

Monday, 5th September, 1932

THE ^{As}
LEGISLATIVE ASSEMBLY DEBATES

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Volume IV, 1932

(5th September to 19th September, 1932)

FOURTH SESSION

OF THE

FOURTH LEGISLATIVE ASSEMBLY, 1932



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Legislative Assembly.

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

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THE
LEGISLATIVE ASSEMBLY
DEBATES

**(OFFICIAL REPORT OF THE FOURTH SESSION OF THE
FOURTH LEGISLATIVE ASSEMBLY.)**

VOLUME IV -1932.

LEGISLATIVE ASSEMBLY.

Monday, 5th September, 1932.

ADDRESS BY HIS EXCELLENCY THE VICEROY TO THE
MEMBERS OF THE LEGISLATIVE ASSEMBLY.

His Excellency the Viceroy : Gentlemen, it is my privilege to extend once again a welcome to Honourable Members who are about to enter upon the labours of another Simla session. Many questions of importance will come before you and I trust that the results of your deliberations may prosper the best interests of India and the Empire.

I think I can truly say that since I arrived in this country some eighteen months ago to take over my important duties and responsibilities, we have passed through a period of almost unexampled difficulty both from an economic and administrative point of view, but at the same time, in close co-operation with His Majesty's Government, we have been constantly working and moving steadily forward towards the goal of Responsible Government.

Today it is my duty, as Head of the Government of India, to give Honourable Members an account of our stewardship during the past few months, and also some words of cautious encouragement and hope with regard to the outlook for the future.

Relations with Foreign States situated on the frontiers of India continue to be of a cordial character, and I am glad to be able to inform you that the situation on the North-West Frontier has also caused my Government very little anxiety.

As I mentioned on the last occasion, upon which I addressed you, the Imperial Council of Agricultural Research has been steadily pursuing its useful work in matters agricultural. No doubt, its activities have been affected to some extent by the prevalent financial stringency which reluctantly compelled the Government to suspend, for the year 1932-33, its annual grant of rupees five lakhs to the Council for research work. I

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would, however, like to assure Honourable Members that this purely temporary suspension of the grant does not in any way mean that the Government of India have changed their previous opinion in regard to the importance of agricultural research in this country. We are fully alive to the overwhelming importance of agriculture to this country in general and to the fact that the need for a central institution to co-ordinate and direct research remains as great as ever. We hope that it will be possible before long to restore the grant in question.

It is gratifying indeed to note that Indian States are one by one coming forward to become constituent members of the Imperial Council. The notable example of His Exalted Highness the Nizam of Hyderabad was followed by the Government of His Highness the Maharaja of Mysore in 1931, and only recently the Government of India have agreed to the proposal of the Government of His Highness the Gaekwar of Baroda to join the Council.

Honourable Members will remember that, as a result of the recommendations of the Sugar Committee of the Imperial Council of Agricultural Research and of the Tariff Board's enquiry that followed, the Sugar Industry Protection Act was passed in April last; the impetus which this protection has given to the industry may be gauged from the fact that about 24 sugar factories have been or are about to be set up in Northern India in the current year and more are expected to follow. There is considerable scope for the expansion and development of the sugar industry in this country both on the agricultural and the manufacturing side. My Government fully realise the value of research in this connection, and it is their declared intention to assist this development by provision of funds to the Imperial Council for sugar research.

Honourable Members will recollect that in September last and again in February of this year I referred to the adverse economic conditions which afflict the Indian agriculturist. Since then there has been some improvement in the situation, but the position is still abnormal. Agricultural prices continue low, and such increase as has occurred leaves the level much lower than that to which the agriculturist has been accustomed in recent years. There is dearth of money and slackness of trade. Only a world revival can give the requisite stimulus to a substantial improvement in this country. Meanwhile, Local Governments are making strenuous efforts to provide such relief as lies in their power. They have had full resort, wherever necessary, to suspension and remission of land revenue and to reduction of rent; they have made liberal advances of agricultural loans. Some of them are also contemplating or exploring the possibilities of adopting special measures. The Government of the United Provinces, for example, have recently set up an Agricultural Debt Committee. The Government of the Central Provinces propose shortly to introduce in the local Legislative Council a Bill to set up Conciliation Boards for reducing the burden of agricultural debts in that Province. I earnestly trust that the measures taken or planned will afford the agriculturist the needed relief in these difficult times.

The prospects of the present harvest are generally, I am glad to say, good; the monsoon is up to the present favourable and, except in a few parts of the country, the condition of the crops is satisfactory. There is also some evidence that a revival of prices has begun.

During the last Delhi session my Government introduced in the Legislative Assembly three Bills relating to the Haj which are based on the recommendations of the Haj Enquiry Committee. The first of the Bills provides for the amendment of the Indian Merchant Shipping Act, 1923, with a view to improving conditions on board the ships engaged in the pilgrim traffic, safeguarding the health of pilgrims and minimising the risk of their becoming destitute in the Hedjaz ; the second aims at the establishment of Haj Committees at the principal pilgrim ports to assist pilgrims proceeding to or returning from the Hedjaz ; and the third is designed to regulate the activities of professional pilgrim guides in British India and to protect pilgrims from fraud and exploitation. The Bills came before Select Committees in May and June. The Select Committee's Report on the second Bill will, I hope, be presented to the House this session. The other Bills evoked some public criticisms which have necessitated further enquiry. Until those investigations are complete and the Select Committees have reported, the Bills must, for the present, remain in suspense.

Honourable Members will remember that, when we last met, there were already signs that India's credit was improving. I am glad to say that since then the improvement has been much more marked. Since April we have floated three loans—one in sterling and two in rupees—of the total amount of 58 crores, the last of which, as you are aware, was over-subscribed in about four hours, though it gave a return of only $5\frac{1}{2}$ per cent. as compared with $6\frac{1}{2}$ per cent. for the loan issued about this time last year. We have also been able to reduce our floating debt in the form of Treasury Bills from $84\frac{1}{2}$ crores at the end of August, 1931, to $24\frac{1}{2}$ crores at the end of this August and to reduce the price we pay for our accommodation from about $7\frac{1}{2}$ per cent. to about $3\frac{1}{2}$ per cent. The rise in the price of our sterling securities has been even more remarkable. Our $3\frac{1}{2}$ per cent. India Stock, which is our standard loan, has appreciated by practically 50 per cent. in the last twelve months. This improvement in our credit is, of course, largely due to the measures taken by the National Government in England, culminating in the largest and most successful financial operation of all time—the conversion of two thousand million pounds of War Loan from a 5 per cent. to a $3\frac{1}{2}$ per cent. basis. That naturally had the effect of reducing the price of money here ; but it would have been unavailing but for the increased confidence of investors—both in England and in India—in the future of this country, a confidence which I fully share.

I wish I could give you as cheerful an account of our immediate financial position. But here we cannot expect any remarkable improvement until world prices improve ; and, though there have been encouraging signs in the past few weeks of a rise in the price of our more important staples, such as cotton, jute and wheat, it is too early to say that the tide has turned. It is, of course, much too early to prophesy how the budget will turn out, but it is clear that we cannot contemplate any relaxation of that stern policy of rigorous economy in public expenditure which my Government outlined twelve months ago.

The financial position of our railways continues to cause concern. We had not been over-optimistic in our estimates, as we had allowed for no additional traffic as compared with last year, though we expected a crore more in receipts owing to the increased rates and fares that were introduced at various times during 1931-32. But the receipts of the first quarter of the current financial year cast some serious doubt upon even these

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moderate hopes being realised. We were over a crore, or 5 per cent. down in the first quarter, as compared with last year which was itself a disastrous year, and though the expenditure has been reduced by nearly three quarters of a crore, our net receipts are still nearly half a crore worse than last year. In this, of course, we are only sharing, if that is any consolation, in the misfortunes common to railways all over the world. In the first half of the calendar year, for instance, the four important British railways show a decrease of over 6½ million pounds, or nearly 9 per cent. of the earnings last year. Against the decrease of over a crore in our gross receipts we have to set a reduction of working expenses mainly due to the cut in pay, but our net traffic receipts are still about 40 lakhs worse than during last year.

In spite of the most drastic economies last year and further economies this year, the morale and efficiency of the armed forces remain at a very high standard ; and they continue in a state of readiness to meet every call upon them. Unfortunately such calls have not been lacking—not only on the Frontier, but also at places nearer home. The deplorable disturbances in Bombay are a case in point : and, as Honourable Members know, my Government have recently decided, in consultation with the Government of Bengal, to send a comparatively large force to that Presidency, in the endeavour to put heart into the servants of Government in the very anxious times through which they are passing ; to encourage the loyal elements in the population ; and to demonstrate unmistakably to others the material powers of the Government. I am confident that the steps taken will be welcomed by all right-minded persons ; but the point that I now particularly wish to make is that measures of this kind cost considerable sums of money ; and although I am aware of the continuing demands for the reduction of expenditure on the Army, there is clearly a limit below which such reductions cannot safely be made. As matters stand, that limit is rapidly approaching, if it has not already been reached. I think it is well that we should remember that within the comparatively short period of twelve years the Army budget has been reduced by about seventeen crores of rupees.

It is with great satisfaction that I am able to announce that the Government of India are on the eve of opening their own Military Academy for the training of officers for Army service. The first examination attracted a large number of candidates ; and I trust that full advantage will be taken of the facilities now provided to build up a cadre of officers for the future Army in India who will worthily carry on the traditions of the past.

The first batch of Indian cadets have also been commissioned in the Indian Air Force and thus another important beginning has been made.

Let me now turn for a few moments to inter-imperial relations.

An event of great importance to which I must allude is the signature at Ottawa last month of a tariff agreement between India and Great Britain. The circumstances in which my Government decided to accept the invitation of His Majesty's Government in the United Kingdom are I have no doubt, fresh in our minds. In the entirely new circumstances created by the departure of His Majesty's Government from their old policy of universal free trade and by the substitution for it of a tariff coupled

with the grant of preference to countries within the Empire, my Government were invited to send a Delegation to the Imperial Conference primarily to consider and discuss with representatives of the United Kingdom the question whether it would be in the best interests of both countries to enter into a tariff agreement involving the reciprocal grant of preferences to each other's products. To such an invitation there could surely be only one reply, and in accepting it we made it clear, as you are aware, that no changes in our tariff would be made in pursuance of any agreement that might be reached at Ottawa unless the Legislature were satisfied that such measures were in the interests of India. In the deliberations and discussions which took place, first in London and subsequently at Ottawa, the Indian Delegation to the Conference were given by my Government the freest possible hand, and the agreement recently concluded by Sir Atul Chatterjee and his colleagues embodies only such measures as they, with the fullest possible knowledge of the facts, are confidently able to recommend for acceptance as likely to conduce to the best interests of this country. Into the details of the agreement it would be out of place for me to enter. Honourable Members will have observed that, as regards preferences to be given by India to the United Kingdom, the terms of the agreement recently announced state only the measure of such preference and leave open for decision the manner in which the various duties are to be adjusted. It will be the duty of my Government to place before you specific proposals regarding the manner in which effect may, in our judgment, best be given to the agreement and the earliest suitable opportunity will be taken to invite your acceptance of those proposals. I need hardly remind Honourable Members that they will have the benefit, during their deliberations, of the presence of two members of the Delegation itself. There is, however, one feature of the agreement to which I wish to direct very special attention. We felt that, on the eve of great constitutional changes, it would not be right to ask you to accept an agreement which would bind India for a long period ahead, and it is primarily with this consideration in view that the agreement is so expressed as to be terminable at six months' notice by either party to it.

I am sure Honourable Members would wish to join me in an expression of very cordial thanks to Sir Atul Chatterjee and all his colleagues for the admirable manner in which they carried through their negotiations and fulfilled their very responsible tasks.

I turn now to the political situation and the matter that I must refer to first must be the civil disobedience movement. It is well to remind ourselves how this movement came into being, for political memories are short, and the public mind tends naturally to concentrate on events as they pass before it day by day rather than to reflect on the causes that have set them in motion. It is, therefore, worth while to recall that at a time when Mr. Gandhi with the other representatives of India was sitting in Conference with representatives of the British Parliament, engaged in a joint endeavour to find the greatest measure of agreement as a basis for the new constitution, some of his professed followers in India were actively engaged in organising intensive and dangerous movements directed against the stability of Government. In two Provinces these preparations had been carried to a point at which orderly government was seriously menaced. In the United Provinces a movement had been launched against the payment of rent and land revenue at a time when the rural population were feeling acutely the strain of unprecedented economic

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conditions. The consequences of allowing such a movement to spread, a movement which would have undermined the economic foundations of society and respect for law among a vast agricultural population, would have been incalculable. In the North-West Frontier Province an agitation, frankly revolutionary and even more dangerous to the security of the whole of India, had been developed, by means of a large body of volunteers organised in semi-military fashion, to a point at which further toleration was impossible.

The action which my Government was eventually forced to take in order to counter these two aggressive and dangerous movements was met by the Congress by a renewal of civil disobedience throughout the country. When I last addressed Honourable Members on the 25th of January, these events were fresh in our memories and the outcome of them was still uncertain, but I said at that time that there could be no compromise in this matter, and that I and my Government were determined to use to the full the resources of the State in fighting and defeating a movement which would otherwise remain a perpetual menace to orderly government and individual liberty, and I added that there could be no relaxation of the measures in force against civil disobedience so long as the circumstances exist which make them necessary. That has been our policy during the last eight months, and I wish to make it perfectly clear that it is and will continue to be our policy.

It is a policy that has met with a remarkable degree of success. The no-rent campaign in the United Provinces has died away and the red-shirt movement in the North-West Frontier Province was rapidly brought under control. Over the greater part of India the mass of the population is no longer concerned with civil disobedience, and so far as they reflect on the matter at all, there is a feeling of relief that measures have been taken which have restored a sense of security and peace. During the first two months of the movement the number of convictions was large, amounting to over 32,000. Since then the convictions have been steadily decreasing, and many have been released either on completion of their sentences or on giving assurances for their future behaviour. The number of those in jail is diminishing with some rapidity. The largest number in jail at any one time was at the end of April when it amounted to nearly 32,500. The number at the end of July stood at about 24,000, and this represented a reduction during that month of some 5,000.

I do not wish to suggest for a moment that the civil disobedience movement is finished or that it does not still remain a very definite menace, against which we cannot afford to relax our precautions. The Congress is an extensive organisation which commands, even outside its own ranks, a certain degree of sympathy among many of the educated classes. It is still pledged to the policy of civil disobedience, and is doing what it can to maintain the struggle. It would be rash to prophesy how long it will be before the Congress leaders realise, or at any rate bring themselves to acknowledge openly, that they have failed. But to us it is, by this time, abundantly clear that the movement cannot succeed so long as Government maintains its existing policy.

This brings me to a consideration of the measures it has been necessary to take to secure these results. As soon as the Congress declared its intention to renew civil disobedience, I deemed it essential, in full agreement with my Government, to take certain wide powers by means of a

series of Ordinances. These Ordinances expired after six months, and as the period for their expiry approached, it became evident that we were in no position to discard the weapons with which civil disobedience was being fought. Accordingly, at the end of June, I issued a new consolidated Ordinance. At the same time, special care was taken that these powers should not be extended to areas in which the conditions did not essentially demand them. The consolidated Ordinance will expire at the end of the year. My Government have been considering, with great care, what action will be necessary on the expiry of the Ordinance. We have decided that the general law should be strengthened by the inclusion of a considerable number of the provisions of the Ordinance. We regard this measure as essential, not only for the purpose of bringing to an end the present civil disobedience movement, but as an insurance against the revival of any similar activities in the future. In addition to the proposals which my Government will lay before you for a strengthening of the general law by Central legislation, it will be necessary for the Governments of those Provinces in which the civil disobedience movement has proved a special menace, to introduce Provincial legislation, which will reproduce other provisions of the Ordinance which local conditions appear to demand. We should be failing in our duty if we did not ensure, to the best of our ability, that this movement is brought to an end and that there should be no chance of reviving it.

It is no satisfaction to my Government to be forced to propose these measures for the strengthening of the law, but we are faced with ideas and methods to which we must offer the most resolute opposition. The leaders of the Congress believe in what is generally known as direct action, which is an example of the application of the philosophy of force to the problems of politics. It is the antithesis of what we understand by constitutional self-government, which is the policy His Majesty's Government is endeavouring to pursue in regard to India. The fundamental idea of His Majesty's Government, as explained by the Prime Minister at the end of the Round Table Conference, is that to the greatest degree possible responsibility should be placed on the Legislatures, in other words that government should be based on argument and reason and on the wishes of the people as constitutionally expressed. I do not think I do the Congress an injustice when I say that their policy and their methods are directed to securing their objects not by persuasion but by coercion. The Government on the one hand, the mass of the people on the other, are to be forced and intimidated into doing what the Congress consider is right. The fact that the force applied is as a rule not physical force, in no way alters the essential characteristic of the attitude which at the present moment inspires the Congress policy. Their aim is to impose their will on those who do not agree with them. The events in Bombay City have provided the most striking example of these aims and these methods, and have resulted in an interference with the course of trade and the liberty of individuals to manage their own affairs and pursue their normal business, which is proving disastrous to the prosperity of the community, and which Government are bound to do all in their power to resist.

Another and more sinister manifestation of this philosophy of force confronts us in Bengal. Here too, we find those who are determined to impose their will on the community, but the method they have adopted is that of physical terrorism by means of assassination and other crimes of violence. The catalogue of these outrages grows steadily longer. I

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need hardly remind you of the recent murders of three devoted public servants, Mr. Douglas, the District Magistrate of Midnapur, Mr. K. P. Sen, Special Magistrate, Dacca, and Mr. Ellison, Additional Superintendent of Police of Dacca and the determined attempts, providentially unsuccessful, on the lives of Sir Alfred Watson, the Editor of the *Statesman*, and Mr. Grassby, Superintendent of Police, Dacca. Apart from these and other outrages of a similar kind, a large number of dacoities are taking place, some of them accompanied by murder, which are carried out in pursuance of this movement. The movement is at present directed primarily against the officers of Government and those who support it. But if it were to succeed, those who achieved power by this means would exercise it ruthlessly against all who opposed them. There would be an end to all aspirations for an orderly system of self-government. The leaders of the terrorists would be in a position to establish a tyranny supported by methods utterly repugnant to civilised feeling, and it is a commonplace of experience that methods often persist long after the objects they were primarily designed to secure have been lost sight of. I would, therefore, urge all law-abiding citizens most strongly not to let any feeling of sentimental sympathy with mistaken ideas of patriotism blind them to the terrible dangers that this movement holds for them all and for the future of their country. The Government is determined to use all its efforts to counter this movement, and in this they can reasonably ask for the active support of all those who have their country's interests at heart. The Bengal Government are at the present time asking their Legislaturc for special powers to deal with the movement, and it will be necessary for my Government to lay before you shortly a complementary Bill which will be necessitated by the passage of the local legislation.

Let me take this opportunity to review the progress of constitutional work since I addressed Honourable Members last January.

The second Round Table Conference left certain problems for specific investigation ; the franchise, federal finance, and certain claims of the States. His Majesty's Government entrusted these investigations to three Committees ; the Franchise Committee of which the Marquis of Lothian was the Chairman : the Federal Finance Committee presided over by Lord Eustace Percy and the States Enquiry Committee presided over by the Right Honourable J. C. C. Davidson. The field of their inquiries was wide. The problems referred for their consideration were complicated and difficult. All three Committees set about their several tasks with an earnestness of purpose which compelled our admiration. The Report of the Federal Finance Committee was published in May and of the Franchise Committee in June. The Committee over which Mr. Davidson presided visited a large number of States involving extensive travel and had in addition to deal with a great mass of historical and statistical material. In consequence its Report was published only in July after the Committee's return to England.

I do not propose to deal with the contents of these documents with which you are no doubt yourselves familiar. The problems discussed are of the greatest importance in the task of building up the all-India Federation which it is our object to attain. I am aware that many of the issues raised are in a high degree controversial. But we can all agree that the recommendations of these three Committees are a contribution of the utmost value. They have helped us to understand the breadth and depth

of some of the difficult issues which confront us, and they have indicated the directions in which solutions may be found. I feel confident that I am truly expressing opinion widely felt throughout the country when I say that we are under a great debt of gratitude to those who at considerable sacrifice of their personal convenience served on these Committees, and have given us of their best in the three valuable Reports I have mentioned.

While these Committees were pursuing their inquiries, no time was lost on the official side with the preparatory arrangements to bring the North-West Frontier to the level of a Governor's Province. I went to Peshawar myself last April in order to inaugurate the new Legislative Council and to deliver to the people of the Frontier the gracious message addressed to them by His Majesty the King-Emperor on entering upon their new status. In my long experience of official life I can recall few occasions which have given me greater pleasure than that historic day when I assisted in the fulfilment of the most cherished wish of the Frontier people that their Province should stand on an equality with other Provinces. I claim that the advance made has been justified by the results, and I draw therefrom a moral that is not confined to the Frontier alone. In place of dissatisfaction we have contentment, and the course is set fair for orderly and harmonious progress. We watched with interest the proceedings of the first session of the new Legislative Council marked as they were by dignity and good sense. I take this opportunity to assure the people of the Frontier to-day of my personal faith that they will not fail when at the next stage of reforms now rapidly approaching they are asked to take still greater responsibilities upon their shoulders.

But I have not yet come to an end of the many other constitutional activities of the last few months. At the end of May there was published the Report of the Orissa Committee which investigated the implications of setting up a separate Orissa Province. In June we received the Chairman's Report of the Sind Conference convened for the purpose of trying to overcome the financial difficulties disclosed by the expert enquiry made last year.

This autumn a general election will be held in Burma at which the question whether that Province should be separated will be referred to the Burmese electorate. In the meantime we have been further examining the financial aspects of separation with a view to stating the case for reference to a tribunal commanding general confidence in India and in Burma. Before this reference is made, my Government propose to place papers before you and obtain your advice.

My own Committee, the Consultative Committee over which I personally presided, was able to get through a considerable amount of valuable work in Delhi, but we found our discussions of the major issues continually impeded by the communal difficulty, and I would say with all sincerity that it was a great disappointment to me personally that a Committee, from which so much was hoped, was unfortunately hampered by circumstances outside its immediate control.

Within the last month, His Majesty's Government have announced their decision regarding the representation of the various communities in the Provincial Legislatures under the new constitution. It was with great reluctance that they consented to make these decisions, for they have repeatedly expressed their conviction that the only really satisfactory settle-

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ment of this problem would be one devised and accepted by the communities themselves. But when the communities had completely failed to arrive at any agreement, and the whole plan for a new constitution in India was in danger of being brought to a stop by the failure to reach conclusions, His Majesty's Government consented to give their Award. That Award has been given with a sincere desire to hold the scales equal between the various communities. It is natural that the communities, whose refusal to abate their own demands had resulted in a deadlock, should not be fully satisfied regarding the Award of His Majesty's Government. But I would ask Honourable Members to remember that there are only three possible courses to follow in this matter. The first is to accept the Award of His Majesty's Government, and on that basis to continue as rapidly as possible with the work of framing the new constitution. The second is, even at this late hour, to devise a settlement other than that framed by His Majesty's Government, to which the various communities concerned will give their willing assent. The third is to abandon all hope of constitutional advance. This third course is inconsistent with the aspirations and demands of many years, and the practical choice, therefore, must lie between the first and the second.

It is natural that when a decision is given on a question which has been the subject of such acute controversy among the various communities for so long a period, discussion will proceed on the assumption that each community will form in each Provincial Legislature a self-contained and homogeneous unit pursuing its interests in opposition to every other community. To my mind this is a profound misconception of the developments to which we may look forward under a system of self-government. A Government has to deal with the practical problems of the advancement and prosperity of its people. The people are not in their ordinary lives divided in exclusive communal compartments. They have the most varied relations with each other, and these relations develop a series of interests and objects which are bound to cut across the purely communal outlook. I would, therefore, suggest to those who are looking at self-government in India as a problem of the Raj of one community or of another to reflect that in practice this is not a natural development, and I would urge them rather to contemplate as a more probable picture of the future a grouping of parties on the basis of economic or other non-communal interests.

The completion of the specific enquiries I have mentioned and the announcement of the Communal Award brought us to the conclusion of a definite stage and interest passed to the next steps to be taken in the task of completing the scheme of constitutional reform. But before I take up the debated question of future procedure, let me first attempt very briefly to sum up the general constitutional position now reached. The second Round Table Conference gave us in broad outline the framework of the future Federation, and I would remind Honourable Members that on the conclusion of the Conference the White Paper of His Majesty's Government, comprising the scheme evolved in the Conference discussions, was placed before Parliament and received its approval. Do not let us lose sight of the importance attaching to the approval then given. What in effect did it mean? The policy of His Majesty's Government expressed in the Prime Minister's speech at the conclusion of the first Round Table Conference was the policy of the Labour Government then in power. The

contribution of the second Round Table Conference was that the same policy was first accepted by the National Government and then approved by Parliament. Once that step was taken, the introduction of constitutional reform in India on the basis of an all-India Federation, coupled with the widest practicable measure of Responsible Government at the Centre and in the Provinces, could no longer be described even by its critics as a party decision. It is now the approved policy of the British Government, of the British Parliament, and of the British people.

In thinking over the problems of the new constitution I have found it a help to divide them into three well-defined groups—those problems which impinge primarily on the relations between the two countries, Great Britain and India. In this group there come such matters as reservations and safeguards. Secondly, those problems affecting the relations of British India and the Indian States. In this group I put the federal issues, for instance, the composition of the Federal Legislature, the proportion of seats to be assigned to the States, and last, but not least, federal finance. My third group relates to the relations between the Centre and the Provinces in British India. During these summer months my Government, with the encouragement and support of the Secretary of State, have been actively engaged in taking stock of the position under each of these three large groups of issues, scrutinising with care the problems arising from this or that difficult complication, seeking and suggesting solutions for further consideration by the Lord Chancellor's Committee, which, in Lord Sankey's personal charge, has been engaged on similar work at home. In the course of this work we have probed deeply into questions of which past discussions have touched only the surface. But we have discovered nothing to shake our faith in the ideal we pursue. Speaking on behalf of my colleagues and myself I tell Honourable Members frankly that the conclusion we have reached is that all that is now required is good-will and mutual confidence to carry us to the end of our journey, so that we may see rising before us the fruition of our hopes and labours. We have passed from the early stages when the field was prepared by the discussion of general principles. We have reached the time when practical decisions must be taken. Need I say that this is the stage when the ready help of all who wish well of our work is most to be desired ?

Honourable Members may remember the discussions in the second Round Table Conference on the subject of what was described as reform by instalments, and the strength of feeling aroused in some quarters against any suggestion that a start should be made first with the Provinces. But at the same time there have been some, including in their number many whose opinion merits respect, who have argued that Federation must take time and that Provincial Autonomy should be the stepping-stone to the larger scheme. After the fullest consultation with my Government, the Secretary of State announced on the 27th June that His Majesty's Government have decided to proceed by way of a single Bill covering both the Federal Centre and the Provinces. I feel sure that this decision, in which my Government whole-heartedly concurred, has been in accord with the great mass of political opinion in this country.

In this statement the Secretary of State further announced the intention of His Majesty's Government, after they had formulated their specific recommendations for Indian constitutional reform, to set up a Joint Select

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Committee of Parliament to examine these proposals in consultation with Indian representatives. He said that His Majesty's Government hoped in the interest of speed that no further formal discussions would be necessary in London before these proposals were formulated, but that they were prepared to arrange for such discussions if deliberations in India of Consultative Committee proved less conclusive than was hoped. Since this announcement was made, it has become clear that it is not possible to look to the Consultative Committee for the contribution anticipated from it, and in consequence, in order to place His Majesty's Government in possession of material they will require for framing of their proposals, I am authorised to inform Honourable Members that His Majesty's Government have decided that it will be necessary to hold further discussions in London,—the possibility of which was indicated in Secretary of State's statement. His Majesty's Government propose therefore to invite a small body of representatives of the States and British India to meet them in London about the middle of November. They intend by this means to make an earnest attempt to reach an agreement consistent with the declared policy of His Majesty's Government upon the important questions that still remain to be decided. Whilst the status of the Indian representatives will be the same as that of the delegates at the sessions of the Round Table Conference, the character of the discussion and the stage that has now been reached necessitate a less formal and more expeditious procedure than that adopted during the last two years. This result they are convinced will be best achieved by avoiding any public session and by working upon a fixed agenda. The object of the discussions will be to arrive at an agreement upon as large a number of points as possible. As already indicated by the Secretary of State in the House of Commons, the Government will subsequently present for the consideration of the Joint Select Committee and of Parliament its specific recommendations, including the points which have been agreed to, and will of course support them.

Let me, before I conclude, say a word or two to Honourable Members of a rather more personal character, to express at this critical juncture in the life of India the inmost feelings of one who has spent many happy years in this country and who can claim that he has honestly striven during those years for her progress and advance.

Fate, or I would rather say Providence, ordained that our two races should for long years be associated together in India, and while we have had our differences and disagreements, while we have all made our mistakes, I think if we look fairly at the past, it may truly be said that our association has brought peaceful conditions and freedom of action to all law-abiding citizens, has helped forward the development of the country and has improved the conditions of the people. There is still an immense amount of work to be done. And now we are arriving at one of the most critical moments in the history of India when we British will be soon handing over very largely the responsibility of the administration of the country to Indian control.

When I first landed on the shores of Bombay nearly 20 years ago to undertake the duties of Governor of that Presidency, in the first speech that I made after my arrival there, I appealed for the co-operation of all its citizens to help me in my work. Eighteen months ago when I arrived to take over the duties of Viceroy of India I made the same appeal to all

the citizens of India. Today I again make the same appeal with all the earnestness at my command, for it is surely evident to every thinking man that the success of the Constitutional Reforms cannot be assured merely by the actions of His Majesty's Government or the Government of India. Real success can only be achieved as a result of the willing help and co-operation of the Princes and the People of India as a whole.

Let us therefore put aside all personal distrust and suspicion ; let us believe in each other's sincerity of purpose ; let us get rid of, as far and as quickly as possible, the bitterness of our communal differences. Let us work together in the closest co-operation for the united purpose of securing a national spirit in India, for it is then and not till then that India will take her rightful position among the nations of the world.

