

Monday, 21st November, 1932

THE LEGISLATIVE ASSEMBLY DEBATES

(OFFICIAL REPORT)

VOLUME VI, 1932

(7th November to 28th November, 1932)

FOURTH SESSION OF THE FOURTH LEGISLATIVE ASSEMBLY, 1932



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1933

Est. B. N. H.

Legislative Assembly.

President :

THE HONOURABLE SIR IBRAHIM RAHIMTOOLA, K.C.S.I., C.I.E.

Deputy President :

MR. R. K. SHANMUKHAM CHETTY, M.L.A.

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SIR ABDUR RAHIM, K.C.S.I., KT., M.L.A.

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MR. MUHAMMAD YAMIN KHAN, C.I.E., M.L.A.

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MR. S. C. GUPTA, C.I.E., BAR.-AT-LAW.

Assistants of the Secretary :

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RAI BAHADUR D. DUTT.

Marshal :

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

Committee on Public Petitions :

MR. R. K. SHANMUKHAM CHETTY, M.L.A., *Chairman.*

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MR. C. S. RANGA IYER, M.L.A.

SIR ABDULLA-AL-MAMUN SUHRAWARDY, KT., M.L.A.

MR. B. SITARAMARAJU, M.L.A.

CONTENTS.

VOLUME VI.—7th November to 28th November, 1932.

	PAGES.
MONDAY, 7TH NOVEMBER, 1932—	
Members Sworn	1677
Questions and Answers	1677—1718
Short Notice Question and Answer	1719—22
Death of Sir Ali Imam	1722—26
Governor General's Assent to Bills	1726
Statements laid on the Table	1727—31
The Criminal Law Amendment Bill—Presentation of the Report • of the Select Committee	1731
Resolution <i>re</i> Trade Agreement signed at Ottawa—Discussion not concluded	1731—62
TUESDAY, 8TH NOVEMBER, 1932—	
Questions and Answers	1763—1803
Resolution <i>re</i> Trade Agreement signed at Ottawa—Discussion not concluded	1803—45
WEDNESDAY, 9TH NOVEMBER, 1932—	
Member Sworn	1847
Questions and Answers	1847—89
Statements laid on the Table	1890—96
Resolution <i>re</i> Trade Agreement signed at Ottawa—Discussion not concluded	1896—1938
THURSDAY, 10TH NOVEMBER, 1932—	
Resolution <i>re</i> Trade Agreement signed at Ottawa—Discussion postponed	1939—70
Statement of Business	1970
MONDAY, 14TH NOVEMBER, 1932—	
Questions and Answers	1971—2020
Unstarred Questions and Answers	2020—29
Statements laid on the Table	2029—33
The Indian Merchant Shipping (Amendment) Bill—Presenta- tion of the Report of the Select Committee	2033
The Bengal Suppression of Terrorist Outrages (Supplementary) Bill—Discussion on the motion to consider adjourned	2033—48
Appendix	2049

TUESDAY, 15TH NOVEMBER, 1932—

Questions and Answers	2051—87
The Bengal Suppression of Terrorist Outrages (Supplementary) Bill—Consideration postponed .. .	2087—90
The Criminal Law Amendment Bill— <i>Continued</i> .. .	2090—2101, 2102—32
Resolution <i>re</i> Trade Agreement signed at Ottawa .. .	2101—02

WEDNESDAY, 16TH NOVEMBER, 1932—

Questions and Answers	2133—67
Presentation of the Report of the Public Accounts Committee .. .	2167—83
The Criminal Law Amendment Bill— <i>Continued</i> .. .	2184—99, 2200—30
Resolution <i>re</i> Trade Agreement signed at Ottawa .. .	2200

MONDAY, 21ST NOVEMBER, 1932—

Members Sworn	2231
Questions and Answers	2231—74
Unstarred Questions and Answers	2275—82
Statements laid on the Table	2282—85
Resolution <i>re</i> Trade Agreement signed at Ottawa—Time for submission of Report extended	2286
The Criminal Law Amendment Bill—Motion to consider adopted	2286—2321
Appendix	2322

TUESDAY, 22ND NOVEMBER, 1932—

Questions and Answers	2323—53
Short Notice Questions and Answers	2353—59
The Criminal Law Amendment Bill— <i>Continued</i> .. .	2359—2401

WEDNESDAY, 23RD NOVEMBER, 1932—

Questions and Answers	2403—12
The Criminal Law Amendment Bill— <i>Continued</i> .. .	2412—62
Committee on Petitions	2432

THURSDAY, 24TH NOVEMBER, 1932—

Short Notice Question and Answer	2463—68
Statements laid on the Table	2468—77
The Criminal Law Amendment Bill— <i>Continued</i> .. .	2478—2528

MONDAY, 28TH NOVEMBER, 1932—

Member Sworn	2529
Questions and Answers	2529—64
Unstarred Questions and Answers	2564—66
Statements laid on the Table	2566—67
The Criminal Law Amendment Bill— <i>Continued</i> .. .	2568—2610
Resolution <i>re</i> Trade Agreement signed at Ottawa—Presenta- tion of the Report of the Special Committee .. .	2610

LEGISLATIVE ASSEMBLY.

Monday, 21st November, 1932.

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

MEMBERS SWORN.

The Honourable Sir George Schuster, K.C.S.I., K.C.M.G., C.B.E., M.C. (Finance Member); and Sir Alan Parsons, Kt., C.I.E., M.L.A. (Finance Secretary).

QUESTIONS AND ANSWERS.

POSITION OF MUSLIMS IN THE CONSTITUTIONAL REFORMS.

1271. ***Mr. M. Maswood Ahmad:** Will Government be pleased to state whether they are aware that while laying before His Majesty's Secretary of State for India, in the 5th Despatch on the Indian Constitutional Reforms, No. 4 of 1919, dated Simla, April 23, 1919, their views upon the proposals for franchise and constituencies and the composition of the reformed legislative bodies, they have said:

(a) In paragraph 19:

"As you are aware, representatives of the Indian National Congress and the All-India Muslim League met at Lucknow in December, 1916, and arrived at an agreement respecting the proportion of seats to be allotted to the Muhammadan members in the various Provincial Legislatures and the Legislative Council."

(b) In paragraph 22:

"If we were writing on a clean slate, we should greatly desire to establish a ratio of Muhammadan seats which would bear a closer relation with their strength as a community, while amply fulfilling our undertakings to safeguard them as a minority."

(c) In paragraph 22 again:

"In the first place, the Muhammadans have been definitely promised some electoral advantage on the ground of their political importance. We should have to measure that advantage and to fulfil that promise."

(d) In paragraph 22 again:

"Past history and the presence of Muhammadan centres count for much."?

The Honourable Sir Brojendra Mitter: Sir, with your permission, I will answer questions Nos. 1271 to 1275 together. Government are aware of the quotations cited by the Honourable Member.

POSITION OF MUSLIMS IN THE CONSTITUTIONAL REFORMS.

†1272. ***Mr. M. Maswood Ahmad**: Are Government aware that Sir William Vincent has said about the Muslims of Bengal in the same Despatch:

(a) "The Muslims of Eastern Bengal stand in need of protection perhaps more than any other part of their community. They are, as the despatch says, impoverished and backward, and, unless we specially help them, will have little chance in competition with other communities. This was shown in the days before partition when their interests did not secure sufficient bearing. The desire to help the Eastern Bengal Muhammadans was one of the reasons for the partition of Bengal. That the position improved, while the province of Eastern Bengal and Assam lasted, is a well-known fact. The re-partition of 1912 came as a heavy blow to many of them. I doubt, whether in the Lucknow Agreement of December, 1916, their interests were adequately represented".

(b) "I consider that they should get representation in the Bengal Legislative Council in proportion to their population strength".

(c) "I accept the principles laid down in para. 22 of the Despatch. They lead me to conclude that what is wanted is a sliding scale in which the (weightage) given to Muhammadans increases as their numerical weakness does. We have, as the Despatch says, to measure the advantage to be given to them. To do so, some arbitrary assumptions must obviously be made. The fewer and simpler these are, the better. Where the Muhammadans are in a census majority, let them get representation in that proportion".

POSITION OF MUSLIMS IN THE CONSTITUTIONAL REFORMS.

†1273. ***Mr. M. Maswood Ahmad**: Are Government aware that:

"Lord Minto gave, on behalf of the Government of India, a binding pledge to the Muhammadans which Lord Morley endorsed and Lord Hardinge repeated that their position should be estimated not merely on their numerical strength, but with respect to their political importance?"

POSITION OF MUSLIMS IN THE CONSTITUTIONAL REFORMS.

†1274. ***Mr. M. Maswood Ahmad**: Are Government aware that the scheme of reforms passed at the 31st Session of the Indian National Congress held at Lucknow on the 29th December, 1916, and adopted by the All-India Muslim League at its meeting on the 31st December, 1916, embodies:

"Provided, further, that no Bill, nor any clause thereof, nor a resolution introduced by non-official members affecting one or the other community, which question is to be determined by the members of that community in the Legislative Council concerned, shall be proceeded with, if three-fourths of the members of that community in the particular Council, Imperial or Provincial, oppose the Bill or any clause thereof or the resolution?"

POSITION OF MUSLIMS IN THE CONSTITUTIONAL REFORMS.

†1275. ***Mr. M. Maswood Ahmad**: Are Government aware that the scheme of reforms passed at the 31st Session of the Indian National Congress, held at Lucknow on the 29th December, 1916, embodies 50 per cent. for the Muslims in the Punjab Legislative Council by the separate electorate while, by the Premier's decision, Muslims of the Punjab will get less than 50 per cent. seats by the separate electorate?

†For answer to this question, see answer to question No. 1271.

ABSENCE OF STATUTORY MAJORITY FOR MUSLIMS IN THE PUNJAB AND THE BENGAL LEGISLATIVE COUNCILS.

1276. *Mr. M. Maswood Ahmad: Are Government aware:

- (a) that in spite of the weightage given to minorities, Hindus in Madras, Central Provinces, United Provinces, Bombay and Bihar and Orissa will be in clear majority; and
- (b) that Muslims in the Punjab and Bengal did not get a statutory majority in their Legislative Councils?

The Honourable Sir Brojendra Mitter: I can only refer the Honourable Member to the Communal Decision.

REDUCTION OF THE MAJORITY COMMUNITY TO MINORITY OR EQUALITY IN THE PROVINCIAL LEGISLATIVE COUNCIL.

1277. *Mr. M. Maswood Ahmad: Are Government aware that the Premier definitely promised that the community in majority will not be reduced to minority or equality in the Provincial Legislative Councils?

The Honourable Sir Brojendra Mitter: I have not seen the statement attributed to the Prime Minister.

Mr. M. Maswood Ahmad: Are Government aware of the statement of Mr. Ghuznavi made on the 5th September in this House that the Prime Minister did give us that assurance?

The Honourable Sir Brojendra Mitter: At the moment I have not that present to my mind, but if the Honourable Member wants any further information, I shall look up that statement and give further information, if necessary.

Mr. K. Ahmed: Do I understand, Sir, that while speeches are made by the Prime Minister with regard to this Round Table Conference and matters ancillary to it, the Government of India and, particularly, the Honourable the Law Member does not keep himself informed of them?

The Honourable Sir Brojendra Mitter: Will the Honourable Member kindly repeat the question? I really could not follow it.

Mr. K. Ahmed: It is as plain as water. Do I understand that the Honourable the Law Member has not been keeping himself familiar with what took place at the Round Table Conference and with the speeches ancillary to it made by the Prime Minister from time to time?

The Honourable Sir Brojendra Mitter: The Law Member does follow the proceedings of the Round Table Conference just as other Honourable Members do, but he cannot be expected to remember everything taking place there at all times. If, however, any particular point arises, then he can look it up.

Mr. K. Ahmed: There are the particular points raised with regard to these two questions, Nos. 1276 and 1277.

The Honourable Sir Brojendra Mitter: I have said that I shall look it up.

Mr. K. Ahmed: That will be of no use to us and to the Assembly.

PLEDGES GIVEN TO MUSLIMS.

1278. ***Mr. M. Maswood Ahmad:** Do Government propose to draw the attention of the Premier and the authorities concerned to the binding pledges and to the questions raised in the preceding seven questions?

The Honourable Sir Brojendra Mitter: In view of paragraph 4 of the Communal Decision Government do not propose to take any action.

SEATS ALLOTTED TO NON-MUSLIMS IN THE NORTH-WEST FRONTIER PROVINCE UNDER THE COMMUNAL AWARD.

1279. ***Mr. M. Maswood Ahmad:** (a) Is it a fact that the total population of the North-West Frontier Province is 2,425,076 persons, of which 42,510 are Sikhs, 2,227,303 Muslims and 155,263 general (including Hindus, Buddhists, Zoroastrians, Christians, Jews, etc.)?

(b) Is it a fact that Sikhs are less than 1.8 per cent. in the province, while they will get 6 per cent. seats of the whole House by separate electorates by the Premier's decision which will be about four times of their share on population basis?

(c) If the reply to parts (a) and (b) be in the negative, will Government be pleased to state the correct figures?

(d) Have Mussalmans of any province got seats, by separate electorate, in the same proportion to the population basis as the Sikhs have got in the North-West Frontier Province according to the Premier's decision?

The Honourable Sir Brojendra Mitter: With your permission, Sir, I propose to deal with questions Nos. 1279 to 1281 together.

I am prepared to accept the figures quoted by the Honourable Member as generally correct. As to the rest, I am not in a position to add anything to what is already laid down in the Communal Decision.

SEATS ALLOTTED TO MUSLIMS IN MADRAS UNDER THE COMMUNAL AWARD.

† 1280. ***Mr. M. Maswood Ahmad:** (a) Is it a fact that according to the Premier's decision general seats in the North-West Frontier Province will be 18 per cent. in the whole House of the Provincial Legislature, while the population of the general (leaving Muslims and Sikhs) is less than 6.5 per cent. of the whole population of the Province?

(b) Is it a fact that the general constituency will be separate in which Muslims cannot contest?

(c) Is it a fact that the Muslim population in the Madras Province is more than 7 per cent. while, according to the Premier's decision, Muslims of the Madras Province will get 13.8 per cent. seats in the whole House of the Provincial Legislature?

†For answer to this question, see answer to question No. 1279.

SEATS ALLOTTED TO MUSLIMS IN BIHAR AND ORISSA UNDER THE COMMUNAL AWARD.

†1281. ***Mr. M. Maswood Ahmad:** (a) Is it a fact that general *cum* Sikhs are 8·1 per cent. in population in the North-West Frontier Province while they will get, according to the Premier's decision, 24 per cent. seats in the whole House in the Provincial Legislature?

(b) Is it a fact that Muslims in Bihar and Orissa are more than 11 per cent. while they also will get the same 24 per cent. seats in the whole House in their Provincial Legislature?

FRANCHISE FOR MUSLIM LANDHOLDERS IN BIHAR AND ORISSA.

1282. ***Mr. M. Maswood Ahmad:** (a) Are Government aware how many Muslim Landholders have been returned in the Bihar and Orissa Legislative Council through the Landholder's Constituency in the last three Elections after the Reforms of 1920?

(b) Will Government be pleased to state the corresponding figures in connection with part (a)?

(c) Are Government aware that Muslims are petty Landholders in Bihar and Orissa and, unless a low franchise is fixed, it will be difficult for them to be eligible for voting?

(d) Do Government propose to draw the attention of the authorities and to consider how Muslim Landholders can get at least one of the five seats specially reserved for the Landholders of the Bihar and Orissa Province?

The Honourable Sir Brojendra Mitter: (a) None.

(b) It is not quite clear what corresponding figures the Honourable Member wants.

(c) Government are aware of the existence of numerous petty Muslim landholders.

(d) Government do not propose to take the action suggested by the Honourable Member. In this connection I would invite the Honourable Member's attention to paragraph 4 of the Communal Decision.

Mr. M. Maswood Ahmad: Is there any difficulty in drawing the attention of the authorities to this fact?

The Honourable Sir Brojendra Mitter: Sir, paragraph 4 of the Communal Decision provides for the communities coming to an agreement, and I would invite the Honourable Member's attention to the terms of that paragraph. It is a matter for the communities now and not for the Government.

Mr. M. Maswood Ahmad: I remember that it is said about the Punjab and Bengal in paragraph 18 of the Decision, that the Award will not be open to change, but that for other minor provinces changes will be possible, and that Government have reserved the right for slight variations. Is that or is that not a fact?

The Honourable Sir Brojendra Mitter: If the Honourable Member will read that paragraph carefully, he will see that alterations will be possible provided the communities concerned come to an agreement. So it is a matter for the communities concerned and not a matter for the Government.

† For answer to this question, see answer to question No. 1279.

Mr. K. P. Thampan: May I know, Sir, how the interests of Muslim landholders, as such, are different from those of the Hindu landholders?

Mr. M. Maswood Ahmad: In many respects.

The Honourable Sir Brojendra Mitter: That question might well be addressed to my Honourable friend, Mr. Maswood Ahmad, instead of to me.

Mr. M. Maswood Ahmad: I am ready to explain.

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

WOMEN LANDHOLDERS IN BIHAR AND ORISSA.

1283. ***Mr. M. Maswood Ahmad:** (a) Are Government aware that women as well are Landholders in Bihar and Orissa?

(b) Do Government propose to draw the attention of the authorities concerned to keep in view the point of safeguarding the interests of women Landholders while making rules for the Landholders' elections?

The Honourable Sir Brojendra Mitter: (a) and (b). This is a matter for investigation primarily by the local authorities. A copy of the Honourable Member's question will be forwarded to the Government of Bihar and Orissa.

RESERVATION OF SEATS FOR HANDLOOM WEAVERS IN THE LEGISLATURES.

1284. ***Mr. M. Maswood Ahmad:** (a) Are Government aware that the handloom weavers are a special class of labour in British India and that they are to be found in all the provinces?

(b) Are Government aware that the handloom weaving labour is a special kind of labour which is quite different from other kinds of labour?

(c) Are Government aware that *charkha* yarn is used generally in handlooms only?

(d) Are Government aware that *khaddar* is woven on handlooms by handloom weavers belonging to different communities?

(e) Do Government propose to draw the attention of the authorities concerned to consider the desirability of reserving some seats for handloom weaving labour in Provincial and the Central Legislatures?

The Honourable Sir Brojendra Mitter: (a) No. I understand that while handloom weaving is the sole occupation of considerable numbers, it is also done by persons who have other occupations.

(b) One kind of labour naturally differs from another kind and I am not sure what peculiarities the Honourable Member has in mind.

(c) and (d). Yes.

(e) No.

