Finance Member cried out 'hear, hear'. If he wants the people to eat nourishing rice, he can do so only by levying an import duty on rice, because, in that case, cheap Siamese rice will not come into this country. My Honourable friend, Dr. DeSouza, quoted some figures in support of the Resolution but the figures which he quoted no doubt created some suspicion in the minds of some Honourable Members and it is on account of that suspicion that the Honourable Member from the European Group wanted to rely upon those figures and use his argument against the Resolution. I find from the Trade Review for 1934-35, regarding the production of rice in this country and the exports, that production has not gone considerably down. On the other hand production has increased considerably as compared with the figures which we have for 1913-14. In the past years, that is from 1932-33, the production has not gone down considerably. If production has gone down to some small extent, it is because the rice producers are not able to find a proper market here and it is no use cultivating rice when it does not fetch proper price. The rice producing lands have to pay greater assessment and, on account of that, instead of cultivating paddy, for which there is no market here and on account of the cheap

[Mr. M. Ananthasayanam Ayyangar.]

rice that is imported from Siam and other places, they are trying to convert these fields into fields producing other crops. From the figures, I find that India produced in 1913-14, twenty-four million tons of rice and Burma produced four million tons of rice. In that year it was only half a million ton of rice that was exported to foreign countries from India, whereas two million tons of rice were exported from Burma to other countries. In 1934-35, the production of rice in India was 25 million tons, but four million tons were produced in Burma. This year we find there is a large production, but there is less of export. India exported 585 thousand tons in 1913-14 and it has dwindled down to one-fifth million, that is 204 thousand tons. Therefore, the balance is available and has been available for internal consumption. Likewise, we find that the quantity of rice exported in 1913-14 from Burma was to the extent of two million tons and a major portion of it was exported formerly to foreign countries, but now we find that it has been steadily diverted to India proper. On page 97 of the "Review of Trade for India in 1934-35", it is said:

"Even the record of 1933-34, in which year 1,789,000 tons (or 71 per cent. more than in 1932-33) of rice and paddy were exported to India, was surpassed in the year under review in which shipments to India totalled 2,200,000 tons. Of this amount, 1,978,000 tons consisted of husked rice."

Therefore, in one form or other, the quantity that was produced in India and Burma has been available for consumption and has been consumed. Therefore, the consumers' point of view need not be accentuated or emphasized. The consumer will not be put to any inconvenience. There is abundance of rice. The only difficulty is that if instead of offering an unfortunate temptation to the consumer to take inferior rice, if the cheap rice from Siam is prevented from coming into India, then the consumer would take the superior rice available in India and, therefore, both the consumer and the producer will be benefited thereby. Honourable Members of this House may not be aware that last year a Resolution was passed by the Madras Legislative Council—and I am told that the same Resolution has been reaffirmed this year also—that land revenue should be reduced by 33½ per cent, that is by five annas four pies in the rupee. Immediately the Government issued a Press communiqué that if reduction is given to the extent of 33½ per cent, the total remission would come to two crores and there would be constant demands for more and more remission. Therefore, the Government gave remission only to the extent of Re. 0-1-6 or two annas in the rupee. It is for want of proper market that the people in the Madras Presidency are not able to find a proper sale for their rice so as to enable them to pay land revenue to Government. On account of various other reasons also, such as heavy expenditure involved in cultivation that the people have not been able to pay land revenue. The value of lands is also going down. What then is the remedy suggested by the Honourable Member from Burma? On the one hand we do not find a market for the produce, on the other hand we have to pay heavy land revenue and on the third hand we are put to the incessant necessity of fighting a forlorn battle against cheap rice which is only a bye-product in Siam. We have to contend against such cheap rice. We are now reduced to this position. Though India is the greatest producer of rice in the whole world, we are put to the necessity of asking for protection against the encroachment or

incursions of cheap rice from Siam. The principle of protecting rice has already been accepted. The only point for which this Resolution has been tabled is that protection is not adequate and that it has to be increased. That is the only point which Honourable Members of this House have to address themselves. If, in spite of the diversion of Burma rice from foreign countries to India, though India is self-sufficient in the matter of production of rice, India wants protection against Siamese rice rather than against Burmese rice, does it not show that the clamour for the imposition of a higher duty against Siamese rice is a well founded one and that Burma is not our competitor but Siam? I have no doubt that if the Government had been careful they would have avoided this predicament in which we find ourselves. We find ourselves in this position, that on the one hand Northern India requires protection in the case of wheat, Southern India requires protection in the case of rice. We have been reduced from a highly industrial country to a mere producer of raw products, and now these have to be protected against encroachment from foreign countries. We do not know how we will stand in the near future either for our finished goods or for our raw produce. The outside market as well as the home market is denied to us. It is unnecessary for us to trouble ourselves over what is going to happen in the future, but enough to say that Government have not taken adequate steps to save us from our present predicament. In India, there are 82 millions of acres under rice cultivation and they produce nearly 32 million tons of rice. Whereas, in the rest of the world, with 40 million acres under rice cultivation, they are able to produce 30 million tons of rice. Government have been singularly indifferent and callous in this matter. Bone manure and other manures necessary for the efficient production of rice and larger production of rice per acre are allowed freely to be exported from this country and instead the poor people are asked to use chilli-nitrates which commodity is not produced in this country and for which they have to pay heavily to foreign countries. I submit there are vast tracts of land which can be brought under rice cultivation and which it would be possible to bring under cultivation if facilities are afforded by Government. I would, therefore, say, that had the Government discharged their responsibility to the public by now, it would not have been necessary to impose any additional import duty at all, but as we stand at present it is absolutely necessary to protect the growers of rice by incursions from foreign rice, by increasing the duty, not only on broken rice but also on rice in husk.

The Honourable Sir Nripendra Sircar (Leader of the House): Sir, if it

meets with the approval of the House, I may suggest to you,

5 P.M.

Sir, that no questions may be taken up tomorrow, if that is permissible under the conditions prevailing—I mean I have no idea of the accumulation of questions, but if that is possible and the House agrees, I would rather have no questions taken up tomorrow.

Mr. President (The Honourable Sir Abdur Rahim): The Chair understands there is an accumulation of questions. Therefore the question hour will not be dispensed with.

The Assembly then adjourned till Half Past Two of the Clock on Wednesday, the 8th April, 1936.