It is with these words of hope that I commend Honourable Members to their labours and trust that Providence may guide them aright in the best interests of our country and her people.

The Assembly met in the Assembly Chamber in Simla, at Ten Minutes Past Twelve of the Clock, being the first day of the Fourth Session of the Fourth Legislative Assembly, pursuant to Section 63-D (2) of the Government of India Act. The President (The Honourable Sir Ibrahim Rahimtoola) was in the Chair.

MEMBERS SWORN.

The Honourable Sir C. P. Ramaswami Aiyar, K.C.I.E. (Member for Commerce and Railways) ; The Honourable Sir Frank Noyce, Kt., C.S.I., C.B.E. (Member for Industries and Labour) ; The Honourable Sir Alan Parsons, Kt., C.I.E. (Finance Member) ; Mr. Frederick Ernest James, M.L.A. (Madras : European) ; Mr. Richard Smith, M.L.A. (Bengal : European) ; Mr. James Aitchison Milligan, M.L.A. (Bengal : European) ; Mr. R. T. H. Mackenzie, M.L.A. (Nominated Non-Official) ; Mr. Herbert Aubrey Francis Metcalfe, C.I.E., M.V.O., M.L.A. (Foreign Secretary) ; Mr. George Richard Frederick Tottenham, C.I.E., M.L.A. (Army Secretary) ; Khan Sahib Shaikh Fazl-i-Ilahi, M.L.A. (Government of India : Nominated Official) ; Mr. Percy Macqueen, M.L.A. (Madras : Nominated Official) ; Rao Bahadur B. V. Sri Hari Rao Naydu, M.L.A. (Madras : Nominated Official) ; Mr. Herbert Tower Sorley, M.L.A. (Bombay : Nominated Official) ; Mr. Arthur Jules Dash, M.L.A. (Bengal : Nominated Official) ; Khan Bahadur Saiyid Amir Husain, M.L.A. (United Provinces : Nominated Official) ; Mr. Henry Challen Greenfield, M.L.A. (Central Provinces : Nominated Official) ; Mr. James Hezlett, C.I.E., M.L.A. (Assam : Nominated Official) ; and Mr. Harold Lacy Nichols, M.L.A. (Burma : Nominated Official).

QUESTIONS AND ANSWERS.

ABOLITION OF THE POST OF ASSISTANT ACCOUNTANT UNDER THE COMMISSIONERS FOR THE PORT OF CALCUTTA HELD BY MR. K. B. ROY.

1. ***Mr. Gaya Prasad Singh** : (a) Have Government received any representation from the Committees of the Bengal National and the Indian Chambers of Commerce, Calcutta, on the subject of the removal of Mr. K. B. Roy, from his post in the Calcutta Port Trust, on the alleged ground of economy, in spite of the unanimous opposition of the Indian Port Commissioners, who are in a minority ?

(b) Have Government kept in view the pledge to Indianise the higher grade services in the Port Trust, which they gave when they accepted the Resolution of Sir Phiroze Sethna in the Council of State in 1922 ? If so, what specific steps have they taken to redeem their pledge, and with what practical result ? What action have Government taken, or propose to take in regard to the case of Mr. K. B. Roy ?

(c) Will Government kindly give the names of the Chairman and the Commissioners of the Calcutta Port Trust, the interests which they represent, and the method of their selection ?

The Honourable Sir C. P. Ramaswami Aiyar : (a) The Government of India have received a joint representation from the Bengal National Chamber of Commerce and the Indian Chamber of Commerce

regarding the removal of Mr. K. B. Roy, from his post in the Calcutta Port Trust.

(b) In this connection I would invite the Honourable Member's attention to the reply given by the Honourable Sir George Rainy to Mr. S. N. Haji's question No. 1105, dated the 19th September, 1927, in the Legislative Assembly. The Government of India receive annually from the major Port Trusts statements showing the number of vacancies in their superior services filled during the previous year by Indians and Europeans and from these statements there is evidence that Indianisation is progressing steadily. The case of Mr. K. B. Roy is now receiving the attention of the Government of India.

(c)

Appointed by Government—

T. H. Elderton, Esq., Chairman, Calcutta Port Commissioners.

Appointed by the Commissioners subject to the sanction of Government—

W. A. Burns, Esq., Deputy Chairman, Calcutta Port Commissioners. (Now officiating as Chairman.)

Nominated by Government, Ex-officio Members—

H. A. M. Hannay, Esq., Agent, East Indian Railway.

V. E. D. Jarrad, Esq., Agent, Bengal Nagpur Railway.

N. Pearce, Esq., Agent, Eastern Bengal Railway.

Captain L. W. R. T. Turbett, O.B.E., R.I.M., Principal Officer,
- Mercantile Marine Department, Calcutta District.

G. S. Hardy, Esq., C.I.E., I.C.S., Collector of Customs, Calcutta.

Elected by the Bengal Chamber of Commerce—

J. S. Henderson, Esq.

G. W. Leeson, Esq.

K. J. Nicolson, Esq.

S. D. Gladstone, Esq.

M. A. Hughes, Esq.

D. J. Leekie, Esq.

Elected by the Calcutta Trades Association—

H. B. Norton, Esq.

Elected by the Bengal National Chamber of Commerce—

S. C. Ghosh, Esq.

J. C. Banerjee, Esq.

N. R. Sarkar, Esq.

Elected by the Indian Chamber of Commerce—

G. L. Mehta, Esq.

Elected by the Calcutta Corporation—

S. K. Roy Chowdhury, Esq.

Mr. Gaya Prasad Singh : Are Government aware that in 1927 applications were invited for the post of Assistant Accountants, and that Mr. K. B. Roy and Mr. J. B. Mair were considered the best among the applicants, and, as a measure of compromise between the Indian and the European Commissioners of the Port Trust, both of them were appointed ?

The Honourable Sir C. P. Ramaswami Aiyar : Government are aware of that fact.

Mr. Gaya Prasad Singh : Are Government aware that in utter disregard of the recommendations of the Bengal Government, and in opposition to the unanimous voice of the Indian Commissioners of the Port Trust, Mr. Mair was promoted last year to the post of the Deputy Chief Accountant ?

The Honourable Sir C. P. Ramaswami Aiyar : Government know that the promotion took place.

Mr. Gaya Prasad Singh : Are Government aware that the Chairman of the Port Trust put forward a proposal to abolish both the posts of Assistant Accountants, knowing full well that this abolition will affect Mr. Roy only as Mr. Mair was at that time officiating as Deputy Chief Accountant ?

The Honourable Sir C. P. Ramaswami Aiyar : This proposal was put forward by the Commissioners as a measure of retrenchment and the Trust were within their powers in so doing.

Mr. Gaya Prasad Singh : All the Indian Commissioners protested strongly against the proposal ?

The Honourable Sir C. P. Ramaswami Aiyar : It was passed by a majority of the Commissioners.

Mr. Gaya Prasad Singh : But the majority of the Commissioners are Europeans ?

The Honourable Sir C. P. Ramaswami Aiyar : From the names I read out, that would be obvious.

Mr. Gaya Prasad Singh : Are Government aware that this unfair decision of getting rid of the only high placed Indian official on the Calcutta Port Trust was because he was standing in the way of an Anglo-Indian gentleman and that this decision was intended to discredit Indianisation ?

The Honourable Sir C. P. Ramaswami Aiyar : It is stated by the Commissioners that this measure was taken as one of retrenchment. In the course of my answer, I have already stated that the case of Mr. Roy is now under investigation by the Government of India.

Mr. S. C. Mitra : In view of the fact that the interests of Indians are not safe at the hands of the Board of Trusts as constituted at present, do Government contemplate amending the Calcutta Port Trust Act ?

The Honourable Sir C. P. Ramaswami Aiyar : The Honourable Member will surely realise that a temporary happening of that kind, even assuming that the premises are accurate, would not be the right point of departure for amending the constitution of a self-governing body.

Mr. Gaya Prasad Singh : Are Government aware that Government will stand discredited thoroughly if the services of Mr. Roy are dispensed with ?

The Honourable Sir C. P. Ramaswami Aiyar : The Honourable Member no doubt thinks that Government will stand discredited thoroughly, but I am sure the Honourable Member will realise that as I have stated more than once, the Commission, which is an autonomous body says that this step was taken as a measure of retrenchment and Government discrediting themselves is somewhat beside the point as Government have really very little to do with the matter.

Mr. B. Das : In considering the representation of Mr. Roy, will Government bear in mind the various interpellations and discussions that took place in this House from 1926-27 onwards and also the various representations they have received from the Chambers of Commerce and also the desire of the Members of this House for Indianisation of higher posts ?

The Honourable Sir C. P. Ramaswami Aiyar : A resume of all the expressions of public opinion has been given by the Honourable Member and this will be borne in mind.

CORRESPONDENCE BETWEEN MAHATMA GANDHI AND GOVERNMENT.

2. ***Mr. Gaya Prasad Singh :** (a) Will Government kindly state if any correspondence passed between themselves, or the Secretary of State, and Mahatma Gandhi after his latest arrest and imprisonment ?

(b) If so, are Government prepared to place a copy on the table ?

The Honourable Mr. H. G. Haig : (a) The Government of India have had no correspondence with Mr. Gandhi. As regards correspondence between the Secretary of State and Mr. Gandhi, I invite attention to the Secretary of State's statement made in the House of Commons on April 29th, 1932.

(b) It is not proposed to lay a copy of the correspondence on the table.

Mr. Lalchand Navalrai : Will the Honourable Member enlighten the House if Mahatma Gandhi was free in jail to carry on correspondence with the Government of India on political matters ? Was he free to enter into correspondence voluntarily ?

The Honourable Mr. H. G. Haig : I did not quite catch the purport of the Honourable Member's question. Was it that the Government had placed Mr. Gandhi in jail for the purpose of corresponding with them ?

Mr. Lalchand Navalrai : The question relates to this : As a trusted leader of India on all political questions, he should have been given an opportunity to correspond with the Government of India. Was that opportunity given to him ? Was he supplied with all the information and all the papers so that he might carry on correspondence ?

The Honourable Mr. H. G. Haig : There is nothing to prevent Mr. Gandhi addressing a letter to the Government of India or the Secretary of State.

Mr. Lalchand Navalrai : Will the Honourable Member please state in answer to the question that I have put, whether Mahatma Gandhi was kept informed of all the political matters which were going on in the country, outside the jail, so that he might carry on correspondence with the Government ?

The Honourable Mr. H. G. Haig : Mr. Gandhi has full access to the papers which are full of political matters ?

Mr. Lalchand Navalrai : Will the Honourable Member please state if Mahatma Gandhi was supplied with all the Indian newspapers or was he supplied only with particular newspapers ?

The Honourable Mr. H. G. Haig : I cannot undertake to say that Mr. Gandhi was supplied with all the Indian papers, but I am sure that he was supplied with quite a sufficient selection of papers.

Mr. Lalchand Navalrai : Is the Honourable Member aware whether the Communal Award has been communicated to Mahatma Gandhi so that he can give his own opinion ?

The Honourable Mr. H. G. Haig : Mr. Gandhi could not possibly read an Indian paper without being fully acquainted with the terms of the Communal Award and the comments made thereon.

Mr. Lalchand Navalrai : Will the Honourable Member be pleased to state whether Mahatma Gandhi is restricted to certain papers ?

The Honourable Mr. H. G. Haig : As I have said, I understand that Mr. Gandhi is supplied with a considerable selection of papers. It is obviously impossible that he should be supplied with the whole of the very large Indian press.

Mr. B. Das : May I inquire if the correspondence that passed between Mahatma Gandhi and the Secretary of State was censored by the Superintendent of the Yarvada Jail, and whether copies of that correspondence are in possession of the Honourable Member ?

The Honourable Mr. H. G. Haig : I have no doubt that any letters which come out from the jail are seen by the Superintendent, but I have no recollection at the moment of having seen this particular correspondence.

PERSONS ARRESTED AND CONVICTED UNDER THE ORDINANCES.

3. ***Mr. Gaya Prasad Singh :** Will Government kindly lay on the table a statement, showing separately the number of persons arrested and imprisoned under the different Ordinances up-to-date, in various Provinces ?

The Honourable Mr. H. G. Haig : I lay on the table a statement giving the information in my possession. It will be observed that the figures

relate to the number of persons convicted, not necessarily imprisoned, and that I have no separate figures relating to the number of arrests.

STATEMENT.

Statement showing (a) number of persons convicted under the Ordinances for offences connected with the civil disobedience movement and (b) number of persons arrested and detained in jail under section 3 of Emergency/Special Powers Ordinance.

Province.	No. of persons convicted under the Ordinances for offences connected with the civil disobedience movement since the beginning of movement in January up to the end of July 1932.	No. of persons arrested under section 3 of Emergency/Special Powers Ordinance up to the end of July 1932.	No. of persons detained in jail under section 3 of Emergency/Special Powers Ordinance at the end of July 1932.
Madras	710	..	..
Bombay	2,993	1,616	75
Bengal	3,331	769	9
U. P.	3,572	13	..
Punjab	967	9	..
Bihar and Orissa	1,804	..	..
C. P.	1,158	..	..
Assam	610	..	..
N. W. F. P.	50	3,736	6
Delhi	301	41	5
Ajmere-Merwara	5	..	..
Total	15,501	6,184	95

WOMEN IMPRISONED IN CONNECTION WITH THE CIVIL DISOBEDIENCE MOVEMENT.

4. *Mr. Gaya Prasad Singh : Will Government kindly place on the table a statement relating to the number of women arrested and imprisoned in connection with the civil disobedience movement ?

The Honourable Mr. H. G. Haig : I have no information regarding the number of arrests. The number of women convicted, though not necessarily sentenced to imprisonment, in connection with the civil disobedience movement up to the end of July 1932 was 2,711. The number of women in jail on the 31st July, 1932, the latest date for which figures are available, was 1,020.

Mr. B. Das : Are Government aware that the women civil disobedience prisoners are at times treated inhumanly by the police authorities and in a manner not justified by the Ordinances and the laws and enactments of the Government of India ?

The Honourable Mr. H. G. Haig : No, Sir ; I am not aware of any such treatment.

Mr. B. Das : Has not the Honourable Member noticed such statements in the Indian Press ?

The Honourable Mr. H. G. Haig : I have seen statements like that, and I think there is a question later on the subject relating to the treatment of Miss Slade.

Mr. Lalchand Navalrai : Has the Honourable Member been reading all the papers ?

(No reply was given.)

GRANT OF A HOLIDAY IN THE LOCAL BRANCHES OF THE IMPERIAL BANK OF INDIA IN BIHAR AND ORISSA DURING THE SONEPUR FAIR.

5. ***Mr. Gaya Prasad Singh :** (a) Are Government aware that the Sonapur Fair in November every year is a very important religious festival in Bihar, and that all civil and criminal courts, including the Government Treasury, remain closed for six or seven days, which are declared as Gazetted holidays ?

(b) Are Government aware that the Imperial Bank of India, which have got Branches in Bihar and Orissa, is not closed even for a day, so far as those Branches are concerned, and this causes general dissatisfaction to the people concerned ?

(c) If so, do Government propose to take necessary steps to see that a day's holiday is granted in the local Branches of the Imperial Bank in Bihar and Orissa on the above account ?

The Honourable Sir Alan Parsons : (a), (b) and (c). Branches of the Imperial Bank of India cannot be closed except on Sundays and days notified by the Local Government as public holidays under section 25 of the Negotiable Instruments Act. The decision as to the days to be notified rests with the Local Government.

PRINTING OF TEN-RUPEE NOTES ON STAR WATER-MARKED PAPER BY THE CURRENCY NOTE PRESS, NASIK.

6. ***Mr. Gaya Prasad Singh :** (a) Is it a fact that old ten-rupee star water-marked paper to the value of approximately Rs. 3,00,000 was indented from England in 1928 in the Security Printing, Nasik, on which ten-rupee notes to the approximate value of six crores of rupees were printed ; but before the notes were issued to the public, many of them were found to be in circulation in an unauthorized manner ?

(b) Is it a fact that these notes were detected by the Controller of Currency, Calcutta, who reported the matter to the Master, Security Printing, Nasik, who undertook a verification of the printed stock, and actually found a number of notes to be missing ; and consequently the series of printed notes were not issued to the public, but were destroyed, resulting in heavy loss to Government ?

(c) Will Government kindly state :

(i) the actual number of reams of the old ten-rupee star water-marked paper that were indented from England for note-printing in Nasik in 1928, and its total cost ;

- (ii) the number of reams actually used in printing together with the actual number of ten-rupee notes finished ;
- (iii) the number of old ten-rupee notes issued to the Controller of Currency ; and
- (iv) the number of reams now lying unused in stock in the Currency Note Press ?

(d) Is it a fact that a large number of old ten-rupee notes were pilfered from the Currency Note Press due to the " inefficient supervision " on the part of the supervisors concerned ? If so, how many such notes were pilfered or found missing ; and what action, if any, was taken against the supervisors, or whether any legal proceedings were instituted ?

(e) Was any enquiry made by Government into the matter ? If so, will they kindly lay on the table a copy of the correspondence that passed between themselves and the Master, Security Printing ; or at least a copy of the remarks passed by Government on this case ?

(f) Is it a fact that the design of the ten-rupee notes was suddenly changed into the present one soon after the detection of the shortage ? If so, what was the reason for this change in design ?

The Honourable Sir Alan Parsons : (a) During 1927-28 Star water-marked paper of the value of about Rs. 4-1/3 lakhs was obtained from England for printing ten-rupee notes. Six million notes were printed on this paper, of which only 41 were found to be in circulation in June and July, 1928, though none had been issued officially from the Currency Note Press.

(b) The answer to the first part of the question is in the affirmative. The total number of notes stolen was 158 and the principal reason for not issuing notes of this pattern to the public and for introducing a new design of ten-rupee notes was not the theft of such a small number of notes from the Currency Note Press but a large increase in receipt at Currency Offices of forged notes of a similar design.

- (c) (i). 8,437 reams costing about Rs. 4-1/3 lakhs.
- (ii) 592 reams on which six million notes were printed.
- (iii) Nil.
- (iv) 7,544 reams.

(d) and (e). The Master held an enquiry and reported to Government that the theft of 158 notes was due to insufficient supervision, stupidity and carelessness on the part of the Probationary Chief Supervisor, Control, and a Probationary Assistant Supervisor. They were removed from their posts. The perpetrator of the theft was convicted and sentenced by the Court to a term of imprisonment. I regret that I am not prepared to lay correspondence on the table of the House.

(f) The design was changed shortly after the discovery of this theft ; not because of the theft, but because it had been found that a very similar design lent itself to forgery.

PRINTING OF POST OFFICE CASH CERTIFICATES ON OLD TEN-RUPEE STAR WATER-MARKED PAPER.

7. *Mr. Gaya Prasad Singh : Is it a fact that the postal cash certificates were formerly printed on ordinary paper and are now being printed on the costly old ten-rupee star water-marked paper ? If so, why ?

The Honourable Sir Alan Parsons : All Government securities including Treasury Bills and Post Office Cash Certificates are at present printed on the star water-marked paper referred to in the previous question with the object of using up as profitably as possible this paper which can no longer be used for notes.

Mr. Gaya Prasad Singh : Is it intended to resume printing Postal Cash Certificates on ordinary paper after the stock of the star water-marked paper is exhausted ?

The Honourable Sir Alan Parsons : I do not think that has been considered, but I imagine we shall do so as the other paper is expensive.

QUARTERS FOR THE STAFF IN THE SECURITY PRINTING, INDIA, NASIK.

8. *Mr. Gaya Prasad Singh : (a) Will Government kindly state if separate quarters are provided for European and Indian staff in the Security Printing, India, Nasik, and they are marked as " Staff Quarters ", and " Indian Staff Quarters " on the board ? If so, under what sanction of Government this classification has been made ?

(b) What is the cost of a first and second grade " Staff Quarter " ; and the cost of a first and second grade Indian Staff Quarter, separately, and the amenities provided in them ?

The Honourable Sir Alan Parsons : (a) As in New Delhi, two classes of quarters are provided for the staff—one class for Europeans and Indians living in European style and another class for Indians living in Indian style and they are marked on the board as stated in the question.

(b) The cost of the quarters is as follows :

Europeans style first grade—Rs. 25,680.

European style second grade—Rs. 20,580.

Indian style first grade—Rs. 13,830 and Rs. 11,850.

Indian style second grade—Rs. 6,360.

The accommodation, apart from a kitchen, store room and the usual out-houses, which are provided in all cases, consists of four living rooms in European style quarters, first grade, three living rooms in European style quarters, second grade, and Indian style quarters, first grade, and two living rooms in Indian style quarters, second grade. All quarters are fitted with electric light.

Sir Cowasji Jehangir : Do I understand the Honourable Member to say that the European quarters cost Rs. 25,000 odd, while the Indian quarters cost Rs. 13,000 odd ?

The Honourable Sir Alan Parsons : Yes, that is correct.

Sir Cowasji Jehangir : Am I to understand that the accommodation for the Europeans costs so much more than the accommodation for

the Indians, simply because the two buildings are constructed suitably to the requirements of each class? Why is there such a great difference in cost?

The Honourable Sir Alan Parsons: My information is that the European style first grade quarter to which my Honourable friend has referred has one more room than the Indian style first grade quarter; that would account for part of the difference.

Sir Cowasji Jehangir: But one room cannot certainly account for such a great difference between Rs. 13,000 and Rs. 25,000?

The Honourable Sir Alan Parsons: I said it accounts for part of the difference.

ALLEGED RACIAL DISCRIMINATION IN THE ALLOTMENT OF QUARTERS TO THE STAFF OF THE SECURITY PRINTING, INDIA, NASIK.

9. ***Mr. Gaya Prasad Singh:** (a) Is it a fact that Miss Griffin, lady-typist, whose pay is about Rs. 130 only per month, occupies a second grade quarter which is worth about Rs. 18,000, whereas the Chief Supervisor, Control, Currency Note Press, Rao Bahadur Wasudev Anant, whose pay is about Rs. 900 per month, occupies a quarter worth about Rs. 12,000 only? What are the actual costs of these quarters?

(b) Is it a fact that Mr. Corby, the Estate Custodian, whose pay is about Rs. 150 only per month, occupies a first grade staff quarter, worth about Rs. 24,000; and is he entitled to it under Government Rules? What is the cost of quarters occupied by Indians drawing salaries similar to the lady-typist and Mr. Corby? Will Government please state the reasons for this racial discrimination?

(c) Is any house-rent charged from the above persons? If so, on what scale?

The Honourable Sir Alan Parsons: (a) Miss Griffin, who is a Stenographer, occupies a second grade European style quarter as this is the lowest type of quarter available in which a person living in European style can be suitably housed. The Chief Supervisor, Control, Currency Note Press, occupies an Indian style quarter of the first grade.

(b) Mr. Corby, the Estate Custodian, who is a retired gazetted officer of the Police Department, occupies temporarily a first grade European style quarter which would otherwise be empty owing to reduction of staff. He draws a pay of Rs. 190 in addition to his pension. Indians drawing a salary similar to the Lady Stenographer live in Indian style quarters, second grade. Those drawing a salary similar to the Estate Custodian's salary plus pension live in Indian style quarters, first grade.

(c) House rent is charged at the usual rate of 10 per cent. of pay and in the Estate Custodian's case at 10 per cent. of pay plus pension, subject to the maximum assessed rent.

Mr. Gaya Prasad Singh: I do not understand why a lady typist getting Rs. 130 a month should occupy a quarter costing Rs. 18,000, and an Indian officer whose pay is about Rs. 900 a month should be occupying a quarter worth only Rs. 12,000.

The Honourable Sir Alan Parsons : I gather from the information given to me that the Indian officer wishes to live in an Indian style quarter. The stenographer happens to be a European lady and she occupies the lowest class of European style quarters.

Mr. Gaya Prasad Singh : Why should this racial discrimination be allowed in the building of quarters and accommodation of members of the staff of the Security Printing Press ?

The Honourable Sir Alan Parsons : I am not myself acquainted with the Security Printing Press at Nasik. I imagine that among the Indian staff there are some who wish to live in European style quarters and some in Indian style quarters ; but if any further information is wanted, I must ask the Honourable Member to put down a question on the paper.

Sir Cowasji Jehangir : Will the Honourable Member inquire into the question whether, as a general principle, buildings built for Europeans cost very much more than buildings built for Indians of the same status ? I have never heard of such a thing anywhere else and this is the first time I have heard of such a tremendous difference between the cost of quarters for Europeans and Indians of the same class and same status. I would like the Honourable Member to inquire into the question and see that it does not occur again in other places though it might have occurred here.

The Honourable Sir Alan Parsons : I will certainly inquire.

Mr. Lalchand Navalrai : Will the Honourable Member be pleased to state if it is a fact that Indian officers wish to remain in the same style as Europeans and that they do not want there should be any difference ?

The Honourable Sir Alan Parsons : I think there are a number of Indian officers who now live in what is called the European style ; but there is certainly still a large number of Indian officers who prefer to live in the style of their own country.

Mr. Lalchand Navalrai : Is it not a fact that if they are provided with the same facilities and at the same cost they will prefer to live in the same style equally well ?

The Honourable Sir Alan Parsons : I must point out to the Honourable Member that these people have got to pay the assessed rents of these quarters and that if the cost of the European style quarter is larger, the European will have to pay more rent than the Indian.

Sir Cowasji Jehangir : Is it not a fact that they pay only 10 per cent. of their pay as rent ?

Sardar Sant Singh : Does the department feel satisfied that thirteen rupees a month is the proper rent for a quarter which has cost eighteen thousand rupees ?

The Honourable Sir Alan Parsons : No ; not as a rule.

Mr. K. C. Neogy : Will the Honourable Member in making his inquiries also find out whether under the rules the Indian officer is entirely free to elect for whichever type of quarter he wants ?

The Honourable Sir Alan Parsons : I will certainly have that looked into.

QUARTER OCCUPIED BY THE MASTER, SECURITY PRINTING, INDIA, NASIK.

10. *Mr. Gaya Prasad Singh : (a) What is the cost of the quarter occupied by the Master, Security Printing ; and is he entitled, under Government rules, to occupy a quarter worth about Rs. 1,10,000 ?

(b) Is it a fact that a hard tennis court is provided in his bungalow, and was proper sanction obtained for it beforehand ? If not, why not ?

The Honourable Sir Alan Parsons : (a) A house costing Rs. 1,12,000 was constructed for the Master who is occupying it.

(b) There is a hard tennis court on a vacant plot adjoining the Master's garden which is intended for general use. Proper sanction for it was not obtained before-hand.

QUARTER OCCUPIED BY THE MASTER, SECURITY PRINTING, INDIA, NASIK.

11. *Mr. Gaya Prasad Singh : Is it a fact that the Accountant General, Bombay, raised certain objections regarding the quarters of the Master, Security Printing, and some other buildings in Nasik ; and will Government be pleased to lay a copy of the report of the Accountant General in this connection on the table ? What action, if any, was taken by Government ; and are Government prepared to lay on the table a copy of the correspondence between themselves, the Accountant General, Bombay, and the Master, Security Printing ?

The Honourable Sir Alan Parsons : The Accountant General raised certain objections and the Auditor General brought the matter to the attention of the Public Accounts Committee, who have dealt with it in their report. As Government have now taken measures which will prevent similar occurrences in future, and as these measures have been discussed and approved by the Public Accounts Committee, Government do not consider any further action necessary.

CONTROL SUPERVISORS IN THE CURRENCY NOTE PRESS, NASIK.

12. *Mr. Gaya Prasad Singh : (a) Will Government kindly state how many Control Supervisors are there in the Currency Note Press, Nasik ; how many are from the Presidency of Bombay ; and how many from other Provinces ?

(b) Is it a fact that there are as many as six Assistant Supervisors, Control (Messrs. Mainker, Khot, Kamat, A. R. Desai, G. V. Desai, and Mr. M. V. Naik), all belonging to the Adya Gaur Brahmin community to which the Chief Supervisor, Control, Currency Note Press, belongs, and all coming from the same District of Ratnagiri from which the Chief Supervisor comes ? If so, why ?

The Honourable Sir Alan Parsons : (a) and (b). There are 17 Supervisors of various grades, of whom three come from other provinces than Bombay. I am told that the Chief Supervisor and five of his Assistants are Adya Gour Brahmins, and that the Chief Supervisor and five Assistants come from the Ratnagiri district.

Mr. S. G. Jog : May I know who has made all these appointments, the Master of the Security Printing Press, or whether the matter came before the Government of India ?

The Honourable Sir Alan Parsons : I should imagine it was the Master of the Security Printing Press, but I shall have to ask for notice if a definite reply is required.

Mr. S. G. Jog : Did the Government bring it before the Standing Finance Committee for sanction ?

The Honourable Sir Alan Parsons : As far as I am aware the Standing Finance Committee never deals with appointing particular people to particular posts.

Mr. B. V. Jadhav : Does the Master of the Security Printing Press keep in view and respect the rules made by Government about the claims of different communities ?

The Honourable Sir Alan Parsons : I imagine that he does so.

Mr. S. G. Jog : Will Government see at least that the services are not monopolised by a particular community ?

(No answer was given.)

RETRENCHMENT IN THE CURRENCY NOTE PRESS, NASIK.

13. ***Mr. Gaya Prasad Singh :** Is it a fact that the only two Bengalees, and the only one man from Bihar and Orissa, and the only one man from the Central Provinces, who were in service in the Currency Note Press, Control, have been retrenched, whereas out of the 15 Supervisors from Bombay Presidency, only one man, who was temporary, has been retrenched ? If so, why ?

The Honourable Sir Alan Parsons : The Master, Security Printing, himself decided who should be retrenched. The men who were retained were definitely the most useful members of the Control Staff.

SALE OF INSANITARY AND UNWHOLESOME FOODSTUFFS AT RAILWAY STATIONS.

14. ***Mr. Gaya Prasad Singh :** (a) Are Government aware that on the 17th March, 1932, the question of the sale of insanitary and unwholesome foodstuffs at Railway stations generally in the Province of Bihar and Orissa was discussed in the Local Legislative Council, and it was stated on behalf of the Local Government that the attention of the Railway authorities would be drawn to this matter and, if necessary, the matter would be represented to the Government of India ?

(b) Has any such representation on the subject been received ; and, if so, what action has been taken, or is proposed to be taken to prevent the sale of bad and insanitary foodstuffs for Indian passengers at Railway Stations, and to raise the standard of catering at such stations ?