RESERVATION OF SEATS FOR HANDLOOM WEAVING COTTAGE INDUSTRY IN THE LEGISLATURES.

1285. *Mr. M. Maswood Ahmad: (a) Are Government aware that amongst other industries there is a handloom weaving cottage industry?

(b) Do Government propose to consider and to draw the attention of the authorities to reserve a seat from amongst the industrial seats of the Provincial and Central Legislatures for the handloom weaving cottage industry?

The Honourable Sir Brojendra Mitter: (a) Yes.

(b) No.

RELIEF TO INDIA IN THE INTEREST CHARGES OF WAR CONTRIBUTION.

1286. *Mr. M. Maswood Ahmad: (a) Will Government inform the House of the relief that has accrued or is likely to accrue to India in the interest charges of the War contribution, on account of the recent conversion of the War Loan to $3\frac{1}{2}$ per cent.?

(b) Has there been any communication on the subject of reduction of interest of War contribution between the Government of India and the British Government? Will Government lay on the table the copies of the despatches on this subject?

(c) Has any agreement been reached between the Government of India and His Majesty's Government on the question of repayment of the interest for the period of the Hoover Moratorium? If so, what?

The Honourable Sir George Schuster: These matters are under consideration.

RATE OF INTEREST ON INVESTMENT OF BALANCES IN THE HOME TREASURY.

1287. *Mr. M. Maswood Ahmad: Will Government be pleased to state the rates of interest at which the amount of balances in the Home Treasury in the six months of this year were invested?

The Honourable Sir George Schuster: The average rate of discount at which British Treasury Bills were purchased by the Secretary of State for the investment of balances in the Home Treasury and in the Gold Standard Reserve during the half year ended 30th September, 1932, was 1.024 per cent. per annum, the highest rate being 2.44 per cent. and the lowest .375 per cent.

RECOMMENDATIONS OF THE TRIBAL CONTROL AND DEFENCE COMMITTEE.

1288. *Mr. M. Maswood Ahmad: Will Government be pleased to lay on the table the recommendations of the Tribal Control and Defence Committee with a list of recommendations which have been adopted, which have not been adopted and of those which are under consideration?

Mr. H. A. F. Metcalfe: The Government regret that they are not prepared to lay on the table the recommendations of the Tribal Control and Defence Committee nor the lists asked for by the Honourable Member.

Such lists would be meaningless except when read as part of the Committee's Report, which cannot be made public because it contains much information the publication of which would not be in the public interest.

IMPORT AND EXPORT OF PADDY AND RICE TO AND FROM CALCUTTA.

1289. *Mr. M. Maswood Ahmad: (a) Will Government be pleased to state:

- (i) the total quantity and the value of the import and export of paddy and rice to and from Calcutta; and
- (ii) names of ports from which or to which paddy and rice were imported or exported, and the different figures for each port?

(b) If it is not recorded separately, do Government propose to direct to record it separately in the Sea-borne Trade Account?

(c) Are Government aware that paddy is the chief agricultural product of Bengal and Bihar and Orissa?

The Honourable Sir Joseph Bhore: (a) and (b). The Honourable Member is referred to pages 42, 65, 76, 82, 104, 141, 152, 185 and 204 of Volume II of the Annual Statement of the Sea-borne Trade of British India for the fiscal year ending 31st March, 1931, copies of which are in the Library. The Statement for the year ending 31st March, 1932, is in course of preparation and, when available, copies will, as usual, be placed in the Library.

(c) Yes.

Mr. K. Ahmed: Is it not a fact that almost all the points raised in all the questions regarding export and import asked by Mr. Maswood Ahmad could be answered by reference to the volumes of the Sea-borne Trade of India which are available in the Library of the House?

Dr. Ziauddin Ahmad: May I draw the attention to the fact that the reference to the volumes of the Sea-borne Trade of India only means that Members are deprived to put supplementary questions, and this right is taken away from us?

The Honourable Sir Joseph Bhore: My Honourable friend can always give notice of another question framed on the information which will be found available in the Library.

Mr. M. Maswood Ahmad: I know that all this information is available either in the Secretariat Library or in the Assembly Library to the Members, but we want the Honourable Member to give it on the floor of the House so that we may put questions and get all the figures collectively in one place.

The Honourable Sir Joseph Bhore: I have given the Honourable Member the precise references in the Volume so as to facilitate his inquiry.

STANDING CENTRAL ADVISORY COMMITTEE ON AGRICULTURE.

1290. ***Mr. M. Maswood Ahmad:** (a) Is there any standing Central Advisory Committee on Agriculture?

(b) Will Government be pleased to state the names of the members of the Standing Committee on Agriculture?

Mr. G. S. Bajpai: (a) and (b). There is no Standing Committee of the Indian Legislature to advise exclusively on agricultural questions. Such questions may, however, be referred to the Standing Committee which advises the Education, Health and Lands Department on all subjects other than Haj Pilgrimage and Indians Overseas. A statement showing the names of the members of this Committee is placed on the table.

Names of members of the Standing Advisory Committee attached to the Department of Education, Health and Lands for subjects other than 'Indians Overseas—Emigration' and 'Haj Pilgrimage'.

Chairman.

The Member of the Governor General's Executive Council in charge of the Department of Education, Health and Lands.

Members.

- | | |
|--|--|
| 1. The Hon'ble Sir David Devadoss. | } Members of the Council of State. |
| 2. The Hon'ble Saiyid Md. Padshah Sahib Bahadur. | |
| 3. Rai Bahadur L. Brij Kishore. | } Members of the Legislative Assembly. |
| 4. Raja Bahadur G. Krishnamachariar. | |
| 5. Rao Bahadur B. L. Patil. | |

Mr. M. Maswood Ahmad: Are Government aware that India is an agricultural country and, therefore, a Special Committee for agriculture is required to protect the rights of the poor agriculturists?

Mr. G. S. Bajpai: That is a simple fact and is obvious even to Government.

Dr. Ziauddin Ahmad: Did this Committee ever meet in the year 1932?

Mr. G. S. Bajpai: The year 1932 is not over yet, Sir.

Dr. Ziauddin Ahmad: Did the Committee ever meet in the year 1931-32 from April 1931 to March 1932?

Mr. G. S. Bajpai: I would like to have notice of that question, Sir. I cannot say off-hand.

MOVE OF THE GOVERNMENT OF INDIA OFFICES BETWEEN DELHI AND SIMLA.

1291. ***Mr. M. Maswood Ahmad:** (a) Is it a fact that, owing mainly to the shortage of water supply in New Delhi, it has not been found possible to arrive at any final decision in the matter of the move of the Government of India offices from Delhi to Simla?

(b) Will Government be pleased to state what will be the cost for improving the water supply to remove the trouble?

(c) What will be the annual saving if the recommendation of the Committee in the matter of the move of the Government of India offices be accepted?

The Honourable Sir George Schuster: (a) Yes.

(b) A scheme is under consideration for increasing the water supply by instalments in accordance with the probable growth of population in New and Old Delhi. Government have not yet decided how many instalments of the scheme they should undertake meantime nor whether funds will be available next year to initiate the extension.

(c) If the General Purposes Committee's main recommendation that Departments should be left in Delhi all the year round were adopted, the direct saving would be nearly 9½ lakhs, fully half of which would be at the expense of the North Western Railway. This direct saving would be counterbalanced to a considerable extent by the extra capital expenditure needed to make New Delhi habitable by a much larger population all the year round.

Mr. S. G. Jog: How long will it take to develop the scheme?

The Honourable Sir George Schuster: The Honourable Member will see from the wording of my answer that there are various possible schemes. The schemes may vary according to the instalments by which they are undertaken and according to the estimate of what the growth of population is that has to be allowed for. I cannot answer the Honourable Member's question in reference to a particular scheme, because various alternative schemes are under consideration and Government have not yet decided what would be the best scheme to adopt.

Mr. M. Maswood Ahmad: Do Government propose to stop the wastage of water in New Delhi which is very frequent by putting meters in quarters and other places and stopping the fountains and thereby increase the water supply in Old Delhi?

The Honourable Sir George Schuster: Government are considering schemes for metering the supply of water in the areas in which water is now being wasted.

† 1292. *

SHORTAGE OF WATER SUPPLY IN OLD DELHI.

1293. ***Mr. M. Maswood Ahmad:** (a) Are Government aware of the troubles in Old Delhi due to the shortage of water supply?

(b) Will Government be pleased to state the detailed schemes if any, under consideration, for removing the above-mentioned troubles?

Mr. G. S. Bajpai: (a) and (b). Government received some complaints with regard to the shortage of water supply in Delhi during the last summer. A scheme for the improvement of water supply has been prepared and is under consideration.

† This question was withdrawn by the questioner.

INSTALLATION OF WATER METERS IN GOVERNMENT QUARTERS IN
NEW DELHI.

1294. ***Mr. M. Maswood Ahmad:** (a) Are Government aware of the waste of water in the quarters of New Delhi?

(b) Have meters been fixed in the water supply pipes in the quarters in New Delhi?

(c) Will Government be pleased to state the scheme, if any, under consideration, to stop the waste of water in New Delhi?

Mr. G. S. Bajpai: (a), (b) and (c). Government understand that wastage takes place mainly in clerks' quarters which are not fitted with meters, and proposals for making good this defect are under consideration.

NUMBER OF APPEALS TO THE PRIVY COUNCIL.

1295. ***Mr. Bhuput Sing** (on behalf of Pandit Ram Krishna Jha): Will Government be pleased to state:

(a) the number of appeals from decrees and from orders of each of the High Courts and Judicial Commissioner's Court, and Chief Courts in India to the Privy Council during each of the years 1925—1932;

(b) the number of such appeals as aforesaid (from each of the aforesaid courts) allowed by the Privy Council during each of the years 1925 to March, 1932; and

(c) in how many cases since 1925 has the Privy Council made observations regarding the delay in the disposal of cases in each of the High Courts or Courts subordinate thereto?

The Honourable Mr. H. G. Haig: I have called for the information and will communicate it to the House in due course.

RECRUITMENT OF THE PROVINCIAL PEOPLE TO THE INDIAN SERVICE IN THE
PUBLIC WORKS DEPARTMENT.

1296. ***Mr. M. Maswood Ahmad** (on behalf of Seth Haji Abdoola Haroon):

(a) Will Government be pleased to state whether it is a fact that an order has recently been issued by the Government of India, stating therein that recruitment of the provincial people to the Indian Service in the Public Works Department will be stopped until the rules for Class One Service are promulgated?

(b) Are Government aware that this sort of promulgation has created resentment among the Provincial Service?

(c) Have Government considered the question whether it is advisable to cancel the above order and promulgate orders to the effect that, pending the promulgation rules, recruitment be continued as heretofore?

The Honourable Sir Frank Noyce: (a), (b) and (c). Government have not issued any order of the nature mentioned, but they have decided, with the approval of the Secretary of State, to suspend further recruitment to the Indian Service of Engineers either by promotion from Provincial Engineering Services or by open competition pending a decision on the recommendation of the Services Sub-Committee of the Indian Round Table Conference that the Irrigation Branch of the Service should be provincialised.

FORMATION OF PORT HAJ COMMITTEE.

1297. *Seth Haji Abdoola Haroon: (a) Will Government be pleased to state whether the formation of Port Haj Committees at the various centres, according to the new Act passed on the 16th September, 1932, on the floor of the House, is arranged to come into force before the commencement of the ensuing Haj season?

(b) If the reply to part (a) above be in the negative, are Government prepared to issue orders to the authorities concerned to constitute the said Committees before the ensuing Haj season, which commences in January?

Mr. G. S. Bajpai: (a) and (b). The Governments of Bombay and Bengal have been requested to make every effort to set up the Committees at Bombay, Karachi and Calcutta, if possible, before the commencement of the ensuing Haj season.

INVESTIGATING INSPECTORS ATTACHED TO THE OFFICE OF THE POSTMASTER GENERAL, BOMBAY.

1298. *Mr. S. G. Jog (on behalf of Sardar G. N. Mujumdar): With reference to the reply given on the 6th September, 1932, to my starred question No. 64, will Government be pleased to state:

- (a) whether there were distinct cadres, one for clerks working in the office of the late Deputy Postmaster-General, Railway Mail Service, Western Circle, and the other for sorters working in the Divisions of the Circle;
- (b) whether the selection grade posts in the said Circle office were meant only for the clerks working in that office;
- (c) whether Inspectors attached to that office were merely attached officers and appointments to those posts were meant only for men in the Divisions and the clerks of the Circle office had no claim over them;
- (d) whether not less than 18 clerks, originally recruited for the Circle office, were appointed as Inspectors and that this was pointed out to the Director-General, Posts and Telegraphs, by the All-India (including Burma) Postal and Railway Mail Service Union; and
- (e) if the replies to parts (a) to (d) above be in the affirmative, why Messrs. S. V. Panwalkar and P. R. Gokhale were allowed to qualify themselves for the posts of Inspectors, Railway Mail Service, when they were originally recruited as clerks for the Circle office and the posts were meant for men in the Divisions?

Mr. T. Ryan: (a) Yes.

(b) Yes, except the posts of Inspectors attached to the Circle Office which belonged to the Inspector's cadre.

(c) The reply to the first part of the question is in the affirmative. As regards the last part, appointments to the cadre of Inspectors, R. M. S., were made from clerks, whether belonging to the Divisions or to the Circle Office, who had passed the qualifying examination for such posts.

(d) Government have no information nor is any reference on this subject, from the All-India including Burma Postal and R. M. S. Union, traceable,

(e) Does not arise in view of the replies given to parts (c) and (d) above,

RETRENCHMENT IN THE OFFICE OF THE HIGH COMMISSIONER FOR INDIA.

1299. *Mr. Bhuput Sing: Will Government be pleased to state:

- (a) whether retrenchment has recently taken place in the office of the Indian High Commissioner in London;
- (b) if so, the nature of such retrenchment whether it is by reduction of pay or by complete discharge;
- (c) if by reduction of pay, the proportion of such reduction in the salary;
- (d) if by complete discharge, the number of men altogether discharged specifying their nationalities;
- (e) how many hands there were in all in the office before the discharge;
- (f) the reason or reasons for which the retrenchment operations have been undertaken; and
- (g) whether the salaries and emoluments of the High Commissioner and his immediate subordinates have been affected for the sake of retrenchment in his office?

The Honourable Sir Joseph Bhore: The information is being collected and, when complete, will be laid down on the table.

Mr. Lalchand Navalrai: Is there any truth in the statement that we have been reading in the papers that the Secretary of State has announced that there will be a retrenchment in the pay and salaries of the Imperial Services in India?

The Honourable Mr. H. G. Haig: The Honourable Member is possibly referring to proposals for considering whether the pay of the future recruits to the All-India Services should be modified or not. That matter is, at the moment, under consideration.

Mr. M. Maswood Ahmad: Will the Honourable Member be pleased to supply this House with the information as to how many Indians with the Communities they belong to and Europeans there are in that staff as a whole?

The Honourable Sir Joseph Bhore: I do not know to what question my Honourable friend is referring?

Mr. M. Maswood Ahmad: It relates to question No. 1299 about which the Honourable Member is going to lay the information on the table.

The Honourable Sir Joseph Bhore: I will see if that information is readily available and, if it is, I shall incorporate it in the reply.

Mr. S. G. Jog: Are Indians given any preference for the clerkship in the office of the High Commissioner for India?

The Honourable Sir Joseph Bhore: I must have notice of that question.

ARRIVAL AT MATTABURJ, CALCUTTA, OF REPATRIATED INDIANS FROM SOUTH AFRICA.

1300. ***Mr. Bhuput Sing:** Will Government be pleased to state:

- (a) whether they have information that a large number of repatriated Indians from South Africa have recently been landed in the suburbs of Calcutta;
- (b) if the answer to part (a) be in the affirmative, whether they are aware that they are homeless and workless;
- (c) whether they are aware that most of them have got families and children with them;
- (d) whether they are aware that some gentlemen have been trying to save them from starvation by begging subscriptions from public men of Calcutta;
- (e) whether they are aware that only recently they wanted to march in procession to the Writers' Buildings to lay their present troubles and grievances before the authorities;
- (f) whether they are aware of the letter which Sir Deva Prasad Sarbadhikary of Calcutta has recently contributed to the press detailing the troubles and grievances of the repatriated Indians landed in Calcutta and whether they are aware that it has become a problem with the citizens of Calcutta; and
- (g) what steps they have already taken or propose to take to ameliorate the miseries of the repatriated persons forthwith?

Mr. G. S. Bajpai: The Honourable Member is referred to the answer given by me on the 16th instant to Mr. Sukhraj Roy's question No. 1256 and to the supplementary questions arising out of it.

COMMISSIONED OFFICERS OF THE INDIAN MEDICAL DEPARTMENT.

1301. ***Mr. B. N. Misra:** Are Government aware that the figure 1½ per cent. of Subedar-Majors of the Indian Medical Department referred to in the answer to question 150 (b) made by Mr. G. R. F. Tottenham on the 30th September, 1932, is lower than that of the strength (7 per cent.) of the commissioned ranks in the Indian Army? Are Government taking any action to increase the strength of Commissioned Officers of the Indian Medical Department?

Mr. G. R. F. Tottenham: By the term 'Commissioned officers' I have been unable to discover whether the Honourable Member is referring to King's Commissioned officers or Viceroy's Commissioned officers or only to officers of the rank of Subedar Major.

The proportion of Subedar Majors to other Viceroy's Commissioned officers varies in different branches of the Army and it is not proposed to increase the proportion in the Indian Medical Department.

NON-RECRUITMENT OF MILITARY SUB-ASSISTANT SURGEONS HOLDING THE RANK OF SUBEDAR-MAJOR.

1302. ***Mr. B. N. Misra:** (a) Is it a fact that the four Sub-Assistant Surgeons referred to in the answer to unstarred question No. 152 (a) made by Mr. G. R. F. Tottenham on the 30th September, 1932, have completed

30 years service and, if retrenched, are, under para. 206, Pension Regulations for the Army in India, entitled to double the rate of ordinary pension admissible? If so, have Government considered the question of retrenching these Sub-Assistant Surgeons? If not, why not?

(b) Are Government aware of the hardships which the senior Subedars are undergoing due to block in promotion on account of these Sub-Assistant Surgeons not having been retrenched?

(c) Have Government considered whether there will be considerable saving to Government by retiring these four Sub-Assistant Surgeons?

(d) Are Government prepared to consider the point referred to in the reply to question No. 152 (b) made by Mr. G. R. F. Tottenham when the financial stringency is over?

Mr. G. R. F. Tottenham: (a) Yes. One of the four Sub-Assistant Surgeons who has earned the double rate of pension is being retrenched. The Honourable Member's suggestion that the other three should also be retrenched has been considered, but it would be uneconomical to accept it. In the ordinary course these officers have to hold the Honorary King's Commissions for three years before being eligible for the double rate of pension, but if they are compulsorily retired before the three years elapse they get the double rate automatically. None of them has yet served for three years in that rank and, therefore, to retrench them would involve unnecessary extra expenditure.

(b) The lower ranks are not suffering any greater hardship than would have been the case if no retrenchment had been necessary at all.

(c) No, Sir. On the contrary, as explained in the answer to part (a), some extra expenditure would be involved.

(d) The matter will be reconsidered when financial circumstances permit.

COMMUNITIES OF RETRENCHED MILITARY SUB-ASSISTANT SURGEONS.

1303. ***Mr. B. N. Misra:** (a) With reference to unstarred question No. 153, dated the 30th September, 1932, replied to by Mr. G. R. F. Tottenham, will Government please state why 29 junior Sub-Assistant Surgeons drawing less pay were retrenched when there were a few seniors drawing more pay?

(b) Are Government aware of the hardships of the retrenched junior Military Sub-Assistant Surgeons? If so, are Government prepared to re-engage the retrenched junior Sub-Assistant Surgeons whenever this Department requires the services of the members of the Indian Medical Department?

Mr. G. R. F. Tottenham: (a) The selection of senior men for retrenchment does not necessarily produce greater savings than the selection of junior men in a service like the Indian Medical Department, because if senior men are retrenched junior men are promoted in their place and the pay saved is that of the junior grade men. The 29 junior men retrenched were selected with due regard to the principle laid down by Government to govern the order of retrenchment.

(b) Government are fully aware of the hardships of all retrenched personnel, whether junior or senior. They are prepared to re-employ retrenched Sub-Assistant Surgeons when vacancies occur, giving preference to those who have joined the Reserve of Sub-Assistant Surgeons.

MILITARY SUB-ASSISTANT SURGEONS PROMOTED TO THE RANK OF SUBEDAR-MAJOR AND HONORARY KING'S COMMISSIONS.

1304. ***Mr. B. N. Misra:** Is it a fact that the Government's declared policy is to protect the rights of minority communities in all the services? If so, are Government prepared to take action to see that the ratio between the various communities represented by the present number among the Military Sub-Assistant Surgeons promoted to the rank of Subedar-Major and Honorary King's Commissions is maintained to accord with the Government's declared policy?

Mr. G. R. F. Tottenham: Government's policy is to prevent the preponderance of any one community in the matter of recruitment for the public services; but, as has frequently been pointed out in this House, claims to promotion are determined without regard to communal considerations.

MILITARY ASSISTANT SURGEONS AND SUB-ASSISTANT SURGEONS.

1305. ***Mr. B. N. Misra:** Is it a fact that the Military Assistant Surgeons and Sub-Assistant Surgeons are attached to the Medical Store Depot and a Military Assistant Surgeon is placed in charge of the Depot in the absence of the Officer-in-charge on leave or on sick list? If so, is the Military Sub-Assistant Surgeon attached there placed in Sub-Medical charge of that unit during the absence of the Officer-in-charge? If so, does he get any allowance for the extra work done by him?

Mr. G. R. F. Tottenham: Normally the staff of Medical Store Depot includes an Indian Medical Service or Royal Army Medical Corps officer in charge, a military Assistant Surgeon, and a Sub-Assistant Surgeon. When the Officer-in-charge is absent for short periods the Assistant Surgeon usually holds charge of the Depot and in addition continues to perform his own duties. During this period he receives an allowance. No allowance is granted to the Sub-Assistant Surgeon as there is no addition to his duties or responsibilities.

GOVERNMENT'S ATTITUDE TOWARDS ANTI-UNTOUCHABILITY PROPAGANDA STARTED BY MR. GANDHI.

1306. ***Pandit Satyendra Nath Sen:** With reference to the statement made by the Honourable the Home Member (in reply to my supplementary question on the short notice question asked by Mr. B. Das on the 7th November, 1982) that Government do not desire to take any active part in the anti-untouchability propaganda started by Mr. Gandhi, are Government prepared to issue a communiqué entirely dissociating themselves from the movement?

The Honourable Mr. H. G. Haig: Government see no necessity for the issue of any communiqué.

Pandit Satyendra Nath Sen: Do Government realise that their reticence has been and will be interpreted as a partiality for Mr. Gandhi's movement?

The Honourable Mr. H. G. Haig: I do not think that that conclusion can legitimately arise. It must be well known that in all matters of religious controversy, the Government maintain an attitude of neutrality.

Pandit Satyendra Nath Sen: Is it an act of neutrality for Government to identify themselves with this movement indirectly?

The Honourable Mr. H. G. Haig: I cannot admit that Government are identifying themselves with the movement either directly or indirectly.

Pandit Satyendra Nath Sen: Has the attention of the Government been drawn to an article which appeared in the *Hindustan Times* under the caption "Lord Willingdon's friendly act", in which they take this attitude of Government as an assistance to the cause of national development as they describe it.

The Honourable Mr. H. G. Haig: No, Sir. I do not think that the removal of a certain accidental impediment can be taken as an act of positive assistance.

Pandit Satyendra Nath Sen: Are Government prepared to extend similar facilities and protection to the Sanatanists in their fight against the reformers?

The Honourable Mr. H. G. Haig: In what respect does the Honourable Member suggest that similar action is required on the part of Government with regard to the Sanatanists?

Pandit Satyendra Nath Sen: In their fight against Satyagraha and forcible temple entry.

The Honourable Mr. H. G. Haig: The Honourable Member does not suggest that any action taken by Government has in any way impeded the Sanatanists.

DISCHARGE OF OFFICE STAFF OF THE CAWNPORE CENTRAL STATION, EAST INDIAN RAILWAY.

1307. ***Mr. Amar Nath Dutt:** (a) Is it a fact that the case of one of the office staff of Cawnpore Central Station, East Indian Railway, was rejected by the Railway Enquiry Committee in applying the rule of superannuation, which was discussed among administrative cases on the 13th November, 1931? If so, on what grounds? Was it on the principle of seniority of service or seniority of age or any other principle?

(b) Is it a fact that several officers, senior both in service and age, were retained till long after the discharge of the aforesaid office staff of the Cawnpore Central Station, East Indian Railway? If so, on what principle?

(c) Did the Railway Board select 68 cases for re-examination and not the one mentioned above? If so, what are the reasons? What was the principle underlying the non-examination?

Mr. P. R. Rau: (a) Government are not in a position to know the reasons that led the Court of Enquiry to reject any case.

(b) Government have no information.

(c) The 68 cases referred to were not selected by the Railway Board. They were recommended by the Court of Enquiry for re-examination. Government are unaware of the reasons that led the Court of Enquiry to select these out of the large number of cases placed before them.

BENGAL NAGPUR RAILWAY LEVEL CROSSING ON THE BANKURA-TALDANGA ROAD.

1308. ***Mr. Amar Nath Dutt:** (a) Is it a fact that the Bengal Nagpur Railway line passes through Bankura dividing the town in two parts?

(b) Is there a level crossing on the Railway line on the Bankura-Taldanga Road about a furlong from the Bankura Railway Station? Is the road the only means of communication between Bankura Town and the ~~Thanas of Raipur, Simlapal, Taldanga and parts of Khatra, Onda and Bankura?~~

(c) Are Government aware that the gate of the level crossing is often closed unnecessarily, causing great hardship to vehicular traffic and people are subjected to blackmailing?

(d) Is it a fact that complaints against the gate-keeper are not inquired into by the Permanent Way Inspector or the Apprentice Permanent Way Inspector?

(e) Are Government aware that inquiry into the complaints of the Permanent Way Inspector are very much delayed by the Railway Police, who harass persons complained against and often terms of compromise are proposed to those complained against?

(f) Have Government considered whether the shunting could be carried on at night instead of during the busiest hours of business, or within the station limits? If so, with what result?

(g) Are Government prepared to put up an automatic gate at the level crossing, like the one at Kanchrapara, Eastern Bengal Railway? If not, why not?

Mr. P. R. Rau: Information is being collected and a reply will be laid on the table in due course.

PREPONDERANCE OF ENGLISH AND FRENCH NATIONALS IN THE LEAGUE OF NATIONS SECRETARIAT.

1309. ***Mr. Amar Nath Dutt:** Is it a fact that before 1930 the Secretariat of the League of Nations consisted chiefly of English and French officials? Is there any representation of the minor nations in the Secretariat of the League? If so, what is their percentage?

The Honourable Sir Brojendra Mitter: The attention of the Honourable Member is invited to pages 32-41 of the Minutes of the 4th Committee of the Assembly of the League of Nations, 1928, from which he will observe that the Secretary-General of the League stated at that time that he would not, in the future, appoint any members of British or French nationality until the proportion of the nationals of other countries in the League Secretariat had received due and adequate consideration. As regards the representation of minor nations in the League Secretariat I would invite the Honourable Member's attention to pages 1991-2021 of

the Official Journal of the League of Nations, October 1931, which furnishes the names of the staff, with their nationalities, of the League Secretariat and the International Labour Office. From this material the Honourable Member will be able to make the calculations which he desires.

MONOPOLY OF THE LEAGUE OF NATIONS SECRETARIAT BY THE ENGLISH AND THE FRENCH NATIONALS.

1310. *Mr. Amar Nath Dutt: Is it a fact that the German and the Italian nations protested in 1930 against the monopoly of the League's Secretariat by the English and the French? If so, what steps, if any, have been taken by the League against such monopoly?

The Honourable Sir Brojendra Mitter: I would invite the attention of the Honourable Member to the proposals and resolutions contained in the Report of the 4th Committee of the Assembly on the organisation of the Secretariat and the International Labour Office and the Registry of the Permanent Court of International Justice, at pages 79-88 of the Final Report of the Delegates of India to the 11th session of the League Assembly. It will be seen therefrom that certain Governments including the German and Italian Governments did press in 1930 for the employment of nationals of different countries in the League Secretariat and the International Labour Office. The Assembly in 1930 adopted a resolution instructing the Secretary-General to amend the staff Regulations in accordance with the proposals of the 4th Committee.

Mr. S. G. Jog: In view of the substantial contribution from the Government of India towards the expenses of the League of Nations, will the Government of India impress upon them the necessity or advisability of having Indians in the Secretariat staff?

The Honourable Sir Brojendra Mitter: The Indian delegation, for several years in succession, have pressed this point on the Secretary-General.

Mr. S. G. Jog: I asked, did the Government of India impress upon them, I did not ask, whether the delegation impressed upon them?

The Honourable Sir Brojendra Mitter: The Honourable Member ought to realise that the Government of India, as such, are not in direct communication with the League of Nations, but the Indian delegation from year to year pressed this point on the Secretary-General of the League of Nations.

Mr. S. G. Jog: Did the Honourable Member, when he represented this country at the League of Nations last year, make any attempt to impress upon them the necessity?

The Honourable Sir Brojendra Mitter: I not only made an attempt, but was partially successful. (Hear, hear.)

Dr. Ziauddin Ahmad: In view of the fact that India will be the second largest contributor to the League of Nations, did the Honourable Member ever use the argument that the Legislative Assembly would reduce their contribution if sufficient numbers are not employed?

The Honourable Sir Brojendra Mitter: In the first place, India is not the second largest contributor and, in the second place, the Government of India or any other outside body cannot determine the quota which is

assessed to the different nations who are Members of the League of Nations.

Mr. Lalchand Navalrai: What has been the result of the pressure which the delegates exerted with regard to this subject?

The Honourable Sir Brojendra Mitter: There has been an increase in the number of Indians employed in the Secretariat.

Mr. Lalchand Navalrai: Is it substantial?

The Honourable Sir Brojendra Mitter: That is a matter of opinion.

Mr. Lalchand Navalrai: Will the Honourable Member please say how much increase there has been within the last two years?

The Honourable Sir Brojendra Mitter: I think there is a question following when I shall give the necessary answer.

AMOUNTS PAID BY INDIA AND ITALY AS CONTRIBUTIONS TO THE LEAGUE OF NATIONS.

1311. ***Mr. Amar Nath Dutt:** Will Government be pleased to state what is the amount which has been paid by India up till now to the League of Nations since her original entry? Is it less than what Italy contributes? If so, by how much?

The Honourable Sir Brojendra Mitter: A statement is laid on the table.

Statement showing the amounts paid by India and Italy (in Gold Francs) to the League of Nations.

Year.	India.	Italy.
1919	293,615	293,615
1920	523,000	523,000
1921	1,041,666	1,041,666
1922	1,011,335	1,011,335
1923	1,767,773·28	1,658,987·23
1924	1,620,371·61	1,520,656·43
1925	1,453,998·18	1,478,231·48
1926	1,370,454·06	1,468,343·61
1927	1,260,713·58	1,360,006·15
1928	1,297,730·93	1,399,667·61
1929	1,427,175·03	1,533,736·87
1930	1,532,865·20	1,646,976·34
1931	1,705,811·54	1,832,276·03
1932	1,834,588·83	1,970,251·69

NUMBER OF INDIANS APPOINTED TO THE LEAGUE OF NATIONS SECRETARIAT.

1312. ***Mr. Amar Nath Dutt:** Will Government be pleased to state the number of Indians who have been appointed in the League of Nations Secretariat since her original entry? What is the total strength of the employees in the League's Secretariat?

The Honourable Sir Brojendra Mitter: The total number of Indians who have been appointed to posts in the League of Nations Secretariat including the International Labour Office since the inception of the League is 10. As regards the second part the Government have no information.

Mr. Amar Nath Dutt: Will the Government of India collect information about the second part of the question and supply the House with the information?

The Honourable Sir Brojendra Mitter: I will try. But I do not expect anything will come out of it. The question is, what is the total strength of the employees in the League's Secretariat? Whether we shall get the information or not, I cannot say.

STATUS OF INDIA IN THE LEAGUE OF NATIONS.

1313. ***Mr. Amar Nath Dutt:** Will Government be pleased to state whether India enjoys the same status and privileges as the other *independent signatories* of the League of Nations in regard to their representation in the League's Council, Assembly and their sub-committees?

The Honourable Sir Brojendra Mitter: The Honourable Member is referred to Articles 3 and 4 of the Covenant from which he will observe that all members of the League are equally represented on the Assembly, and that all members who are not permanent members of the Council are equally eligible for election to the Council. In connection with his reference to "the other independent signatories" he is referred to the reply to question No. 100 asked on the 3rd February, 1932.

Dr. Ziauddin Ahmad: Is the contribution by the Government of India subject to the approval of the Assembly?

The Honourable Sir Brojendra Mitter: No, Sir. It is the League Council which fixes the amount according to a principle which it has laid down.

Dr. Ziauddin Ahmad: Is it a votable item?

The Honourable Sir Brojendra Mitter: I think it is a votable demand.

Dr. Ziauddin Ahmad: We will remember this point when it comes up for discussion in the Budget Debate. (Laughter.)

COMMISSIONS APPOINTED BY THE LEAGUE OF NATIONS TO REPORT ON THE EDUCATIONAL PROBLEMS IN INDIA.

1314. ***Mr. Amar Nath Dutt:** (a) Will Government be pleased to state whether the League of Nations has taken any steps to advance the cause of education in India, both rural and urban?

(b) Is China an arrear member of the League?

(c) Is it a fact that the League of Nations sent some educational experts to China to report about her educational problems?

(d) If the replies to parts (b) and (c) above are in the affirmative, will Government be pleased to state how many such Commissions, if any, have been appointed by the League to report about the educational problems of India? If none, why?

The Honourable Sir Brojendra Mitter: (a) No

(b) and (c). Yes.

(d) None. The Government of India must dissociate themselves from the suggestion, which the Honourable Member apparently desires to convey, to the effect that the League, having sent an educational mission to China, a country which is in arrears with her contributions, should *a fortiori* have sent educational missions to India, a country which is not in arrears with her contributions. It is no part of the League's functions to confer benefits on individual members.

STUDY AND REPORT ON THE ECONOMIC AND HYGIENIC PROBLEMS OF INDIA BY THE LEAGUE OF NATIONS.

1315. ***Mr. Amar Nath Dutt:** (a) Will Government be pleased to state with names how many experts, if any, have been deputed by the League of Nations to study and report on the economic and hygienic problems of India?

(b) Who has borne their expenses?

(c) What places have they visited?

(d) What steps, if any, have Government taken with regard to their recommendations?

(e) Were there any continental experts among them? If none, why?

The Honourable Sir Brojendra Mitter: (a), (c) and (e). A statement is laid on the table containing the desired information in respect of the Malaria Commission of 1929 which is the only case in point.

(b) The League of Nations.

(d) The Commission submitted a report to the League of Nations, copies of which were received by the Government of India and circulated to Local Governments and Administrations to whom it was left to take such action as they might consider necessary.

Statement relating to the Malaria Commission.

This Commission was invited by the Government of India and comprised six experts—five Europeans and one American. It visited India in 1929. The names of the Members of the Commission were:

1. Dr. W. Schuffner, Director of the Section of Tropical Hygiene of the Royal Colonial Institute, Amsterdam and Professor at the University of Amsterdam.

2. Dr. N. H. Swellengrebel, Chief of Laboratory of the Section of Tropical Hygiene of the Royal Colonial Institute, Amsterdam, and Professor at the University of Amsterdam.

3. Dr. M. Ciuca, Professor at the Faculty of Medicine in the University of Jassy, Roumania, Secretary of the Malaria Commission.

4. Surgeon Louis Williams, Head of the Anti-Malaria, United States, Public Health Service, Richmond, Virginia, United States of America.

5. Dr. S. de Buen, Professor of Parasitology, Institute of Health Madrid.

6. Medecin Commandant M. Peltier, Professor of Social Hygiene, School of Sanitary Service for Colonial Troops, Marseilles.

The Commission visited the following places :

Bombay, Karnal, Lahore, Lahore Cantonment, Khanki, Chankanwadi Reclamation Farm and neighbouring villages, Aik Nallah, Sambrial, Mir Alim Upper Chenab Canal, Lower Chenab Canal, Kathala, Gujranwala, Kasauli, Simla, Delhi, New Delhi and rural areas, Agra, Saharanpur, Kathgodam, the Terai and Bhabar, Banbassa, Lucknow, Moghul Serai, Calcutta where visits were paid to Co-operative Anti-Malarial Societies, Sonarpur area, Salt Water Lake area, Buderhati and Tarpassa. From Calcutta the Commission proceeded to Singhbhum area, Dangoaposi, Bara Janda, Naomundi, Jessor, Birnagar, Berhampur, Murshidabad, Jiaganj, Bhagwangola, Krishnagar and surrounding villages, Silliguri and the Terai, Darjeeling, Phulbarighat, Sylae, Tea Garden at Menglass Gauhati, Dudnai area, Mariana, Jorhat, Toklai, Melling Tea Garden, Kotalguri Tea Garden, Naganijan Tea Garden, Shillong, Cachar, Rangoon, Mandalay and surrounding villages, Maymyo, Sakantha, Hsipow, Lashio, Madaya, Vizagapatam, Ravajada, Parvatipurram, Satikona, Salur and Koraput, Waltair, Madras including Ennore, Errode, Coonoor, Ootacamund, Nadvattam, Mysore and finally returned to Bombay.