Mr. P. B. Rau : No representation has been received from the Government of Bihar and Orissa. The matter is one within the competence of the Railway Administrations concerned to deal with, and their attention has presumably been directed to it by the Local Government.

Mr. Lalchand Navalrai : Will the Honourable Member be pleased to state if on the other railways also there have been similar complaints and whether the authorities are looking into the matter ?

Mr. P. B. Rau : I have not received any complaints from any other railways.

Mr. Lalchand Navalrai : Is the Honourable Member aware of it himself or is he simply giving an answer without receiving any information ?

Dr. Ziauddin Ahmad : Are Government aware that this complaint is universal in nature and will they be pleased to inquire into the matter, and frame some workable scheme about it ?

Mr. P. B. Rau : I am afraid it is not possible at the present moment to have a full dress inquiry into the question of insanitary and unwholesome food on all railways in India. This is hardly an opportune moment for it.

Mr. Gaya Prasad Singh : Will the Honourable Member taste some of the food provided for Indian passengers before he answers these questions ? (Laughter.)

Mr. B. Das : Is it not a fact that different railway administrations charge very high licensing fees to these foodstuff vendors and therefore they supply unwholesome food to the passengers ?

Mr. P. B. Rau : I do not think that is the case in every railway. I believe in some of the railways these people are allowed to vend food free, or at nominal fees so far as I know.

Mr. B. Das : Will the Honourable Member make it free on all railways so that better foodstuffs may be supplied to the passengers ?

Mr. P. B. Rau : It is a question of the financial position of railways, and at this particular moment I am not prepared to recommend to any railway that they should give up any source of income.

Dr. Ziauddin Ahmad : Is it a fact that these licensees have to pay very high prices for their licence and they realise from passengers in the shape of high prices and bad food ?

Mr. P. B. Rau : If the Honourable Member will bring to my notice any particular instance I shall make inquiries about it.

Mr. Gaya Prasad Singh : Is not the health of the travelling public a matter of more importance than the financial condition of the railways ?

Mr. P. B. Rau : I am not aware that the health of the travelling public has suffered by this practice so far.

Mr. Lalchand Navalrai : Will the Honourable Member be pleased to say as to why at this particular moment he is not prepared to make any inquiries ?

Mr. P. B. Rau : The reason is obvious. The railways are losing extraordinarily in earnings.

Mr. Gaya Prasad Singh : They will lose still more if you go on like this. (Laughter.)

Mr. P. B. Rau : That is a matter of opinion.

LINKING UP OF JAMMU AND SRINAGAR WITH LAHORE AND RAWALPINDI, RESPECTIVELY, BY AEROPLANE SERVICE.

15. ***Mr. Gaya Prasad Singh :** Are Government aware of any proposal for the linking up of Jammu and Srinagar (Kashmir) with Lahore and Rawalpindi, respectively, by aeroplane service ? If so, to whom is the contract going to be given, when is the service likely to begin, and what are the terms of the contract ?

The Honourable Sir Frank Noyce : Government have not yet received any such proposal.

AIR SERVICE BETWEEN KARACHI *via* BOMBAY TO MADRAS.

16. ***Mr. Gaya Prasad Singh :** When is the air service between Karachi *via* Bombay to Madras likely to start, to whom is the contract going to be given, and what are its terms ?

The Honourable Sir Frank Noyce : The air mail service between Karachi and Madras will commence operation on the 15th of October.

An agreement has been concluded with Messrs. Tata Sons, Limited, for the operation by that firm for a period of ten years of a weekly air mail service in both directions to connect at Karachi with the London-Karachi air service. The service will be operated with stops at Ahmedabad, Bombay and Bellary. Both internal and foreign mails will be carried to and from all stopping places on the route. Government have undertaken to hand to the company for carriage on this service all air mail which may be offered during the period of the contract.

Mr. Gaya Prasad Singh : Has any condition been made in the contract for the provision of a majority of Indian Directors and for the employment of competent Indians ?

The Honourable Sir Frank Noyce : The contract is with Messrs. Tata Sons, Limited, who, I imagine, have a majority of Indian Directors.

Mr. Lalchand Navalrai : Will the Honourable Member be pleased to state if this contract was given by some tender or by public auction ?

The Honourable Sir Frank Noyce : I must ask for notice of that question.

DEVELOPMENT OF AIR SERVICE IN INDIA.

17. ***Mr. Gaya Prasad Singh :** Will Government kindly state if there are any other projects for the development of air service in India ? If so, what are they, and what are their terms ; and when are they likely to come into existence ?

The Honourable Sir Frank Noyce : The Government of India have considered at different times various possible extensions of air services in India ; but apart from the scheme for a service from Karachi to Madras, there is no project for which terms have yet been settled, and I am unable to say when any extension is likely to take place.

LINKING UP BY TELEPHONE OF VARIOUS PROVINCIAL CAPITALS WITH DELHI AND SIMLA AND OF DELHI AND LONDON.

18. ***Mr. Gaya Prasad Singh :** Are there any proposals for the linking by telephone of the various provincial capitals with Delhi and Simla ; and the linking up of Delhi and London by telephone ? If so, will Government make a statement on the subject giving necessary details, and the approximate amount of cost involved ?

Mr. T. Ryan : There are no proposals under consideration specifically for connecting the various provincial Capitals with Delhi and Simla except in so far as such inter-communication may be provided as part of the ordinary development of the trunk telephone system in India which

is receiving constant attention. Apart from expenditure on minor works, particulars will be found of all proposals for improving or extending the trunk system in each year's budget. I may draw the attention of the Honourable Member in this connexion to the provision in the Budget for 1932-33 under the head 56-I (a) Capital Outlay on Indian Posts and Telegraphs Department for the year 1932-33 Detailed Account No. II (b) Telegraph and Trunk Telephone lines and wires.

2. It is not proposed directly to link up Delhi and London by telephone. The Indian Radio and Cable Communications Company is installing equipment necessary to enable wireless telephone communication to be established between India and England and it is contemplated that this equipment will be used in conjunction with the inland trunk service.

3. The Government of India are not in possession of the details of expenditure which will be borne by the Company. There will be a comparatively small expenditure by the Indian Posts and Telegraphs Department in linking up the telephone trunk system in India with the external wireless circuits, provision for which will be made in next year's budget.

PART ALLEGED TO BE PLAYED BY THE EUROPEAN ASSOCIATION IN THE PROMULGATION OF THE ORDINANCES.

19. *Mr. Gaya Prasad Singh : (a) Did Government receive any letter about October or November, 1931, from the European Association, Bombay Branch, directly, or through the Government of Bombay, on the subject of the steps to be taken in the case of the revival of civil disobedience by the Congress, and the "exact interpretation of the clause in the Irwin-Gandhi Agreement, relating to picketing" ? If so, are Government prepared to place a copy of it on the table, together with their reply, if any ?

(b) Is it a fact that a good many suggestions embodied in that letter of the European Association have been incorporated in some of the Ordinances subsequently promulgated to meet the political situation ?

(c) Is it not a fact that the European Association, in the course of their letter, recorded that "it cannot be too strongly urged upon Government that if the revolutionary movement again gets under way, their action must be prompt, vigorous, and even ruthless. Congress must not be given time for the full mobilisation of its undoubtedly powerful forces" ?

(d) Is it not a fact that the European Association suggested :

- (i) "that immediately civil disobedience was declared, Congress should be declared an illegal body, and Congress property, and property used for Congress purposes, should be confiscated, and at once sold or destroyed ;
- (ii) "that flying of the Congress flag, and all kinds of ceremonials connected therewith should immediately be forbidden ;
- (iii) "that all those who are known to have been responsible for the organisation, or financing of the last civil disobedience movement should be at once brought under control, and, if necessary, put under restraint. It is suggested, in fact, that they should be treated in the same fashion as enemy subjects interned during the War ;

- (iv) " that steps should be taken to stop Congress funds at source, accompanied, if necessary, by an Ordinance compelling the production of banking accounts ; and
- (v) " that textile mills, or other commercial undertakings which have signed agreements with Congress while that body had not been proscribed as illegal, should be required immediately to withdraw adherence to any compact with Congress, on pain of being denied rail transit for their goods ? "

The Honourable Mr. H. G. Haig : (a), (c) and (d). An extract from a letter from the Association was received by the Government of India in December 1931. It is not proposed to place a copy on the table. No reply was sent.

(b) The letter was not seen until after the Ordinances were in their final form.

Sir Cowasji Jehangir : Is that meant to be a compliment to the Association ?

The Honourable Mr. H. G. Haig : It is meant to suggest, Sir, that the Government intend to pursue their own policy.

Mr. K. C. Neogy : Was it a case of mental telepathy, that is to say, the members of the Association were thinking in the same way as the Government were thinking ?

The Honourable Mr. H. G. Haig : There are no doubt, Sir, at any particular time general ideas in the air.

MESSAGE ON PRESENT POLITICAL SITUATION IN INDIA BY DR. RABINDRA NATH TAGORE AND OTHERS TO MAHATMA GANDHI IN JAIL.

20. ***Mr. Gaya Prasad Singh :** (a) Is it a fact that a message on the present political situation in India, and the appeal for a gesture of goodwill on both sides, issued by Dr. Rabindra Nath Tagore, and supported by the Archbishop of York, the Master of Balliol, Prof. Gilbert Murray, and Sir Francis Younghusband, in the columns of the *Times*, was allowed by Government to be forwarded to Mahatma Gandhi in jail about March, 1932 ?

(b) If so, what was the reply, if any, of Mahatma Gandhi to this appeal ?

The Honourable Mr. H. G. Haig : (a) A message from Dr. Tagore which has subsequently been published in the Press and commented on by the Archbishop of York and others was transmitted to Mr. Gandhi last April.

(b) Mr. Gandhi's reply was also published in the Press.

DELAY IN THE DELIVERY OF A POSTCARD FROM BENARES TO DELHI.

21. ***Mr. Gaya Prasad Singh :** Are Government aware that a postcard bearing the Benares postmark of 2nd August, 1924, has taken as many as seven years and ten months to reach the addressee in Delhi, and was delivered in the *Hindustan Times* office (Post Box 78, Delhi) on the 16th

May, 1932, and bearing the Delhi postmark of the same date ? Has any enquiry been made as to the cause of this delay in the journey of the post-card from Benares to Delhi ?

Mr. T. Ryan : No. It appears, however, that a postcard which had been posted at Benares on the 2nd of August, 1924 and which was delivered to the addressee at Delhi a couple of days later was *re-posted* at the Paharganj sub-post office (Delhi) on the 15th May 1932 and was delivered for the second time on the 16th May 1932. No complaint was received on the subject nor does there appear to be ground for any.

Mr. Lalchand Navalrai : Can the Honourable Member tell us where the letter was in the meantime ?

Mr. T. Ryan : I presume, Sir, that it was in possession of the addressee or possibly it was lying about in his abode.

Mr. Gaya Prasad Singh : Was it lying in a corner of the postbox ? (Laughter.)

BENGAL DETENUS IN THE DEOLI DETENTION CAMP AND IN BENGAL.

22. ***Mr. Gaya Prasad Singh :** (a) Will Government kindly give the total number and names of the Bengal detenus, who have been transferred to Deoli (Ajmer-Merwara) up to date ; and how many, and who are still confined in Bengal ?

(b) What specific arrangements have been made in Deoli to reproduce as far as practicable the conditions obtaining in Bengal, with regard to food and other matters ?

(c) Have any complaints been made by any of the detenus in Deoli ? If so, what ; and what steps have been taken to remedy them ?

The Honourable Mr. H. G. Haig : (a) The total number of detenus confined in the Deoli Camp Jail is 92 and in jails and detention camps in Bengal 905. It would not be in the public interest to give their names.

(b) Care is taken to ensure that as far as possible the detenus get the diet to which they are accustomed in Bengal. Arrangements are made for a supply of fish and of such vegetables and fruits as are procurable. The scale of the diet is not rigid and the wishes of the detenus are taken into account provided the cost is within the daily allowance. Adequate facilities for games are provided. Detenus are permitted to wear their own clothing and to purchase such articles of clothing, etc., as they may require from their monthly allowance.

(c) Yes, I regret I cannot detail all the representations made by the detenus, but action is taken to remedy any complaint found to be justifiable and reasonable.

Mr. Lalchand Navalrai : Will the Honourable Member be pleased to state if these detenus are allowed visits from persons coming from Bengal ?

The Honourable Mr. H. G. Haig : They are allowed visits, Sir, in accordance with certain rules.

Mr. K. C. Neogy : Will the Honourable Member be pleased to state the principles on which detenus are selected for the privilege of being transferred to Deoli ?

The Honourable Mr. H. G. Haig : That is a matter which is arranged direct between the Government of India and the Bengal Government.

Mr. K. C. Neogy : Will the Honourable Member be pleased to indicate the nature of the division of authority and responsibility in regard to the administration of the Deoli detention camp as between the Government of India and the Bengal Government ?

The Honourable Mr. H. G. Haig : The position, Sir, is that the administration of the camp is under the Chief Commissioner of Ajmer, in whose territory the camp is situated ; the cost of the camp is borne by the Government of Bengal.

Mr. B. Das : May I inquire if electric fans have been provided in this camp as was promised by the Honourable Member's predecessor in office ?

The Honourable Mr. H. G. Haig : *Punkhas* or Fans have been provided, but electric fans have not been provided. I think I shall be dealing with that matter in reply to a subsequent question.

Mr. K. C. Neogy : Have Visiting Committees been appointed ?

The Honourable Mr. H. G. Haig : Yes, Sir ; again I think there is a question to this effect.

Mr. B. R. Puri : What is the cost of the daily allowance of these detenus ?

The Honourable Mr. H. G. Haig : I am afraid I should require notice of that ; but again my impression is that that is the subject of a subsequent question.

Mr. Lalchand Navalrai : Will the Honourable Member be pleased to state if these *punkhas* have to be pulled by the detenus themselves or there are coolies employed for the purpose ?

The Honourable Mr. H. G. Haig : I have no doubt that the *punkhas* are pulled by *punkha* coolies.

PRIVATE AEROPLANES IN INDIA.

23. ***Mr. Gaya Prasad Singh :** (a) Will Government kindly make a statement showing the names of those who possess private aeroplanes in India ?

(b) Have they to pay any licence or other fee ? If so, how much ?

The Honourable Sir Frank Noyce : (a) A statement is placed on the table giving the names of private owners of aircraft. This excludes aircraft owned by aircraft operating companies and Flying Clubs.

(b) All aircraft in India, except those which are validly registered in any other State, are required to be registered in India. A fee of Rs. 20 is charged for registration.

Under the Indian Aircraft Rules, 1920, it is not necessary for a private aircraft, that is, a machine not intended to be used for public transport for hire or reward, to be certified as airworthy but should its owner desire to have it so certified a fee of Rs. 50 is levied for the grant of the certificate, which is normally issued for a period of 12 months. A fee of Rs. 50 is charged for each renewal.

Statement giving the names of private owners of aircraft in India as on the 15th August, 1932.

	Private Aircraft.	Aircraft certified as air-worthy.
1. Mr. P. M. Kabali, Bombay	1	..
2. M. R. Ey. S. A. A. Annamalai Chettiyar, Kanadukathan, Ramnad District, Madras	1	..
3. Mr. Lakhmichand Isardas, Karachi ..	1	1
4. Mr. B. D. Mookerjee, Barranagar ..	1	..
5. Mr. E. A. Alton, Junagadh	1	..
6. Maharajah Kumar Shree Madanshinghi Idar State, Himatnagar	1	..
7. Mr. Gajanand Goenka, Dum Dum ..	1	..
8. Mr. Y. C. Ray, Calcutta	2	..
9. Khan Bahadur D. N. Bhiwandiwalla, Bombay	2	1
10. Mr. M. H. Irani, Karachi	1	..
11. Mr. B. K. Das, Howrah	1	..
12. Messrs. Coromandel Automobiles, Madras ..	1	..
13. Messrs. Andra Aviation Co., Bezwada ..	2	..
14. Captain D. H. Williams, Jandola ..	1	..
15. Mr. A. B. Nizami, Rangoon	2	..
16. His Highness the Maharajadhiraj of Patiala	1	..
17. Dr. A. M. Leake, Calcutta	1	..
18. Mr. M. D. Mehta, Ahmedabad	1	..
19. Tahavar O Jaladat Dastagaha Sri Raja Sreemannarayana Appa Rao Bahadur, Zamindar of Gollapalle, Kistna District	1	..
20. Dr. S. Rangachari, Madras .. ..	..	1
21. Mr. R. E. Grant Govan, Delhi .. ..	..	1
22. Mr. Raja I. V. Krishna Rao, Madras ..	..	1
23. Mr. Ramasamy Seshasayee, Madras ..	..	1
24. Mr. M. F. Thomas, Calcutta .. ..	..	1
25. Messrs. Gopaldas and Bup Chand, Lahore	..	1
26. H. H. Sir Mahabat Khanji, G.O.I.E., K.O.S.I., The Nawab Sahib of Junagadh State, Kathiawar	1
27. Mr. M. H. Gazdar, Andheri, Bombay	1
	<hr/>	<hr/>
Total	23	+ 10=33
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FLYING CLUBS IN INDIA.

24. **Mr. Gaya Prasad Singh** : Will Government kindly state what facilities and other assistance, if any, they are prepared to offer to encourage the formation of flying clubs in this country ?

The Honourable Sir Frank Noyce : Owing to the present financial stringency Government are not in a position to give an undertaking with regard to the grant of financial assistance to newly formed flying clubs. They have, however, in the past afforded the following facilities to each of the clubs at Karachi, Delhi, Calcutta, Bombay, Madras and Lahore :

Two D. K. Moth aeroplanes and a spare engine, an annual maintenance grant of Rs. 20,000, a grant towards the provision of a hangar, and a bonus of Rs. 150 per pilot for a limited number of pilots per annum trained by the clubs.

The annual maintenance grant and the bonus per pilot trained by the clubs have been reduced to Rs. 17,000 and Rs. 100, respectively, with effect from the 1st April 1932 ; the Government of India have however decided not to grant any subsidy to the Punjab Flying Club Limited from that date.

Mr. Gaya Prasad Singh : Why have they decided not to give any assistance to the Punjab Flying Club ?

The Honourable Sir Frank Noyce : Because they are not satisfied with the management of the Club.

Mr. Gaya Prasad Singh : Is it a fact that in the Punjab Flying Club the Government insisted upon control being placed in the hands of Europeans and that the Club authorities did not agree to it ? Is that one of the reasons ?

The Honourable Sir Frank Noyce : No, Sir.

Dr. Ziauddin Ahmad : Are Government contemplating to hand over one of the machines purchased by them to the Delhi Flying Club ?

The Honourable Sir Frank Noyce : I must ask for notice of that question. I think it is hardly relevant to the present question.

APPOINTMENT BY THE GOVERNMENT OF INDIA OF AN AGENT IN FIJI TO EXAMINE AND REPORT ON QUESTIONS OF INTEREST TO INDIA.

25. ***Mr. Gaya Prasad Singh** : (a) Is it a fact that the Colonies Committee appointed in 1924 by Government recommended the "immediate appointment by the Government of India of an Agent in Fiji", under the terms of section 7 of the Indian Emigration Act VII of 1922 ; and that the Government of India supported this view, and made representations through the India Office to the Colonial Office, but the Secretary of State for the Colonies did not agree to it, and intimated that the Fiji Government would agree instead to appoint "a senior officer to take charge of Indian affairs with a seat in the Legislative Council" (*vide Fiji Royal Gazette*, No. 13, March 11th, 1927) ?

(b) Is it a fact that in connection with the above, when the Government of India pressed the point further, the Secretary of State for the Colonies, writing on the 5th March, 1926, offered no objection to occasional

visits to Fiji of authorized representatives of the Government of India to examine and report upon questions of interest to India ?

(c) How many such representatives have visited Fiji, what are their names ; and will Government kindly place a copy of their reports in the Library ?

Mr. G. S. Bajpai : (a) and (b). Yes, Sir.

(c) No such representatives have so far visited Fiji.

Mr. Gaya Prasad Singh : But why have no representatives visited Fiji so far ?

Mr. G. S. Bajpai : That is simply because no specific issue of sufficient importance has arisen to justify a special visit.

HANDING OVER OF AN INDIAN GIRL BY THE CHIEF JUSTICE OF THE SUPREME COURT OF FIJI TO THE METHODIST MISSION.

26. ***Mr. Gaya Prasad Singh :** (a) Are Government aware that the Chief Justice of the Supreme Court of Fiji heard argument, concerning the disposal of an Indian Hindu girl, named Bajantry (13½ years old), who was the subject of a *Habeas Corpus* application ; and that the Judge, instead of handing the girl over to her mother, Ramdulari, who was a party in the case, ordered the girl to be handed over to the Methodist Mission for two years (*vide* the *Fiji Times* and the *Herald*, dated the 10th November, 13th November and 1st December, 1931) ?

(b) Do Government propose to enquire into the matter, and make a statement, specially indicating why the girl was not handed over to her mother, instead of being sent to the Christian Mission at her tender age ?

(c) Is there any one in Fiji on behalf of the Government of India to look after the interests of Indians ? If so, who ; and what steps did he take in this matter ?

Mr. G. S. Bajpai : (a) Yes.

(b) The Chief Justice has stated in his judgment, which is reported in the issue of the *Fiji Times* and the *Herald*, dated the 1st December, 1931, that the mother wished the girl to be sent to the Mission School at Dilkusha, and her counsel also urged strongly that this should be done. No inquiry, therefore, appears to be necessary.

(c) The answer to the first part of the question is in the negative. In this connection, I would invite the Honourable Member's attention to the reply given to parts (f) and (g) of his question No. 634 asked on the 22nd September, 1931. Part 2 of the question does not arise.

Mr. Gaya Prasad Singh : Is it a fact, Sir, that the mother of the girl put in an application before the court claiming the custody of her daughter ?

Mr. G. S. Bajpai : It is perfectly true, Sir ; but I am relying upon the authority of the judgment of the court in making the statement that subsequently both the mother and her advocate urged that the girl should be put in the custody of the Mission. She evidently changed her mind.

Mr. Lalchand Navalrai : Does the Honourable Member know that the consent of the girl was no consent at all and therefore her desire should not have been considered at all ?

Mr. G. S. Bajpai : I hope, Sir, that the Chief Justice of Fiji has sufficient knowledge of the law to understand that the views of a minor are not binding ; but the point is that it was the mother who agreed to her daughter being sent to the Dilkusha School, and thus the girl's consent does not come in in the matter at all.

**SUPPLY OF DAILY ENGLISH NEWSPAPERS AND ARTICLES OF FOOD TO
DETENUS IN DEOLI.**

27. ***Mr. Gaya Prasad Singh :** (a) What daily newspapers in English are being provided to the detenus in Deoli (Ajmer-Merwara) ?

(b) What are the articles of food that are given to them ; and what recreations, if any, have been provided ?

The Honourable Mr. H. G. Haig : (a) The Honourable Member's attention is invited to the rules published by the Chief Commissioner, Ajmer-Merwara in the *Gazette of India*, dated the 14th May, 1932.

(b) The Honourable Member is referred to the answer I have given to part (b) of his question No. 22.

Mr. K. C. Neogy : Is the list of newspapers too long to enable the 1 P.M. Honourable Member to repeat their names ?

The Honourable Mr. H. G. Haig : My impression was that it was rather a long list and it would be unduly taking the time of the House to repeat the names.

**PUBLIC SERVICE COMMISSION EXAMINATION FOR THE RECRUITMENT OF
CLERKS AND TYPISTS FOR THE IMPERIAL SECRETARIAT AND ATTACHED
OFFICES.**

28. ***Mr. Gaya Prasad Singh :** (a) Have the Public Service Commission issued a notice, dated the 19th May, 1932, announcing that an examination will be held in November next to fill vacancies which are expected to occur for clerkships in the typist and routine grade of the Secretariat and Attached Offices before the 30th September, 1933 ?

(b) Why is it notified that " the number of vacancies will be announced later ; but of the total number of vacancies, not less than 27 will be reserved for the following :

(i) For Muslims	..	..	..	..	6
(ii) For lady clerks	..	..	..	..	21 "

(c) Will Government please state why no reservation has been made for other minority communities, such as the Sikhs, the domiciled Gurkhas and the Indian Christians, and why reservation has been made for lady clerks ?

(d) If the total number of vacancies is known at the time of issuing the above notice, why is not the number mentioned in it ?

(e) If the total number is not known, on what basis reservations have been made for Muslims and lady clerks ? Is there any special reason for bracketting Muslims and lady clerks alone for preferential treatment ?

(f) Do lady clerks get exactly the same pay, allowances and other facilities as men clerks? What is the difference, if any, in this respect between them?

The Honourable Mr. H. G. Haig : (a) Yes.

(b), (c), (d) and (e). The vacancies already notified for Muslims and lady clerks represent only those which could not be filled at the last examination owing to the requisite number of Muslims and lady clerks having failed to qualify. The total number of vacancies will be notified shortly.

(f) The information is given in a statement which is laid on the table.

STATEMENT.

Division.	Pay during probation or while holding temporary or officiating appointments.		Pay on confirmation.	
	Lady clerks.	Others.	Lady clerks.	Others.
	Rs. Per mensem.	Rs. Per mensem.	Rs. Per mensem.	Rs. Per mensem.
Secretariat Second	100	80	120	100
Army Headquarters Second	100	80	120	90
Other Attached Offices Second	100	75	120	75
Secretariat and Army Headquarters. Third	100	75	120	90

Mr. M. Maswood Ahmad : Are Government aware that Muslim and lady clerks are not in sufficient numbers and that they deserve even more according to the population basis?

The Honourable Mr. H. G. Haig : I do not think that the employment of lady clerks is on a population basis.

Mr. K. C. Neogy : With reference to lady clerks, do Government propose to fix a communal percentage for them, as they have done in the case of representation of women in the future Legislatures?

The Honourable Mr. H. G. Haig : So far as I am concerned, it is not my intention, but I would refer the Honourable Member to my Honourable friend Mr. Tottenham who is more closely connected with these matters. (Laughter.)

Mr. K. C. Neogy : Is it not a question of general interest with which the Home Department itself is concerned—the question of preponderance of any particular community in the services of the Government of India?

The Honourable Mr. H. G. Haig : We deal with general questions of recruitment, and so far as the Home Department is concerned, we have not yet recognised lady clerks as a minority community.

Mr. M. Maswood Ahmad : Do Government realise that six is too low for Muslims who are an important minority community in India.

The Honourable Mr. H. G. Haig : I have made it plain in the original answer that six does not necessarily represent the total number of Muslims who are being recruited. It was merely a number based on the fact that at the last examination six vacancies for Muslims were not filled by qualified candidates.

LAND CUSTOMS STATIONS ON THE AFGHAN AND CERTAIN OTHER EXTERNAL FRONTIERS.

29. ***Mr. Gaya Prasad Singh :** (a) Are the Government of India considering the possibility of establishing land customs stations on the Afghan and certain other external frontiers where customs duties are not now levied ?

(b) If so, do Government propose to make a statement on the subject, indicating the points at which such stations are to be established, the class of goods affected, and the amount of duties likely to be realized from such arrangement ?

The Honourable Sir C. P. Ramaswami Aiyar : (a) Yes.

(b) The matter being still under preliminary consideration, the Government of India are unable to make a statement yet.

REPATRIATES FROM MALAYA.

30. ***Mr. Gaya Prasad Singh :** (a) Are Government aware that :

(i) the B. I. S. N. Company's ship *Elephanta* arrived at Negapatam Port on the 22nd May, 1932, and landed about 500 repatriates from Malaya, and that there were about 1,500 bound for Madras ; and

(ii) about seven repatriates died on board during the voyage, and that many were suffering seriously ?

(b) What is the total number of deaths, what were they due to, and what steps have Government taken with regard to the repatriates on their arrival in India ?

Mr. G. S. Bajpai : With your permission, Sir, I shall answer the whole question together. As soon as the Government of India learnt that eight repatriates had died on the British India Steam Navigation Company's steamship " *Elephanta* " during the voyage, while many more were afflicted with various diseases, they called for a report from the Government of Madras. According to the information supplied by that Government, the eight deaths among the repatriates were made up of one case of premature birth, two of tuberculosis, two of heart failure, two of diarrhoea, and one of Bright's disease. Some of the repatriates were found to be weak on account of some disease they were said to have been suffering from prior to their embarkation from Malaya. While the sanitary and other conditions on board ship were reported to have been satisfactory, it was stated that the medical officer in charge of the ship had told the Protector of Emigrants, Madras, that some repatriates, who were weak on account of disease, and some women in an advanced stage of pregnancy had been embarked in spite of his advice to the contrary. This point was referred to the Controller of Labour, Malaya, who has

reported that the ship's Surgeon actually signed a certificate to the effect that all the repatriates taken on board were fit to travel. The Controller has also reported that his Deputy Controller personally boarded the ship before her departure and after the repatriates had been put on board, and that no complaint whatsoever was made to him. The Government of India propose to investigate further the discrepancy between the statement made by the ship's Surgeon to the Protector of Emigrants, Madras, and his reported certification to the Malayan authorities that all the repatriates taken on board were fit to travel. Meanwhile, the Honourable Member may rest assured that every possible care will be taken to avert a recurrence of the unfortunate incident referred to by him.

As regards the Honourable Member's question as to what steps Government have taken with regard to repatriates on their arrival in India, I would invite his attention to rule 51 of the Special Emigration Rules, 1923, a copy of which will be found in the library of the House.

Mr. B. Das : Apart from the certificate of the ship's Surgeon, why did not the Controller of Labour at Malaya himself see to it that pregnant women were not allowed to be repatriated so soon, and why were they not stopped at Malaya till they were better ?

Mr. G. S. Bajpai : I have already stated that, according to the information supplied by the Controller of Labour, Malaya, not he himself but his deputy went on board the ship, accompanied by the local medical officer, and they thought that everybody on board the ship was fit to travel.

Mr. S. G. Jog : Have the Government of India made any enquiries as to why there is a sudden rise in the number of repatriates ?

Mr. G. S. Bajpai : I do not think that needs any special enquiry. The depression in the rubber industry is responsible for it.

Mr. S. G. Jog : Have those seeking repatriation been individually informed of the general depression in India and that their state would be worse after coming to India ?