FACILITIES OFFERED TO INDIAN STUDENTS IN EUROPEAN COUNTRIES.

1316. ***Mr. Amar Nath Dutt:** (a) Is it a fact that France, Germany, Czechoslovakia and other continental nations offer free tuitions, free lodging and boarding and, sometimes, stipends and scholarships to educate the Indian youths?

(b) If the reply to part (a) above be in the affirmative, will Government be pleased to state whether the United Kingdom offers such facilities to the Indian students? If so, to what extent? If the answer be in the negative, what are the reasons for not offering such facilities to the Indian students as offered by the aforesaid foreign countries?

Mr. G. S. Bajpai: (a) Government are not aware that France or Czechoslovakia and European continental nations generally offer the facilities referred to by the Honourable Member. They have seen newspaper reports to the effect that some such facilities are offered by the India Institute of Die Deutsche Akademie of Munich in Germany.

(b) Government assume that Indian students are eligible for competitive scholarships at educational institutions in the United Kingdom on the same conditions as other students. The last part of the question does not appear to arise.

Mr. K. Ahmed: What is the amount offered at Munich and other places in Germany?

Mr. G. S. Bajpai: The conditions of these stipends, as they are called, vary. Sometimes they do not go beyond the supply of free board, sometimes free board and lodging, and sometimes it is a small pocket allowance; I cannot say how much.

EDUCATIONAL ADVISER IN THE OFFICE OF THE HIGH COMMISSIONER FOR INDIA, LONDON.*

1317. ***Mr. Amar Nath Dutt:** Is it a fact that the inefficiency of the service of the Educational Adviser to the Indian students, in the High Commissioner's Office, London, was condemned by a public resolution of

the London Branch of the International Students' Service? If so, what steps, if any, have Government taken to remedy the grievance? If none, why?

Mr. G. S. Bajpai: Government have not seen the resolution of the International Students' Service, London Branch, referred to by the Honourable Member, but they have no reason to believe that the services of the officer on the staff of the High Commissioner for India, whose functions correspond to those of an Educational Adviser, are in any way unsatisfactory.

GREAT INDIAN PENINSULA RAILWAY EMPLOYEES MUTUAL BENEFIT SOCIETY.

1318. ***Mr. S. G. Jog:** (a) Will Government be pleased to state whether it is a fact that there is a society called "The Great Indian Peninsula Railway Employees Mutual Benefit Society"?

(b) Is it a fact that the Agent of the Railway is one of the trustees of the society?

(c) Is it a fact that the Railway recovers the monthly subscriptions of its members through the Railway salary bills of the staff?

(d) Are Government aware that there is considerable dissatisfaction amongst the members of the society about the management of its funds and other affairs?

(e) Is it a fact that the funds of the said society amount to nine lakhs of rupees?

(f) Is it a fact that the society has not been registered with Government?

(g) Are Government prepared to bring to the notice of the Agent the desirability of registering the society with Government; if not, why not?

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

TRANSFER OF THE STATISTICAL DEPARTMENT TO THE CONTROL OF THE RESPECTIVE ACCOUNTS DEPARTMENTS OF RAILWAYS.

1319. ***Mr. S. G. Jog:** (a) Will Government be pleased to state whether it is a fact that the Railway Retrenchment Committee had recommended the transfer of the statistical department to the control of the respective accounts departments?

(b) Is it a fact that the said recommendations had been accepted by the Railway Board?

(c) Is it a fact that the statistical department of the Great Indian Peninsula Railway has not yet been transferred to the control of the accounts department of the railway?

(d) Is it a fact that the Agent was asked to arrange for the said transfer in November, 1981?

(e) Is it a fact that the transfer of the department involves the abolition of two posts of officers?

(f) Have the statistical departments of other State Railways been transferred to the control of their respective accounts departments and,

if so, from what dates and whether, in consequence, any post of officers have been abolished; if so, how many, and whether the officers concerned were discharged; if not, why not?

Mr. P. R. Rau: (a) The Railway Retrenchment Sub-Committee recommended the transfer of the compilation of statistics to the Accounts Department.

(b) Not generally. The question is under the consideration of the Railway Board in consultation with Railway Administrations.

(c) Yes.

(d) No.

(e) It has been proposed to abolish the post of Compilation Officer and to redistribute the work in the Agent's Office so that one Senior scale post in that office will be reduced.

(f) On the East Indian and North Western Railways the compilation work of the Statistical Departments has been transferred to the Accounts Department with effect from the 1st October, 1931, and 1st June, 1932, respectively, and the posts of Statistical and Compilation Officers have come to an end. The Statistical Officers of these two Railways have reverted to the departments to which they belonged. The Compilation Officer of the North Western Railway has been transferred to the Accounts Department and that of the East Indian Railway has proceeded on leave preparatory to retirement.

EXPENDITURE INCURRED IN CONNECTION WITH THE RAILWAY COURT OF INQUIRY.

1320. ***Mr. S. G. Jog:** (a) Will Government be pleased to state the total expenditure incurred in connection with the Railway Court of Inquiry appointed in 1931?

(b) What was the total amount of fees paid to the Railway counsel on each railway?

The Honourable Sir Frank Noyce: (a) The cost incurred by Government on the Court was Rs. 46,572.

(b) The total amount of legal charges borne by the Railways was Rs. 62,881 and was divided equally among the four State-managed Railways.

Mr. K. Ahmed: Was it advisable to spend Rs. 62,000 on legal advice at this time of retrenchment and reduction of salaries? If so, was this amount squandered or well-spent from the Government's point of view?

Mr. P. R. Rau: The issues raised were so important that Government considered it necessary to have the Court assisted by the best legal advice.

Dr. Ziauddin Ahmad: Was the result commensurate with the expenditure?

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

Mr. K. Ahmed: Will the Honourable Member kindly explain what justification there is for saying that there were important issues involved on which they had to spend over Rs. 62,000 on legal advice alone?

Mr. P. R. Rau: I must leave it to the House to judge whether the issues raised by the dispute before the Court of Inquiry were important or not.

**CALCULATING MACHINES PURCHASED BY THE CHIEF ACCOUNTS OFFICER,
GREAT INDIAN PENINSULA RAILWAY.**

1321. ***Mr. S. G. Jog:** (a) Will Government be pleased to state the number of calculating machines purchased by the Chief Accounts Officer, Great Indian Peninsula Railway, in connection with the Local Traffic Divisional Scheme in 1930-31?

(b) What was the total amount paid as the cost of the machines?

(c) Is it a fact that since the abandonment of the scheme in 1931 the said machines are lying idle?

(d) Is it a fact that the Local Traffic Divisional Scheme was introduced as an experimental measure; and, if so, why was the expenditure in the purchase of these machines incurred?

Mr. P. R. Rau: (a) Four,

(b) Rs. 7,840.

(c) One machine is being utilised in workshop accounts and the rest are idle for the present. The possibility of utilising them in other offices in the Great Indian Peninsula or other Railways is under investigation.

(d) The divisional traffic scheme was introduced as an experimental measure. The machines were purchased because the cost was expected to be met by savings effected by reductions in the staff, but the expectations could not be realised because the scheme was abandoned as a part of the economy campaign.

Mr. S. G. Jog: What use can be made of these idle machines?

Mr. P. R. Rau: We are trying to find out whether other Railways are in a position to utilise them.

**TERMS AND CONDITIONS FOR VOLUNTARY RETIREMENT OF STAFF IN THE
ACCOUNTS DEPARTMENT OF THE GREAT INDIAN PENINSULA RAILWAY.**

1322. ***Mr. S. G. Jog:** (a) Will Government be pleased to state whether it is a fact that the terms and conditions for voluntary retirement of staff were sanctioned and communicated to the Agent of the Great Indian Peninsula Railway by the Railway Board in March, 1932?

(b) Is it a fact that this concession was applicable to the staff of the Accounts Department, Great Indian Peninsula Railway?

(c) Is it a fact that this concession was not notified for the information of the Great Indian Peninsula Railway Accounts staff up to the 21st July, 1932, and, if so, why?

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

(b) Yes.

(c) Yes. The Chief Accounts Officer is being addressed to ascertain the reason.

GRANT OF ADVANCES TO THE RAILWAY EMPLOYEES FROM THE STATE RAILWAY PROVIDENT FUND.

1323.*Mr. S. G. Jog: (a) Will Government be pleased to state when the concession of granting advances to staff from the State Railway Provident Fund under relaxation of rules was sanctioned by Government?

(b) How many applications were forwarded to the Agent, Great Indian Peninsula Railway, up to July, 1932, and how many were rejected by the heads of departments and divisional officers?

(c) How many applications were sanctioned by the Agent during the period, how many of them were from officers, upper subordinates, subordinates and menials, what is the total amount applied for and sanctioned by the Agent for each of the above grades of staff and how many of them were Europeans, Anglo-Indians and Indians?

(d) Is it a fact that in the case of Indian employees, the advances were made equal to about one month's pay, and, in the case of Europeans and Anglo-Indian employees, the same were sanctioned to the extent of two months' pay? If so, why is this distinction made?

Mr. P. R. Rau: The information required is being collected and a statement will be laid on the table of the House in due course.

PROVIDENT FUND BONUS PAID TO THE GREAT INDIAN PENINSULA RAILWAY STAFF.

1324.*Mr. S. G. Jog: Will Government be pleased to state the total number of staff who left the Great Indian Peninsula Railway before the completion of five years' service during the year 1931-32, and in how many cases the Provident Fund bonus was paid to such staff by the Agent and how many of them were Indians and non-Indians?

Mr. P. R. Rau: I am informed that the total number of staff who left the Great Indian Peninsula Railway before completion of five years' service during 1931-32 was 81, and that Provident Fund bonus was paid in nine cases. Three of these were Indians and six non-Indians.

PRINTING OF TEN-RUPEE NOTES IN THE CURRENCY NOTE PRESS, NASIK.

1325.*Mr. Gaya Prasad Singh: (a) With reference to my starred question No. 6 of the 5th September, 1932, will Government kindly state the total number of forged notes of ten rupees detected by the Currency authorities from the time of the inception of the printing of 10-rupee notes in the Currency Note Press, Nasik, up to the date on which it was decided to change the design; and also the total number of such forged notes detected before the inception of the printing of notes of the particular design in the Currency Note Press?

(b) Will Government kindly state whether the Supervisors, due to whose "insufficient supervision, stupidity and carelessness", the theft of the 10-rupee notes occurred, were removed from service or were merely transferred to some other post? Is it a fact that the Assistant Supervisor, responsible for the theft, was subsequently promoted to the grade of Rs. 200—15—350—20—550 from Rs. 100—10—150—15—300? What is the name of this individual? Is his name Mr. Critchell, and is he related to Mr. J. V. Hildreth, Chief Supervisor, Control, Security Printing, India?

Is he the same man who was responsible for an outbreak of fire due to his throwing a lighted cigarette which he was smoking inside the Press in contravention of the rules of the Press? If so, what action was taken against him?

(c) Will Government kindly state why the changed design was not printed on the 10-rupee star-watermarked paper instead of indenting fresh supply of the new design of paper, and utilising the costly paper for printing Postal Cash Certificates?

The Honourable Sir George Schuster: With your permission, Sir, I shall answer questions Nos. 1325, 1326 and 1328 to 1336 together. The information is being collected.

AMENITIES IN EUROPEAN AND INDIAN STYLE QUARTERS FOR THE STAFF OF THE CURRENCY NOTE PRESS, NASIK.

†1326. ***Mr. Gaya Prasad Singh:** (a) With reference to my starred question No. 9 of the 5th September, 1932, will Government kindly state the names of those Indians who live in European style quarters in Nasik; and the names of those Indians who refused to live in the European style quarters? Is it not a fact that no Indian officer has been allowed to occupy a European style quarter, although some of them applied for the same? Is it not a fact that Rao Bahadur Wasudev Anant, Chief Supervisor, Control, Currency Note Press, applied for the first grade European style quarters vacated by Mr. Allison, but was not allowed to occupy it?

(b) Is it not a fact that there is a good deal of difference in the amenities of European style and Indian style quarters of the same grade? Is it not a fact that European style quarters are fitted with electric fans, while Indian style quarters are not; if so, why is this discrimination? Is it not a fact that those living in European style quarters, first and second grade, get a free supply of 6,000 and 4,000 gallons of water respectively, whereas those living in Indian style quarters of the same grades get exactly half of this allowance? If so, why?

REPORT OF THE ACCOUNTANT GENERAL, BOMBAY, REGARDING THE NASIK PRESS BUILDINGS AND QUARTERS.

1327. ***Mr. Gaya Prasad Singh:** With reference to my starred question No. 11 of the 5th September, 1932, will Government be pleased to place a copy of the report of the Accountant General, Bombay, regarding the Nasik Press buildings and quarters, on the table? If not, why not?

The Honourable Sir George Schuster: As already stated in reply to the Honourable Member's starred question No. 11 on the 5th September, 1932, the Auditor General brought the matter to the attention of the Public Accounts Committee. The Memorandum presented to the Public Accounts Committee by the Auditor General on the results of the audit of the accounts of the Architects of Nasik Buildings is printed as Appendix XXV to the Report of the Public Accounts Committee on the Accounts of 1930-31 and the views of the Committee are contained in paragraph 47 of the Proceedings on page 56 of that Report. Copies of this Report have

† For answer to this question, see answer to question No. 1325.

already been circulated to the Members of the Assembly and I do not, therefore, think that any purpose will be served by placing the Report on the table of the House.

Mr. Gaya Prasad Singh: Do I understand that the report of the Accountant General, Bombay, is included among the papers to which reference has been made?

Sir Alan Parsons: I think not.

Mr. Gaya Prasad Singh: The specific question was that the report of the Accountant General, Bombay, should be placed on the table, but that report, according to the reply just given, has not been supplied to the Public Accounts Committee or anywhere else. Is there any objection to placing a copy either on the table of the House or at least in the Library?

Sir Alan Parsons: The specific answer given by the Honourable the Finance Member was that as the Honourable Member will have on these matters the opinion of a higher officer than the Accountant General, Bombay, namely, the Auditor General, that should be sufficient for all purposes.

SHORTAGE OF CURRENCY NOTES AT NASIK.

†1328. ***Mr. Gaya Prasad Singh:** Will Government kindly state the number of occasions of shortage of currency notes at Nasik, with the names of the Supervisors responsible for them?

CASES OF THEFT OF CURRENCY NOTES REPORTED TO THE MAGISTERIAL COURTS AT NASIK.

†1329. ***Mr. Gaya Prasad Singh:** (a) Are Government aware that in a certain case of theft, the City Magistrate of Nasik criticised and condemned the work of an Assistant Supervisor of the Currency Note Press, Nasik, and recommended him for severe departmental punishment? Will Government kindly place in the Library a copy of this judgment, and also state how the magisterial recommendation was carried out? Will Government also state the name of the Assistant Supervisor?

(b) Will Government kindly state the number of thefts which were reported to the Magisterial Courts at Nasik and place copies of judgments in the Library?

PREFERENTIAL TREATMENT IN THE DISCHARGE OF AN EMPLOYEE OF THE CURRENCY NOTE PRESS, NASIK.

†1330. ***Mr. Gaya Prasad Singh:** (a) Is it a fact that Mr. M. H. Patel, of the Currency Note Press, Nasik, who was proved to be responsible for the theft of 5-rupee currency note sheets due to carelessness and ignorance, has been retained, while Mr. B. B. Mishra, against whom there is not a speck of any bad remark of any kind, has been discharged due to retrenchment? If so, why?

(b) Will Government kindly state if the past records of all the Assistant Supervisors were taken into consideration while selecting them for discharge? If not, why not?

† For answer to this question, see answer to question No. 1325.

ALLEGATIONS AGAINST THE MASTER, SECURITY PRINTING, INDIA, NASIK.

†1831. ***Mr. Gaya Prasad Singh:** (a) Is it a fact that a report against the misbehaviour of Mr. H. H. Johnson, a Printing Supervisor, was filed by Mr. B. B. Mishra, in which he criticised the policy of indifference and leniency of the Master in matters where Indians were insulted by Anglo-Indians and Europeans?

(b) Will Government kindly lay on the table a copy of Mr. Mishra's complaint against Mr. Johnson and other papers relating to this matter?

(c) Is it not a fact that no reply whatever was given to Mr. Mishra although fair and impartial enquiry was promised by the Master to dissuade him from taking legal action against Mr. Johnson, permission for which he sought in writing? If so, why? Are Government aware that in such matters the attitude of the Master is always anti-Indian?

(d) Are Government aware that there were certain other cases where Indians were insulted by Europeans and Anglo-Indians and action by the Master was not suitable?

**APPOINTMENT OF ADYA GAUD BRAHMIN AS ASSISTANT SUPERVISORS,
CURRENCY NOTE PRESS, NASIK.**

†1832. ***Mr. Gaya Prasad Singh:** (a) Will Government kindly state the reasons for appointing six Adya Gaud Brahmins of the Ratnagiri district as Assistant Supervisors, Nasik, out of the total fifteen, and retaining all of them with the exception of the temporary hand even after retrenchment?

(b) Is it not a fact that these Adya Gaud Brahmin Assistant Supervisors are either relations of, or have been closely connected with, the Chief Supervisor, Control, Currency Note Press, who himself is an Adya Gaud Brahmin hailing from the district of Ratnagiri?

(c) Is it not a fact that one of them, Mr. A. R. Desai, is related to the Chief Supervisor, and another, Mr. G. V. Desai, is related to Mr. Narayanrao Anant Desai Topiwala of Bombay who is an intimate friend of the Chief Supervisor? Is it a fact that Mr. G. V. Desai was taken on only two months' probation instead of the usual six months? If so, why?

(d) Will Government state the date of the appointment of the Chief Supervisor, Control, in the Currency Note Press, together with the number of appointments conferred on Adya Gaud Brahmins of the Ratnagiri district out of the total number of appointments of Assistant Supervisors after that date?

(e) Is it not a fact that out of the total nine appointments of Assistant Supervisors after that date, six appointments were conferred on Adya Gaud Brahmins of the Ratnagiri district? If so, why?

(f) Will Government kindly state how the claims of different communities were respected in the appointment of fifteen Assistant Supervisors in the Currency Note Press?

(g) Is it a fact that the rules made by the Government of India were not respected while these appointments were made? If so, why?

† For answer to this question, see answer to question No. 1325.

CLAIMS OF RETRENCHED SUPERVISORS FOR VACANCIES OCCURRING IN THE CURRENCY NOTE PRESS, NASIK.

†1333. ***Mr. Gaya Prasad Singh:** Will Government be pleased to state whether, in the event of vacancies occurring in the staff of the Currency Note Press, Control Department, Nasik, the claims of the Supervisors retrenched will be favourably considered? If not, why not?

INDIANISATION IN THE NASIK PRESSES.

†1334. ***Mr. Gaya Prasad Singh:** (a) Will Government kindly state how far Indianisation has progressed in the Nasik Presses, and the particular posts which have been Indianised since the Master submitted his last report?

(b) Will Government state when it will be possible to Indianise the posts of the Master and Deputy Master of the Security Printing, Nasik, India?

RETRENCHMENT IN THE CURRENCY NOTE PRESS, NASIK.

†1335. ***Mr. Gaya Prasad Singh:** With reference to my starred question No. 13 of the 5th September, 1932, will Government be pleased to state whether the selection for retrenchment of the staff was made by the Master only? If so, was it not in contravention of the principles laid down by the Government of India in their Finance Department Cir. No. F.-78-XA-Ex. 1/31 of the 3rd August, 1931, which lays down in para. I(2) that selection of individuals for discharge should be entrusted to a Selection Board specially constituted in each department or office? If so, why was this departure from the general principle made?

ASSESSED RENTS PAID BY EUROPEANS AND ANGLO-INDIANS FOR THEIR QUARTERS AT NASIK.

†1336. ***Mr. Gaya Prasad Singh:** (a) Will Government kindly state the names of those Europeans or Anglo-Indians who pay assessed rents at Nasik together with the amounts they pay?

(b) Will Government kindly state if the Master pays any assessed rent or not, in view of the fact that his quarters have cost Government a sum of Rs. 1 lakh and 12 thousand?

(c) Will Government also state if the Master should pay any assessed rent or not?

(d) Will Government state what should be the rent of the Master's quarters according to rules, and what should have been the worth of his quarters in consideration of his pay?

COMMUNITIES OF THE OFFICERS AND CLERKS WORKING IN THE POSTAL DEPARTMENT AT SRINAGAR.

1337. ***Dr. Ziauddin Ahmad** (on behalf of Seth Haji Abdoola Haroon): Will Government please lay on the table a statement showing the total number of officers of all grades and clerks working in the Postal Department, Srinagar (Kashmere Division), and how many of them belong to each of the following communities: (a) Hindus, (b) Muslims, and (c) Christians?

The Honourable Sir Frank Noyce: A statement giving the required information is laid on the table.

Statement.

	Hindus.	Muslims.	Christians.	Total.
1. Superintendent of Post Offices . . . . .	..	..	1	1
2. Postmaster, Rs. 250—350 . . . . .	..	1		1
3. Deputy Postmaster, Rs. 160—250	1			1
4. Assistant Postmaster, Rs. 160—250	1			1
5. Inspector of Post Offices, Rs. 160—250	1			1
6. Head Clerk to the Superintendent of Post Offices, Rs. 160—250	1			1
7. Sub-Postmasters and Clerks, Rs. 35—135	36	4	..	40
Total	40	5	1	46

CONFIRMATION OF CERTAIN STAFF OF THE KASHMERE DIVISION OF THE POSTAL DEPARTMENT.

1338. ***Dr. Ziauddin Ahmad** (on behalf of Seth Haji Abdoola Haroon):

(a) Is it a fact that the rules make it obligatory on the Postal Department to confirm approved candidates in the Postal service within six months of their being accepted as candidates?

(b) If so, are Government aware that it is in the Kashmere Division only where there are approved candidates of six years' standing awaiting confirmation?

(c) Is it a fact that these candidates are regularly working as paid clerks in season months and are unpaid in the winter months, and, by this, have passed the prescribed age limit and thus are prevented from service in the State?

(d) Are Government aware that the Kashmere Division is the only Division, where candidates, some of them graduates, telegraph-trained hands and sons of deceased postal employees are still unconfirmed?

Mr. T. Ryan: (a) No.

(b) Does not arise.

(c) As regards the first part of the question, the facts are substantially as stated by the Honourable Member. As regards the second, Government have no information as to the age limit prescribed for entrance into the Kashmir State service.

(d) The reply is in the negative.

CONFIRMATION OF CERTAIN STAFF OF THE KASHMERE DIVISION OF THE POSTAL DEPARTMENT.

1339. ***Dr. Ziauddin Ahmad** (on behalf of Seth Haji Abdoola Haroon):

(a) Is it a fact that Government have very recently introduced the system of lower division clerkship in the Postal Department, 50 per cent. of which posts are being filled up by the inferior staff?

(b) Are Government aware that these candidates, although approved for the higher cadre, have shown their willingness to work as lower division clerks, irrespective of their higher educational and technical qualifications?

(c) If the answer to the above queries be in the affirmative, what are the reasons that led the authorities concerned to bring about this state of affairs?

Mr. T. Ryan: (a) That fact is not exactly as stated. The scheme of the lower division clerical cadre has been in existence since 1928 and vacancies in that cadre are now being filled alternately, (1) by qualified men of the postmen class and of inferior staff, and (2) by approved candidates for the upper division clerical cadre enlisted prior to November, 1931.

(b) Government have no information.

(c) I regret that I do not understand this part of the Honourable Member's question and am therefore unable to reply to it.

INADEQUATE REPRESENTATION OF MUSLIMS IN THE KASHMERE DIVISION OF THE POSTAL DEPARTMENT.

1340. ***Dr. Ziauddin Ahmad** (on behalf of Seth Haji Abdoola Haroon): Are Government aware that Muslims are not being well represented in the Kashmere Division of the Postal Department, and, if so, do Government propose to rectify communal inequality? If not, why not?

The Honourable Sir Frank Noyce: As regards the first part of the question the facts are substantially as stated by the Honourable Member.

As regards the other two parts, the Honourable Member is referred to the replies given by the Honourable Sir Bhupendra Nath Mitra to Mr. Muhammad Anwar-ul-Azim's starred questions Nos. 352 and 330 in this House on the 7th March, 1928, and the 30th January, 1929, respectively.

SCHEME OF PROVIDENT FUND FOR GOVERNMENT EMPLOYEES.

1341. ***Mr. Lalchand Navalrai:** With reference to starred question No. 146, dated 8th September, 1932, will Government be pleased to state:

- (a) whether the Provincial Governments have approved the new Provident Fund Scheme;
- (b) whether the Service Associations under the Government of India were consulted;
- (c) whether the scheme is different from the one originally proposed and rejected by 90 out of 95 Associations;
- (d) if the reply to part (c) be in affirmative, whether it is more beneficial to the staff than the one originally proposed;
- (e) whether Government will be pleased to lay a copy of the scheme on the table for the information of the Members? If not, why not?
- (f) in case any of the Provincial Governments or Service Associations again reject the scheme, whether Government propose to keep it pending for some years more;

- (g) whether Government intend that the families of non-gazetted and inferior servants, who die while in service, should be thrown out on streets begging; if not, the reasons why the scheme is not given effect to immediately;
- (h) whether the question of funds is in the way of Government; and
- (i) whether it is a fact that Service Associations want that the Government contribution should be 100 per cent. as in State Railways and other semi-Government concerns, instead of 75 per cent. as proposed by Government; if so, whether Government are prepared to increase their contribution to 87 per cent. as a temporary measure and give immediate effect to the scheme? If not, why not?

The Honourable Sir George Schuster: (a) None of the Provincial Governments whose replies have been received have supported the scheme.

(b) All service associations have already had ample opportunity to express their views on the subject as a whole. On this occasion it has been left to Local Governments to consult their Service Associations if they so desire, but it has not been thought necessary to consult Associations under the Government of India.

(c) and (d). To a certain extent.

(e) I will consider laying papers, or as they are very voluminous, a full resume of them.

(f) No.

(g) and (h). The difficulty throughout has been to devise an acceptable scheme which would not involve undue expenditure.

(i) A majority of Service Associations favour the institution of a contributory provident fund on the lines of that in force for State Railway employees; but, for reasons which were given by the Government spokesman in the debate on this question in the Council of State on the 3rd March, 1932, it was decided that a provident fund scheme should not be adopted.

Mr. Lalchand Navhrai: Will the Honourable Member be pleased to state how much time it will take for the Government of India to complete their scheme and put it in force?

Sir Alan Parsons: The Government of India have decided, in view of the opposition of the Local Governments, not to go on with the scheme.

Mr. S. G. Jog: Is it not a fact that in the Council of State the Resolution that was moved was withdrawn on the assurance by Government that the scheme will be given effect to without unnecessary delay?

Sir Alan Parsons: I think my Honourable friend goes rather further than the statements made by Government Members on those occasions which are in my mind would seem to warrant. I am prepared to agree that inadvertently the Government spokesmen on those occasions gave perhaps an impression that Government were committed to the scheme to an extent to which actually they were not committed.

Mr. Lalchand Navalrai: Will the Honourable Member be pleased to state if the Provincial Governments have suggested any alternative in order to meet the desire of these services?

Sir Alan Parsons: No. The Provincial Governments have not suggested any alternative scheme, except in one case, as far as I remember. The Government of the United Provinces have suggested, I believe, that an extension of compulsory subscriptions to the General Provident Fund would meet the difficulty in those cases in which it arises.

Mr. Lalchand Navalrai: Is the Honourable Member prepared to say that the Government of India are now inclined to finish with this question or if they have any alternative under their own consideration?

Sir Alan Parsons: We are not at the moment considering the introduction of any alternative, because, as my Honourable friend is aware, we are not at the present moment able to afford any unnecessary expenditure.

QUALIFICATIONS FOR APPOINTMENT AS TRANSPORTATION INSPECTORS, COMMERCIAL, ON THE EAST INDIAN RAILWAY.

1342. ***Mr. E. H. M. Bower:** Will Government be pleased to state:

- (a) whether a subordinate aspiring for the post of Transportation Inspector, Commercial, on the East Indian Railway is required to have any practical outdoor experience and, if so, in what capacities;
- (b) whether the candidate is required to pass any departmental examinations and, if so, what they are; and
- (c) whether such aspirants are required to go through a course of training at Chandausi and at Dehra Dun?

Mr. P. B. Rau: With your permission, Sir, I will answer this and the next question together. I have called for the information and will lay a reply on the table in due course.

QUALIFICATIONS FOR APPOINTMENT AS CHIEF CLAIMS CLERK IN THE OFFICE OF THE DEPUTY CHIEF COMMERCIAL MANAGER, EAST INDIAN RAILWAY, CALCUTTA.

†1343. ***Mr. E. H. M. Bower:** Will Government be pleased to state:

- (a) what qualifications are required for the post of Chief Claims Clerk in the office of the Deputy Chief Commercial Manager, East Indian Railway, Calcutta;
- (b) whether a candidate for this post is required to have practical outdoor experience in connection with claims work and, if so, in what capacities;
- (c) whether office experience as a head of a claims-dealing section only is considered essential qualification for the above post; and
- (d) what departmental examinations* is such an aspirant required to pass to be considered eligible for this post?

† For answer to this question, see answer to question No. 1342.

DEFINITION OF "UPPER SUBORDINATES" ON STATE RAILWAYS.

1344. ***Mr. E. H. M. Bower:** (a) Will Government be pleased to give a definition of the term "upper subordinate" as used in respect to employees on State Railways?

(b) Is the position of an upper subordinate on a State Railway dependent on his substantive salary?

(c) If the answer to part (b) be in the negative, will Government please state the qualifications which entitle a subordinate to be termed as an "upper subordinate"?

Mr. P. R. Rau: (a), (b) and (c). Pensionable subordinates in the Engineering Department of State-managed Railways, *viz.*, Sub-Engineers, Supervisors and Overseers are designated "Upper Subordinates". Passed students of the Upper Subordinate class of the Thomason Engineering College, Roorkee, were eligible for appointment to the Upper Subordinate Establishment on State-managed Railways. Recruitment to this Establishment was discontinued some time ago. I would add that the expression "Upper Subordinates" is also sometimes used, though not in a definite sense, to refer to the higher grades of the subordinate establishments of railways.

Mr. E. H. M. Bower: Arising out of this answer, do I take it that the position of Upper Subordinates does not depend on the salary?

Mr. P. R. Rau: No; I have explained what is strictly meant by the term "Upper Subordinates": it means pensionable subordinates in the Engineering Department of State-managed Railways, *viz.*, Sub-Engineers, Supervisors and Overseers.

Mr. E. H. M. Bower: If so, will Government please state if an Upper Subordinate is really a subordinate who has no other subordinate supervising his work, but is one who works directly under a gazetted officer?

Mr. P. R. Rau: I am not quite familiar with the exact position of Upper Subordinates on Railways: and, if my Honourable friend wants a definite reply to his question, I must ask him to put a definite question on the paper.

APPOINTMENT OF NEW PROBATIONERS IN THE OFFICIAL CADRE ON THE GREAT INDIAN PENINSULA RAILWAY.

• 1345. ***Mr. E. H. M. Bower:** (a) Will Government please state whether it is a fact that two new probationers have been engaged in the official cadre on the Great Indian Peninsula Railway and posted one at Bhusawal and the other at Igatpuri?

(b) Will Government please give the reasons why these new appointments were made when there are so many subordinates who have been acting in the official grade for many years?

(c) Is it not a fact that the Railway Board have given an assurance that there would be no more recruitment in the official cadre from outside sources as there were many Europeans, Anglo-Indians and Indians who are in the acting grade and are qualified for promotion?

Mr. P. R. Rau: (a) and (b). No recruitment for the Superior Service for the Great Indian Peninsula Railway has been made during the current financial year. An officer who joined the service in April this year was recruited on the results of the examination held by the Public Service Commission in November, 1931. The recruitment which had been arranged for on a normal scale in the previous years was restricted as soon as it became evident that a large number of posts would be brought under reduction.

(c) No; the only statement made was that the new Lower Gazetted Service was intended essentially for specially selected subordinates with no outside recruitment.

CREATION OF THE POST OF PERSONAL ASSISTANT TO THE POWER OFFICER AT BHUSAWAL.

1346. ***Mr. E. H. M. Bower:** (a) Is it a fact that the Great Indian Peninsula Railway has recently created an extra post as Personal Assistant to the Power Officer at Bhusawal?

(b) Is it a fact that there are already two Power Officers in this Division?

(c) Do Government propose to retain this additional officer in this post?

(d) If the answer to part (c) be in the negative, will Government please state for what period is his post to be kept filled?

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

AMALGAMATION OF THE TRANSPORTATION AND COMMERCIAL DEPARTMENTS ON STATE RAILWAYS.

1347. ***Mr. E. H. M. Bower:** Have Government taken any steps for the amalgamation of the Transportation and Commercial Departments on State Railways and particularly on the Great Indian Peninsula Railway as suggested by Lieut.-Col. Sir Henry Gidney last year?

Mr. P. R. Rau: The question has been investigated by an officer on special duty and his report is at present under the consideration of the Railway Board.

RETRENCHMENT OF SENIOR ACCOUNTS INSPECTORS BY THE CHIEF ACCOUNTS OFFICER, GREAT INDIAN PENINSULA RAILWAY.

1348. ***Mr. E. H. M. Bower:** Will Government please state who authorised the Chief Accounts Officer of the Great Indian Peninsula Railway to effect retrenchment of three senior Accounts Inspectors on the communal basis?

Mr. P. R. Rau: I am informed that there was no retrenchment effected on a communal basis.

NON-APPLICATION OF THE RAILWAY BOARD MEMORANDUM NO. 5565 OF 1929; TO THE GREAT INDIAN PENINSULA RAILWAY INSPECTORS OF STATIONS AND STORES.

1349. ***Mr. E. H. M. Bower:** (a) Will Government please state why the conditions and provisions contained in the Railway Board Memorandum

No. 5565, dated New Delhi, the 31st July, 1929, are not applied to the Great Indian Peninsula Railway Inspectors of Stations and Stores?

(b) Will Government please state what has happened to moneys sanctioned under Budget estimates since 1929 on the said Memorandum?

Mr. P. R. Rau: (a) I am not aware of any of these conditions or provisions which are not applied to the Great Indian Peninsula Railway Accounts Department.

(b) I am sorry I have been unable to understand this question.

AMOUNT SPENT ON THE CONSTRUCTION WORKS AT BHUSAWAL IN THE RUNNING SHED.

1350. *Mr. E. H. M. Bower: (a) Will Government please state whether it is a fact that the Great Indian Peninsula Railway has spent nearly Rs. 2½ lakhs on some construction works at Bhusawal in the running shed?

(b) Is it a fact that the Railway Board promised that no such expenses would be incurred until better times come?

Mr. P. R. Rau: (a) An estimate amounting to some Rs. 3½ lakhs for additions and alterations to the locomotive running shed at Bhusawal was sanctioned by the Railway Board in June, 1931.

(b) I have not been able to trace any such promise.

NON-ALLOTMENT OF A SEAT TO INDIAN CHRISTIANS IN THE CENTRAL PROVINCES IN THE COMMUNAL AWARD.

1351. *Mr. E. H. M. Bower: (a) Are the Government of India aware of the fact that in the "Communal Award" no seats whatever have been allotted to the Indian Christian community in the Central Provinces?

(b) If the answer to part (a) be in the affirmative, will Government state whether they are prepared immediately to represent this matter to the authorities concerned?

The Honourable Sir Brojendra Mitter: (a) Yes.

(b) I would refer the Honourable Member to paragraph 4 of the Communal Decision.

Dr. F. X. DeSouza: Are Government aware that the Indian Christian community in the Central Provinces numbers 40,000, but has not been allotted even one seat, whereas Anglo-Indians, who hardly number 1,500 or 2,000, have been given two seats and Europeans, who number even less, have been given one seat?

The Honourable Sir Brojendra Mitter: I have not the figures before me, but I am prepared to accept the figures from the Honourable Member.

Dr. F. X. DeSouza: Will Government be pleased to state why, in spite of the numerical and cultural importance of my community, the claims of this community for representation in the Legislative Council and Legislative Assembly and the Round Table Conference have been consistently ignored? Is it because they have hitherto completely abstained from taking part in anti-Government agitation?

The Honourable Sir Brojendra Mitter: The Government of India are not responsible for the Communal Decision.