Mr. G. S. Bajpai : They all come in voluntarily. They know the conditions in India and in Malaya, and it is their choice.

Mr. S. G. Jog : But have they been informed that their position after their return to India will be possibly worse ?

Mr. G. S. Bajpai : I do not really know that their condition after return to India will necessarily be worse.

Mr. Gaya Prasad Singh : Is it not a fact that another batch of repatriates have arrived in India subsequently to the date to which my question relates ?

Mr. G. S. Bajpai : So far as Malaya is concerned, repatriates are coming in from there quite frequently.

CONFISCATION OF PROPERTIES UNDER THE ORDINANCES IN CONNECTION WITH CIVIL DISOBEDIENCE MOVEMENT.

31. ***Mr. Gaya Prasad Singh :** Will Government kindly place on the table a statement showing separately the approximate value of properties, movable and immovable, confiscated under the Ordinance in connection

with the civil disobedience movement in each Province ; and the steps taken to return or otherwise dispose of them ?

What is the approximate value of such properties now lying in the hands of Government ?

The Honourable Mr. H. G. Haig : The information regarding the value of properties could be supplied to the Honourable Member only if a valuation were carried out. This would involve much time and labour, and even then would probably not be accepted by the other party as correct. In the circumstances it would not be justifiable to ask Local Governments to embark on this task.

In regard to the return and disposal of property, I would refer the Honourable Member to the relevant provisions of Ordinance IV of 1932 and Ordinance X of 1932.

As he is no doubt aware, immovable property is not liable to forfeiture.

COMMUNAL RIOT IN ADEN BETWEEN THE JEWS AND THE ARABS.

32. ***Mr. Gaya Prasad Singh :** Will Government kindly state if there was a communal riot between the Jews and the Arabs in Aden in May 1932 ; what is the cause of it ; the number of casualties ; and the steps taken in connection with it ?

Mr. H. A. F. Metcalfe : On the 23rd of May, 1932, a communal riot broke out at Aden between Arabs and Jews. The outbreak was caused by the defilement of a mosque by the alleged throwing of filth into the courtyard from an adjacent Jewish house. In the opinion of the Local Authorities the defilement was accidental and not of deliberate intention. The number of persons injured in the rioting was 61, of whom only 7 were detained in hospital for treatment. They included 23 Jews and 38 Muslims, 11 of the latter being police. There were no deaths. The disturbance was dealt with by the police who were in the final stages reinforced by troops.

REPRESENTATION re TRANSPORT OF WHEAT AND REDUCTION IN FREIGHT.

33. ***Mr. Gaya Prasad Singh :** Have representations been received from wheat merchants of the Punjab, or elsewhere, for the grant of full facilities for transport of wheat, and reduction in freight, in view of the probability of Russia buying a large quantity of wheat from India ? What action, if any, has been taken in the matter, or is proposed to be taken ?

Mr. P. E. Rau : Government have received no representations referring to the possibility of the export of wheat to Russia.

REFUSAL OF PERMISSION TO MAJOR MILNER, M.P., TO SEE MAHATMA GANDHI.

34. ***Mr. Gaya Prasad Singh :** Is it a fact that Major Milner, M.P., a Member of the Franchise Committee, wanted to see Mahatma Gandhi, but he was refused permission ? If so, why ?

The Honourable Mr. H. G. Haig : Yes. Interviews of a political character with Mr. Gandhi are not permitted.

RESTRICTIONS ON KHAN ABDUL GHAFFAR KHAN IN HAZARIBAGH JAIL.

35. ***Mr. Gaya Prasad Singh** : (a) Is it a fact that Khan Abdul Ghaffar Khan is not allowed to mix with other prisoners in the Hazaribagh Jail in Behar, and that when the Deputy Commissioner of Hazaribagh visited the Jail, Khan Abdul Ghaffar Khan enquired why he alone was refused all interviews, and all facilities of receiving and sending letters, the Deputy Commissioner replied that the Khan was not a prisoner of the Behar Government and that the Local Government was only carrying out orders given to them ?

(b) Are Government prepared to place on the table a copy of instructions, if any, which they may have issued regarding the treatment, etc., of Khan Abdul Ghaffar Khan in prison ?

(c) Is it not a fact that Khan Abdul Ghaffar Khan has been arrested under Regulation III of 1818 ? What is the date of his arrest, and how many visitors have been allowed to see him in jail since then ? Where are his brother, Dr. Khan Saheb, and his nephew kept in jail ; and under what law ?

The Honourable Mr. H. G. Haig : (a) and (c). Khan Abdul Ghaffar

1 P.M.

Khan, his brother, Dr. Khan Sahib and the latter's son, Sadullah Khan, were arrested on the 24th December, 1931, and are detained in jails as State Prisoners under Regulation III of 1818. They are reported to be in good health and have no complaints to make. Their treatment in jail is regulated by rules framed by the Government of India which provide for interviews and the writing of letters. I am not aware of the number of interviews which the prisoners have had. They are each permitted to write three letters a week.

(b) I regret I am not prepared to lay a copy of the rules on the table.

Mr. B. Das : Is the Honourable Member aware that these State Prisoners are not allowed to go into the jail compound, while other political prisoners are allowed to do so ?

The Honourable Mr. H. G. Haig : I understand that at least two of these prisoners are together in the Hazaribagh jail.

Mr. B. Das : Why have they not been allowed to mix with other political prisoners in the same jail.

The Honourable Mr. H. G. Haig : It is a long standing rule, and one which I think is obviously desirable, that State Prisoners should not, as far as possible, be allowed to associate with ordinary prisoners.

Mr. Gaya Prasad Singh : Do I understand the Honourable Member to say that Khan Abdul Ghaffar Khan is confined in the Hazaribagh jail and that his brother is in another jail ?

The Honourable Mr. H. G. Haig : I think two of them are together in the Hazaribagh jail. I am not quite sure which they are.

Mr. Gaya Prasad Singh : Has the attention of the Government been drawn to the Jail Administration Report of the Bihar and Orissa Government for 1931 in which it is stated that two State Prisoners from the North-West Frontier Province are confined in the jails of Bihar, one in Hazaribagh and the other is Gaya.

The Honourable Mr. H. G. Haig : That, Sir, no doubt was the case. That has now been changed.

Mr. S. C. Mitra : In that case, if there is only one State Prisoner, how can he get an associate ?

The Honourable Mr. H. G. Haig : We try as far as possible to see that State Prisoners should not be confined by themselves.

Dr. Ziauddin Ahmad : Do I understand from the Honourable gentleman that Khan Abdul Ghaffar Khan was accorded a differential treatment from the other prisoners convicted of the same offence.

The Honourable Mr. H. G. Haig : He was not convicted, Sir. He was certainly not accorded any differential treatment.

Dr. Ziauddin Ahmad : Is it not a fact that he has been in solitary imprisonment for longer time than any other prisoner convicted of the same offence ? Has there been any other example of this kind ?

The Honourable Mr. H. G. Haig : As I have explained, one at least of these other prisoners is now confined in the same jail with Khan Abdul Ghaffar Khan, precisely to meet the point that he should not be left alone.

Dr. Ziauddin Ahmad : Is Khan Abdul Ghaffar Khan in solitary imprisonment or is there somebody else with him ?

The Honourable Mr. H. G. Haig : He is not in solitary imprisonment. One of these other State Prisoners—I am not sure about the precise name—is with him.

Dr. Ziauddin Ahmad : In the same cell ?

The Honourable Mr. H. G. Haig : In the same jail, yes. I have no doubt he is in close association with him.

Mr. S. C. Mitra : If out of three, two are in one jail, one must be left in Gaya alone, without any association.

The Honourable Mr. H. G. Haig : Will the Honourable Member please put down a question. I cannot carry in my head the exact location of the various State Prisoners.

POSTAL AND TELEGRAPHIC COMMUNICATIONS BETWEEN AFGHANISTAN AND INDIA.

36. ***Mr. Gaya Prasad Singh :** (a) Is it a fact that arrangements have been made in connection with the working of the postal and telegraphic communications between Afghanistan and India in accordance with the provision of the International Convention ; and, if so, what expenditure, if any, will be entailed on Indian revenues ?

(b) Do Government propose to make a short statement on the subject giving necessary details of the arrangements ?

The Honourable Sir Frank Noyce : (a) and (b). Arrangements are in progress whereby the working of the postal and telegraphic communications between Afghanistan and India will be brought into line with the provisions of the International Conventions. It is not possible to say what expenditure will be entailed thereby on Indian revenues, but it is unlikely to be appreciable. It may, however, be stated for the Honourable Member's information that services rendered to a foreign administration are paid for by that administration at international rates.

NEW CAMP JAIL IN DELHI.

37. *Mr. Gaya Prasad Singh : Will Government kindly state when the new camp jail in Delhi was opened for occupation of prisoners, and how many prisoners are accommodated there ? What arrangements have been made to protect them from sun and rain ; and what arrangements have been made for adequate water supply and sanitation ?

The Honourable Mr. H. G. Haig : The camp jail was opened for occupation on the 22nd March, 1932. The number of prisoners on the 28th August, 1932, was 183 including 20 convict officials and sweepers. The accommodation consist of huts with thatched roofs, the huts actually in use being provided with 5' walls on two sides to afford protection from sun and rain. An adequate supply of filtered water is provided by means of a specially laid pipe line. Sanitary arrangements include 40 water-borne latrines in the camp and a dry latrine attached to the hospital.

RESTRICTIONS BY DIRECTOR GENERAL OF POSTS AND TELEGRAPHS OVER TRANSMISSION OF CERTAIN ARTICLES BY POST.

38. *Mr. Gaya Prasad Singh : (a) Is it a fact that the Director General of Posts and Telegraphs has issued a notice that " no article will be transmitted by post, bearing thereon labels or stamped impressions, or photographs, or writings, (i) conveying any exhortation to " Boycott of British Goods ", or any other class of goods, or to carry out any other form of boycott, or (ii) " embodying portraits of any prominent leader of the civil disobedience movement, or containing the words ' Swatantra Bharat ' (separate India), or similar words in furtherance of the civil disobedience movement ; and that any such article found in the course of transmission by post will be sent to the Dead Letter Office for disposal " ?

(b) Is not the Posts and Telegraphs Department a commercial institution ? Has the Director General issued this notice on his own initiative ?

The Honourable Sir Frank Noyce : (a) Yes.

(b) The Posts and Telegraphs Department is a public utility department administered as far as possible on commercial principles.

With regard to the second part of the question, the notice referred to was issued to give effect to a rule made by the Governor General in Council under section 21 of the Indian Post Office Act.

Mr. S. G. Jog : Will the Government of India have any objection to the transmission of any article bearing the label " Buy Indian Goods " ?

The Honourable Mr. H. G. Haig : I understand the question relates to " Buy Indian Goods ". The objection taken was to the policy of boycott. The Government have stated their general attitude towards the policy of these Buy Indian Leagues in a letter which was addressed by the Private Secretary to His Excellency the Viceroy to the Western India National Liberal Association, Bombay, and I would refer the Honourable Member to that.

Mr. Gaya Prasad Singh : What is the harm in boycotting British goods, except to Lancashire.

The Honourable Mr. H. G. Haig : It is, Sir, one of the principal weapons on which the Congress rely in support of the civil disobedience movement.

Mr. Gaya Prasad Singh : The Congress relies also on temperance. Is it the policy of Government to encourage drinking.

The Honourable Mr. H. G. Haig : The Congress do not rely, as far as I know, on temperance as a means of attacking the British Government.

Mr. Gaya Prasad Singh : Is 'Buy Indian Goods' not the exclusive policy of the Congress ?

The Honourable Mr. H. G. Haig : I would again refer the Honourable Member to this letter dated the 11th April, 1932. I believe it was published in the Press.

Mr. Gaya Prasad Singh : Many of us have boycotted British goods. Is it an offence ?

The Honourable Mr. H. G. Haig : It is a matter for individual judgment, but I cannot agree with the Honourable Member that he is entitled to use Government agency to support these individual views of his.

Mr. K. C. Neogy : Is it not a fact that the Postal Department has been defacing stamps with a legend to this effect 'Encourage Indian Industries' ?

Mr. T. Ryan : I have no reason to believe that there is any foundation for the suggestion that the exhortation 'Buy Indian Goods' is defaced.

Sir Cowasji Jehangir : That is a complete answer.

Mr. President : The question hour is now over.

UNSTARRED QUESTIONS AND ANSWERS.

RAILWAY ADMINISTRATION IN INDIA.

1. **Khan Bahadur Haji Wajihuddin :** (a) Has the attention of Government been drawn to an article appearing on page 6 of the *Daily Hamdam* newspaper of Lucknow, dated the 10th June, 1932, on the subject of railway administration in India ?

(b) Are the allegations made in it against the European agency of control based on truth and, if so, do Government propose to give a chance to Indians to manage their own affairs as regards the management of Indian Railways ?

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

(b) The allegations referred to in the first part of the question are not founded on facts. As regards the second part of the question, the policy of the Government with regard to increased Indianization on railways has been explained many times and requires no elaboration.

ILL-TREATMENT OF TWO SUBORDINATE RAILWAY OFFICIALS OF THE LUCKNOW DIVISION OF THE EAST INDIAN RAILWAY.

2. **Khan Bahadur Haji Wajihuddin :** Have Government seen the report of ill-treatment of two subordinate railway officials of the Lucknow Division of the East Indian Railway at the hands of their superior officers as given in the *Daily Hamdam* newspaper, dated the 1st

June, 1932, on page 2, column 2 ? If so, do Government propose to order an inquiry to be made into the case by an independent authority ?

Mr. P. R. Rau : The matter is one with which the Agent, East Indian Railway, is competent to deal, and Government do not propose to take any action.

INCREASE IN THE PAY AND PENSIONS OF GOVERNMENT PEONS AND MENIAL STAFF.

3. **Mr. S. C. Mitra :** (a) Will Government be pleased to lay on the table a copy of their decision in the matter of an increase in the pay and pensions of Government peons and menial staff referred to in unstarred question No. 56 answered on the 28th January, 1929 ?

(b) If Government have not yet reached any decision, how long more will it take and what is the reason for the delay ?

The Honourable Sir Alan Parsons : (a) and (b). No decision has yet been reached, nor will it be possible to improve pay and pension conditions of inferior servants until the financial position improves.

INCREASE IN THE SUBSISTENCE ALLOWANCE OF PEONS IN THE TELEGRAPH DEPARTMENT.

4. **Mr. S. C. Mitra :** (a) Will Government be pleased to lay on the table a copy of their decision in the matter of an increase in the subsistence allowance of peons in the Telegraph Department referred to in unstarred question No. 71 answered on 28th January, 1929 ?

(b) If Government have not yet reached any decision, how long more will it take and what is the reason for the delay ?

Mr. T. Ryan : (a) and (b). A copy of the orders in question is attached.

No. E.A.-471|27.

GOVERNMENT OF INDIA.

DEPARTMENT OF INDUSTRIES AND LABOUR.

(POSTS AND TELEGRAPHS BRANCH.)

Simla, the 14th April, 1930.

FROM

T. RYAN, ESQ., C.I.E.,

Joint Secretary to the Government of India,

TO

The Director-General of Posts and Telegraphs,

New Delhi.

SUBJECT :—*Revision of subsistence allowance of task-work messengers.*

SIR,

I am directed to say that the Government of India sanction, with effect from the 1st April, 1930, the conversion into an incremental time-scale of the existing fixed rates of subsistence allowance of telegraph messengers of departmental telegraph

offices and combined post and telegraph offices. The minimum of the revised scale at each station will be the subsistence allowance now fixed for that station while the maximum of the new scale will be fixed at Rs. 5 above that minimum; the annual rate of increment being annas four.

2. The initial pay of the task-work Telegraph messengers when brought on to the new scale will be annas four in excess of their present subsistence allowances.

3. A list of departmental or combined offices, where the task-work system of delivery of messages has been in force, and the revised scales of subsistence allowance that are to be introduced in those offices, are shown in the attached statement. In future when the task-work system is introduced in any new station under the provision of paragraph 190 of Posts and Telegraphs Manual of Appointments and Allowances, the Head of the Circle concerned is authorised to appoint task-work messengers at that station on a time-scale subsistence allowance equal to that sanctioned in this letter for any other station in that Circle where, in his opinion, the cost of living is approximately the same.

I have the honour to be,

SIR,

Your most obedient servant,

T. RYAN,

Joint Secretary to the Government of India.

No. E.A.-471|27.

A copy is forwarded to the Accountant-General, Posts and Telegraphs, Delhi, for information.

M. R. COBURN,

Financial Adviser, Posts and Telegraphs.

SIMLA,

The 14th April, 1930.

No. E.A.-471|27.

A copy is forwarded to all Postmasters-General and the Director of Posts and Telegraphs, Sind and Baluchistan Circle, Karachi. The time-scale of pay sanctioned in the locality for postal clerks should ordinarily be accepted as the criterion of the cost of living in that locality.

J. R. T. BOOTH,

Deputy Director-General.

SIMLA,

The 14th April, 1930.

STATEMENT.

Bengal and Assam Circle.

Calcutta	..	..	Rs. 10-0-4-0-15
Darjeeling	..	..	Rs. 9-0-4-0-14
Shillong	..	..	Rs. 9-0-4-0-14
Dacca	..	..	Rs. 9-0-4-0-14
Chittagong	..	..	Rs. 9-0-4-0-14

Bihar and Orissa Circles.

<i>Patna</i>	.. .. .	Rs. 8-0-4-0-13
<i>Bombay Circle.</i>		
Ahmedabad	.. .. .	Rs. 10-0-4-0-15
Belgaum	.. .. .	Rs. 10-0-4-0-15
Bhavnagar	.. .. .	Rs. 10-0-4-0-15
Bombay	.. .. .	Rs. 12-0-4-0-17
Bombay Kalvadevi	.. .. .	Rs. 12-0-4-0-17
Poona	.. .. .	Rs. 10-0-4-0-15
Rajkot	.. .. .	Rs. 10-0-4-0-15
Surat	.. .. .	Rs. 10-0-4-0-15
Umardhed	.. .. .	Rs. 12-0-4-0-17
Ahmedabad Railwaypura	.. .. .	Rs. 10-0-4-0-15
Cutch Mandvi	.. .. .	Rs. 10-0-4-0-15

Burma Circle.

Akyab	.. .. .	Rs. 11-0-4-0-16
Bassein	.. .. .	Rs. 11-0-4-0-16
Mandalay	.. .. .	Rs. 11-0-4-0-16
Maymyo	.. .. .	Rs. 11-0-4-0-16
Mourmou	.. .. .	Rs. 11-0-4-0-16
Rangoon	.. .. .	Rs. 11-0-4-0-16
East Rangoon	.. .. .	Rs. 11-0-4-0-16
Rangoon Kemmendine	.. .. .	Rs. 11-0-4-0-16
Rangoon Pazundaung	.. .. .	Rs. 11-0-4-0-16
Maubin	.. .. .	Rs. 11-0-4-0-16
Pegu	.. .. .	Rs. 11-0-4-0-16
Pyapon	.. .. .	Rs. 11-0-4-0-16
Penangyaung	.. .. .	Rs. 11-0-4-0-16
Yanden	.. .. .	Rs. 10-0-4-0-15

Central Circle.

Ajmer	.. .. .	Rs. 8-0-4-0-13
Akola	.. .. .	Rs. 8-0-4-0-13
Amroti	.. .. .	Rs. 8-0-4-0-13
Indore	.. .. .	Rs. 8-0-4-0-13
Jaipur	.. .. .	Rs. 8-0-4-0-13
Jubbulpore	.. .. .	Rs. 8-0-4-0-13
Nagpur	.. .. .	Rs. 8-0-4-0-13
Jodhpur	.. .. .	Rs. 8-0-4-0-13
Bikaner	.. .. .	Rs. 8-0-4-0-13
Indore City	.. .. .	Rs. 8-0-4-0-13

Madras Circle.

Trichinopoly	.. .. .	Rs. 9-0-4-0-14
Bellary	.. .. .	Rs. 9-0-4-0-14
Negapatam	.. .. .	Rs. 9-0-4-0-14
Bezwada	.. .. .	Rs. 9-0-4-0-14
Madras	.. .. .	Rs. 10-0-4-0-15
Coeonada	.. .. .	Rs. 9-0-4-0-14
Taticarin	.. .. .	Rs. 9-0-4-0-14
Ootacamund	.. .. .	Rs. 9-0-4-0-14
Mangalore	.. .. .	Rs. 9-0-4-0-14
Cochin	.. .. .	Rs. 9-0-4-0-14
Bangalore	.. .. .	Rs. 9-0-4-0-14
Visagapatam	.. .. .	Rs. 9-0-4-0-14
Hyderabad Deccan	.. .. .	Rs. 9-0-4-0-14

Madras Circle—contd.

Secunderabad	..	..	..	..	Rs. 9-0-4-0-14
Calicut	..	..	..	..	Rs. 9-0-4-0-14
Madura	..	..	..	..	Rs. 9-0-4-0-14
Mount Road	..	..	..	..	Rs. 10-0-4-0-15
Bangalore City	..	..	..	..	Rs. 9-0-4-0-14
Coimbatore	..	..	..	..	Rs. 9-0-4-0-14

Punjab and North-West Frontier Circle.

Ambala	..	..	..	..	Rs. 10-0-4-0-15
Amritsar	..	..	..	..	Rs. 10-0-4-0-15
Bannu	..	..	..	..	Rs. 10-0-4-0-15
Delhi	..	..	..	..	Rs. 10-0-4-0-15
Delhi Old Secretariat	..	..	..	..	Rs. 10-0-4-0-15
D. I. Khan	..	..	..	..	Rs. 10-0-4-0-15
Kohat	..	..	..	..	Rs. 10-0-4-0-15
Lahore	..	..	..	..	Rs. 10-0-4-0-15
Lyallpore	..	..	..	..	Rs. 9-0-4-0-14
Multan	..	..	..	..	Rs. 9-0-4-0-14
New Delhi	..	..	..	..	Rs. 10-0-4-0-15
Peshawar	..	..	..	..	Rs. 10-0-4-0-15
Rawalpindi	..	..	..	..	Rs. 10-0-4-0-15
Simla	..	..	..	..	Rs. 10-0-4-0-15
Srinagar	..	..	..	..	Rs. 9-0-4-0-14
Jullundur city	..	..	..	..	Rs. 9-0-4-0-14
Multan city	..	..	..	..	Rs. 9-0-4-0-14

United Provinces Circle.

Agra	..	..	..	..	Rs. 8-0-4-0-13
Allahabad	..	..	..	..	Rs. 8-0-4-0-13
Bareilly	..	..	..	..	Rs. 8-0-4-0-13
Cawnpore	..	..	..	..	Rs. 8-0-4-0-13
Dehra Dun	..	..	..	..	Rs. 8-0-4-0-13
Fyzabad	..	..	..	..	Rs. 8-0-4-0-13
Gorakhpur	..	..	..	..	Rs. 8-0-4-0-13
Lucknow	..	..	..	..	Rs. 8-0-4-0-13
Mussooree	..	..	..	..	Rs. 8-0-4-0-13
Naini Tal	..	..	..	..	Rs. 8-0-4-0-13
Meerut	..	..	..	..	Rs. 8-0-4-0-13
Bisheswarganj (Benares)	..	..	..	..	Rs. 8-0-4-0-13

Sind and Baluchistan Circle.

Karachi	..	..	..	..	Rs. 12-0-4-0-17
Quetta	..	..	..	..	Rs. 11-0-4-0-16
Hyderabad Sind	..	..	..	..	Rs. 10-0-4-0-15
Sukkur Barrage	..	..	..	..	Rs. 10-0-4-0-15
Shikarpur Sind	..	..	..	..	Rs. 10-0-4-0-15
Shikarpur City	..	..	..	..	Rs. 10-0-4-0-15

AMELIORATION OF LEAVE AND PENSION TERMS OF INFERIOR SERVANTS OF THE GOVERNMENT OF INDIA.

5. **Mr. S. C. Mitra :** (a) Will Government be pleased to lay on the table a copy of their decision in the matter of the amelioration of leave and pension terms of inferior servants of the Government of India referred to in unstarred question No. 86 answered on the 28th January, 1929 ?

(b) If Government have not yet reached any decision, how long more will it take and what is the reason for the delay ?

The Honourable Sir Alan Parsons : Both with regard to leave and pensions no decision has been reached, nor will it be possible to improve leave and pension conditions of inferior servants until the financial position improves.

RECRUITMENT TO THE CENTRAL SERVICES.

6. **Mr. S. C. Mitra :** (a) Will Government be pleased to lay on the table a copy of their decision in the matter of the recruitment to the Central Services referred to in unstarred question No. 94 answered on the 28th January, 1929 ?

(b) If Government have not yet reached any decision, how long more will it take and what is the reason for the delay ?

The Honourable Mr. H. G. Haig : (a) and (b). Rules making a formal delegation of power were published in part I of the Gazette of India of the 21st June, 1930, with the Home Department Notification No. F. 9/3/30-Establishments, dated the 19th June, 1930. A copy will be found in the Library of the House.

REGISTRATION OF ASSOCIATIONS OF GOVERNMENT SERVANTS UNDER THE TRADES UNION ACT.

7. **Mr. S. C. Mitra :** (a) Will Government be pleased to lay on the table a copy of their decision in the matter of the registration of associations of Government servants under the Trade Union Act referred to in unstarred question No. 150 answered on the 28th January, 1929 ?

(b) If Government have not yet reached any decision, how long more will it take and what is the reason for the delay ?

The Honourable Mr. H. G. Haig : (a) and (b). The question regarding the registration of associations of Government servants under the Indian Trade Unions Act, 1926, has not yet been finally decided. Government anticipate that they will soon be in a position to address the Secretary of State, whose sanction is required in regard to the services under his control.

EXTRA PAY OF POSTAL OFFICIALS FOR WORKING ON SUNDAYS AND HOLIDAYS.

8. **Mr. S. C. Mitra :** (a) Will Government be pleased to lay on the table a copy of their decision in the matter of the grant of extra pay to postal officials for working on Sundays and holidays referred to in unstarred question No. 82 answered on the 2nd September, 1929 ?

(b) If Government have not yet reached any decision, how long more will it take and what is the reason for the delay ?

The Honourable Sir Frank Noyce : The Honourable Member's attention is invited to the reply given in this House to Khan Bahadur Sarfaraz Hussain Khan's unstarred question No. 12 on the 14th July, 1930. With reference to the concluding portion of that reply, instructions to Heads of Postal Circles were issued by the Director General in a memorandum, dated the 10th March, 1931, a copy of which is attached.

INDIAN POSTS AND TELEGRAPHS DEPARTMENT.

MEMORANDUM No. 244-Est. B.130.

New Delhi, the 10th March, 1931.

With reference to your reply to this office letter No. 922-Est. A.129, dated the 18th March, 1930, the undersigned is directed to invite a reference to the reply given by the Honourable Sir Joseph Bhore to Khan Bahadur Sarfaraz Hussain Khan's unstarred question No. 12 in the Legislative Assembly on the 14th July, 1930, a copy of which was forwarded to you with this office endorsement No. 257-Est. B.130, dated the 6th August, 1930, and to say that the whole question of work in post offices on Sundays and Post Office holidays has been carefully investigated by the Director General in consultation with the Government of India, Department of Industries and Labour.

2. The following is a summary of the conclusions reached :

(a) Although work on Sundays and Post Office holidays is definitely recognised as a condition of service in the Postal Department and pay has consequently been fixed on a scale more liberal than in similar Departments of the Provincial Governments and (b) the number of days for which casual leave may be granted to the Postal staff has been increased from 12 to 20 days a year in recognition of the disabilities referred to above, it is nevertheless desirable that every Government servant should have his Sundays and Post Office holidays free, if this can be arranged without any serious inconvenience to the Public and without the imposition of any additional burden on the tax-payer.

3. The Government of India have therefore decided that such re-arrangements of work as are possible should be made to give effect to the intention to grant a reasonable measure of relief provided that :

- (a) no extra staff is engaged ;
- (b) no expenditure is incurred on overtime ;
- (c) the public facilities are not materially curtailed ;
- (d) no commitment is made with regard to the number of hours duty to be performed in a week.

4. To give effect to the above decisions the following measures are suggested as a rough guide :

- (i) In single-handed offices it would not be possible without considerable expense to arrange for holidays on Sundays and Post Office holidays. Moreover, in such offices the work is usually of a light description. In an office where there are two clerical hands it should be easy to arrange that each should get an alternate Sunday off. In an office where there are three hands each should get two Sundays out of three off and so on. The same should apply to Lower Grade staff.
- (ii) In large offices the Presidency Postmaster or Postmaster should arrange for rotation of duties not only, for example, among the mail and delivery Departments but among the whole office so that Sunday work may be distributed as widely as possible. Menials in such offices should not be kept in water-tight compartments but should be pooled and given holidays in rotation.
- (iii) Strict orders should be issued to ensure that on Sundays and Post Office holidays no work is done which is not permissible under the Manual Rules.

5. The position of each office should be reviewed in the light of the above remarks and necessary instructions may kindly be issued to all officers concerned to give effect to the above decisions.

C. F. G. CLEBICI,
Senior Deputy Director General.

To

All Postmasters-General, and Director,
Posts and Telegraphs, Sind & Baluchistan.

CONSTRUCTION OF UNORTHODOX QUARTERS FOR JUNIOR CLERKS IN SIMLA AND NEW DELHI.

9. **Mr. S. C. Mitra :** (a) Will Government be pleased to lay on the table a copy of their decision in the matter of the construction of unorthodox quarters for junior clerks in Simla and New Delhi referred to in starred question No. 884, answered on the 25th September, 1929 ?

(b) If Government have not yet reached any decision, how long more will it take and what is the reason for the delay ?

The Honourable Sir Frank Noyce : (a) and (b). In view of the existing financial stringency, nothing can be done in the direction of constructing any additional quarters for clerks in Delhi or Simla at present.

CLERKS' QUARTERS IN NEW DELHI.

10. **Mr. S. C. Mitra :** Will Government be pleased to lay on the table copies of the statements referred to in the reply to starred question No. 900, dated the 25th September, 1929, regarding clerks' quarters in New Delhi ; if not, why not ?