Mr. K. Ahmed: Did the Government of India Despatch contain anything of their information on the subject to the Secretary of State or the Prime Minister and was it laid before the Round Table Conference before the Award was given?

The Honourable Sir Brojendra Mitter: So far as the Government of India are concerned, full materials were placed before His Majesty's Government and the decision was taken by His Majesty's Government. The Government of India are not in any way responsible for the decision.

Mr. K. Ahmed: The responsibility cannot be transferred to some other Honourable Member at Home, unless the Government fully explain their position: that they clearly and definitely set forth in their Despatches the numerical position and claims raised by the Honourable Member representing the Indian Christian community and that in what he wants to be satisfied with if the Honourable the Law Member will be pleased to state?

The Honourable Sir Brojendra Mitter: What is the question? (Laughter.)

Mr. K. Ahmed: Did the Government of India and the Law Member realise the situation that unless they cleared up the difficulties created by the Honourable Member himself stating already that the full material were placed in this Despatch, but at the same time he has not explained at all whether the numerical position of the Indian Christian community was stated therein and whether they took sufficient care to give particulars of the numerical position of the Indian Christians in their Despatches to the Secretary of State before the Award was given ignoring their claim?

The Honourable Sir Brojendra Mitter: Sir, I am really unable to follow the question?

Mr. K. Ahmed: If the Honourable the Law Member will kindly apply his mind to this question, he will be able to follow it. Did the Government of India particularly and specifically mention the numerical position of the Indian Christians in India in their Despatch to the Secretary of State?

The Honourable Sir Brojendra Mitter: I can only repeat that full information was placed before His Majesty's Government, and His Majesty's Government have taken a decision for which the Government of India take no responsibility.

Mr. K. Ahmed: Sir, it is hopeless to continue any further?

Mr. Amar Nath Dutta: May I know whether the Government of India made any recommendation about any province? I refer particularly to Bengal, and whether it is a fact that the recommendation of the Government of Bengal was not accepted by the Government of India who substituted their own recommendation for that of the Government of Bengal?

The Honourable Sir Brojendra Mitter: I do not accept any of the assumptions.

Mr. S. G. Jog: Are the Government of India aware that there is a strong feeling in the Central Provinces that the Indian Christian community have not been allotted even a single seat in the Legislative Council of that Province?

...

The Honourable Sir Brojendra Mitter: I could not follow the last part of the Honourable Member's question. Will he kindly repeat it?

Mr. S. G. Jog: Are the Government of India aware of a strong feeling among the Indian Christian community for their not having been allotted a single seat in the Central Provinces Legislative Council?

The Honourable Sir Brojendra Mitter: I gather there is a feeling amongst certain Members of this House.

Mr. D. K. Lahiri Chaudhury: Will this feeling be communicated to His Majesty's Government?

Mr. S. G. Jog: My question is not as regards the feeling of certain Members in this House. My question is, whether Government are aware of any such feeling among the Indian Christian community in the Central Provinces?

The Honourable Sir Brojendra Mitter: I am not aware of any such feeling.

Mr. D. K. Lahiri Chaudhury: Will the Government of India be prepared to communicate this matter to His Majesty's Government?

The Honourable Sir Brojendra Mitter: No, Sir; no useful purpose will be served by communicating it to His Majesty's Government.

Mr. Lalchand Navalrai: All that we can infer is that the Government of India do not know what takes place outside?

The Honourable Sir Brojendra Mitter: The Government of India know a great deal more than what the Honourable Member assumes.

Mr. Lalchand Navalrai: Then I want to know whether there is any such feeling outside the House or not. If the Government know about public opinion outside, then the Honourable Member should be in a position to say what is the public opinion on this point outside?

The Honourable Sir Brojendra Mitter: All I can say is this, that mere ascertainment of public opinion on any particular question will serve no useful purpose, because paragraph 4 of the Communal Decision has clearly laid down the condition upon which that decision may be altered.

-REPRESENTATION BY LEGAL ADVISERS OF RAILWAY EMPLOYEES IN DEPARTMENTAL ENQUIRIES.

1352. ***Mr. E. H. M. Bower:** Will Government be pleased to state whether, in all departmental enquiries (particularly on Railways), with special reference to those enquiries that are likely to result in the discharge or dismissal of an employee, the employee is entitled to be represented by a legal adviser or an agent with power of attorney? If not, why not?

Mr. P. E. Rau: Rules regarding departmental enquiries do not provide for the representation by a legal adviser of the Government servant whose conduct is under investigation. Government consider this unnecessary.

GOVERNMENT SERVANTS JOINING DULY REGISTERED LABOUR UNIONS.

1353. ***Mr. E. H. M. Bower:** (a) Will Government be pleased to inform this House, whether all their servants (excluding the military), irrespective of grade, are permitted to join any duly registered labour union?

(b) If not, why not?

The Honourable Mr. H. G. Haig: While the rules at present in force do not specifically prohibit officers of any grade from joining any union, registered or otherwise, Government recognition is confined to unions of their servants which conform with the recognition rules.

Dr. Ziauddin Ahmad: What are these recognition rules?

The Honourable Mr. H. G. Haig: They are rules laid down by the Government of India.

Dr. Ziauddin Ahmad: Are they published anywhere?

The Honourable Mr. H. G. Haig: I do not think they have been published.

Dr. Ziauddin Ahmad: Will the Honourable Member kindly arrange to supply a copy of those rules to the Members of the Assembly?

The Honourable Mr. H. G. Haig: If the Honourable Member will put down a question, I will consider the matter.

Dr. Ziauddin Ahmad: Will he kindly take this question for notice?

ALLEGED IRREGULARITIES IN SOME FILES OF THE OFFICE OF THE CONTROLLER OF STORES.

1354. ***Mr. Gaya Prasad Singh:** (a) Is it a fact that serious irregularities in some files of the office of the Controller of Stores have been discovered by the Audit Department: that sheets have been removed from contract ledgers, and new ones inserted in their places to cover up shady transactions; that sealed samples have been spirited away from the sample room, and inferior samples substituted?

(b) Will Government kindly state what are the facts, indicating the extent of loss, if any, the persons implicated, and the steps taken in the matter?

The Honourable Sir Frank Noyce: The irregularities referred to by the Honourable Member were not discovered by the Audit Department, but by the Stores Department itself. Enquiries are now in progress and the matter is receiving my personal attention.

Mr. Gaya Prasad Singh: I thank the Honourable Member for promising to give his personal attention to this matter, but, in view of the seriousness of the allegation, will he be pleased to communicate the result to this House at a later stage?

The Honourable Sir Frank Noyce: I will consider that after the report on the irregularities has been received.

ALLEGATIONS AGAINST GARHWALI SOLDIERS AT MIDNAPUR.

1355. *Mr. Gaya Prasad Singh: Are Government aware that Mr. Sudhiamay Bannerjee, a pleader of Midnapur (Bengal), was proceeding from the Criminal to the Civil Court on his cycle on or about the 22nd October, 1932, and when he saw a batch of four or five soldiers of the Garhwali Regiment coming from the opposite direction, the pleader at once took himself to the left-hand side, but a soldier kicked the cycle down, and the gentleman sustained bodily injuries? If so, what action, departmental or otherwise, has been taken in the matter; and with what result?

Mr. G. B. F. Tottenham: A report has been called for and a reply will be laid on the table when it is received.

TRANSFER OF WOMEN PRISONERS TO THE ANDAMANS.

1356. *Mr. Gaya Prasad Singh: (a) Is it a fact that women prisoners have been, or are about to be, sent to the Andamans? If so, how many, who are they, and for what offence have they been convicted?

(b) Are Government aware that the Jail Committee reported (Volume I, para. 626), that "the deportation to the Andamans of all female convicts, and the great majority of the male convicts should be put an end to as soon as possible"? Was not this recommendation accepted by Government?

The Honourable Mr. H. G. Haig: I would refer the Honourable Member to the reply which I gave to Rai Bahadur Sukhray Roy's starred question No. 1249 on the 16th November to which I have nothing to add.

APPRECIATION OF THE PAST WORK OF INDIANS IN TANGANYIKA.

1357. *Mr. Gaya Prasad Singh: (a) Has the attention of the Government been drawn to the *Tanganyika Opinion* of the 29th July, 1932, page 16, where appears a message from Kunwar Maharaj Singh, the new Agent General of the Government of India in South Africa?

(b) Have Government noted that in his opinion the past work of the Indians in Tanganyika deserves every recognition and appreciation?

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

UNIFICATION OF THE TANGANYIKA POSTAL AND TELEGRAPH DEPARTMENT WITH THAT OF KENYA AND UGANDA.

1358. *Mr. Gaya Prasad Singh: (a) Has the attention of the Government been drawn to the *Tanganyika Opinion* of September 2nd, 1932, page 3, under the heading "Is Postal Unification Settled? What is the fact?"; page 6, under the heading "Kenya P. M. G.'s Arguments for Postal Union under Fire"; page 11, under the heading "Some Powerful Shells on Postal Unification"?

(b) Has the attention of the Government been drawn to the memorandum of the Dar-es-Salaam Indian Association to the Secretary of State for the Colonies against the postal unification as reproduced in the *Tanganyika Opinion* of the 16th September, 1932, at page 8? Has this question been settled? If so, in what way?

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

(b) The reply to the first part is in the affirmative and to the second part in the negative. Government are informed that there is no intention of coming to final conclusions in the matter without affording full opportunity for public criticism.

Mr. Gaya Prasad Singh: Do I understand the Honourable Member to say that the proposed unification has already been decided upon by the Government?

Mr. G. S. Bajpai: No, Sir; there is no intention of coming to conclusions in the matter without affording full opportunity for public criticism.

Mr. Gaya Prasad Singh: Are Government aware that this matter was not referred to the Legislative Council of Tanganyika?

Mr. G. S. Bajpai: That is perfectly true, but my Honourable friend would be able to infer from what I have said that the Legislative Council will have an opportunity of considering the matter.

Mr. Gaya Prasad Singh: Are the Government of India aware that in the Legislative Council in Tanganyika the Honourable Mr. Jardine, Chief Secretary to the Government, virtually stated that it was a settled fact, and added that "if ever there was found to be any loss of efficiency, the Government of Tanganyika will retreat from the arrangement". Does it not indicate that the settlement has already been arrived at?

Mr. G. S. Bajpai: Will my Honourable friend kindly let me know the date of the alleged statement?

Mr. Gaya Prasad Singh: I am quoting from the *Tanganyika Opinion*, dated the 7th of October, 1932. I will hand over the copy to the Honourable Member if he wants it.

Mr. G. S. Bajpai: My information is somewhat later than that, and it amounts to this, that no decision has yet been reached, and that before a final decision is reached, the Tanganyika Legislative Council will have an opportunity of expressing its views upon the matter.

Mr. Gaya Prasad Singh: Are Government aware that some Members of the Tanganyika Legislative Council, Major Wells and Mr. Wyndham, also suggested that the Post Master General for the unified services should be recruited from England?

Mr. G. S. Bajpai: That is quite possible, but I do not think that it in any way detracts from the accuracy of the statement which I have made.

INSECURITY OF LIVES AND PROPERTY OF INDIANS AT DAR-ES-SALAAM.

1359. ***Mr. Gaya Prasad Singh:** Have Government noted in the *Tanganyika Opinion*, weekly edition, 16th September, 1932, under the heading "A Call to the Police", that the lives and property of the Indian section of the non-native communities in Dar-es-Salaam are not secure

against the law-breakers? Do Government propose to make any representations to the Government of Tanganyika on the subject so as to assist the Indian community in that territory?

Mr. G. S. Bajpai: Government have seen the articles referred to by the Honourable Member. They consider that the matter can most suitably be dealt with by the Indian community in Tanganyika making direct representations to the Government of the territory.

FACILITIES FOR THE EDUCATION OF INDIAN CHILDREN IN TANGANYIKA.

1360. ***Mr. Gaya Prasad Singh:** (a) Has the attention of the Government been drawn to the leading article in the *Tanganyika Opinion*, weekly edition, at page 16 of the issue, dated the 30th September, 1932, under the heading "Education and Literacy"?

(b) Is it a fact that, out of a total of 6,598 Indian boys and girls of school-going age, only 500 children were provided for by the Government of Tanganyika?

(c) Are Government prepared to take early steps to negotiate with the Colonial Office in order that more facilities for the education of the Indian children may be provided so as to be compatible with the needs of the community?

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

(b) The statement appears to be incomplete because according to the Tanganyika Blue-Book for 1931, the Government of the territory also made grants-in-aid to private schools with an enrolment of 1,351.

(c) Government have received no representations on the subject from the Indian community of Tanganyika and have no doubt that the matter will be dealt with, if necessary, by the representatives of the community in the local Legislative Council.

UNIFICATION OF THE TANGANYIKA POSTAL AND TELEGRAPH DEPARTMENT WITH THAT OF KENYA AND UGANDA.

1361. ***Mr. Gaya Prasad Singh:** (a) Has the attention of the Government been drawn to the memorandum which the Dar-es-Salaam Indian Association has addressed to the Permanent Mandates Commission of the League of Nations opposing postal unification as reproduced in the *Tanganyika Opinion* of the 7th October, 1932, at pages 3, 4, 5, 6, 7 and 8?

(b) Has the attention of the Government been drawn to the article in the *Tanganyika Opinion* of 21st October, 1932, at page 11, under the heading "Postal Unification an Accomplished Fact"?

(c) Have Government received any representation from the Dar-es-Salaam Indian Association requesting Government to seek expert legal opinion on the subject whether the Permanent Court of International Justice should be moved? What action, if any, has been taken in the matter?

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

(c) The answer to the first part is in the affirmative. As regards the second part, Government do not consider that the necessity for any such action has arisen.

UNSTARRED QUESTIONS AND ANSWERS.

SPEECHES AT, AND CORRESPONDENCE RELATING TO, THE OTTAWA CONFERENCE.

197. **Mr. Bhuput Sing:** Will Government be pleased to place in the Library of the House:

- (a) the full text of the speeches made by the different delegates, official and non-official, that represented India at the Ottawa Conference, on the different subjects that came up for discussion there; and
- (b) the full details of the correspondence that passed between the Home Government and the Government of India before and after the Ottawa Conference relating to the subject matters of that Conference? .

The Honourable Sir Joseph Bore: (a) Copies of the Report of the Imperial Economic Conference, 1932, and Appendices to the Summary of Proceedings containing the published speeches are already in the Library of the Legislature. The Government of India have received no other publication containing speeches made at the Conference by members of the Indian Delegation.

(b) As the correspondence is confidential, I regret that I am not able to comply with the request of the Honourable Member.

POSTPONEMENT OF APPLICATION OF THE INDIAN RAILWAYS (AMENDMENT) ACT, 1930, TO THE BENGAL AND NORTH WESTERN RAILWAY.

198. **Pandit Satyendra Nath Sen:** (a) Is it a fact that the application of the Indian Railways (Amendment) Act, (XIV) of 1930, to the Bengal and North Western Railway has been postponed by Government?

(b) If so, will Government be pleased to state:

- (i) when and for how long its application has been postponed;
- (ii) whether it was postponed at the request of the authorities of that Railway or on their own accord;
- (iii) whether its application was postponed on account of financial stringency; and
- (iv) whether this Railway Company has not declared a dividend of 15 per cent. for its financial year ending the 30th September, 1931?

(c) If the reply to part (b) (iv) be in the affirmative, will Government be pleased to state:

- (i) whether the application of the Act was not possible with such an enormous profit;
- (ii) what should be the average income of the Railways to enable the application of the Act to them; and
- (iii) whom Government propose to hold responsible for stating that there was financial stringency on this Railway?

Mr. P. B. Rau: (a) and (b) (i) to (iii). I would refer the Honourable Member to the Railway Board's Communiqué of the 18th March, 1932, a copy of which will be found in the Library of the House.

(b) (i). Government understand that the Board of Directors of the Bengal and North Western Railway Company, Limited, had recommended, inclusive of *interim* Dividend, a Dividend and bonus of 16 per cent. for the year ended 30th September, 1931.

(c) (i). Government consider that the question of meeting the additional expenditure that will be involved if the Act is to be applied to railways to which they have not yet been applied should be considered with reference to the financial position of all railways taken together and not with reference to any one particular line.

(c) (ii). Government are unable to express a definite opinion on this point at present but the question of applying the Act to Company-managed Railways will be considered when the financial position improves.

(c) (iii). I am not aware to what statement my Honourable friend refers.

COMPULSORY LEAVE FOR SIGNALLERS ON THE BENGAL AND NORTH WESTERN RAILWAY.

199. **Pandit Satyendra Nath Sen:** (a) Is it a fact that a number of signallers on the Bengal and North Western Railway have been given compulsory leave as a measure of retrenchment?

(b) If so, will Government please state:

(i) how many and for how long;

(ii) what has led the Railway to effect retrenchment; and

(iii) whether they are satisfied that the withdrawal has not put the remaining staff to undue hardship?

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

MORE HOLIDAYS TO DAILY-RATED WORKMEN OF GORAKHPUR AND SAMASTIPUR WORKSHOPS.

200. **Pandit Satyendra Nath Sen:** (a) Is it a fact that on the Bengal and North Western Railway daily-rated workmen of the Workshops at Gorakhpur and Samastipur are given more holidays than they actually require and more than the number of actual holidays, without payment of wages?

(b) If so, will Government be pleased to state the reason that justifies the grant of so many holidays when actually there are no holidays?

Mr. P. R. Rau: (a) and (b). The Agent reports that to avoid discharging surplus staff the system of short time working is being employed which involves the closing of the workshops at both Gorakhpur and Samastipur for a certain number of days, not exceeding two per month exclusive of gazetted holidays. The workmen do not receive wages for the days the shops are so closed.

NEW LEAVE RULES FOR SUBORDINATE STAFF ON THE BENGAL AND NORTH WESTERN RAILWAY.

201. **Pandit Satyendra Nath Sen:** (a) Is it a fact that on the Bengal and North Western Railway scales of leave, so far granted to the subordinate staff, have been reduced with effect from the 1st April, 1932?

(b) If so, what are the new scales and what are the reasons that justify the introduction of the new leave rules?

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

PROPOSED RETRENCHMENT OF WORKMEN ON THE BENGAL AND NORTH WESTERN RAILWAY.

202. Pandit Satyendra Nath Sen: (a) Is it a fact that on the Bengal and North Western Railway there is a proposal to reduce the number of the workmen?

(b) If so, how many men are expected to be involved and what would be the approximate saving to the Railway by making such retrenchment?

Mr. P. R. Rau: (a) The Agent reports that there is no proposal to reduce the number of workmen provided that there is no further decline in traffic.