The Honourable Sir Frank Noyce : The statements referred to were duly furnished to the Honourable Member and copies thereof were also placed in the Library of the Central Legislature. No spare copies are available and the Honourable Member will perhaps agree with me that after so long an interval it is not necessary to incur the expense of re-printing the statements which are very lengthy or the labour of typing them in order to lay a copy on the table of the House.

APPOINTMENT OF ASSISTANT DIRECTORS GENERAL AND ASSISTANT DEPUTY DIRECTORS GENERAL OF POSTS AND TELEGRAPHS ON THE RECOMMENDATION OF THE PUBLIC SERVICE COMMISSION.

11. **Mr. S. C. Mitra :** (a) Will Government be pleased to state if any post of Assistant Director General or Assistant Deputy Director General in the office of the Director General of Posts and Telegraphs has ever been filled on the recommendation of the Public Service Commission ? If so, when and who was recommended ?

(b) Was the Public Service Commission ever asked to recommend candidates for these appointments ? If so, will Government be pleased to lay on the table a copy of that particular communication ? If not, why not ?

(c) If the Public Service Commission has not been addressed on any occasion in the matter referred to at (a) above, will Government be pleased to justify the statement given in the reply to the last supplementary question on starred question No. 986, dated the 11th March, 1929 ?

The Honourable Sir Frank Noyce : (a) and (b). Appointments to the posts of Assistant Directors General have been invariably made on the advice of the Public Service Commission in accordance with rule 6 of the Public Service Commission (Functions) Rules of 1926 since the publication of these rules in Home Department Notification No. F. 178/14/24, dated Simla, the 14th October, 1926. Since 1927-1928 the following

officers were recommended by the Commission for permanent promotion to the grade of Assistant Directors General :

For vacancies in

(1) Rai Bahadur P. N. Mukerji,	}	1927-28.
(2) Rai Bahadur A. N. Roy,		
(3) Mr. J. S. Nelson,		
(4) Mr. W. G. King,		
(5) Rai Sahib C. D. Pande,	}	1928-29.
(6) Mr. S. B. Sinha,		
(7) Lieut.-Colonel S. C. Sinclair ..		1929-30.
(8) Lieut.-Colonel C. F. G. Quilter ..		1930-31.

The above rules do not apply to cases of appointments of Assistant Deputy Directors General and the Public Service Commission has therefore, not been consulted in respect of such appointments. Government are not prepared to lay on the table copies of inter-departmental communications.

(c) In view of the reply to parts (a) and (b) above, this part of the question does not arise.

GRANT OF SUNDAY AND HOLIDAY ALLOWANCES TO POST OFFICE EMPLOYEES.

†12. **Mr. S. C. Mitra :** (a) Will Government be pleased to lay on the table a copy of their decision in the matter of the grant of Sunday and holiday allowances to Post Office employees referred to in starred question No. 1013 answered on the 11th March, 1929 ?

(b) If Government have not yet reached any decision, how long more will it take and what is the reason for the delay ?

QUARTERS FOR ASSISTANTS AND CLERKS OF THE OFFICE OF THE DIRECTOR GENERAL OF POSTS AND TELEGRAPHS.

13. **Mr. S. C. Mitra :** (a) Will Government be pleased to state :

- (i) if all the Assistants and clerks in the office of the Director General, Posts and Telegraphs, have been provided with quarters in New Delhi ; if not, how many Assistants and clerks are still left unprovided ;
- (ii) if any ' D ' type departmental quarter has been allotted to any Section Superintendent of the Director General's office ;
- (iii) if any gazetted officer of the Director General's office has been provided with a departmental quarter intended for non-gazetted staff ?

(b) If the replies to (a) (ii) and (iii) above be in the affirmative, will Government be pleased to state the reasons why the low paid Assistants and clerks were not provided with those quarters ?

(c) What action, if any, do Government propose to take in the matters referred to above ; if no action, why not ?

†For answer to this question, see answer to question No. 8.

Mr. T. Ryan : (a) (i). No ; seven Assistants and 22 clerks are still to be provided for.

(ii) Yes.

(iii) Yes.

(b) The officers in question are entitled to retain their quarters on promotion under the proviso in Note 1 below Rule 4 (a) (2) of the Rules governing the allotment and conditions of occupation of clerks' quarters in New Delhi.

(c) Application has been made for more Public Works Department quarters for Superintendents, Assistants, and clerks.

VOLUNTARY RETIREMENTS IN THE OFFICE OF THE DIRECTOR GENERAL OF POSTS AND TELEGRAPHS.

14. Mr. S. C. Mitra : Will Government be pleased to state :

- (a) if any Sectional Superintendent in the office of the Director General, Posts and Telegraphs, volunteered for retirement from service ; if so, who is he and whether he has been permitted to retire ;
- (b) whether Superintendents, Budget Section and Establishment A Section (now Assistant Deputy Directors General) applied for voluntary retirement ;
- (c) whether the volunteers referred to at (b) above were advised by the higher authority of the Department to withdraw their applications and if not, why they withdrew their applications ;
- (d) what is the total amount of service and age of each official referred to at (b) above ;
- (e) how many Superintendents, Assistants and clerks senior to the officials referred to at (b) above are still in service in that office ; if none, why and what is the special reason for their retention in service ;
- (f) whether the contents of the letters No. D.G.-32, dated 23rd May, and 15th June, 1932, issued by the Director General, Posts and Telegraphs, are applicable to the staff of his office ;
- (g) if Government have any objection to furnish the House with a copy of the letters referred to at (f) above ; if so, what ?

Mr. T. Ryan : (a) Yes. Altogether five Sectional Superintendents of the Office of the Director General of Posts and Telegraphs applied for voluntary retirement, namely, Messrs. P. G. Mukerji, D. N. Banerji, B. N. Bhanja, M. K. Deb and H. M. Bose. The first three were permitted to retire.

(b) Yes.

(c) No. They withdrew their applications on account of changed circumstances in their private affairs as recorded in their subsequent applications to the authorities.

(d) Mr. M. K. Deb—service 27 years, age 52 years, Mr. H. M. Bose—service 34 years, age 54 years.

(e) The only official senior to the Superintendents in question is the holder of the post of Chief Superintendent. The last part of the question does not arise.

(f) Yes, generally.

(g) Government are not prepared to lay on the table of the House copies of departmental correspondence.

EXAMINATIONS OF THE DELHI UNIVERSITY.

15. **Mr. Gaya Prasad Singh** : (a) Will Government please state the number of candidates who have obtained 40 per cent. of the aggregate number of marks but have failed in one subject only obtaining not less than 25 per cent. in that subject in the B.A. and B.Sc. examinations of the Delhi University in April 1932 ?

(b) Is it a fact that in the Delhi University candidates who fail in one subject only in the F.A. and F.Sc. examinations are admitted to a subsequent examination in that subject only towards the end of the year ? If so, is this concession allowed to the candidates for the B.A. and B.Sc. examinations ? If not, why not ?

(c) Will Government please state the names of the universities in India which allow this concession ?

(d) Is there any provision for the re-examination of answer books of candidates for the University examinations of the Delhi University who have failed in one subject only just as there is provision in the statutes of other Indian universities ?

Mr. G. S. Bajpai : (a) The number of such candidates at the B.A. and B.Sc. examinations was 30 and 10, respectively.

(b) The reply to the first part of the question is in the affirmative and to the second in the negative. The question of extending to the B.A. and the B.Sc. candidates concessions similar to those granted to the Intermediate candidates is under the consideration of the University authorities.

(c) The following Universities allow this concession :

Bombay, Nagpur, Dacca, Osmania, Agra, Punjab, Patna, Benares, Lucknow, and Allahabad. It is also allowed by the Madras, Andhra, Annamalai, Mysore and Aligarh Universities in a somewhat different form.

(d) No.

AGE-LIMIT FOR DEPARTMENTAL CANDIDATES FOR PUBLIC SERVICE COMMISSION EXAMINATIONS.

16. **Mr. Gaya Prasad Singh** : Is it a fact that in the past unqualified persons employed in the Government of India and its attached offices were given by the Public Service Commission the benefit of their service either by relaxing the maximum age-limit or by holding special qualifying examinations for them ? If so, why is that privilege not extended to them in regard to the ensuing examination in November next ?

The Honourable Mr. H. G. Haig : With a view to improve the system of recruitment to the Government of India Secretariat and its

attached and subordinate offices, and particularly to ensure a regular supply of candidates both by promotion and outside recruitment, certain orders were issued in 1928 laying down definite conditions and qualifications for admission to examinations to be held by the Public Service Commission in the future. The scheme was brought into operation from the 1st April, 1930, and persons in Government service, both temporary and permanent, prior to that date were given a final opportunity of qualifying for promotion at special qualifying examinations held in 1929 and 1931. Age-limits and educational qualifications prescribed in the orders of 1928 were relaxed in the case of these persons on the broad consideration that those who had been recruited before the new system came into force and had not therefore had an opportunity of qualifying for promotion, should not be denied such opportunity. Vested interests having thus been met, Government do not consider that there is any further necessity either for relaxing the age-limit or for holding any special qualifying examination.

VACANCY OF A MECHANIC IN THE EAST INDIAN RAILWAY WORKSHOP AT LILLOOAH.

17. **Mr. S. C. Mitra** : (a) Is it a fact that a vacancy has occurred in the East Indian Railway Workshop, Lillooah, owing to the retirement of Mr. Ahad Bux, a mechanic in " M " shop (carriage building) ?

(b) Is it a fact that arrangements have been made to appoint to the vacant post an Anglo-Indian *ex*-apprentice who had no training in that shop ? Is it a fact that he failed in the Technical School ?

(c) If the answer to part (a) be in the affirmative, do Government propose to appoint from the waiting list a successful Indian *ex*-apprentice who had training in that shop ? If not, why not ?

(d) If the answer to part (b) be in the affirmative, in view of their answer to my starred question No. 424 (d) of the 16th September, 1931, do Government propose to stop such practice without further delay ? If not, why not ?

Mr. P. R. Rau : I have called for information, and will lay a reply on the table, in due course.

APPOINTMENT OF APPRENTICES ON THE EAST INDIAN RAILWAY.

18. **Mr. S. C. Mitra** : (a) With reference to the answer to Mr. Amar Nath Dutt's starred questions Nos. 1306 and 1308 (b) of the 16th November, 1931, will Government please state the trade in which each of the following, *viz.*, Messrs. Sim, Nandi, Smith and Ojha, had special training during their apprenticeship ?

(b) Will Government please state the shop or section in which they have been appointed with their starting salaries ?

Mr. P. R. Rau : I have called for information, and will lay a reply on the table, in due course.

APPOINTMENT OF APPRENTICES ON THE EAST INDIAN RAILWAY.

19. **Mr. S. C. Mitra** : Will Government please supply the names of all First Grade Bound apprentices who completed in 1930 and 1931 from the East Indian Railway Workshop, Lillooah, with the following :—(i) date

of admission ; (ii) name of shop or section trained at ; (iii) period of training with dates in each shop or section ; and (iv) the percentage of marks obtained in the final examination in the Technical School ?

Mr. P. B. Rau : I have called for information, and will lay a reply on the table, in due course.

APPOINTMENT OF APPRENTICES ON THE EAST INDIAN RAILWAY.

20. **Mr. S. C. Mitra** : (a) Is it a fact that the answer given in reply to Mr. Amar Nath Dutt's starred questions Nos. 1306 and 1308 (b) of the 16th November, 1931, is not correct and that Mr. Platts was not discharged after the completion of his training but was in service in " N " (Paint) shop ? If so, will Government state why no Indian *ex*-apprentices who are waiting were given that chance although all of them obtained higher marks in the Jamalpore Technical School ?

(b) If the answer to part (a) be in the affirmative, do Government propose to make an inquiry into the matter and take necessary steps ? If not, why not ?

(c) Is it a fact that Mr. Platts is now working in Lillooah Store Department in the capacity of Ward Keeper ?

(d) If the answer to part (c) be in the affirmative, will Government please state whether they made any endeavour to select any Indian *ex*-apprentice of 1930 for the post ? If not, why not ?

(e) Will Government please state the reasons for not selecting any Indian for the post and what were the grounds for selecting the European or Anglo-Indian for the post and what was his qualification ?

(f) Is it also a fact that Mr. Platts failed in the Jamalpore Technical School ?

(g) Do Government propose to take in successful Indian *ex*-apprentices in all future cases, to such posts in stores and other departments in the East Indian Railway ? If not, why not ?

Mr. P. B. Rau : I have called for information, and will lay a reply on the table, in due course.

RACIAL DISCRIMINATION IN THE TRAINING OF CERTAIN APPRENTICES AT JAMALPORE.

21. **Mr. S. C. Mitra** : (a) With reference to the answer to Mr. Amar Nath Dutt's starred question No. 1313 (a) to (d) of the 16th November, 1931, will Government please state why discrimination was made in selecting Messrs. Smith and Sim for the training although it had been stated by the Government in reply to my starred question No. 291 (a) of the 10th September, 1929, that no racial discrimination was maintained in the East Indian Railway ?

(b) Will Government please state the reasons for not selecting any Indian and what was the ground for selecting those two Europeans or Anglo-Indians ?

Mr. P. B. Rau : I have called for information, and will lay a reply on the table, in due course.

APPOINTMENT OF LILLOOAH APPRENTICES.

22. **Mr. S. C. Mitra :** (a) With reference to the answer to Mr. Bhuput Sing's starred question No. 631 (a) and (b) of the 4th March, 1932, will Government please state whether it is a fact that the said Anglo-Indian received his training (during apprenticeship) in " G " shop, " H " shop and Drawing Office ?

(b) Is it a fact that most of the Indians of his batch obtained higher marks in the final examination in Jamalpore Technical School ?

(c) Is it a fact that two Indians of his batch worked under Divisional Superintendent, Howrah, throughout the last strikes, working daily for eight hours on Sundays, Saturdays, even on public holidays ?

(d) If the answer to part (a) be in the negative, will Government please lay on the table a statement regarding particulars of his training as well as the annual results of the Jamalpore Technical School ?

(e) If the answer to part (a) be in the affirmative, will Government please state in what way they considered him best qualified for the appointment ?

(f) Do Government propose to take in other Indian *ex*-apprentices who have similar training as train examiner ? If not, why not ?

(g) If the answer to part (c) be in affirmative, will Government please state the reasons for not selecting those Indians ? Do Government propose to take in such Indians when the next vacancy arises ? If not, why not ?

Mr. P. R. Rau : I have called for information, and will lay a reply on the table, in due course.

APPOINTMENT OF LILLOOAH APPRENTICES.

23. **Mr. S. C. Mitra :** (a) With reference to the answer to Mr. Bhuput Sing's starred question No. 631 (c) of the 4th March, 1932, will Government please lay on the table a copy of the orders that have been issued to all Divisional Superintendents for the appointment of qualified time-expired apprentices of the Lillooah Shops in suitable posts ?

(b) Do Government propose to inform the *ex*-apprentices when vacancies arise ? If not, why not ?

(c) Will Government please state whether they have sent the names of the *ex*-apprentices to all Divisional Superintendents ? If not, why not ?

(d) If the answer to part (c) be in the affirmative, will Government please lay a copy on the table ?

Mr. P. R. Rau : I have called for information, and will lay a reply on the table, in due course.

APPOINTMENT OF LILLOOAH APPRENTICES.

24. **Mr. S. C. Mitra :** With reference to the answer to Mr. Bhuput Sing's starred question No. 631 (c) of the 4th March, 1932, will Government please state :

(a) the number of vacancies occurred in the grade of train examiners and electricians ;

(b) the number of vacancies filled up by the *ex*-apprentices of Lillooah Workshop ;

(c) the number of Europeans, Anglo-Indians and Indians taken in as such ?

Mr. P. R. Rau : I have called for information, and will lay a reply on the table, in due course.

APPOINTMENT OF LILLOOAH APPRENTICES.

25. **Mr. S. C. Mitra** : Do Government propose to stop further recruitment of apprentice train examiners for the Operating Department, while several *ex*-apprentices of Lillooah Workshop are waiting ? If not, why not ?

Mr. P. R. Rau : I have called for information, and will lay a reply on the table, in due course.

APPOINTMENT AND PROMOTION IN THE LILLOOAH RAILWAY WORKSHOP.

26. **Mr. S. C. Mitra** : With reference to the answer to Mr. Bhuput Sing's starred question No. 639 (c) and (d) of the 4th March, 1932, will Government please lay on the table a statement regarding general and technical education, particulars of training, experience of the acting foreman and also of the assistant foreman of that shop ?

Mr. P. R. Rau : I have called for information, and will lay a reply on the table, in due course.

APPOINTMENT AND PROMOTION IN THE LILLOOAH RAILWAY WORKSHOP.

27. **Mr. S. C. Mitra** : (a) Is it a fact that some outsiders, mostly Europeans and Anglo-Indians, have been appointed as mechanics although they had no mechanical training ?

(b) If the answer to part (a) be in the negative, will Government please lay on the table a statement of the general and technical education, particulars regarding practical training, experience, starting salaries, dates of appointments, and shop concerned, of Messrs. Lamb, DeCoster, Alderson, Watson, Lowe (junior), Moslem, and Salcross (mechanic of saw mills), in the East Indian Railway Workshop, Lillooah ?

Mr. P. R. Rau : I have called for information, and will lay a reply on the table, in due course.

GRANT OF LEAVE IN TRANSPORTATION AND COMMERCIAL BRANCHES OF THE JUBBULPORE DIVISION, GREAT INDIAN PENINSULA RAILWAY.

28. **Mr. Bhuput Sing** : (a) Is it a fact that, while leave is granted to the transportation branch of the Jubbulpore Division, Great Indian Peninsula Railway, in the usual manner, such leave is not granted to the employees of the commercial branch of the same division ? Are Government aware that the latter suffer much inconvenience and hardship owing to unusual delay in receiving replies to their applications, and that the applicants are merely informed that they will be granted leave when their turn comes ?

(b) Is it a fact that the station masters in this division, including station masters of important junctions, are not authorised to grant even casual leave up to three days to the commercial staff, although they are authorised to grant such leave to the members of the transportation branch ?

(c) If the replies to parts (a) and (b) be in the affirmative, will Government kindly explain why this distinction is made between the commercial and the transportation branches in the matter of the grant of leave ? What steps do Government propose to take to get this distinction removed ?

Mr. P. R. Rau : I have called for information, and will lay a reply on the table, in due course.

TRANSFERS OF OPEN LINE PERMANENT STAFF OF RAILWAYS.

29. **Mr. Gaya Prasad Singh :** (a) Will Government please state whether open line permanent staff can be transferred from one State open line of railway to another in the following instances (i) as officials, and (ii) as subordinates ?

(b) If so, will the transfer in such cases constitute a continuation of permanent service involving no loss of seniority, or leave acquired or other permanent service rights and conditions earned and permitted under permanent service rules such as the Civil Service Regulations, the Fundamental and Supplementary Rules in the case of both officials and subordinates ? If not, are there any causes for differentiating between the rights of officials and subordinates in such cases ?

(c) When permanent staff are transferred from one open line to another are the staff so transferred responsible for maintaining their personal files and seeing that their leave, pay and other permanent rights are correctly and properly brought over, or are these the routine functions of an establishment branch of the office to which he has been transferred ?

Mr. P. R. Rau : (a) The question depends on the agreements entered into by the staff. As a general rule, officers, and pensionable and covenanted subordinates are considered to be liable to transfer between State-managed railway administrations, other staff are not ordinarily so liable.

(b) A transfer ordered in the interests of the public service from one State-managed railway to another does not affect continuity of service.

(c) It is the duty of the two administrations in such cases to see that the necessary records are transferred.

RECRUITMENT OF SIKHS IN THE CENTRAL PUBLICATION BRANCH, CALCUTTA.

30. **Sirdar Harbans Singh Brar :** (a) Will Government please state the strength of the ministerial establishment employed in the Central Publication Branch, Calcutta ?

(b) How many of them are Sikhs ?

(c) Was any proportion of the posts allotted to the Sikhs in this office ? If so, what ?

(d) Is there any proposal to transfer this office or a portion thereof from Calcutta to Delhi? If so, when?

(e) Are any vacancies likely to occur on account of this transfer?

(f) Do Government propose to avail themselves of this opportunity to recruit a sufficient number of Sikhs to bring their number to the proper level?

The Honourable Sir Frank Noyce : (a) *Permanent*—

- 1 Assistant Manager.
- 1 Head Assistant.
- 1 Accountant.
- 7 Assistants.
- 52 Clerks.
- 3 Typists.
- 1 Junior Addressographer.
- 1 Sircar.

Temporary—

- 1 Assistant.
- 11 Clerks.

(b) None.

(c) No proportion of Sikhs has been fixed. The policy of Government is to prevent the preponderance of any one class or community. For redressing communal inequalities one third of all permanent vacancies are generally filled up by members of minority communities provided that they are available and adequately qualified.

(d) Yes, the Central Publication Branch except the Retail Shop will be transferred to the Press building in old Delhi as soon as the building is ready for occupation.

(e) and (f). It does not necessarily follow that the transfer will result in any permanent vacancies. If such vacancies occur they will be filled in accordance with the policy explained in the reply to part (c) of the Honourable Member's question.

MOTION FOR ADJOURNMENT.

COMMUNAL DECISION OF HIS MAJESTY'S GOVERNMENT.

Mr. President (The Honourable Sir Ibrahim Rahimtoola) : I have received a notice from Sardar Sant Singh that he proposes to ask for leave to make a motion for the adjournment of the business of the House to-day for the purpose of discussing a definite matter of urgent public importance as follows :

“ The communal decision of His Majesty's Government.”

I have to inquire whether any Honourable Member has any objection to this motion.

(No objection was taken.)

As no objection has been taken, I take it that leave is granted. The motion will be taken up for discussion at 4 this afternoon.

DEATHS OF MR. R. S. BAJPAI, RAI BAHADUR T. N. BHARGAVA
AND SIR THOMAS MOIR.

The Honourable Sir C. P. Ramaswami Aiyar (Leader of the House) : Sir, I rise to refer to the lamented demise of certain Members with whose work as Members of this Assembly we are all very familiar. The first of the persons with whom I have to deal is Mr. Rama Shankar Bajpai, Director of Public Information, whose loss we all deplore. After having been called to the bar and starting practice in Calcutta, in 1920 Mr. Bajpai entered the office of which he eventually became the head. With regard to his work in that office itself, my Honourable colleague, the Home Member, will possibly be able to speak more fully and more adequately. But you will permit me, Sir, on this occasion to refer to some aspects of Mr. Bajpai's life and character with which most of us are familiar. Mr. Bajpai was a man of whom it could be said that he had a regular genius for friendship and hospitality. He had no enemies, and he made none. He was charitable and hospitable to a fault, and he counted amongst his friends men belonging to every community and every stratum of society. He was a loyal friend, a real comrade and a great gentleman, and in mourning his death I think it would be due to his memory to say that the Assembly, which he served long and faithfully for a number of sessions, will deeply regret his loss.

The other person whose loss also we all have to deplore is Rai Bahadur Triloki Nath Bhargava who was elected to the Legislative Assembly in 1930 as a Member of the Fyzabad non-Muhammadan Rural constituency. Mr. Bhargava was a member and later the Chairman of the Lucknow Municipal Board and he distinguished himself in that capacity and in the sphere of local self-government. He was then elected to the Assembly ; and although he did not take a very prominent part in the debates and discussions of this Assembly, those who knew of his work in the matter of the Partnership Bill speak very highly of the many-sided knowledge and the very close acquaintance with business procedure which he displayed, to the advantage of all concerned. In him also we mourn the loss of a valuable member.

Only one other name remains, and he is Sir Thomas Moir. Sir Thomas was associated with the Madras Government as a Member of the Executive Council there, but he had been a member of this Assembly in two important sessions—1924 and 1925—when he took a very prominent part in what is known as the provincial contributions question. In fact he was a very useful member of the Assembly. His main work here was of course done long ago but it is still vividly remembered by many of his advisers. We may place on record our appreciation of the work of these men, and in lamenting their loss, and condoling with their relations we are discharging a melancholy duty.

Sir Hari Singh Gour (Central Provinces Hindi Divisions : Non-Muhammadan) : Sir, in mourning the loss of my very old and true friend, Mr. Rama Shankar Bajpai, I need hardly say that there is not one Member on this side of the House who was not a friend of Mr. Bajpai and to whom he was not accessible at all hours and at all times for the

[Sir Hari Singh Gour.]

supply of information which they needed and which how many Members on this side of the House have not utilized for embellishing their arguments. Sir, though he sat on the Government Benches, he was truly a Director of Public Information and placed all the materials at his disposal freely and willingly at the service of all alike, whether officials or non-officials. Sir, in private life, as the Honourable the Leader of the House has remarked, Mr. Rama Shankar Bajpai was an esteemed friend, a man who welcomed everybody and who knew no communal barriers. Some of his dearest friends came from both sides of the House, and in lamenting his untimely, sudden and tragic death, we on this side of the House feel the poorer for the loss of Mr. Rama Shankar Bajpai.

Sir, of the two remaining gentlemen who have departed this life, I knew Sir Thomas Moir when he sat on these Benches as a representative from Madras, and I well remember the doughty fight that he put up for his own province against the provincial contributions. He had presided over the Finance Committee for a short time, and as an expert in finance, his assistance was valuable and valued by all Members on both sides of the House.

Of Rai Bahadur Triloki Nath Bhargava the Honourable the Leader of the House has pointed out that he succeeded to the membership of this House somewhat late and was a member for a very short time ; but though he was a member for a very short time and during that time he suffered from ill-health, he was a constant attendant in this House and assisted the party to which he belonged and generally the House of which he was a member, to the best of his ability. The House, Sir, feels the poorer for the loss of three esteemed colleagues who departed from this life.

The Honourable Mr. H. G. Haig (Home Member) : Sir, I hope that you and the House will extend to me your indulgence if I say a few words about the sudden and lamentable death of Mr. Rama Shankar Bajpai. The Honourable the Leader of the House has already paid him an admirable and eloquent tribute. But I feel I should like to add a few words of my own, speaking as the Head of the Department under which he worked and also as a very old friend of his. Mr. Bajpai and I belonged to the same Province, and I knew him even before those now distant days when he first came to the Government of India to work as Assistant Director of Public Information under Mr. Rushbrook Williams. He had been for many years a Member of this Assembly. He was known to all, and was on terms of intimate friendship with many. Mr. Bajpai had a very high sense of duty, and this was combined with a sensitive nature which made him sometimes a little anxious in case he should not reach the standards he set before himself. I sometimes wonder whether these characteristics did not to some extent contribute to his tragic death. On his arrival this year at Simla he had trouble in his eyes which gave warning of a rather alarming character. We urged him to proceed on leave, but he was very reluctant to leave his post and insisted that all would be well. For a time he seemed to be right. Then other trouble set in, suddenly and rapidly. He applied for leave and we had all hoped that he would return in a few months with renewed health. But it was too late, and on his way to his father's home he collapsed and died. I desire to express on behalf of my department and of myself our deep

sympathy with his relatives in this bereavement and our own sense of personal loss.

Sir Abdulla-al-Mamun Suhrawardy (Burdwan and Presidency Divisions : Muhamnadan Rural) : In rising to associate myself with what has fallen from the Leader of the House, I desire to pay my personal tribute of respect to the memory of Mr. Rama Shankar Bajpai and Pandit Trileki Nath Bhargava. The hands of death, unfortunately, have been very busy of late in the ranks of the Members of the Assembly. Within a very short time death has taken its toll with relentless impartiality of about an equal number of official and non-official Members of the Assembly—Mr. Shahani, Mr. K. C. Roy, Pandit Bhargava, Sir Mian Muhammad Shafi, Mr. Allison and Mr. Bajpai. Mr. Bajpai and myself had been friends for a very long time. Though he belonged to the United Provinces, it is not known generally that Calcutta was his second home and he had many friends there. He was a member of the Calcutta Bar and was a lecturer in law at the University of Calcutta. As the Leader of the House remarked, he had the gift of making friends and retaining friendships. Of polished and gentle manners and of amiable disposition, as the Leader of the House has said, he had no enemies. It was a unique sight when we some time ago saw both the Bajpai brothers occupying the official benches, but, alas, the Evil Eye of Death could not tolerate that for long. I have had the misfortune to mourn the loss of many friends, but it is rather hard, in the words of the Persian poet, to bear and mourn the loss of those who are cut off in the prime of life :

*Gar Pir-i-nawad-sala
bi mirad 'ajabi nist
In ma'tami sakht ast ki
gu yand jawān murd".*

“ If an old man of three score years and thirty dies there is nothing extraordinary ;
It is an unutterable sorrow, hard to bear, when one is cut off in the prime of manhood.”

I made the acquaintance of Pandit Triloki Nath Bhargava in this House as a member of the Assembly. His charming personality quickly endeared him to those who came into contact with him. Though a new friend, he occupies a place in my heart nearest my old. With these words, Sir, I associate myself with what has fallen from the Leader of the House and other speakers and desire you to convey our sympathy to members of the bereaved families.

Sir Cowasji Jehangir (Bombay City : Non-Muhammadan Urban) : Sir, I rise to associate my Party with all the remarks made by the Honourable the Leader of the House. He has very correctly said that Mr. Bajpai was as well known on this side of the House as on the other. In him we have lost a Government officer of charming personality, whose hospitality, whose kindness and, above all, whose readiness to help Honourable Members on this side of the House was conspicuous. As my Honourable friend has just said it is not often that we find two brothers sitting on the official Benches in a House of the Legislature in India. Every member of my Party desires to associate himself with the remarks made by the Honourable the Home Member who is the best judge of Mr. Bajpai's worth and work. We desire, Mr. President, that you should convey to the members of Mr. Bajpai's family our deep sympathy in the great loss they have suffered. In Pandit Bhargava, as my Honourable friend said, we

[Sir Cowasji Jehangir.]

had a silent member, but, Mr. President, it is not only the Members who do the greatest work. Very often it is the silent Members who are the hardest workers in Committee and the most useful Members of this Honourable House. In Mr. Bhargava we have sustained a loss and we also desire, Sir, that you should convey to the members of his family our deep sense of regret on his death. I did not ever have the pleasure of meeting Sir Thomas Moir but from what Sir Hari Singh Gour has told us he evidently was a tower of strength to the Government Benches. With these words, Mr. President, I desire to associate my Party and myself with the motion moved by the Leader of the House.

Mr. President (The Honourable Sir Ibrahim Rahimtoola) : The Chair wishes to associate itself with all that has fallen from the previous speakers. The Chair knew Mr. Bajpai and also Rai Bahadur Triloki Nath Bhargava and had the privilege of coming in contact with them as Members of the Assembly. The Chair entirely agrees with all that has fallen from the previous speakers in regard to the usefulness of these Members and joins in lamenting their loss to this Assembly and to the country. The Chair did not know Sir Thomas Moir but from what has been said in regard to his public services by Honourable Members, the Chair wishes to associate with those remarks also. The Chair will communicate to the relatives of the deceased the condolence of this House.

I should like to inform Honourable Members that it is my intention to continue the work of the Assembly to-day till we finish the agenda. We will then adjourn and meet at 4 o'clock to discuss the adjournment motion. If lunch interval is taken early, the arrangement will not be, in the opinion of the Chair, so convenient as sitting a little late and then adjourning to 4 o'clock. That is what the Chair proposes to do.

GOVERNOR GENERAL'S ASSENT TO BILLS.

Mr. President (The Honourable Sir Ibrahim Rahimtoola) : I have to inform the House that the following letter has been received from the Private Secretary to His Excellency the Viceroy.

“ I have the honour to inform you that the following Bills which were passed by both Chambers of the Indian Legislature during the Delhi Session, 1932, have been assented to by His Excellency the Governor General under the provisions of sub-section (1) of section 68 of the Government of India Act :

1. The Indian Companies (Supplementary Amendment) Act, 1932.
2. The Employers and Workmen (Disputes) Repealing, Act, 1932.
3. The Wheat Import Duty (Extending) Act, 1932.
4. The Indian Finance (Supplementary and Extending) Amendment Act, 1932.
5. The Wire and Wire Nail Industry (Protection) Act, 1932.
6. The Bamboo Paper Industry (Protection) Act, 1932.
7. The Salt Additional Import Duty (Extending) Act, 1932.
8. The Bengal Criminal Law Amendment (Supplementary) Act, 1932.
9. The Indian Partnership Act, 1932.
10. The Code of Civil Procedure (Amendment) Act, 1932.
11. The Public Suits Validation Act, 1932.
12. The Foreign Relations Act, 1932.
13. The Sugar Industry (Protection) Act, 1932.
14. The Indian Air Force Act, 1932.
15. The Indian Tariff (Wireless Broadcasting) Amendment Act, 1932.”

PANEL OF CHAIRMEN.

Mr. President (The Honourable Sir Ibrahim Rahimtoola) : I have also to inform the House that under Rule 3 (1) of the Indian Legislative Rules I nominate Sir Hari Singh Gour, Sir Abdur Rahim, Mr. G. Morgan and Mr. Muhammad Yamin Khan on the Panel of Chairmen for the current session.

STATEMENT OF BUSINESS.

The Honourable Sir C. P. Ramaswami Aiyar (Leader of the House) : With your permission, Sir, I desire to make a statement as to the probable course of business for the rest of the week. Honourable Members will observe from to-day's agenda paper that Government are introducing eight Bills and it is proposed to proceed further with these Bills on Thursday, the 8th. To-morrow, Tuesday, as Honourable Members are aware, is allotted for non-official Bills and Wednesday is allotted for Resolutions. As at present proposed the order of business on Thursday will be as follows :

- (1) Motion to refer to Select Committee the Bill to amend section 526 of the Code of Criminal Procedure ;
- (2) Motions to take into consideration and pass the Bill further to amend the Land Acquisition Act ;
- (3) Motions to take into consideration and pass the Bill further to amend the Indian Income-tax Act ;
- (4) Motions to take into consideration and pass the Bill to amend the Trade Disputes Act ;
- (5) Motions to take into consideration and pass the Bill further to amend the Indian Emigration Act ;
- (6) Motions to take into consideration and pass the Bill to prohibit the pledging of the labour of children ;
- (7) Motions to take into consideration and pass the Bill further to amend the Cantonments Act, 1924 ;
- (8) Motions to take into consideration and pass the Bill further to amend the Indian Railways Act ; and lastly
- (9) Motions to take into consideration and pass the Bill to amend the Ancient Monuments Preservation Act, 1904, as reported by the Select Committee.

STATEMENTS LAID ON THE TABLE.

Mr. H. A. F. Metcalfe (Foreign Secretary) : I lay on the table :

- (i) the information promised in reply to starred questions Nos. 575, 576, 577, 578 and 579 asked by Maulvi Sayyid Murtuza Sahib Bahadur on the 29th February, 1932 ; and
- (ii) the information promised in reply to starred questions Nos. 1064, 1065 and 1066 asked by Sardar Sant Singh on the 30th March, 1932.

ENCROACHMENTS ON MUSLIM BURIAL GROUNDS IN AJMER.

575. (a) (1) Yes.

(2) Yes.

(3) Yes, by resolution No. 7 of 13th August 1925, not No. 10 of 19th August 1925.

(4) Yes.

(5) Yes.

(b) Individual cases were laid before the Public Works Sub-Committee for orders as usual. The Public Works Sub-Committee in its Resolutions No. 9, 10 and 11, dated 7th October, 1929, on the suggestion of the Ward Superintendent, Mr. Gainda Lal, resolved to keep them pending till submission of the report of the Special Sub-Committee, consisting of the Convener, Public Works Sub-Committee, Mr. Gainda Lal and Mr. Ahmed Noor Khan, regarding the correctness of the Idgah Chand Baori grave-yard, as shown in the demarcated grave-yard plan, and in cases of 1931 and 1932 the Public Works Sub-Committee issued orders on each case separately to keep them pending until the redelimitation of the grave-yard had been done. This is in hand.

REPORT ON THE ENCROACHMENTS ON MUSLIM BURIAL GROUNDS IN AJMER.

576. (a) (1) Yes, together with Mr. Gainda Lal as Mr. Ahmed Noor Khan was not present at this site inspection.

(2) Yes.

(3) Yes.

(b) The report is on the file in the office of the Public Works Department of the Municipality. It was not placed before the General Committee as the other two members of the Special Sub-Committee had not signed it. Mr. Gainda Lal, one of the members, submitted his dissenting note on the 19th May, 1930, when Mr. Walker was still Convener of the Public Works Sub-Committee. Mr. Ahmed Noor Khan, the 3rd member of the Special Sub-Committee inspected the site with Mr. Gainda Lal later on and asked that the actual limits of the grave-yard according to the settlement plans should be shown to him. This was not possible until the land had been demarcated by the Revenue authorities at the site. This was finally done on 15th February, 1932.

(c) Mr. Gainda Lal submitted his report on the 19th May, 1930 when Mr. Walker was still Convener. The reason for the delay was not reported.

(d) Copies attached.

In accordance with Resolution No. IX of 7th October, 1929, I visited the Idgah Chand Baori Grave-yard with Mr. Gainda Lal on the 11th instant and compared the plan of the demarcated grave-yard with the actual site.

Check measurements were taken from the only old plan available dated 1887. The check was not absolutely conclusive but indicated that in the case considered in P. W. S. C.'s Resolution No. XIV of 26th August, 1929, the applicant had already included 3' 3" of passage shown in plan of 1887 in his house. It is possible that a further strip of 1' 9" of land is included in the demarcated grave-yard. The 1887 plan is merely a line plan on these papers and is not reliable.

I am strongly of opinion that the plan of demarcated grave-yard approved by the Municipal Committee on 15th May, 1924, should be taken as correct. No case has been made out to show that it is incorrect.

Inhabitants of this area were strongly of opinion that the grave-yard should not be encroached upon.

I very strongly recommend that :—

1. Application of Kutabali be rejected.
2. The existing encroachment of Kherulla be removed.
3. Application of Md. Ishaq be rejected.
4. The new encroachment of Md. Ismail be removed.

This is a very glaring case, construction was refused in P. W. S. C. Resolution No. III of 3rd January, 1928; applicant was warned to stop construction. Case has been with W. S. for about 2 months.

5. Application of Hafiz Mohd. Hanif be refused.

6. Encroachment of Chabutri of Yakub be removed.

Sites 1—6 in grave-yard plan in pencil, i.e., no construction be allowed within the demarcated grave-yard.

(Sd.) W. WALKER,

Convener,

14th October, 1929.

I do not agree with the opinion of the Convener P. W. S. C. of 14th October, 1929, for the reason that the land was purchased by these applicants from the owner of the grave-yard by paying large sums and if the committee has got any right to disinherit any person from his civil rights, then in that case they should file a civil suit against the owner of the grave-yard for selling land to these people in civil court. Besides this there is no proper Resolution of the General Committee forbidding any people from the constructions from the grave-yard. Hence would point out to the committee that in case any of the applicant should file suit against the Municipal Committee for demolishing their constructions without any valid reasons then the committee will have to undergo heavy expenses in paying out compensation in large amount to the applicants. I therefore express my very strong opinion that whatever constructions have been applied for and have been completed may be allowed to stand for future grave-yard boundary may clearly be defined and public may be informed by means of pamphlets and also by beat of drum so that nobody will purchase such grave-yard land in case they will do contrary to this they will suffer their consequences.

(Sd.) GAINDA LAL,

19th May, 1930.

ENCROACHMENT OF MUSLIM BURIAL GROUNDS IN AJMER.

577. (a) (1) Yes. No. 1225 of 7th September, 1929, and No. 1228 of 15th January, 1932.

(2) A report was called for on 15th January, 1932.

The site was inspected by the Executive Officer on the 22nd January, 1932. The report of the Executive Officer was mislaid until 8th March, 1932, the Secretary was informed on the 15th March, 1932, that the matter was receiving immediate attention.

(3) The matter of the re-delimitation of these grave-yards referred to the Special Sub-Committee consisting of Mr. Walker, Mr. Gains Lal and Mr. Ahmed Noor Khan was settled by the Revenue authorities on the 15th February, 1932, having been referred to them on the 18th October, 1930. The case will now be placed before the Public Works Sub-Committee for necessary action.

(4) Yes.

(5) Yes, without permission.

(b) Direct interference on the part of Government does not appear to be justifiable at present, as no representations whatever have so far been made to the Chief Commissioner, Ajmer-Merwara, in the matter.

MISMANAGEMENT IN MUNICIPAL AFFAIRS IN AJMER.

578. (a) (1) Yes.

(2) Bye-Laws under Sections 46 and 58 of the Regulations delegating powers to the Executive Officer were framed in July, 1931, and are under the consideration of the Committee.

(3) Whatever mis-management exists is due to the fact that the members of the Municipal Board have been bound by old rules and bye-laws under which they were

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instructed to carry out duties which would normally come under the Executive staff. Until recently there was no Executive Officer and it is obviously impossible for all existing customs to be wiped out by the appointment of an Executive Officer whose functions have yet to be defined.

Unfortunately the Regulations for municipalities for Ajmer-Merwara are not in line with those in the United Provinces Municipal code and contain no definite instructions relating to the powers of an Executive Officer.

It is unlikely that when the functions of the Executive Officer have been defined there will be any interference on the part of members.

(b) Direct interference on the part of Government does not appear to be justifiable at present, as no representations whatever have so far been made to the Chief Commissioner, Ajmer-Merwara, in the matter.

HOUSES BUILT ON THE MUSLIM GRAVE-YARD AT IDGAH CHAND BAORI, AJMER.

579. The following is the detail :

Number of houses constructed since 21st December, 1931	8
Number of houses under construction	3

NOMINATION OF INDIAN CHRISTIANS AS MEMBERS OF THE AJMER MUNICIPAL COMMITTEE.

1064. (a) Comparatively small.

(b) No.

(c) The number of members that can be nominated is limited by Section 8 (1) (2) proviso (i) of the Ajmer-Merwara Municipalities Regulation VI of 1925 and it is not possible to nominate a member of every community. Out of a total population of 1,19,524, Sikhs and Parsis number only 270 and 240, respectively. A Parsi gentleman was nominated in 1929.

NOMINATION OF A MUSSALMAN AS A MEMBER OF THE AJMER MUNICIPAL COMMITTEE.

1065. (a) Nominations are made to secure the adequate representation of minorities. Muhammadans form 34 per cent. of the total city population but hold only 5 out of 17 elected seats. A Muhammadan gentleman, who has rendered valuable services on the Municipal Committee in the past and whose legal knowledge is very useful to the Committee, has been nominated to secure representation for the Muslim community more proportionate to its size and importance.

(b) Hindus hold 8 out of 17 elected seats and this community does not, therefore, at present require additional representation on the Committee.

NON-NOMINATION OF A MEMBER OF THE DEPRESSED CLASSES TO THE AJMER MUNICIPAL COMMITTEE.

1066. (a) Yes.

(b) Efforts to find a member of the depressed classes, who could suitably be nominated, have been unsuccessful, but an Indian Christian gentleman, who can be relied upon to represent their interests, has been nominated.

The Honourable Sir Alan Parsons (Finance Member) : I lay on the table :

- (i) the information promised in replies to starred questions Nos. 768 and 769 asked by Khan Bahadur Makhdum Sayad Rajan Bakhsh Shah on the 14th March, 1932 ;
- (ii) the information promised in replies to starred questions Nos. 977 and 978 asked by Mr. S. C. Mitra on the 29th March, 1932 ; and
- (iii) the information promised in reply to starred question No. 1087 asked by Bhai Parma Nand on the 31st March, 1932.

COMMERCIAL AUDIT IN GOVERNMENT FACTORIES.

768. (a) Yes.

(b) Yes. In the first instance the officers will be officers who were trained and employed in the Commercial Audit Branch itself. For the future, arrangements will be made to include a knowledge of commercial accounting in the professional qualifications of a sufficient number of officers of the Indian Audit and Accounts Service.

(c) Two items of loss were brought to notice by the Commercial Audit Branch amounting to about Rs. 70,768 and Rs. 82,258, respectively. No similar items of losses have so far been detected as occurring since the introduction of commercial accounts and an up-to-date system of stocktaking.

COMMERCIAL AUDIT IN GOVERNMENT FACTORIES.

769. (a) A loss on this account was revealed by Commercial Audit. The amount of the loss was estimated at Rs. 94,500. The actual amount has not yet been finally calculated by the factory authorities.

(b) The Auditor General is taking steps to ensure that men with the requisite training are sent to audit commercial concerns.

(c) It has been decided to bring the men on to the scales of pay obtaining in the Accounts Offices in which they will now be merged. Such temporary personal protection as may be necessary will be considered in individual cases; but Government do not propose to adopt the general concession which the Honourable Member suggests.

ACCOUNTANTS REVERTED TO THEIR SUBSTANTIVE APPOINTMENTS.

977. List of Accountants who are on deputation in the office of the Accountant General, Central Revenues, since 1923 showing the grounds on which they have been retained or reverted to their substantive appointments held by them in other Provinces is as follows :

The following accountants have been on deputation in the office of the Accountant General, Central Revenues, from various dates since 1923 and are still working there :

*Accountants.**Name.**Remarks.*

1. Mr. Mansa Ram.
2. Mr. Jagan Nath.
3. Mr. M. N. Sanyal.

} Retained in the office of the Accountant General, Central Revenues, as they have worked in that office for a very long time.

4. Mr. R. S. Ramayyar

He came to the office of the late Pay and Accounts Office, Secretariat, from Madras. On the amalgamation of the Pay Office with the office of the Accountant General, Central Revenues, he was retained on grounds of efficiency in the place of an experienced accountant who has been temporarily transferred from the latter office.

Divisional Accountants.

5. Mr. K. N. Ganguli.
6. Mr. R. W. Brockhurst.
7. Mr. C. V. Krishna.

} Retained as they accepted the all-India condition of service.

2. The following Accountants have been reverted :

Accountant.

1. Mr. P. C. V. Iyer . . .

Reverted to the Military Accounts Department due to retrenchment.

Divisional Accountant.

2. Mr. S. Mitra . . .

Was reverted from the office of the Accountant General, Central Revenues, because of his refusal to accept the all-India condition of service usually expected from permanent divisional accountants in that office.

DIVISIONAL ACCOUNTANTS RETIRED AT 55 YEARS OF AGE.

978. On the assumption that the question relates to recent years, there have been two cases in which extension of service has been granted after 55 years of age. The names of the Accountants are Rai Sahib Ratan Chand Khanna and Mr. Durga Prasad.

DISTINCTION BETWEEN JAINS AND HINDUS IN CONNECTION WITH RETRENCHMENT IN THE OFFICE OF THE ACCOUNTANT GENERAL, CENTRAL REVENUES.

1087. (a) and (b). The ratio between Jains and other Hindus, which existed before retrenchment, was in actual fact maintained in making discharges from the office of the Accountant General, Central Revenues. But there is and has been no policy of discrimination such as the Honourable Member appears to suggest.

Mr. P. B. Rau (Financial Commissioner, Railways) : I lay on the table :

- (i) the information promised in reply to unstarred question No. 121 asked by Mr. N. R. Gunjal on the 4th March, 1932 ;
- (ii) the information promised in reply to unstarred question No. 119 asked by Mr. N. R. Gunjal on the 4th March, 1932 ;
- (iii) the information promised in reply to starred question No. 1110 asked by Mr. Uppi Saheb Bahadur on the 1st April, 1932, and
- (iv) the information promised in reply to starred question No. 488 asked by Mr. N. M. Joshi on the 23rd February, 1932.

MARKERS EMPLOYED IN THE BENGAL AND NORTH WESTERN RAILWAY.

121. (a) (i) Eighty.

(ii) There is no fixed scale of pay.

(iii) Since there is no fixed scale there is no fixed maximum. The highest paid marker in the service at present draws Rs. 18.

(iv) Two.

(v) They are eligible for gratuity and not for Provident Fund benefits. One member received gratuity during the last five years.

(b) They are generally of a poor standard of education. They are engaged to mark, check and tally goods and to make themselves generally useful in a goods shed. Many of them also do clerical work of an unimportant nature.

(c) Marking is frequently done by menials under supervision. They are not literate except that they are generally able to read labels in English and marks in English and vernacular.

INSTITUTES FOR EUROPEAN AND INDIAN STAFF ON THE BENGAL AND NORTH WESTERN RAILWAY.

119. (a) The Bengal and North Western Railway has provided seven institutes for European staff and seven for Indian staff.

(b) The ordinary maintenance charges, i.e., cost of establishment, lighting, books, newspapers, games, etc., for both the European and Indian institutes are met from members' subscriptions, while the cost of the maintenance of Institute buildings is borne by the Railway.

(c) Does not arise.

(d) There is a scheme under consideration at present for the provision of one more Indian institute.

(e) No.

AGE OF BABU KHUSHI MOHAMMED, LATE CHIEF GOODS CLERK, NORTH WESTERN RAILWAY, FORCED TO RETIRE.

1110. (a) B. Khushi Mohammed was retired on attaining the age of 55 years in accordance with the date of birth recorded in his service sheet after serving for over 35 years.

(b) Yes.

(c) Yes. Before May 1930, such requests were sometimes granted by the Administration, if circumstances justified such a course, but owing, to the increasing number of applications for alterations in dates of birth which were being made by employees when nearing the age of superannuation, it was, in May 1930, made a rule by the Administration that no alteration in the date of birth as accepted and recorded on engagement would be agreed to, except in cases of clerical error, and this is a rule to which the Administration has made no exception since then. In accordance with this rule B. Khushi Mohammed's request for alteration in the date of his birth which was made subsequent to May 1930 was rejected. Previous to this date he had made a similar request which was turned down as he had then admitted that he might have given a wrong date of birth for securing service or because he was not particular about the declaration of his age at the time of entering the service.

(d) Applications and other communications, etc., received from B. Khushi Mohammed were duly considered and he was informed of the decision. Railway employees have a right of appeal but not beyond the Agent in such cases.

PROMOTED SUBORDINATES GRANTED LEE CONCESSIONS ON THE GREAT INDIAN PENINSULA RAILWAY.

488. A statement showing the subordinates in the Transportation (Traffic) and Engineering Civil Departments, confirmed in the year 1921, who were admitted to the Lee Concessions subsequent to their confirmation and the total allowances drawn by each with retrospective effect.

No subordinates of the Mechanical Engineering or Transportation (Power) or Traffic (Commercial) Department, promoted in the year 1921, were admitted to the Lee Concessions.

Subordinates in the Transportation (Traffic) and Engineering (Civil) Departments confirmed as officers in the year 1921 and who were admitted to the Lee concession subsequent to their confirmation and the total allowances drawn by each with retrospective effect.

Serial No.	Name.	Department.	Date confirmed.	Allowances drawn under Lee concession with retrospective effect.	
				Sterling Overseas pay drawn with retrospective effect (i.e.) from 1st April, 1932, to 28th February, 1926.	Reimbursement of passages upto November, 1926, of passages booked from 1st April, 1924.
				Rs.	Rs.
1	Mr. V. Davey ..	Transportation (Traffic).	27-7-21	954	1,200
2	Mr. J. D. Johnson	Civil Engineering	21-4-21	2,820/10	
3	Mr. T. J. Loosemoore	Do. ..	10-9-21	2,906/9	

Mr. T. Ryan (Director-General of Posts and Telegraphs) : I lay on the table the reply to parts (a), (b), (c), (d), (f) and (g) of the starred question No. 794 asked by Mr. S. C. Mitra on the 14th March, 1932 :

ALLOWANCE FOR STAFF ENGAGED IN SORTING FOREIGN MAIL IN CALCUTTA.

794. (a) The sorting is done partly by staff who are paid overtime allowance and partly by auxiliaries without any allowance.

(b) The auxiliaries are not required to attend before 6 A.M. No conveyance allowance is given to those attending at 6 A.M.

(c) At Bombay, where inward foreign mails for the whole of India including those for Bombay City are sorted within specified hours, overtime is paid. At Madras and Calcutta where the nature and volume of the work are not the same as in Bombay, steps are being taken to curtail the expenditure on overtime as much as possible.

(d) Of a total staff of about 800 officials attached to certain Departments of the Calcutta General Post Office and to no-delivery town sub-offices, who enjoy all Sundays and Post Office holidays, only 35 men are drafted as auxiliaries for sorting inward foreign mails on alternate Sundays without payment of overtime. 70 of this total staff of about 300 have so far been trained for the sorting work and steps are being taken to train the remainder in batches so as to give greater relaxation to the auxiliaries by spreading the work over the entire staff available.

(e) A limited staff (consisting of 1 Assistant Postmaster, 1 supervisor, 28 clerks, 18 sorting postmen and 10 packers of the Delivery Department) whose regular duties would necessitate their attendance at office on alternate Sundays only but who are required to attend every Sunday for the purpose of sorting the foreign mail are being paid overtime for work on those Sundays on which they would otherwise be off duty. 35 men drafted as auxiliaries on alternate Sundays from other Departments, in which officials enjoy all Sundays and Post Office holidays are required to work for only 4

hours (6 A.M. to 10 A.M.), which is a shorter attendance than that of officials in other Departments of the General Post Office whose normal attendance on Sundays without overtime is generally from about 6 A.M. to 3 P.M., and accordingly no Overtime is paid to them.

(f) In view of the replies to parts (d) and (e) above, Government do not consider it necessary to modify the existing arrangement in Calcutta which was introduced from the 3rd January, 1932.

THE PORT HAJ COMMITTEES BILL.

PRESENTATION OF THE REPORT OF THE SELECT COMMITTEE.

The Honourable Sir Frank Noyce (Member for Industries and Labour) : Sir, I beg to present the report of the Select Committee on the Bill to establish Committees in the principal ports of pilgrim traffic to assist Muslim pilgrims to the Hedjaz.

THE TEA DISTRICTS EMIGRANT LABOUR BILL.

PRESENTATION OF THE REPORT OF THE SELECT COMMITTEE.

The Honourable Sir Frank Noyce (Member for Industries and Labour) : Sir, I beg to present the report of the Select Committee on the Bill to amend the law relating to emigrant labourers in the tea districts of Assam.

THE INDIAN INCOME-TAX (AMENDMENT) BILL.

The Honourable Sir Alan Parsons (Finance Member) : I beg to move for leave to introduce a Bill further to amend the Indian Income-tax Act, 1922, for a certain purpose.

The motion was adopted.

The Honourable Sir Alan Parsons : I introduce the Bill.

THE LAND ACQUISITION (AMENDMENT) BILL.

The Honourable Sir Frank Noyce (Member for Industries and Labour) : I beg to move for leave to introduce a Bill further to amend the Land Acquisition Act, 1894, for certain purposes.

The motion was adopted.

The Honourable Sir Frank Noyce : I introduce the Bill.

THE INDIAN EMIGRATION (AMENDMENT) BILL.

Mr. G. S. Bajpai (Secretary, Department of Education, Health and Lands) : I beg to move for leave to introduce a Bill further to amend the Indian Emigration Act, 1922, for certain purposes.

The motion was adopted.

Mr. G. S. Bajpai : I introduce the Bill.

THE TRADE DISPUTES (AMENDMENT) BILL.

The Honourable Sir Frank Noyce (Member for Industries and Labour) : I beg to move for leave to introduce a Bill to amend the Trade Disputes Act, 1929, for certain purposes.

The motion was adopted.

The Honourable Sir Frank Noyce : I introduce the Bill.

THE CANTONMENTS (AMENDMENT) BILL.

Mr. G. R. F. Tottenham (Army Secretary) : I beg to move for leave to introduce a Bill further to amend the Cantonments Act, 1924, for a certain purpose.

The motion was adopted.

Mr. G. R. F. Tottenham : I introduce the Bill.

THE CHILDREN (PLEDGING OF LABOUR) BILL.

The Honourable Sir Frank Noyce (Member for Industries and Labour) : I beg to move for leave to introduce a Bill to prohibit the pledging of the labour of children.

The motion was adopted.

The Honourable Sir Frank Noyce : I introduce the Bill.

THE INDIAN RAILWAYS (AMENDMENT) BILL.

The Honourable Sir C. P. Ramaswami Aiyar (Member for Commerce and Railways) : I beg to move for leave to introduce a Bill further to amend the Indian Railways Act, 1890, for a certain purpose.

The motion was adopted.

The Honourable Sir C. P. Ramaswami Aiyar : I introduce the Bill.

THE CODE OF CRIMINAL PROCEDURE (AMENDMENT) BILL.

The Honourable Mr. H. G. Haig (Home Member) : I beg to move for leave to introduce a Bill further to amend the Code of Criminal Procedure, 1898, for certain purposes.

The motion was adopted.

The Honourable Mr. H. G. Haig : I introduce the Bill.

The Assembly then adjourned for Lunch till Four of the Clock.

The Assembly re-assembled after Lunch at Four of the Clock,
Mr. President (The Honourable Sir Ibrahim Rahimtoola) in the Chair.

MOTION FOR ADJOURNMENT.

COMMUNAL DECISION OF HIS MAJESTY'S GOVERNMENT.

Sardar Sant Singh (West Punjab : Sikh) : Sir, I beg to move the
adjournment of the business of the Assembly for the
purpose of discussing a definite matter of urgent public
importance, namely.....
4 P.M.

Mr. President (The Honourable Sir Ibrahim Rahimtoola) : Order,
order. The Honourable Member should move that the House do now
adjourn.

Sardar Sant Singh : Sir, I beg to move that the House do now
adjourn.

Sir, there can be no gainsaying the fact that since the day the forecast of the communal decision was published, it roused the bitterest opposition particularly in the Punjab and generally in the whole of Hindu India. Even the best advocates of the decision have not dared to call it a just decision or one which will satisfy all the communities in India. But they have taken their stand on the fact that it was forced upon His Majesty's Government to give this decision ; and secondly, those who have given this decision have stated that this is an honest attempt on their part to settle the communal differences between the various communities for the simple reason that the communities themselves could not come to any decision. Sir, my position is that the Government of India blundered from the very first day when they recommended the nomination of members to the Round Table Conference. Instead of asking the legislatures of the country to elect their representatives to go and discuss the constitutional issue in England they chose the worst possible course of nominating those who did not represent the people. Those persons who were nominated mostly represented organisations which are known to be the most reactionary in the country. The legislatures were overlooked. Communal reactionaries were put there, if I may say so, with the sole object of showing to the world that communal differences cannot be settled in India by the Indians. There was a school of thought which held this view and I think the natural sequence of events has shown that those persons who believed that a state of affairs like that would be brought about have proved to be better prophets. Now, Sir, to say that the Government of India and His Majesty's Government in England were forced to give a decision is anything but a correct reading of the situation. Again, Sir, the worst time came when the second Round Table Conference met in England and the Labour Government was turned out of office. A new election took place and in that new election the Conservative element became too strong and our friends the representatives of the Muslim community played into the hands of Sir Samuel Hoare. It is a notorious fact that at Whitehall in the presence of Sir Samuel Hoare the minority pact was given birth to. In that minority pact it was represented to the British public that 44 per cent. of the population have joined to settle this communal issue in a particular manner. But I will show later on that a slavish submission to the minority pact entitled those to better rewards ; and which were actually bestowed on them by this particular decision of His

[Sardar Sant Singh.]

Majesty's Government. As regards the second point, whether it is an honest attempt on the part of the British Government to settle the differences, I take my stand upon the decision itself. Here I will take you very briefly through the claims that have been made by the Muhammadan community from time to time, and those claims mainly consisted in the minutes written by Sir Fazl-i-Husain (Honourable Member of this House now on leave), by Chaudhuri Zafrulla Khan, the present Honourable Member, by Captain Sikander Hyat-Khan, at present His Excellency the Governor of the Punjab, and by other influential people. In that Sir Fazl-i-Husain while proposing a constitution for the Punjab wanted that out of the proposed strength of 125 members, the Muhammadans should get 63, that is to say, one seat over and above the combined strength of the rest of the communities. Similarly, Captain Sikander Hyat-Khan and Chaudhuri Zafrulla Khan in their minutes when they were assisting the Simon Commission Committee wrote that out of a proposed strength of 165 the Muhammadans should get 83,—again one seat over and above the combined strength of all the other communities in the Punjab. These recommendations were rejected by the Simon Commission, a Commission which was boycotted particularly by the Sikhs and by others also. In their report,—I have no time to read the whole passage,—they justly said that they would not be justified in recommending to Parliament the adoption of the Muslim point of view for the simple reason that the Sikhs and the Hindus were strongly opposed to it and it is not just that they should be granted a statutory majority in the Punjab against the wishes of the Sikhs and the Hindus of the Punjab. After the Simon Commission came the dispatches sent by the Government of the Punjab and the Government of India. In those dispatches the Government of the Punjab went so far as to say that 49 per cent. should be conceded to the Muhammadans and the rest should be given to the other communities. Now, in paragraph 232 of the Montagu-Chelmsford report they said that the Muhammadans are given separate electorates not because they are a majority community but because they form a minority community so far as the voting strength goes. Even at that time separate electorates were granted to them for being in a minority and not in a majority. But here comes the Communal Award by His Majesty's Government. The claim was made by the advocates of Muslim majority that one seat over and above the rest should be given to the Muhammadans in the Punjab. It was for the first time in the minority pact to which I have already alluded that they claimed 51 per cent. The claim was raised because they were sure of the support that they had got from the Conservatives in England. But this decision strangely enough concedes 52 per cent., one per cent. more than the Muslims ever claimed. Out of the strength of 175 seats, 86 are guaranteed in the general constituencies to the Muslims; and it will be news to several Honourable Members of this House to know that in the Punjab there is a constituency known as the Tumandars' constituency and it boasts of 9 voters. I do not think any constitution in the world boasts of such a big constituency as the Tumandars' constituency in the Punjab. They are all Muslims and so that seat certainly goes to a Muslim. Out of the four remaining landlords' seats, it is said in the decision itself that two will most probably go to the Muslims. That makes a total of 89. Again out of three seats allotted to labour, there can be no doubt that two will go to the Muslims.