(b) Does not arise.

PROVISION OF CHAIRS TO THE CLERICAL STAFF ON THE BENGAL AND NORTH WESTERN RAILWAY.

203. Pandit Satyendra Nath Sen: (a) Is it a fact that the clerks in the audit office and at stations on the Bengal and North Western Railway are not provided with chairs for their seats, but that they are provided with stools?

(b) If so, will Government be pleased to state:

- (i) why they are not provided with chairs;
- (ii) whether they propose to draw the attention of the Agent, Bengal and North Western Railway, to the necessity of providing chairs to those who do clerical duties; and
- (iii) which are the other Railways which have provided stools to their clerical staff?

Mr. P. R. Rau: Government have no information, but I will bring the Honourable Member's question to the notice of the Agent, Bengal and North Western Railway.

INTIMIDATION OF EMPLOYEES SEEKING REDRESS OF GRIEVANCES THROUGH THE BENGAL AND NORTH WESTERN RAILWAYMEN'S ASSOCIATION.

204. Pandit Satyendra Nath Sen: (a) Are Government aware that on the Bengal and North Western Railway some petty officials have made it a point to intimidate those employees of the Railway who work for the Bengal and North Western Railwaymen's Association and who seek redress of their grievances through it?

(b) Are Government aware of the following facts:

- (i) that one Chhedi, a fitter of the Locomotive and Carriage Workshops, Gorakhpur, while on duty, sustained injury to one of his eyes resulting in its total failure;

- (ii) that after his injury healed after a treatment for two months and five days, he was given by the Principal Medical Officer a fit certificate and he was allowed to resume his work about the 26th January, 1930;
- (iii) that he worked till the 19th August, 1930, or for about seven months;
- (iv) that his case for compensation, under the Workmen's Compensation Act, was represented to the Agent of the Railway by the Bengal and North Western Railwaymen's Association;
- (v) that the Agent did not reply to the representation made to him;
- (vi) that the case was ultimately referred to the Workmen's Compensation Commissioner resulting in the payment of the Compensation on the 19th August, 1931;
- (vii) that the very day he got the compensation he was removed from his employment;
- (viii) that representations for the reconsideration of his case to the Railway authorities made by him and, on his behalf, by the Bengal and North Western Railwaymen's Association proved to be of no use; and
- (ix) that failing to receive a reply from the Agent, the Association again approached the Workmen's Compensation Commissioner and the Agent wrote to the Commissioner to the effect that the loss of one eye of the man concerned rendered him no longer fit for further service?

(c) If the answer to part (b) (ii) and (ix) be in the affirmative, will Government kindly say what led the Principal Medical Officer to grant him a fit certificate and why the man was allowed to work for seven months, if he was no longer fit for further service?

(d) Are Government aware of the following facts:

- (i) that one Alijan, a fitter of the running shed, Samastipur, sustained injury to his left eye while on duty on the 6th August, 1931, resulting in its total failure;
- (ii) that when his injury healed after a course of treatment for one month and seventeen days, he was given a fit certificate by the railway doctor and was allowed to resume his work and he worked as a fitter till the 5th November, 1931, or for a month and a half; and
- (iii) that in the meantime his case for compensation, under the Workmen's Compensation Act, was represented by the Bengal and North Western Railwaymen's Association to the Agent of the Railway on the 20th October, 1931, and the man was removed from his employment on the 4th November, 1931, or within a week of the representation?

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

PURCHASE OF THE BENGAL AND NORTH WESTERN AND ROHILKUND AND KUMAON RAILWAYS.

205. Pandit Satyendra Nath Se : Will Government be pleased to state :

- (a) what they have been pleased to do in the matter of the future administration of the Bengal and North Western and Rohilkund and Kumaon Railways, and
- (b) when these two Railways are to be the properties of the State?

Mr. P. R. Rau : (a) and (b). I would refer the Honourable Member to the Railway Department Notification No. 6370-F., dated 16th May, 1932, published at pages 645 to 651 of Part I of the Gazette of India, dated 21st May, 1932.

GRIEVANCES OF THE PUBLIC AGAINST THE BENGAL AND NORTH WESTERN RAILWAY.

206. Pandit Satyendra Nath Sen : (a) Has the attention of Government been drawn to the letter of Rai Sahib Madhusudan Das, an Honorary Assistant Collector of Gorakhpur, appearing under the heading "B. and N. W. Railway Future", in the column "Letters to the Editor", page 14, of the *Hindustan Times* of June 6, 1931, and in a number of other papers enumerating a large number of grievances of the public against the Bengal and North Western Railway?

(b) If so, what action were Government pleased to take to ensure the redress of these grievances?

(c) If the reply to part (a) be in the negative, what steps do Government propose to take to get a copy of the paper for necessary action?

(d) Will Government please state :

- (i) why so many deficiencies were allowed to exist so long;
- (ii) what action is taken or is to be taken against the Railway Administration for allowing them to exist so long; and
- (iii) what action they took in the past for the removal of these grievances?

Mr. P. R. Rau : (a) Government have seen the letter referred to, and have from time to time seen complaints published in other newspapers regarding certain matters on the Bengal and North Western Railway Administration.

(b) A copy of the letter has been sent to the Agent, Bengal and North Western Railway, for such action as he considers necessary.

(c) Does not arise.

(d) (i) and (ii). A report on the Bengal and North Western Railway is submitted annually by the Government Inspector of Railways, and the reports for recent years have not indicated that there are serious deficiencies in the Administration.

(d) (iii). In 1922, as a result of complaints regarding the Bengal and North Western Railway, an enquiry into the working of this railway was made by a Government Inspector of Railways at the request of the Administration. The result of that enquiry showed that the Railway

Administration were studying the convenience of the public and were willing to meet all reasonable demands. In 1928, the Agent of the Bengal and North Western Railway, together with the Agents of other Class I Railways, was asked to look into certain specific grievances of the travelling public and, since then, certain steps have been taken to improve conditions.

CANVASSING BY CLERKS FOR RETENTION OF COMPANY ADMINISTRATION OF THE BENGAL AND NORTH WESTERN RAILWAY.

207. Pandit Satyendra Nath Sen: (a) Has the attention of Government been drawn to the letter of Mr. Ram Pershad Bhalotia, published in the *Aj* of Benares, dated the 1st August, 1931, under the heading "B. and N. W. Railway"?

(b) If so, will Government be pleased to state whether the Railway clerks canvassed public opinion in favour of the retention of the administration of this Railway by its present Company?

(c) Will Government please state:

(i) whether such canvassing was done with the sanction of the Government; and

(ii) if such propaganda was not done with the approval of the Government, what action has been taken by them against it?

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

(b) Government are not aware that there was any such canvassing.

(c) Does not arise.

RECOGNITION OF RAILWAYMEN'S UNIONS BY RAILWAY ADMINISTRATIONS.

208. Pandit Satyendra Nath Sen: (a) Will Government be pleased to state whether the Railway Board have notified their orders, if they have passed any, to the Railway Administrations, in regard to the recognition of the Railwaymen's Unions in accordance with the recommendations of the Royal Commission on Labour?

(b) If so, will Government please say:

(i) which of the Railway Administrations have carried out the orders of the Railway Board in this respect; and

(ii) why the other Railway Administrations have not carried them out?

Mr. P. R. Rau: (a) and (b). The recommendations in question are still under consideration and orders have not yet issued.

FACILITIES BY RAILWAY ADMINISTRATIONS TO UNIONS FOR ACCOMMODATION OF THEIR OFFICES.

209. Pandit Satyendra Nath Sen: (a) Is it a fact that the Railway Board issued orders to the Railway Administrations to the effect that accommodation should be given for the use of the offices of the unions of their employees? If so, with what result?

(b) Has any of the Administrations not carried out the orders in this respect? If not, why not?

Mr. P. R. Rau: (a) and (b). No orders of the nature referred to by the Honourable Member were issued to Railway Administrations though they were informed that the Railway Board had decided to leave it to the discretion of each Railway Administration to deal with individual applications from its recognised Union for the grant of railway quarters or building sites on railway land.

The other parts of the question do not, therefore, arise.

**COMMUNAL COMPOSITION OF THE OFFICE OF THE ACCOUNTANT GENERAL,
UNITED PROVINCES.**

210. Khan Bahadur Haji Wajihuddin: Will Government kindly state whether the communal composition of the office of the Accountant General, United Provinces, so far as the Muslims are concerned, is as follows:

Total number of the posts. .	Posts held by Mussalmans.
5 Assistant Accounts Officers . . .	<i>Nil.</i>
45 Subordinate Service Accountants . .	<i>Nil.</i>
406 Clerks	32 Permanent and 11 Temporary.
11 Typists	<i>Nil.</i>
15 Record Clerks	3 ?

The Honourable Sir George Schuster: With your permission, Sir, I will deal with questions Nos. 210 to 213 together.

Enquiry is being made and complete replies will be laid on the table in due course.

**CONFIRMATION OF MUSLIM CLERKS IN THE OFFICE OF THE ACCOUNTANT
GENERAL, UNITED PROVINCES.**

†**211. Khan Bahadur Haji Wajihuddin:** (a) Are Government aware that the number of the temporary clerks of the Muslim community was 34 in the experimental offices of Audit and Accounts in the United Provinces and that this number has now come down to 11 as a result of retrenchment in those offices?

(b) Are Government aware that the Auditor General has recently decided to remove the embargo on the confirmation of the temporary clerks in the office of the Accountant General, United Provinces, and that 58 such clerks will now be confirmed?

(c) Are Government aware that out of the 11 temporary Muslim clerks, only nine can be confirmed at present and that the number of such clerks belonging to the other minority communities is only five?

(d) Will Government kindly state what steps they propose to take in order to give 1/3rd share of these confirmations to the minority communities? Do they intend to re-appoint the discharged Muslim clerks and confirm them? If not, do they propose to reserve the balance of the 1/3rd posts to be substantively filled by the discharged Muslim clerks in future? Is it a fact that the total number of the clerks of this predominant minority community is very small?

† For answer to this question, see answer to question No. 210.

PROPOSED REMOVAL OF TWO MUSLIM TEMPORARY CLERKS IN THE UNITED PROVINCES ACCOUNTS OFFICE.

†212. **Khan Bahadur Haji Wajihuddin:** Are Government aware that the Auditor General has decided to remove two Muhammadan temporary clerks now serving as machinists in the United Provinces Accounts office, and to take two senior Muhammadan discharged clerks in their places? Are they aware that these two senior clerks will be treated as fresh recruits and it would not be possible to confirm them at present with the result that the Muslim community will lose two places in confirmations? How do Government propose to remedy the situation?

SAFEGUARDING OF MUSLIM INTERESTS IN THE OFFICE OF THE ACCOUNTANT GENERAL, UNITED PROVINCES.

†213. **Khan Bahadur Haji Wajihuddin:** Are Government aware that the Auditor General had decided in 1929 to stop the recruitment of the majority community in the experimental offices in the United Provinces? Are they also aware that these orders were not followed in the subsequent appointment of temporary clerks in those offices and that the number of the Muslim clerks could not be raised appreciably? Are Government aware that whatever Muslim clerks were recruited between 1926 and 1931 have now been discharged as a result of retrenchment and the door to their future recruitment has been barred by the abolition of permanent vacant posts due to the relaxation of processes of audit and accounts and the decision of the Accountant General to keep six vacant posts unfilled for the probable future reversions of the majority community clerks, now on deputation? If so, are Government prepared to take proper action to safeguard the interests of the Muslim community in the office of the Accountant General, United Provinces.

STATEMENTS LAID ON THE TABLE.

The Honourable Mr. H. G. Haig (Home Member): Sir, I lay on the table the information promised in reply to starred question No. 1048
12 Noon. asked by Mr. K. C. Neogy on the 28th September, 1932.

ASSOCIATION OF FEMALE CIVIL DISOBEDIENCE PRISONERS IN JAIL WITH PROSTITUTES, ETC.

*1048. (a) The usual practice is as far as possible to keep female civil disobedience prisoners separate from other female prisoners, and in the majority of the provinces there have been no complaints such as are referred to. In two provinces only complaints have been made. It must be understood that it is not always possible, owing to lack of jail accommodation, to provide for separation of C class female civil disobedience prisoners from other female prisoners.

(b) A copy of the Committee's report was received by the Government of Bombay. The suggestion that it was the policy of Government to force female political prisoners into association with undesirable characters is entirely without foundation.

†For answer to this question, see answer to question No. 210.

Mr. G. R. F. Tottenham (Army Secretary): Sir, I lay on the table:

- (i) the information promised in reply to starred question No. 884 asked by Sirdar Sohan Singh on the 26th September, 1932; and
- (ii) the information promised in reply to starred question No. 1020 asked by Mr. K. C. Neogy on the 28th September, 1932.

APPOINTMENT OF A MEMBER OF THE LAHORE CANTONMENT BOARD AS THE EXECUTIVE OFFICER.

*834. (a), (b) and (c). An officer of the Cantonments Department had already been appointed by Government as Executive Officer of the Lahore Cantonment Board when the resolution was moved at the meeting of the Board on the 30th April, 1932. The mover of the resolution was apprised of the fact by the President, and the officer appointed was present at the meeting of the Board. As the mover declined to withdraw the resolution, it was necessary for the official members to oppose it.

SITE FOR STATIONING OF A BATTALION OF BRITISH TROOPS AT Dacca.

*1020. (a) Yes.

(b) Deputations from the Bar Association and the Hindu Sabha suggested alternative sites to the District Magistrate, who however found them to be unsuitable. A wire fence and a screen have been put up so that the camp will in no way interfere with the resort of men or women to the temple; and the local civil authorities are satisfied that the site selected, is the only suitable site available.

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

- (i) the information promised in reply to unstarred question No. 65 asked by Mr. N. M. Joshi on the 27th September, 1932;
- (ii) the information promised in reply to parts (ix) and (x) of starred question No. 789, asked by Khan Bahadur Haji Wajihuddin on the 26th September, 1932;
- (iii) the information promised in reply to unstarred question No. 124 asked by Sir Zulfiqar Ali Khan on the 27th September, 1932;
- (iv) the information promised in reply to starred question No. 787 asked by Khan Bahadur Haji Wajihuddin on the 26th September, 1932;
- (v) the information promised in reply to starred question No. 552 asked by Mr. Muhammad Anwar-ul-Azim on the 21st September, 1932;
- (vi) the information promised in reply to starred question No. 304 asked by Mr. Goswami M. R. Puri on the 16th September, 1932; and
- (vii) the information promised in reply to unstarred question No. 73 asked by Mr. N. M. Joshi on the 27th September, 1932.

COMMERCIAL DEPARTMENT OF THE GREAT INDIAN PENINSULA RAILWAY.

65. (a) Yes.

(b) Qualified officers of the Commercial Department are transferable to the Transportation Department and *vice versa*, but generally such transfers are avoided. Subordinate staff are not ordinarily transferred from one department to another.

(c) and (d). The question has been investigated by an officer on special duty whose report is under the Railway Board's consideration. If it is decided to make any change in the existing organisation, the legitimate interests of the officers affected will receive proper consideration.

AMOUNT RECOVERED FROM PASSENGERS BY TRAVELLING TICKET EXAMINERS.

*789. (a), (ix) and (x). Information in regard to the number of cases dealt with by the travelling ticket examiners on journals and the amount recovered by the staff and of the number of cases made over for prosecution is not available for periods anterior to December, 1931. The following figures relate to the period from December, 1931, to May, 1932 :

Cash realised.		Made over for prosecution.		Total.	
No. of cases.	Amount.	No. of cases.	Amount.	No. of cases.	Amount.
	Rs. a. p.		Rs. a. p.		Rs. a. p.
154,424	2,03,710 1 3	20,841	42,784 0 3	175,265	2,46,494 1 6

Information is not now available in regard to the amount recovered through the Court or the amount written off.

RETENTION OF THE POST OF OFFICE SUPERINTENDENT OF CONSTRUCTION, NORTH WESTERN RAILWAY.

124. (a) The clerical strength of the several Branches of the Headquarters Office varies from 51 to 219 clerks. In Divisional offices the total numbers vary also from 83 to 261.

(b) A year ago 60 men were employed in this Branch.

(c) Yes.

(d) Yes.

(e) There are 21 clerks employed at present.

(f) and (g). The Agent reports that the post of Office Superintendent, Construction, has been converted to Superintendent, Construction, Works Branch. The question of the abolition of the post or of reduction of its scale of pay in order that the pay may correspond to the duties now attached to it is being taken up by the Railway Board with the Agent.

PAY OF TELEGRAPH INSPECTORS OF THE AMALGAMATED EAST INDIAN AND OUDH AND ROHILKHAND RAILWAYS.

*787. (a) The scale of pay of Telegraph Inspectors under the East Indian Railway Company was Rs. 250—10—350 and on the late O. and B. Railway Rs. 210—10—300. The scale of pay after amalgamation is Rs. 210—10—300 per mensem.

(b) It is not a fact that after amalgamation the pay of the East Indian Railway Inspector was raised. The jurisdiction of the Inspector was curtailed due to the Jabulpore and Delhi-Umballa-Kalka sections being taken away from the East Indian Railway.

(c) The total number of Telegraph Inspectors on the East Indian Railway now is three. The jurisdiction of each extends over two divisions. The length of a division varies between 852 to 1,013 miles.

(d) The telegraph check office is in direct charge of a Telegraph Superintendent who works under the administrative control of the Chief Operating Superintendent on the North Western and East Indian Railways, the Chief Transportation Superintendent on the Great Indian Peninsula Railway and the Traffic Manager on the Eastern Bengal and Burma Railways.

RETRENCHMENT IN THE ASSAM BENGAL RAILWAY.

*552. Since 1930, the Assam Bengal Railway have retrenched 27 clerks and 241 menials of whom 7 clerks and 90 menials were Moslems. 25 clerks and 146 menials have been reappointed of whom 6 clerks and 53 menials are Moslems.

CREW STAFF OF THE GREAT INDIAN PENINSULA RAILWAY.

*304. (i) The total number of Crew Staff on the Great Indian Peninsula Railway is as shown below :

Senior Scale Officer	..	..	..	..	1
Subordinate Staff	..	..	..	..	238
Menials	..	..	..	..	82
Total					271

(ii) The total expenditure towards the maintenance of the above staff during the year 1931-32 was Rs. 1,88,167.

(iii) The total income of the Great Indian Peninsula Railway in 1931-32 was 11.68 crores.

MONTHLY COST OF THE TICKET CHECKING STAFF, ETC., ON THE GREAT INDIAN PENINSULA RAILWAY.

73. (a) The total monthly cost including pay and allowances of the staff referred to is Rs. 36,053.