An Honourable Member : Why ?

Sardar Sant Singh : Why, because the Muslims form the bulk of labour. That is to say, 91 seats out of 175 will go to the Muslims which means 52 per cent. Those who say that they have not got a Muslim majority in the Punjab are absolutely wrong ; the facts are against them. Therefore the Muslims have got 7 seats over and above the combined strength of the rest ; thus they get 91 while the others get 84. My submission is that this decision does the greatest injustice to the Sikhs of the Punjab who pay 40 per cent. of the land revenue and who supply double the number of the Muslims in the Punjab to the Army in the defence of the country.....

An Honourable Member : Not at all.

Sardar Sant Singh : They do ; study the figures and you will know it. Similarly they have the greatest stake in the province ; their religious places, their culture and the important places which a human being loves to call his own are all in the Punjab and we find that the Sikhs have been treated most unjustly in this affair. Before this Award was published I addressed a letter to His Excellency the Governor General in which I stated the situation that will arise if communal majority was guaranteed to the Muslims in the Punjab Council. In that letter I said :

“ Such a demand is unheard of in the constitutional history of any country and is diametrically opposed to the principles of democracy. The Sikh community is the minority community in the province yet as Your Excellency must be aware has all along stood for these principles and all their seventeen demands are based on these principles. I need not reiterate here these demands of the Sikh community as Your Excellency and Your Excellency's Government is, I believe, fully acquainted with them. The press reports have now agitated the mind of the Sikh community to almost a breaking point and I in the capacity of a member of the Legislative Assembly representing as an elected member half of the Sikh population of the province owe it to myself, to Your Excellency's Government and the Sikh community to acquaint Your Excellency that the Sikh community to a soul is not prepared to accept or submit to the statutory majority of the Muslim community in the Punjab.”

Later on I said :

“ In conclusion I respectfully, but with all the earnestness at my command request Your Excellency's personal intervention even now to insure that the mistake of granting a statutory majority to the Muslim community is not made by His Majesty's Government in England with whom now rests the decision of this question without fully appreciating the actual feelings of the Sikh community in this matter. Without being taken as holding out a threat, I consider it my duty.....”

Mr. President (The Honourable Sir Ibrahim Rahimtoola) : Order, order : the Honourable Member's time is up.

Sardar Sant Singh : May I have just one minute to close my speech ?

Mr. President (The Honourable Sir Ibrahim Rahimtoola) : I do not wish to extend the time even by a minute. As so many Honourable Members desire to speak, the Chair has decided not to allow more than fifteen minutes to any Member.

Sardar Sant Singh : With these words, I move the motion.

Mr. President (The Honourable Sir Ibrahim Rahimtoola) : Motion moved :

“ That the House do now adjourn.”

Mian Muhammad Shah Nawaz (West Central Punjab, Muhammadan) : Sir, political memories are notoriously short and the Honourable Member who has just moved his motion has forgotten the history of the communal problem. India's proper course was to go to England with a complete electoral plan merely leaving for discussion the extent of transfer of responsibility. But despite repeated and prolonged attempts to solve the communal problem both in India and in England the problem remained unsolved ; although it looked at one time that the communities were very close together. The allocation of one seat in the Punjab was all that practically divided the communities ; and I must say that the Sikhs are responsible for the failure. My learned friend now says " Oh, the Government recommended certain members on the Round Table Conference who did not have a representative character ". Sir, I do not agree with him at all. I must say that the Round Table Conference had a representative character ; but unfortunately they could not come to a decision on the communal issue. The breakdown at the Round Table Conference had a very unfortunate effect ; it drove the minorities, angry and disappointed, to the arms of the others, to the opposite extreme, with the result that at the close of the second Round Table Conference, the communities were divided further apart from each other than ever. It was only when the Consultative Committee came to a deadlock and directly asked the British Government to intervene that the British Cabinet agreed. There is no manner of doubt that the Prime Minister has made an honest attempt to hold the balance between conflicting claims of the communities. The issue had to be forced in the interest of immediate self-government. Mr. President, whatever may be the merits and the demerits of the Award, and whatever may be its imperfections, and no human agency is infallible ; whether the Award is good, bad or indifferent, there is no manner of doubt that it has removed an obstacle from the path of constitutional advance, thereby enabling us to concentrate our attention upon the solving of many issues that still remain to be decided in the field of constitutional reform. The Award does not pretend to satisfy all parties. Indeed an equitable decision fair to everybody will fully satisfy nobody.

Well, Sir, the provisional character of the Award cannot too strongly be emphasised. If we are not satisfied with the Award, if the Award is unpalatable to the communities, two courses are open to us ; either we must come to an agreed settlement if we can, or accept the Award as it is. If happily we can come to an agreed settlement there is no doubt that under the conditions of the Award the British Government and the British Parliament are bound to accept it before India Act becomes law. That is a very fair and accommodating offer. Now, Sir, my able friend says that injustice has been done to the Sikhs in the Punjab. The position is this : the Government has not given statutory majority to the Muslims of the Punjab. Only 86 seats are given to them out of the total number of 175 seats by means of separate electorates, leaving it to them to get their complete majority from the ten special constituencies. My learned friend is quite wrong when he says that Muslims would have been satisfied with 50 per cent. of the total seats. The Muslim Conference and the Muslim League have always passed resolutions to the effect that the Muslim percentage in the Punjab should be 56 per cent. Mr. President, mere angry protests and threats are stultifying, without carrying the germs of constructive effort. Has my friend produced any constructive electoral scheme ? He has pro-

duced none. Threats of boycott and obstruction, a form of folly which has done India so ill in the past, are worse than futile. They create a breach which might take many years to heal and destroy all hopes of peaceful self-government by accentuating bitter feelings. In fact, any attempt to rail at this Award will put an obstacle in the way of an agreed solution. The Muslims gave their scheme to the Sikhs but they did not accept it. Now, if they have any other scheme and come forward with it and if it is backed up by their community, then the Mussulmans are ready to consider it. But, Sir, what about the Sikh Council of Action? They have proclaimed boycott or non-co-operation. They are up in arms against the Government and the Mussulmans. Sir, I rejoice to see that a resolution passed by the Sikh Council of Action has been repudiated by 18 Sikh leaders of the Punjab.

Mr. B. Das (Orissa Division : Non-Muhammadan) : Are they leaders ?

Mian Muhammad Shah Nawaz : Undoubtedly they are. The Sikhs should be reasonable ; they have not been reasonable at all. The Sikh percentage has very largely been increased in the Punjab. In Bengal the Muslim majority has been reduced to a minority. It is the fundamental principle of all democratic institutions that no majority should be reduced to the position of a minority or even to an equality. Therefore, the Muslims in Bengal have a very just grievance. Sir, I have no doubt that the time is not very far when greater enlightenment, political sagacity and political experience will bring about communal concord by mutual agreement. After all, communalism cannot stand the test of time ; it must give way, and the time will come, and that very soon, when the diversities of economic interests will produce diversities of political parties. We must accept the Award as it is, pressing on with our high purpose in faith which moves mountains, still achieving, still pursuing and learning to labour and to wait. Sir, I rejoice to see that His Excellency the Viceroy has made an excellent, sincere, and sympathetic speech this morning. His Excellency has given us the outline of the revised procedure. I have no doubt that the best statesmen of India, men devoted to singleness of purpose, men who are determined to overcome all obstacles, will go to England to achieve a lasting settlement between Great Britain and India. Believe me, Sir, that a permanent settlement between England and India will exert the greatest influence on the peace of the world which we all so much desire. I say again, it is not too late yet to solve the communal problem ; but the decision rests with the Indians themselves. If we can solve it, well and good. If we cannot solve it, then we must accept the Award in the spirit in which it is given. Sir, I oppose this motion.

Sir Hari Singh Gour (Central Provinces Hindi Divisions : Non-Muhammadan) : Sir, I have to say a very few words on this occasion. Friends who are sitting behind me from the two provinces of Punjab and Bengal are primarily affected by this Award. We who come from the south of the Nerbudda, from the provinces of Bombay, Madras and the Central Provinces, are not affected to the extent that people in these two provinces are affected, and I should have been glad if the protagonists of those provinces had taken part in this debate. But my friends are anxious that I

[Sir Hari Singh Gour.]

should voice their feelings, and my friend Mr. Neogy has committed to my charge a short statement which represents his view and the view of his friends in Bengal. I read it to the House :

“ The principal grievance of the Nationalist Hindus in Bengal is not that the Muslims will have the number and proportion of seats that have been promised to them, but that the electorates will be separate and communal in character. This is all the more objectionable in view of the resolution recently adopted by the Bengal Legislative Council favouring joint electorates and also in view of a recent specific legislative measure connected with municipalities in Bengal in which the principle of joint electorates has been actually embodied by unanimous agreement of all the parties concerned.

The second grievance of Bengal is that Hindus who are in a minority there are expected to sacrifice their due proportion of seats for the benefit of Europeans and Anglo-Indians. The Muslims are also to sacrifice a few seats so that the European and Anglo-Indian quota may be made up in Bengal. But this sacrifice is not in proportion to the Hindu and Muslim population respectively, the Hindu minority being asked to contribute to the weightage to be given to the European minority far in excess of the proportion of the Muslim contribution to the same end.”

Mr. A. H. Ghuznavi (Dacca *cum* Mymensingh : Muhammadan Rural) : That is not true.

Sir Hari Singh Gour :

“ The third grievance of Bengal is that separate electorates have been imposed upon Bengal whose leaders have themselves in a public meeting protested against it after the publication of the Communal Award.

The fourth grievance of Bengal is that the depressed class problem has been sought to be accentuated there, although the number of people that can justly be described by that name is very small, and that the disabilities are almost *nil* as compared with the corresponding classes elsewhere.”

My friends in Bengal complain that there is over-representation of the European community there, who are 25,000 in number and have got one-tenth of the total seats.

Now, Sir, these are the grievances of my friends from the Punjab and Bengal. So far as the Members of this House who sit behind me are concerned, their grievance is of a more general character. The Government have declared that, because the Round Table Conference was not in a position to settle the communal question, it became necessary for the British Cabinet to step into the breach and they have done the best they could under the circumstances, and if their Award is not acceptable to the people of India, it is open to the people of India to once more put their heads together and come to a settlement. That is the pronouncement which the Prime Minister has made, and the reply of my friends behind me is that, while it is true that the people of India were not in a position to settle their differences, that is no reason why you should make a settlement which is unworkable. And, what is more than unworkable, it is inequitable to the Hindus and Sikhs who represent between themselves the majority of the population of India. The objection that is raised from these benches to the Communal Award is that after the weightage that has been given to the minority communities and the proportion of seats allotted to them, it is not now possible to bring about a specific solution of the question which might otherwise have been possible had the Award been more just and equitable to all the communities concerned. That, Sir, is, in short, the

gravamen of the complaint of those for whom I speak from these benches. It is perfectly true that the people of India have not been able to solve for themselves this intricate communal problem, and what they have not been able to do during these long years, neither I nor any of my friends within the space of a short speech can succeed in doing. All that we can now present to this House is, as it were, the cut flowers of our examination of this question and to inform this House that, whatever may be the defects of the Communal Award, its principal defect lies in this, that it is uneven and unworkable, and instead of bringing the communities together in the near future, as we all wish that they should be, it will take them wider and further afield and will defer that millenium of the national consolidation which His Excellency the Viceroy so feelingly gave expression to only this morning. (Cheers from the Nationalist Benches.)

The Honourable Sir C. P. Ramaswami Aiyar (Leader of the House) : Mr. President, if I intervene early in this debate, I intervene not merely or solely as a Member, a temporary Member of the Government of India. I intervene because I have been associated in one way or another with this problem from the date of the Lucknow Pact of which I was one of the participants. I was one of the committee appointed for the purpose of entering upon the Lucknow Pact, and from that date to this in my non-official capacity I have had something to do with this problem in one or other of its many ramifications.

My Honourable friend the Mover of the Motion used certain caustic phrases with regard to the totally unrepresentative character of the Round Table Conference. In so far as he spoke of the non-representation of this Legislature as such by men elected by the Legislature in its corporate capacity I do not wish to offer any observations. But surely, the Honourable Member forgot that there were some members who belonged to this Assembly and the other House and who may even be said to be prominent Members of the Assembly and the Council of State who were also members of the Round Table Conference. In saying this let me not be understood for a moment to refer to the humble individual who is now addressing this House, and who incidentally happened to be an elected member of the Legislature at the time when he went to the Round Table Conference. But these matters apart, let it be remembered, Mr. President, that it is not the Round Table Conference alone, as the Honourable Leader of the Opposition stated, that failed to solve this problem. All-Parties' Conferences have been held at which many persons who are in this House and many important personalities outside the House joined and collaborated. They were not able to solve the problem. Moreover, it is not alone in St. James' Palace that discussions took place. The members of the Round Table Conference conjointly with prominent men outside that Conference endeavoured to settle the matter. It is an open secret moreover that His Majesty's Prime Minister endeavoured to gather together prominent representatives of the various communities for the purpose of entering upon conversations which might lead to fruitful results. The Chequers conversations are now matters of history. This was in 1930. And I can corroborate the statement of one Honourable Member who stated that it was the dispute as to one seat or two that led to the breaking of the agreement which was well nigh signed. I think I can now disclose what ought to be fairly well known, that in all essentials a compact was agreed to between the most prominent representatives of

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the important communities and a draft was also prepared, and the arrangement fell through because not the spirit of give and take, but the spirit of take more than give sometimes animated a few who were present. The result was that on account of a comparatively trifling controversy the agreement fell through. That was the experience of 1930.

Then came 1931 and its varied experiences,—experiences which exacerbated the depressed classes, which drove apart the minorities and the majorities more than they had been driven apart in 1930, and it was therefore not an extraordinary thing that the Consultative Committee said, face of face with the impasse that occurred when one community or members of one community did not wish to discuss any matter unless this topic was put out of the way—it is not a wonder that the Consultative Committee appealed to the Prime Minister to give a decision. At this time, so far as I remember, almost all Indian journals and newspapers, although they regretted, although they poignantly regretted, the necessity to resort to arbitration or mediation of that character, admitted sorrowfully, but nevertheless firmly that there was no other course. That being so, the Prime Minister has pronounced his Award. There may be matters in connection with it which this community or that community may find not entirely to its liking. It may be stated to be inequitable to this community or over-generous to that community, but it is some settlement of a question which was not otherwise settled. The main point was separate electorates and here no alternative course was possible in view of the attitude of the groups and communities concerned.

And now what remains next? It is not necessary for me to follow the line already pursued by previous speakers. It is not necessary for me to emphasise and re-emphasise the points made in that magnificent speech by His Excellency the Governor General to which we listened with profit and pleasure this morning. But all I wish to say is this, that surely, as His Excellency the Governor General stated, in the actual working of the various Legislative Councils, economic, social and other problems will divide us and not communal problems. And I can speak from my own experience in another province—Madras. The question, called the Non-Brahmin question, at one time assumed a very grave complexion, and at one time the Non-Brahmins were afraid that they would get very inadequate representation. The privilege that was actually given to them, the reservation of seats for a community which really numbered more than 90 per cent. of the total population, was strongly animadverted upon by the minority communities. This scheme has been worked, the constitution has gone on, and to-day, both the communities are working together in comparative amity, intent not so much on the communal aspect of a settlement which at one time threatened to produce very grave cleavages, but intent upon settling economic and really political questions without any intrusion of the communal aspects, except perhaps where the services are concerned. That is a matter which must not be forgotten in these discussions. It must not also be forgotten what indeed has been emphasised and reiterated more than once even in the course of this debate, that if the communities can really come together even now, it is open to them to devise another solution, which according to the Prime Minister would be readily accepted as an alternative.

But I would rather dwell upon another aspect of the matter. Until now all of us have been saying that the object, the motive, the idea of the Indian people is to get responsible self-government, to get some real power in their hands. That opportunity is now before us. If we bicker over this Communal Award and waste our time and energies upon what I may venture to call side issues, we shall not unite, we shall be unable to join forces in the great work which is before us and which is so near us. Union on the fundamental things that matter, union on the form of the constitution, on the methods by which constitutional freedom may be attained,—and as to the necessity and extent of the safeguards contemplated—those are the things that matter now. Shall we not forget the bitterness and bickerings of the past? Shall we not be united upon the task that lies ahead, feeling assured that, as power becomes vested in us and as exercise of power begets comradeship, amity, collaboration and fellow-feeling, these differences which now loom so large would inevitably become intangible, might be forgotten, shall we not work in such a manner that a time may soon come when we shall not be discussing the Communal Award because we shall have much bigger, more crucial and vital issues to debate upon and to resolve? (Applause.)

Mr. A. H. Ghuznavi : After His Excellency's striking speech which we listened to this morning, after the appeal which he had made to all the communities to forget the communal differences and work together harmoniously for the advancement of India, I thought my Honourable friend, the Mover of this motion, would withdraw it, but since he has moved that motion, a most unpleasant duty has fallen on me to give him a complete answer. What is the Sikh grievance, I should like to know. A minority community cannot expect to become a majority. One can understand a majority community complaining that they have been reduced to a minority. Sir, this House must be aware of the circumstances that happened in the Round Table Conference in the year 1930. The Prime Minister of His Majesty's Government was very anxious indeed and he did his very best to bring about a settlement. At the Chequers, when he summoned a small committee, he laid down this principle that he would never advise nor agree to any majority community in any province being reduced either to a minority or an equality. We stand on that principle which he laid down and that is the principle which all democratic administrations must follow, that a majority community cannot be reduced to a minority. If that principle is followed, what have we gained and what are the grievances of the Sikhs. (Interruption.) I do not give way. Our small majority in Bengal and in the Punjab has not been recognised and there you have reduced the majority to a minority. You have not followed that principle.

Mr. D. K. Lahiri Chaudhury (Bengal : Land-holders) : A minority will always be a minority?

Mr. A. H. Ghuznavi : They must have weightage but we are now dealing with the Sikhs. I may recall to the House the eventful night of the 15th January, 1931, when the Prime Minister had almost solved the most difficult and delicate communal question; and but for the Sikhs, India would have advanced to-day far more speedily and harmoniously than she has been doing. What was it that did not allow India to progress? The obstinacy of the Sikhs. For the sake of one seat, they

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put an end to this communal settlement. When at the last moment the Prime Minister found that they would not give way, he was prepared to give them a seat, not from the Muslim quota, because he laid down the principle that a majority community cannot be reduced to a minority, but from the Depressed Class.

Sardar Sant Singh : Why have the caste Hindus in Bombay been reduced to a minority ?

Mr. A. H. Ghuznavi : Alas, the Sikh representatives would not accept a seat from the Depressed Class. They wanted their pound of flesh. They insisted on having a seat from the Muslim quota and from nowhere else. It was this that had put a stop to the advancement of India. What is their grievance ? They have got all that they wanted. They must have their pound of flesh from the Muslim quota and will not accept the seat from any other. I would refer now to the Bengal question and to what my Honourable friend Sir Hari Singh Gour has just said. It has been a very bad distribution. I would just give the whole case of Bengal. This communal decision gives us in Bengal 48.4, whereas according to the principle which was laid down we are entitled to a statutory majority of 51 per cent. How is this made up ? The pact which represents 46 per cent. of the population of India laid down that all communities at present enjoying representation in any legislature through nomination or election shall have representation in all legislatures through separate electorates and a minority community shall have nothing less than the proportion set forth in the annexure but no majority community shall be reduced to a minority or even to an equality. According to the pact, in a House of 200, we gave Europeans 10 per cent. According to this decision, in Bengal the Europeans have got all that they wanted. The Anglo-Indians have got all that they wanted. The Christians have got all that they wanted. The pact was honoured only so far as these three communities were concerned. It was not honoured when the question of Muslims was concerned, nor also in the case of the Depressed Classes. Now, let us take the case of Bengal once again. According to the population ratio, 55 per cent. should go to Mussalmans and 43 per cent. to the Hindus. Now out of the 250 seats, you eliminate 25 seats.

Mr. S. C. Mitra (Chittagong and Rajshahi Divisions : Non-Muhammadan Rural) : Why ?

Mr. A. H. Ghuznavi : These have been given to the Europeans.

Mr. S. C. Mitra : Why did you agree to that ?

Mr. A. H. Ghuznavi : I did not say that I had agreed.

Mr. S. C. Mitra : Why did you not complain ?

Mr. A. H. Ghuznavi : I wanted the pact to be honoured in all respects.

Mr. K. C. Neogy (Dacca Division : Non-Muhammadan Rural) : Mr. monkey dividing the cheese ?

Mr. A. H. Ghuznavi : You will see the position.

Mr. President (The Honourable Sir Ibrahim Rahimtoola) : The Honourable Member's time is getting on.

Mr. A. H. Ghuznavi : Sir, out of 250 seats, you eliminate 25. There remain 225 seats. Those 225 seats are made up of as follows : 121 go to the Mussalmans, 98 to the Hindus, and 6 to others.

Mr. K. C. Neogy : How do you make up 98 for Hindus ?

Mr. B. R. Puri (West Punjab : Non-Muhammadan) : Better give the calculation to somebody else.

Mr. A. H. Ghuznavi : If the Honourable the President will give me a few minutes more, I shall give the complete picture.

Mr. President (The Honourable Sir Ibrahim Rahimtoola) : The Honourable Member will have to complete his speech strictly within 15 minutes.

Mr. A. H. Ghuznavi : Sir, according to the communal decision—I hope my Honourable friend, Mr. Neogy, will agree with me now—they have given us 119 seats from the communal electorate and two seats from the special electorates, and they have given the Hindus 80 from the general electorate and 18 from the specials. So they are getting 98 seats.—more than according to the population basis.

Mr. K. C. Neogy : But what about the Dacca University ?

Mr. A. H. Ghuznavi : My grievance is this, that these 25 seats which they have given to the Europeans come from out of the Hindu and the Moslem quota. Now according to the population, we should contribute 14 seats, and the Hindus should contribute 11 seats, but what has been actually done ? They have asked us to contribute 16, and they get the Hindus to contribute 9. That is the point I want to make out in reference to what Sir Hari Singh Gour said,—that we should get two more seats from the Hindus and these should be added to us.

Mr. K. C. Neogy : What about the Anglo-Indians, what about the Christians ?

Mr. President (The Honourable Sir Ibrahim Rahimtoola) : Order, order.

Mr. A. H. Ghuznavi : Sir, this is the position in Bengal, that the majority community has been reduced to a minority. Now as for the Sikhs, they have got all that they want and are entitled to according to the basis of population, and, moreover, they have got ample weightage in addition, but still they say that they will declare civil war if the Award is not reversed.

Sir Abdulla-al-Mamun Suhrawardy (Burdwan and Presidency Divisions : Muhammadan Rural) : They are a war-like race !

Mr. A. H. Ghuznavi : civil war against whom ?

Sardar Sant Singh : Against the Government that will be in power,—against the Government that will bestow on you these numbers.

Mr. A. H. Ghuznavi : Sir, what could be the domination of Mussalmans who are in a majority of one per cent. ? You call that domination, domination by the Mussalmans that you cannot tolerate !! What about the six other provinces ? Why, the Mussalmans do not say a word about the position there ? Are not the Mussalmans in a

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microscopic minority there, and don't the Hindus dominate there? (Hear, hear.) Taking my friend, Sir Hari Singh Gour's point,

Mr. President (The Honourable Sir Ibrahim Rahimtoola) : Order, order. The Honourable Member's time is up.

Sir Cowasji Jehangir (Bombay City : Non-Muhammadan Urban) : Sir, it so happens that I am the first speaker that is neither a Sikh, nor a Mussalman nor a Hindu. (*An Honourable Member* : "You are in a happy position.")

Sir Muhammad Yakub (Rohilkund and Kumaon Divisions : Muhammadan Rural) : Therefore, you are more dangerous.

Sir Cowasji Jehangir : And I am in the unhappy position of not having any complaints to make. But the speech made by Sir Hari Singh Gour raises issues of the greatest importance. He really contests the principle of separate electorates. Now, who is there in India, Hindu or Muhammadan, who thinks democratically, and yet who will agree to such a vicious principle as separate electorates for a democratic country (Hear, hear) and who has not protested against this principle for years and years? Sir, it was amusing to find the effect it had on statesmen in England when they heard what really separate electorates meant; and I am giving away no secrets when I tell this Honourable House that there were no greater opponents of the principle of separate electorates than the British statesmen in England when they first realized what separate electorates really were, and on what that principle was based and how it was sought to be operated. But, Sir, that principle was confirmed in our constitution by way of a compromise under the Lucknow Pact.

Mr. Amar Nath Dutt (Burdwan Division : Non-Muhammadan Rural) : No, as part of the Minto-Morley reforms.

Sir Cowasji Jehangir : So, if we are to-day to complain that this Award contains this vicious principle, should we not turn the search-lights on ourselves rather than condemn others for it? (Hear hear.) I ask my Hindu friends, if Government had acted according to their own desires and had insisted on joint electorates, what would be the position in India to-day? I venture to say that the overwhelming majority of the Mussalmans, numbering 70 millions in this country, would have repudiated that Award and refused to co-operate in any further advance for our common motherland. What is much more, at the Round Table Conference, the greatest representative of what is called the greatest political institution in this country, Mr. Gandhi, agreed to separate electorates for Mussalmans and Sikhs. And if, after that agreement,—after the expressions of opinion from the most representative Muhammadans,—the Government had insisted on having joint electorates with reserved seats, I do not know what sort of criticisms we would have heard in this Honourable House to-day! Therefore, to base your objections to this Award on the score that it contains this vicious principle of separate electorates is to condemn yourself whole-heartedly, to condemn the mutual agreement you came to 15 years ago, and to condemn the great leader whom many of my Honourable friends follow, who himself agreed to this vicious principle.

(Hear, hear.) If you hold that the constitution has to be accepted by a vast over-whelming majority of the largest minority community, then I must respectfully contend, that you have knocked the bottom out of any strong condemnation of the Award that has been made.

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Now, Sir, if we forget this question of the separate electorate and accept it as inevitable, what is there left to complain about. Sir, we are told that this principle has been carried too far. If you once allow it to the Muhammadans, can you refuse it to my friends the Europeans? Can you then refuse it to the Anglo-Indians? I admit that with Indian Christians there is a considerable amount of difference of opinion. In the south, I understand, they demand it; further north, they are prepared to come into the joint electorates. It is an open question. Still, let the Indian Christians decide for themselves whether they want reserved seats in joint electorates or a separate electorate, and the question can be solved. (*Mr. B. Das* : "What about the women?") Now, Sir, the point has been raised that women ought to have been put in a joint electorate. I, for one, who has most reluctantly accepted the principle of separate electorates, cannot conceive of an objection brought forward against women also being put into separate electorates. Do my Honourable friends mean to contend that my Muhammadan friends are to go into one electorate and their wives and their daughters are to go into another electorate? (Laughter.)

Mr. K. C. Neogy : Mrs. Shah Nawaz is prepared to do that.

Mian Muhammad Shah Nawaz : Nothing of the kind. You have misunderstood Begum Shah Nawaz.

Mr. President (The Honourable Sir Ibrahim Rahimtoola) : I would ask Honourable Members to allow the speaker in possession of the House to complete his observations uninterrupted as far as possible.

Sir Cowasji Jehangir : Can you possibly mean to say that the Muhammadan community should be divided, men, women and children, into separate electorates? Having admitted the principle of separate electorates, how can you logically contend that the wives should be put into joint electorates and the husbands into separate electorates? If you do agree to that the Muhammadans will justifiably claim that their quota shall not include women. If you give them 49 per cent. in the Punjab, they will say that because their women are put into joint electorates, they should have extra seats reserved for them. Where are those seats to be found? This objection to women is as illogical as, I readily admit, it is wrong in principle to accept separate electorates.

Now, Sir, the main point is about the Depressed classes, and I am prepared to admit that the Award may have been a little different to what it is. I am not going into the history of the question as to how it came about that separate electorates were suggested for the Depressed classes. It is a painful and long history, of which my Honourable friend the Leader of the House is well aware and also how it came about that Government had to consider such a question. But there is a difference of opinion in the community itself and it was only the force of circumstances that made their representative Dr. Ambedkar claim separate electorates. He did not claim it at the first Conference; he only claimed it at the second Conference and I am prepared to admit that the force of circumstances made him do it. I am also prepared to admit to-day that it would be a mistake to give

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the Depressed classes separate electorates. It will, Mr. President, grow into a question not of constitution but of national sentiment. You are splitting the Hindu community into separate and joint electorates. You are introducing a new principle of giving a section of a community separate electorates, and since there is such a difference of opinion in the community itself, I think that that error might well be remedied by the Depressed classes coming to terms and insisting that they shall come into joint electorates.

Sir, there is one more thing I would like to criticise merely just in passing, namely, that this Award might have included a germ of joint electorates. There are a number of Muhammadans who desire joint electorates with reservations of seats. That fact cannot be denied. There might have been a provision to allow such Muhammadans to come into the joint electorate if they so desired. It was a suggestion that was put forward and was considered and I regret it is not included in the Award.

Now, Sir, I have nothing further to say. If this Award has dissatisfied some, the fault is our own and the remedy lies in our own hands, and if we cannot remedy this fault, then there is nothing left to us but to accept it. And I would like to repeat the sentiments placed before this Honourable House in such eloquent terms by the Leader of the House that it is unity and unity alone that will help the advance of this country towards self-government. If there is anything that has retarded self-government and if to-day we find ourselves in the position in which we are in this Honourable House,—an Opposition merely in name,—it is due to want of unity amongst the communities in India. If there had been unity 10 years ago, I venture to say that this Honourable Opposition would have been in a much more powerful position than it is to-day. And I venture to say that if there had been this unity 10 or 12 years ago, the Opposition would, by right, have been seated on the opposite benches. And if this disunity continues, I venture to tell my Honourable friends that it will be years and years before they will have the right to claim to sit on the benches opposite. They have to take their choice. The acid test is : are you really anxious, are you really determined to take the place of my Honourable friends opposite ? If you are, then we should hear no more of communal trouble. If you think that the communal question is of greater importance than the great question of going to the opposite side, then continue your communal squabbles and give up all hope of taking into your hands the reins of office.

Mr. N. M. Joshi (Nominated Non-Official) : Sir, it is very difficult to speak on this delicate question. It easily rouses passion and extreme heat even in this cool atmosphere of Simla. But, I feel that it is my duty that I should place before this House my views on this most vexed question. There is hardly any one here who will say that the decision of His Majesty's Government is a perfect one. So far as I am concerned, I feel that the decision violates many sound constitutional principles. It is against sound principle that there should be constituencies based upon religion or race. It is against sound principle that weightage should be given to one community at the cost of another. Not only is the decision wrong in principle, but the decision is unequal in its application. Sometimes weightage is given to one community, sometimes it is denied to another community I see that in some provinces general constituencies

are made of a majority community, while in some other provinces general constituencies are made of a very small minority. But although I feel that this decision is wrong in principle and unfair and unequal in its application it is a decision which it would be wisdom on our part to accept at this moment, without any wrangling. I am not one of those people who feel that it was a great sin or a great fault that we could not come to a settlement amongst ourselves. If we could have settled the question among ourselves, it would have been much better, but certainly many people in the world would have been wrangling as we did when they were faced with the issues with which we were faced. Moreover I am not one of those people who will absolve the Government from at least some share of blame for bringing this question into existence. I therefore feel that His Majesty's Government only did their duty in giving a decision on this question. I feel that it will be prudent for us now to accept the decision. It is wrong for us to continue this quarrel and wrangling amongst ourselves. My Honourable friend Sir Cowasji Jehangir has stated that if we are going to get self-government, we can get it only by unity amongst ourselves.

Bhai Parma Nand (Ambala Division : Non-Muhammadan) : Who is responsible for this lack of unity ? Who is in the wrong ?

Mr. N. M. Joshi : Sir, my master and your friend, the late Mr. Gokhale, used to tell us in private conversation, which I do not mind repeating here in public, that in India we have a political triangle. We have the foreign Government, we have the Hindu community and we have also the Muslim community. Mr. Gokhale being a mathematician used to say that as in geometry, so in politics, any two sides of a triangle are greater than the third. I wish that Members assembled here do recognise this profound truth. We want self-government and we shall get it if the Hindus and Muhammadans combine. We shall get it only if there is unity between the two communities. I feel, therefore, that whatever may be the merits or demerits of this decision, it should be accepted by all people with good grace.

Before I conclude, I wish to make a few remarks in order to show that although this decision may have defects, it is possible for us, if we take precautions, to remedy some of the evils which may come out of this decision. The fight between Hindus and Muslims is a fight which I have seen only among the educated classes. I have been connected with a movement which belongs to the masses and workers of this country. I have not seen them fighting amongst themselves. I have seen our political movements suffer on account of quarrels between Hindu and Muhammadan educated classes. I have not seen a single strike which was broken on account of a fight between Hindu and Muslim workers. The evils of this decision can therefore be mitigated if we take steps to send to the legislatures a strong body of representatives of Hindu and Muslim workers and not those of the middle classes. I therefore feel that if we believe there are evils in this decision, we should insist that the future constituencies in this country should be based on adult suffrage so that we shall at least have taken some steps by which the future legislatures of this country will adequately represent the masses and workers and not only the middle classes.

Sir Cowasji Jehangir : Do you mean only the masses and workers ?

Mr. N. M. Joshi : If we do this whatever may be the evils of this communal decision, I have no doubt they will be mitigated to a great extent. I therefore hope that this House will accept the decision as it is with all its defects and will not fail to take steps to see that the evils of this decision are mitigated by the adoption of adult suffrage.

Rao Bahadur M. C. Rajah (Nominated Non-Official) : Sir, I am extremely thankful to my Honourable friend Sir Cowasji Jehangir for giving the House certain information as to what the representatives of the Depressed classes demanded in the first Round Table Conference. He said that my friend Dr. Ambedkar demanded only joint electorates at the first Round Table Conference.

Sir Cowasji Jehangir : With reservation of seats.

Rao Bahadur M. C. Rajah : Yes, with reservation of seats and that certain force of circumstances made him demand separate electorates at the second Round Table Conference. I do not know what those circumstances were.

Sir Cowasji Jehangir : I thought the Honourable Member was aware of those circumstances.

Rao Bahadur M. C. Rajah : Whatever they may be, Mr. President, let me to-day voice the sentiments of all sections of the Depressed classes in expressing our deep disappointment and dissatisfaction at the British Cabinet's solution of the communal problem in India. I say the sentiments of all sections, because unfortunately before the so-called Communal Award was given, there were two voices heard on behalf of the Depressed classes. One was in favour of separate electorates and the other was for joint electorates with reservation of seats. Thanks to the decision of the Cabinet, the two sections are now united in expressing disapprobation of the proposed arrangement. Both of them had proceeded on the assumption that their interests would be adequately protected by their getting representation at least in proportion to their numbers, if not in greater proportion considering their social status. Taking this for granted, they concentrated their attention on the question of separate or joint electorates. The communalists, especially, at the Round Table Conference, were able to persuade the two delegates of the Depressed classes in the Conference to join them and prepared a pact, called the "Minorities Pact", to which they were able to secure the signature and support of the Depressed classes delegate. It looked at that time that the union with the other minorities would greatly strengthen the Depressed classes. But when the allocation of seats to the several communities proposed in the pact was studied closely, it was found that in most provinces the Depressed classes were getting less than they should get on the population basis, whereas the other minorities like the Muslims and Europeans made themselves sure of getting as much and even more. This gave room for serious thought among the Depressed classes and other leaders outside the Conference. They began to suspect and the suspicion soon came to be a conviction that they were being let down by the Depressed classes delegates at the Conference and their interests unwisely sacrificed. For, how could the other minorities get what they wanted, some of them out of proportion to their numerical strength, except by cutting down the representation of the poorest of the poor minorities, since there was a limit to the paring down of the repre-

sentation of majority communities? This is what often happens when the weak make common cause with the strong against those whom they consider to be stronger than them all. It is the old story of the fox asking the goat to get down the well and after getting on the back of the goat and getting out of the well, leaving the foolish goat in the lurch. If you think the parable is not just to the other members of the pact, let these communities, the Muslims and the Europeans, come forward now to denounce the Communal Award for the injustice done to the Depressed classes and agree to forego some of the seats assigned to them in order to secure adequate representation to the Depressed classes. I hope they will do this. They are in honour bound to do so, and a representation proceeding from them on behalf of the Depressed classes will go a long way to get the Award changed so far as the Depressed classes are concerned. A pact means that all the parties to it bind themselves to sink or swim together and not leave one behind while themselves rushing ahead. Mr. President, this disparity in the representation proposed in the Round Table Conference minority pact opened the eyes of my community to the futility of separate electorates and made them consider whether they would not do better to throw in their lot with the majority community in joint electorates, only making sure that sufficient representation was secured to them through reservations to give them an effective voice in the Councils of the land. It was felt that being an integral part of a general electorate with safeguards in the shape of the reservation of at least a proportionate number of seats was better than being a separate community with a separate electorate with less number of seats. It was at this time, Mr. President, that the Prime Minister on the 1st December, 1931, declared in England that whatever else of the present constitution making was to materialise or not, autonomy in the provinces was as good as a settled fact. This meant that the protecting arm of the bureaucracy was to be withdrawn and that the Depressed classes should stand on their own legs and make themselves felt in the body politic by influencing and being influenced by the other communities constituting the majority. For this purpose they should be an organic part of the joint electorate with sufficient seats reserved for them. They should get the candidates of their communities approved and supported by other communities and the other communities should get their candidates approved and supported by our community. This reciprocal arrangement we thought was more conducive not only to nationalism but also to the levelling of the various communities and the social, economic and intellectual uplift of our community. It is by engaging in a common task with others that we can break down prejudices however deeply rooted they may be and not remain untouchables in a separate electoral roll. As a minority community with a separate electorate our influence will be circumscribed, whereas, as a strong section of a general electorate our influence will be unlimited. Sir, we are glad that the British Government has realised this and put us in a joint electorate, but under what conditions? We could vote for members of other communities but other communities could not be compelled to vote for our candidates. This has been our grievance and the Cabinet chooses to have this grievance unredressed and satisfies us with giving us a double vote—a complimentary vote and a vote which gives us a candidate from our community who is not likely to command the support of other communities in the Council. Sir, this Communal Award is going to make us politically amphibious.

[Rao Bahadur M. C. Rajah.]

strong neither on land nor in water, numerically weak in a separate electorate and politically ineffective in a joint electorate. This Award satisfies neither the clamourers for separate electorates nor the advocates of joint electorates. It sets the seal upon the betrayal of the community by the members of the Round Table Conference minority pact. Sir, look at the number of seats given to the Depressed classes of the Punjab. It is nil. In spite of the recommendations of the Indian Central Committee on which there were two distinguished sons of the Punjab, my Honourable friend Sir Zulfiqar Ali Khan and Sardar Sivhdev Singh Uberoi, in spite of the recommendation of the Simon Commission and in spite of the recommendations of the Lothian Committee, His Majesty's Government thought it fit to ignore the Depressed classes of the Punjab. No greater injustice could be done to the poor Depressed classes of the Punjab than this. Sir, what we want therefore is primarily an increased representation, at least proportionate to our numbers in each province. About this the whole community is unanimous. For numbers count in Councils as well as elsewhere. How does it profit our community if you shut them up in a separate electorate and cut down their numbers or if you allow them to vote in a joint electorate in which you do not guarantee the election of a sufficient number? Number, number, number is the essence of an election and number through a general national electorate will be more effective politically, socially and economically than through a purely communal electorate.

Several Honourable Members : The question may now be put.

Mr. President (The Honourable Sir Ibrahim Rahimtoola) : The question is :

“ That the question be now put.”

(A division was claimed and Members in favour of the closure were asked to rise in their seats.)

Sir Hari Singh Gour : Sir, I suggest that we should divide and go into the lobbies, because many of the Honourable Members would like to have it on record.

Mr. President (The Honourable Sir Ibrahim Rahimtoola) : As the time at our disposal is limited, I propose to adopt a different procedure on the present occasion in regard to the division which has been claimed. I will ask those who are in favour of accepting the closure to rise in their seats and I will call out their names which will be taken down by the official reporter.

(The following Members rose in their seats to support the closure : Sir Hari Singh Gour, Mr. C. S. Ranga Iyer, Mr. T. R. Phookun, Mr. B. R. Puri, Mr. Gaya Prasad Singh, Sardar Sant Singh, Mr. K. P. Thampan, Raja Bahadur G. Krishnamachariar, Mr. Amar Nath Dutt, Mr. B. Das, Mr. K. C. Neogy, Kumar Gupteshwar Prasad Singh, Mr. Lalchand Navalrai, Sirdar Harbans Singh Brar, Lala Hari Raj Swarup, Mr. B. Rajaram Pandian, Mr. P. G. Reddi, Lala Rameshwar Prasad Bagla, Mr. S. C. Sen, Bhai Parma Nand, and Mr. D. K. Lahiri Chaudhury.)

Mr. President (The Honourable Sir Ibrahim Rahimtoola) : Those who are against the closure will now rise in their seats.

(A large number of Members stood up.)

Mr. President (The Honourable Sir Ibrahim Rahimtoola) : It is not necessary to take down the names of those who are against it.

The motion was negatived.

Mr. C. S. Ranga Iyer (Rohilkund and Kumaon Divisions : Non-Muhammadian Rural) : Sir, on a point of order. I should like to know the procedure in regard to calling of the speakers because more supporters of the Award have spoken so far than opposers.

Mr. President (The Honourable Sir Ibrahim Rahimtoola) : That is not a point of order.

Sir Abdur Rahim (Calcutta and Suburbs : Muhammadian Urban) : Mr. President, the Honourable the Mover of this motion seemed to complain mostly that by this Award the Muhammadian community has gained a very unfair advantage ; and that is really also the gist of the complaint of other Honourable Members who have attacked this Award. Now, I would like.....

Mr. C. S. Ranga Iyer : On a point of order. I should like to know, because there were several people who were neutral, who exactly were the supporters of the Communal Award.

Mr. President (The Honourable Sir Ibrahim Rahimtoola) : The Chair has given its ruling and has taken down what it thinks is a fair record. Nothing more will be allowed on the point.

(Mr. C. S. Ranga Iyer again rose in his seat.)

Mr. President (The Honourable Sir Ibrahim Rahimtoola) : Will the Honourable Member please take his seat ? I have given my ruling.

Mr. K. C. Neogy : On another point of order : I was given to understand that it was the Chair's desire that not more than one speaker should be nominated from each party to participate in this debate ; it was on that understanding that I did not rise.

Mr. President (The Honourable Sir Ibrahim Rahimtoola) : The Chair tried in co-operation with party leaders to decide how the speakers should be called, but Honourable Members must bear in mind that absolute discretion vests in the chair in deciding who should address the House.

Mr. C. S. Ranga Iyer : But the Chair arranged the speakers beforehand. ("Hear, hear" from the Nationalist Benches.)

Mr. President (The Honourable Sir Ibrahim Rahimtoola) : That was for facilitating discussion. On the floor of this House the Chair has absolute discretion to call speakers as would in its opinion lead to a fair debate.

Sir Abdur Rahim : I should like the House to consider the Award as a whole and its effect upon the communal position in the entire country. If my friends on the right regard the Award as a communal picture of the entire country, then I am sure they will be convinced that no injustice has been done either to the Hindu or to the Sikh community, nor has any favour been shown to the Muhammadian community. What is this Award ? The Award lays down that so far as the provinces are concerned, representation by communities will be in certain proportions. I shall begin with Madras. In that Presidency the Hindu community will have a very large majority, such a majority that they can carry on the Government solely by themselves and, if they like,

[Sir Abdur Rahim.]

entirely in a communal spirit. I do not suggest for one moment that the Hindus of Madras will act in that way. Take the case of Bombay. In that Presidency also, the Hindus will have a working majority if they want to form a communal Government.

Sardar Sant Singh : In Bombay, the caste Hindus have been reduced to a minority.

Sir Abdur Rahim : I am not talking of the caste Hindus. I am taking the Hindus as a whole. Then take the United Provinces. The Hindus will have such a large preponderance that if they want to exclude members of any other community from the Government they can easily do so. The same in Bihar. The same in the Central Provinces ; and in Assam also the Hindus will have a very fair majority. Then remain the Punjab and Bengal. As I understand it, the contention is that the Award is especially disadvantageous to the non-Muslim communities in these provinces, a very strong proposition indeed—a proposition which cannot be justified for one moment. What is said is this : in Bengal which is my province, the Hindus are in a minority according to the Award, and that the Muhammadans, if they combined with the Europeans, could carry on the Government disregarding the Hindu element altogether. Now, I ask every Honourable Member of this House who has had experience of legislatures and how legislatures are worked, is it possible for the Muhammadans in Bengal who have been given 119 seats out of 250 to carry on the Government with the help of 29 representatives of the European and Anglo-Indian communities—25 Europeans and 4 Anglo-Indians ? The question is this : is it not inevitable that there will be political divisions among the representatives of every community ? The Muhammadans in Bengal, as we know from past history, have been so divided and they will remain divided ; and so will be, I suppose, the Hindus, simply because there will arise many questions of an economic character and the like which will divide the legislature into political parties. If that be so, is it possible for the Muhammadans of Bengal to carry on any sort of Government without the co-operation of the Hindus of Bengal ? Absolutely impossible. If the Muhammadans can produce capable leaders, then, I take it they will form the Government ; on the other hand, if the Hindus produce more capable leaders, they will form the Government ; but it is absolutely essential, according to this decision of the British Government that the Hindus and Muhammadans of Bengal must join together if they are to carry on any stable Government at all. It may be theoretically possible that 119 Muhammadans and 29 Europeans and Anglo-Indians, if they all combined, can run the Government. But this is not at all likely having regard to what has happened in the past and what is certain to happen in the future.

The same as regards the Punjab. In the Punjab the European representation is negligible. The Muhammadans there, supposing they have 52 per cent. of the seats, is it to be thought of for one moment that all the Muhammadans will combine together and will remain so combined and form a Government ? This is absolutely out of the question. They will have to rely on the other elements in the legislature, namely, the Hindus and the Sikhs. Therefore, so far as these two provinces are concerned, the result of the decision of the British Government will be that the Hindus and Muhammadans and Sikhs in this province, and the Hindus and Muhammadans in Bengal must all co-operate together if they

are to carry on the Government at all. Where is the injustice to any community in that ? So far therefore as this decision affects these two provinces, instead of condemning it, I should say that these two provinces stand to profit most from a national point of view.

It is possible to have communal Governments in the other provinces, but certainly this is not possible in the Punjab or Bengal. Is that the outlook which is objected to by my friends on my right, that the Hindus and Muhammadans will be compelled in Bengal and the Punjab to form a national Government. If they are so badly divided among themselves that 29 men out of 250 men will always turn the balance, then I should say that the people of Bengal do not deserve self-government. If however the Hindus and Muslims of Bengal display the right spirit,—and they will have to do it for the sake of the country,—they will carry on the Government by mutual co-operation. There cannot be a solely Hindu Government or a solely Muslim or a Muslim-cum-European Government there. It is impossible. Should not the Hindus and Muslims who call themselves nationalists really co-operate in the future Government of this country ? That, Sir, is the real position in the Punjab and Bengal. What may happen in the other provinces, it is very difficult to foretell. I am not very pessimistic about Madras. From what I know of Madras and its people, they are not very communally minded. I believe, in Bombay also the situation can be saved. But as regards the other provinces, I feel very doubtful, but I do hope and trust that time will work the necessary change, that time will bring about that spirit of genuine nationalism which will throw into background all these communal differences, because, after all, we have a great deal of work to do for the country. The whole country requires to be uplifted ; the millions of our people are now sunk into degraded poverty and illiteracy of the worst kind. Are we to suppose for a moment that we shall have no political leaders who will have a wider vision than the present communal outlook ? I am sure, when they are saddled with responsibility, they will realise at once what a vast amount of work lies before the country and then they will forget all petty differences between Hindus and Muhammadans. (Applause.)

Mr. G. Morgan (Bengal : European) : Sir, like my friend, Sir Cowasji Jehangir, I am neither a Hindu, nor a Muhammadan, nor a Sikh.

An Honourable Member : Nor a Parsi.

Mr. Gaya Prasad Singh (Muzaffarpur cum Champaran : Non-Muhammadan) : But you have got the lion's share.

Mr. G. Morgan : All the communal points in connection with this Award and its ramifications and its details with regard to conferences and the Round Table Conferences have been ably put forward by previous speakers in the House this afternoon. I am only going to stick to the main points which were put before us by His Excellency the Viceroy this morning, and I will repeat those three points which His Excellency made :

(1) Accept the Award ;

(2) Come to an agreement amongst yourselves,

Mr. M. Maswood Ahmad (Patna and Chota Nagpur cum Orissa : Muhammadan) : Leaving foreigners and Europeans aside, Indians can come to an unanimous agreement.

Mr. G. Morgan : . . . (3) or stop all constitutional advance.

Now, the last, I take it, is unthinkable considering how far we have gone ; so it comes to accepting (1) or (2). We have got the option to accept the Award, or if you do not like the Award that has been given, then agree amongst yourselves if you want another. Now, Sir, the real point is that the communal question has been the greatest obstacle in getting on with the question of constitutional advance. Many of my Honourable friends have pointed out how the stoppage occurred at the Round Table Conference, and I need not go into that—the stoppage did occur—and His Majesty's Government took upon themselves the thankless task of saying that if no agreement could be come to in India or in the Consultative Committee or amongst the communities themselves, they would issue an Award in order that the constitutional advance should not be stopped. That was the main point. If we were to go on in the way we have been going, then there would be no constitutional advance at all. Sir, the question is, does this Award form a reasonable basis for the development of self-government in India ? I say, it does, and I am sure all my friends in this Honourable House think so too. But I would put one question : Is there any leader of any party in this House who would get up and say that he does not want any advance of self-government on the lines of this Communal Award ? . . .

Sardar Sant Singh : The Sikhs do not want it according to this Communal Award so far as the Punjab is concerned.

Mr. G. Morgan : Sir, I would like to make one point . . .

Sardar Sant Singh : As I said, we do not want it in the Punjab under the Award that has been given . . .

Several Muslim Honourable Members : You are not the leader of any party.

Mr. President (The Honourable Sir Ibrahim Rahimtoola) : Order, order.

Mr. G. Morgan : I would just like to make one more point in connection with what fell from my Honourable friend, Sir Hari Singh Gour, with regard to Bengal. The European community in Bengal have at the present moment 11.3 per cent. out of a House of 142. The new House is going to consist of 250 Members, and we are going to get 10 per cent. Is that unfair ?

Mr. S. C. Mitra : Very fair indeed !

Mr. B. Das : What is the population ?

An Honourable Member from the Nationalist Group : Never mind. (Laughter.)

Sardar Sant Singh : What is the percentage of weightage ?

Mr. G. Morgan : I want to make one other point, Sir, which is that the European community in Bengal is quite ready to join any conference between the parties, Hindus, Muhammadans and others in Bengal with regard to the apportionment of communal seats if such a conference were called, and if an agreement is come to by means of such a conference, then we will have the Prime Minister's assurance that whatever province, as a part of India, or the whole of India comes to a specific agreement amongst themselves that will be taken into consideration. I therefore

whole-heartedly support the Award given by the Prime Minister and oppose the motion.

Mr. K. C. Neogy : Sir, my Honourable friend, Mr. Morgan, began by saying that he is neither a Hindu nor a Muhammadan nor a Sikh. I will tell him what he is. He is one of the twenty-five thousand Europeans who are to be found in Bengal, forming 1|2000th part of the total population of that province and who get 1|10th of the total number of seats in the legislature of that Province. My Honourable friend says that, their proportion of representation, if anything, will be reduced from their present proportionate strength in the Bengal Legislative Council. I wish my Honourable friend were consistent in his argument on this particular point and had urged that the same proportion of seats as the Hindus have got out of the Indian representation in the present Bengal Legislative Council should be preserved to the Hindus and that the proportion of seats which the Muhammadans have got in the Bengal Legislative Council should also be continued to them. Consistency unfortunately is not a virtue that characterises the European community in this country, for when they claim weightage in Bengal, they claim it on the ground of what they call their peculiar stake in the country. Now, Sir, it is not my intention to rake up any controversies relating to communal problems, but I do not think it will be disputed for a moment that when one goes by that standard, the Hindus in Bengal, although they form a minority, are to be found to have a far greater stake than any other community. I wish my Honourable friend Mr. Morgan would seek the adherence of this principle in regard to the Hindus of Bengal as well. Perhaps a similar argument would hold good in respect of the Sikhs so far as the Punjab is concerned. Now, my Honourable friend says that his community is perfectly ready to join any conference that might be held in Bengal for the purpose of settling this communal tangle. (*An Honourable Member* : "And also for the purpose of giving up seats.") I have every respect for my Honourable friend personally, and if I say here anything in disparagement of the general mentality of his community I do not mean any reflection on him. Well, I happened to be in London when the conferences were held; but I was more or less a spectator so far as this question went. The impression that some of my friends who were in the thick of the fight had was that the representatives of my Honourable friend's community, who were there, were not very helpful in enabling the Indians to arrive at a communal settlement in London. As a matter of fact, it was stated that some of the representatives of my Honourable friend's community really were responsible for making the task more and more difficult for a settlement to be arrived at by the Indians themselves.

Mr. G. Morgan : No, no.

Mr. K. C. Neogy : I will leave my Honourable friend there.

Coming to my Honourable friend, Mr. Ghuznavi, I find that he has quoted the Prime Minister as having endorsed a policy which guarantees communal majorities in the provinces to those communities which happen to be in the majority, and he practically charges the Prime Minister with a breach of faith on this particular point. But, Sir, I had not the privilege at any time of being in the confidence of Prime Ministers, Viceroy or Members of the Executive Council, and naturally I should like to judge people by their public statements. I do not know what the Prime Minister may have said to my Honourable friend in the seclusion of

[Mr. K. C. Neogy.]

Chequers, but this is what I find Mr. Ramsay MacDonald stated as the Prime Minister of England in the course of a debate in the House of Commons on the Round Table Conference, and I quote from the official proceedings. The Prime Minister says :

“ If every constituency is to be earmarked as to community or interest, there will be no room left for the growth of what we consider to be purely political organisations which would comprehend all communities, all creeds, all classes, all conditions of faith. This is one of the problems which has to be faced ; because, if India is going to develop a robust political life, there must be room for National political parties based upon conceptions of India's interest, and not upon conceptions regarding the well-being of any field that is smaller or less comprehensive than the whole of India. Then there is a modified proposal that :.....”

He continues :

“ a proposal is made that there should not be community constituencies with a communal register, but that there should be a common register in the constituencies ; but that with a common register, a certain percentage of representation should be guaranteed to certain communities. It is the first proposal in a somewhat more attractive, democratic form, but still essentially the same.”

This is certainly different from the views Mr. Ghuznavi attributes to the Prime Minister. May I make a respectful present of this statement to my Honourable friend Sir Abdur Rahim who seems to have a great faith that even under the present Communal Award we will have no difficulty in evolving national parties to work the constitution on purely national lines forgetting communal differences that divide us ?

Now, Sir, as I have already stated through my Honourable friend Sir Hari Singh Gour in the statement which he read out, when I was under the impression that I would have no opportunity of participating in this debate—as I have already stated there, we the Bengal nationalist Hindus do not take our stand on the narrow communal issue. What we urge is that there should be given fair play to all, that there should be joint electorates. I for myself would not like the idea of representing only the Hindus, or only the non-Muhammadan constituency, as it is at present called. I do not see any reason why I should not go to the very same people who return my Honourable friend Mr. Ghuznavi. I deem it a slur that I should not have the right to speak on behalf of all the people who live in the geographical area of my constituency as much as Mr. Ghuznavi. That is the point of view that the nationalist Hindus take. I am not concerned with the figures or the arithmetic of my Honourable friend Mr. Ghuznavi. It may be one seat more or one seat less, but may I in passing point out that he is not quite correct in his statement when he says that there will be only 121 Muhammadan seats. With regard to labour, two at least, if not three, are bound to go to the Muhammadans as far as we know

Mr. A. H. Ghuznavi : The two labour seats are included in 121.

Mr. K. C. Neogy : With regard to the two University seats one is bound to go to the Muhammadans.

Mr. A. H. Ghuznavi : No, no.

Mr. K. C. Neogy : I can claim greater authority than my Honourable friend while speaking of the University seats. As a matter of fact, I had at one time an idea of standing for the Local Legislative Council from a University constituency, and I found that it would be very hard for a Hindu to count on a decisive majority in that electorate.

Mr. A. H. Ghuznavi : No.

Mr. K. C. Neogy : Then, coming to the Indian commercial seats, my Honourable friend is a great commercial magnate in Calcutta. He ought to know that there is a movement afoot for setting up a Muslim Chamber of Commerce so that one seat might be wrested out of the special electorates, and in that endeavour I am told that my Honourable friend's colleagues are having the blessings and guidance of my Honourable friend Mr. Morgan's community.

My Honourable friend, Mr. Ghuznavi, said, it was the Sikhs in London who stood in the way of a communal settlement, and he said that there was an offer of one more seat to the Sikhs to be given, not out of the Muhammadans' share by any means, but out of the Depressed class seats. My Honourable friend was perfectly ready to be charitable at the cost of the Depressed classes who, by the way, were taken under his wings so far as the minorities' pact was concerned. And he charges my Honourable friend Sardar Sant Singh's community with having stood in the way !

Mr. A. H. Ghuznavi : The minorities' pact came into being in 1931 and not in 1930.

Mr. K. C. Neogy : I am referring to that particular period.

Mr. A. H. Ghuznavi : Then there was no minorities' pact.

Mr. K. C. Neogy : The minorities' pact came later but it was very much in the air even in 1930 though it had not taken concrete shape. Lord Lloyd had yet to come into the field, Sir Reginald Craddock had not been elected to the House of Commons, and above all, Sir Samuel Hoare had yet to come to the India Office. We know the history of the minorities' pact, and we know how my Honourable friend was seeking to be charitable at the cost of the Depressed classes, and it is not open to him to charge the Sikhs with not having agreed to sacrifice the Depressed classes for promoting their own interests.

Now, Sir, my Honourable friend having made an offensive and defensive alliance with Europeans and Christians, he ought not to complain now that they have not got an absolute majority in Bengal. All the Christians taken together,—Europeans, Anglo-Indians and Indian Christians,—they get between them 31 seats. Add these 31 seats to the Moslem seats—I am not very strong in mathematics—and I ask my Honourable friend Mr. Ghuznavi to tell me whether that does not give the Muhammadans in Bengal a very, very satisfactory working majority for all practical purposes.

Mr. A. H. Ghuznavi : No.

Mr. K. C. Neogy : If not, he ought to thank his colleagues of the minorities' pact for that.

That is all I have to say on the subject. (Applause.)

(It being Six of the Clock.)

Mr. President (The Honourable Sir Ibrahim Rahimtoola) : The House will now adjourn till 11 o'clock to-morrow.

The Assembly then adjourned till Eleven of the Clock on Tuesday, the 6th September, 1932.