(b) The cost in 1931-32 was Rs. 1,88,167 per annum. The mileage is 428.

(c) The administration reports that the approximate financial gain to the railway from the introduction of the Crew System to April, 1932, was Rs. 5,55,162. This does not include any additional earnings from through traffic and foreign traffic, that is to say from a station short of the crew area to a station beyond the crew area and vice versa in through traffic, and from a station on the crew area to a station on a foreign railway and vice versa in foreign traffic, as such figures are not available.

(d) On certain sections of the Eastern Bengal Railway.

RESOLUTION *RE* TRADE AGREEMENT SIGNED AT OTTAWA.

The Honourable Sir Joseph Bhore (Member for Commerce and Railways): On behalf of the Committee appointed by this House to report on the Trade Agreement entered into between the British and Indian Delegations at Ottawa, I would ask the permission of this House for an extension of the time laid down for the presentation of its report. I would point out that, despite every effort on the part of the Committee, it has been found impossible to complete that report by today, and, therefore, with your permission, I would move that the time for the presentation of the report be extended until Monday, the 28th instant.

The motion was adopted.

THE CRIMINAL LAW AMENDMENT BILL.

Mr. President (The Honourable Sir Ibrahim Rahimtoola): Further consideration of the Ordinance Bill and the amendments moved thereon.

Mr. Gaya Prasad Singh (Muzaffarpur *cum* Champaran: Non-Muhamadan): When I was speaking on the last occasion I made a few observations on the way in which some of the Ordinances promulgated by the Governor General from time to time were being misused, and I quoted a few illustrations at random in support of my contention. It is not my purpose on the present occasion to dilate any further on the point. I will, with your permission, offer just a few comments on some of the provisions of the Bill which we are now considering.

I was referring on the last occasion to the provisions embodied in clause 4 of the Bill. It relates to what has been termed as the boycott of public servants. I endeavoured to point out that the clause, as drafted, was very comprehensive and was liable to abuse in many ways. I should like to skip over some of the intervening provisions of the Bill, and to make just a passing reference to clause 7. Clause 7 runs as follows:

"Whoever with intent to cause any person to abstain from doing or to do any act which such person has a right to do or to abstain from doing, obstructs or uses violence to or intimidates such person or any member of his family or person in his employ, or loiters at or near a place where such person or member or employed person resides or works or carries on business or happens to be, or persistently follows him from place to place, or interferes with any property owned or used by him or deprives him of or hinders him in the use thereof . . ."

That is sub-clause (1) of clause 7. Now, I quite agree that there must be a provision to deal with intimidation or forcible interference with the right of any individual to pursue a rightful course, but I fail to understand why a mere loitering at or near a place where a person carries on business should be deemed to be objectionable. This was the clause which we wanted to delete in the Select Committee, and over which a storm of controversy was raised, which led to our walk out. I am not referring to that episode now, but I will only point out that, situated as we are, when we have no power to determine our fiscal policy, it should be quite open to us to persuade persons by peaceful means in the propagation of Swadeshi or the advocacy of temperance. Now, this clause, as it stands, is a standing

menace to the liberty of persons who are interested in the promotion of indigenous industries or in the cause of temperance. I will just recall I am not going to refer in detail, but I will make a passing reference, how laws had been promulgated, orders were passed from time to time by the East India Company and their successors throttling the nascent industries of this country. I am reading from a letter from the Court of Directors to Lord Clive, dated May, 1756. It is stated as follows:

"We think the vast fortunes acquired in the inland trade have been obtained by a scene of most tyrannic and oppressive conduct that ever was known in any age or country."

Mr. President (The Honourable Sir Ibrahim Rahimtoola): Is it the Honourable Member's contention that, if the Bill is passed, such things will happen now?

Mr. Gaya Prasad Singh: My contention is this, that it does not lie in the mouth of a Government whose predecessors enacted laws of such nature to come and object to peaceful persuasion by Indians who are honestly trying to improve the industries of their country. If the Government of India give us the power to regulate our own tariff duties and our own tariff laws, there will be no need for peaceful persuasion, if the Assembly has got the power to enact a law imposing prohibitive duties on the import of Lancashire goods. But we have seen that what is termed the Ottawa agreement puts obstacles in our way of whatever little freedom we had or whatever little opportunity we had for improving the nascent industries of this country. In imposing their trade on this country, they had to resort to methods which I can only describe as tyrannical, oppressive and disgraceful. In that view of the matter, I feel that I am justified, if you do not rule me out of order, in making a passing reference to the methods which they themselves and their successors have imposed upon this country in order to improve the industry and commerce of England with this country. That is my contention. I will only refer to a short paragraph from a book which is called "Consideration on Indian Affairs" by Bolts, and I will close this part of my observation:

".....inconceivable oppressions and hardships have been practised towards the poor manufacturers and workmen of the country who are, in fact, monopolised by the Company as so many slaves . . . Various and innumerable are the methods of oppressing the poor weavers . . . such as by fines, imprisonments, floggings, forcing bonds from them, etc., by which the number of weavers in the country has been gradually decreased . . . every kind of oppression to manufacturers of all denominations throughout the whole country has daily increased in so much so that weavers for daring to sell their goods, and dalals and paikars for having contributed to, and connived at, such sales have, by Company's agents, been frequently seized and imprisoned . . ."

Mr. President (The Honourable Sir Ibrahim Rahimtoola): Order, order. The Honourable Member is going on reading about something which happened 150 years ago. It is difficult to see what relevance it has to the present Bill. If it is the contention of the Honourable Member that if this Bill is passed, it will bring about all those evils he is reading about, then he would be relevant.

Mr. Gaya Prasad Singh: What I was submitting is this. Under clause 7, peaceful picketing, I would myself use the expression peaceful persuasion, is going to be penalised, and my contention is that the Government of

[Mr. Gaya Prasad Singh.]

India or their forefathers, the East India Company, went out of their way in imposing tyrannical laws with the express purpose of throttling the industry of this country and forcing down the commerce of their country upon the inhabitants of India. But I shall bow to your ruling and I will not make any reference to the past history of India which is disgraceful to the East India Company and their successors. I would draw a veil over that part of the history, because it is unsavoury reading.

Mr. President (The Honourable Sir Ibrahim Rahimtoola): The Honourable Member does not seem to have understood the point that the Chair has made. If his contention is that penalizing peaceful picketing will be prejudicial to Indian industries and that the development of Indian industries will be adversely affected thereby he can relevantly argue that point, but it is not in order to read about things which happened in the time of the East India Company. His Majesty has taken over the administration of India. There were no legislatures in those days. Central and Provincial Legislatures have been constituted and Government have come before the Assembly for the passage of this Bill. Every Honourable Member is entitled to criticise the measure and vote against it. The Chair wishes to point out that he can relevantly argue that this penalizing peaceful picketing is prejudicial to the economic, industrial and other interests of India and therefore he wishes to oppose the Bill.

Mr. Gaya Prasad Singh: I was merely trying to give a historical retrospect of the way in which the commerce of a foreign nation has been imposed upon this country and, it was with that view, that I started with that remark.

Mr. President (The Honourable Sir Ibrahim Rahimtoola): The House is discussing this Bill, not the history of British rule in India. Will you please go on?

Mr. Gaya Prasad Singh: My submission is this, that peaceful persuasion or peaceful picketing is a method recognised throughout the whole world and it should not be made penal and it was with that view that I was quoting from the past history of India.

Mr. President (The Honourable Sir Ibrahim Rahimtoola): Surely the Honourable Member need not go on repeating it. He can clearly see that there is no connection between what happened 150 years ago and present day conditions. The Honourable Member is perfectly entitled to speak, as strongly as he likes, on the question of peaceful picketing. It is no use arguing the matter further. Will you please deal with this aspect of the question now.

Mr. Gaya Prasad Singh: Now, Sir, I was submitting that peaceful persuasion has been recognised as a legitimate means for improving the industry of a country and I strongly object to the clause which prevents peaceful picketing, the sentence beginning with "whoever loiters or does any similar act", and so on. Now, the explanation which is attached to the clause is merely an attempt to throw dust in the eyes of the Members

of this Legislature and of the public outside. What the explanation says is that encouragement of indigenous industries or advocacy of temperance, without the commission of any of the acts prohibited by this section, is not an offence under this section. Nobody contended that anything which does not come within the clause of any penal provision can be construed into an offence, and, therefore, it was absolutely superfluous on the part of the framers of this clause to have embodied this explanation which is at once meaningless, absurd and does not advance the cause. I now come to clause 11 which gives the authorities the power of declaring an association to be an unlawful association. With regard to that, the last time I was speaking I gave a few instances to show that this arbitrary power, which was given under the provisions of the Ordinance to the authorities, has been grossly abused, and, therefore, there is no justification for coming forward to ask for the conferment of similar powers in this Bill, and I quoted the names of certain associations in Bombay, where apparently legitimate bodies or associations have been declared to be unlawful. I will now come to clause 16 which seeks to impose restrictions upon the Press. I will in this connection refer to the way in which the Press Ordinance has been misused in the past. I will not multiply instances, but I will refer to only one which happened in Madras. A notification was issued in February last which says:

"The attention of the Government has been drawn on several instances to the publication in newspapers of the portraits of well-known leaders connected with the civil disobedience movement. The publication of such pictures tends to encourage the movement and is likely, therefore, to fall under clause (f) of sub-section (1) of section 4 of the Indian Press Emergency Powers Act of 1931 as amended by the Emergency Powers Ordinance of 1932. The Government wish it to be clearly understood that in future they will be constrained to consider the necessity of demanding security under that Act in respect of the printing and publication of such photographs."

In a word, it means that the reproduction in a newspaper of the portraits of such eminent personages, national heroes if I may call them, like Mahatma Gandhi, Pandit Motilal Nehru, Pandit Madan Mohan Malaviya and others will be deemed an infringement of the provisions of this section and the newspaper will be penalised in consequence. I contend that the power sought to be taken under sub-section (f) of this clause and other sub-sections is unwarranted and it has been abused in the past and there is no justification for this House to confer a similar power upon the local executive authorities.

Sir, this Bill, even as it has emerged out of the Select Committee, is open to so many abuses that I am not prepared to give my support to it. On the last day, Sir, I referred to that aspect of the question which seeks to put down the civil disobedience movement. I have heard numerous speeches in this House on the virtues of co-operation. I am one of those who myself believe in the virtue of co-operation, but the co-operation must be on honourable and equal terms. There cannot be a co-operation between a slave and a free man. It must not be like the co-operation between what may be called the football and the booted leg. The more the football comes at the feet, the more vigorously it is kicked off. Look at the condition of those gentlemen who are called Moderates and Liberals. What has been the reply given by the Government to the demands put forward by them? Let me for a moment put aside the case of the Indian National Congress. Have Government honestly tried to give effect to the suggestions made from time to time by what is known as the moderate school of politics.

[Mr. Gaya Prasad Singh.]

with its creed of co-operation? These people have been utilised by Government to suit their own purpose and thrown away after their purpose has been served, like a squeezed lemon.

Sir, I am opposed to the very inception of this Bill. The provisions of this Bill have been subjected to very scathing criticism from distinguished Members on this side of the House like my Honourable friend, Sir Abdur Rahim and many others, and it is not, therefore, necessary to enter into greater details with regard to the Bill. Sir, with these few words I oppose the motion made by my Honourable friend, the Home Member. (Cheers.)

Mr. Arthur Moore (Bengal: European): Sir, I do not wish to say very much about this Bill, because my friend, Sir Leslie Hudson, has made it clear that we have no hesitation in supporting it. We have no hesitation, but, at the same time, we have in general no enthusiasm for measures of this kind. I regard this Bill as the inevitable consequence of civil disobedience. My friend, Sir Abdur Rahim, and some other speakers have based their objections largely on the argument that its provisions were liable to abuse. Sir, I freely grant that any measure of this kind, which confers such wide powers on the executive, could be abused. But I doubt if there is a single soul in this Assembly who really in his heart of hearts believes that what is called the ordinary law is capable of dealing with a revolutionary movement such as the civil disobedience movement was and is; and I have no doubt at all that in any country in the world—in Great Britain or Ireland or France or Germany or Italy or the United States,—any movement attempting to paralyse the Administration would be met, as in fact it has always had to be met, by resort to measures of this kind. A Government has no choice: either it has got to abandon its duty of defending itself and the State and the people, and to permit a revolution and a descent, when you are facing a movement of this kind, into chaos, or it has got to resort to measures of this character.

The only argument of substance I have seen brought against this Bill is that, in the form of an Ordinance, it has already been so successful that there is no longer any need for it. That is the argument used by the dissentient members of the Select Committee, who quote with approval His Excellency's statement in September that the mass of the people is no longer concerned with civil disobedience. My friend, Diwan Bahadur Rangachariar, took the same line. He admitted that there was some justification for the provisions of this Bill, but he went on to congratulate the Government on the success of their measures so far and he pleaded that the state of the country was now not so grave, and, like Mr. B. Das in a recent speech, he urged that there was a general spirit of co-operation now abroad. He pointed to the recent utterances of Mr. Rajagopalachariar, the President of the Congress. Now, Mr. President, it seems to me that this argument used by the dissentient members of the Select Committee and by my friend, the Diwan Bahadur, is a complete justification of the Government's action. I too believe, there is a better atmosphere, but would we be justified now, when things are improving, in taking the risk of plunging back into the abyss from which we are escaping? Let us remember that we have not been asked to pass this legislation for all time. Some Members suggested that the Council of State would be a difficulty. We must remember that what we are asked to do is to pass this measure for the transitional period, and that it will automatically lapse at the end

of three years, unless the Government of the day, which will be, we hope and believe, a Government after the next reforms have been inaugurated, take the initiative of asking for a prolongation of the measure. That is a situation which we hope will not arise, and, it is only in order to secure an increasing measure of that tranquillity which we see returning, that we are asked to pass this Bill. Sir, the Diwan Bahadur let fall one pessimistic sentence. He said that the spirit of the country was being killed. Well, I have often heard exactly the opposite argument used on those benches. For my own part I do not for a moment believe that the true national spirit of the country is being killed. On the contrary, I believe that now that the tyranny of the Congress is no longer exerted, a constructive spirit of nationalism is being displayed, and I note with the greatest pleasure that a more constructive spirit of nationalism is being displayed by some of the Congress leaders themselves.

Sir Abdulla-al-Mámūn Suhrawardy (Burdwan and Presidency Divisions: Muhammadan Rural): Sir, the long and numerous speeches in opposition to the motion moved by the Honourable the Home Member have afforded me some justification for intervening in the debate at this stage. By the froth and foam and sound and fury of their speeches, some of the Honourable Members have attempted to cloud the real issue before the House which appears to have receded into the background.

There are three issues before the House: the original motion of the Honourable the Home Member and the two amendments to that motion. Listening to the speeches one would imagine that the House was at the stage of the third reading of the Bill, and that the question before the House was that the Bill, as amended, be passed. One is apt to forget that the simple question before the House is that the report of the Select Committee be taken into consideration.

Now, as regards the amendments, there is one amendment to the effect that the Bill be sent back to the Select Committee. I should have welcomed the amendment, were I to take it as an indication of the dawn of wisdom and of the realisation of the folly of the walk-out. But there is no indication of regret or of penitence from those gentlemen who have been actually responsible for the walk-out and I do not know what useful purpose would be served by the recommittal of the Bill to the same Select Committee. The amendment may be a gesture on the part of the Mover of the amendment of confidence in the Chairman of that Committee and in the character and composition of its members.

Mr. Goswami M. R. Puri (Central Provinces: Landholders): I rise on a point of explanation, Sir. When I moved my amendment, it was not my contention in the least to indicate any expressions of no confidence in the Chairman of that Select Committee. That was not my view while I moved my amendment. My view in moving the amendment was to find out a *via media* and to come to a compromise and nothing else.

Sir Abdulla-al-Mámūn Suhrawardy: Sir, I am glad of the explanation given by my Honourable friend. I never suggested that that was not his intention. He has full confidence in the Chairman of the Select Committee; so have I. He has full confidence in the character and composition of the Committee; so have I. He only wanted the Bill to be sent back to the self-same Select Committee and he had indicated in his speech, if I remember rightly, that his object was that some opportunity might

[Sir Abdulla-al-Māmūn Suhrawardy.]

be afforded to the members who had walked out to adjust their differences with the Chairman or with other members of the Committee. But, as I said, there is no expression of regret or penitence or any sign of reconciliation or of an extension of the olive branch on the part of the gentlemen who walked out. Therefore, the simple result of the recommittal of this Bill to the Committee would probably be to afford those gentlemen another opportunity for a walk-out and we are not prepared to waste the time of the House and put a premium on walks-in and walks-out.

Then, there is the other amendment of my Honourable friend, Mr. Sadiq Hasan. It required the courage—I had almost said the hardihood—of Mr. Sadiq Hasan to bring in an amendment for the circulation of the Bill for eliciting public opinion thereon after “the overwhelming defeat”—I am quoting almost his words—inflicted on him when his motion for circulation was rejected in the Simla Session. Now, his object is, he says, to elicit public opinion. I had listened carefully to the depressing speech of Diwan Bahadur Rangachariar and I had taken the trouble of taking down almost his very words. He said in his speech that there was intense political depression almost unprecedented in the country. People were afraid to give expression to their frank views. If that is the condition of the country, whatever be the causes, what useful purpose will be served by asking to circulate the Bill for eliciting public opinion thereon? I would also like to read to the House the opinion of a well-known gentleman, “the Indian Contributor” to the *Statesman*, who, while criticising the wisdom of the Government of Bengal, in imposing a collective fine of Rs. 80,000 on the Hindu inhabitants of Chittagong, remarked:

“As Indians, many of us are in a position to assure the Government that people in general have nothing but abhorrence for the terrorist crimes, and they would do anything to help the Government to end terrorism if they could do so without endangering the lives of themselves and their dear ones.

The history of the terrorist movement for the last twenty-five years shows that desperate young men, who are out to kill people, have no regard for the life of any one. Past experience shows that they do not hesitate to kill any one who either stands in their way or tries in the slightest degree to baffle their intentions. They have killed scores of their countrymen, official and non-official”

Mr. Gaya Prasad Singh: I rise to a point of order, Sir. What has this Bill got to do with the terrorist crime?

Mr. President (The Honourable Sir Ibrahim Rahimtoola): This Bill is intended not only to deal with the civil disobedience movement, but has reference to terrorism also.

Diwan Bahadur Harbilas Sarda (Ajmer-Merwara: General): Sir, if I remember aright, the Honourable the Home Member distinctly stated in the Simla Session that this Bill had nothing to do with the terrorist movement and that it was aimed entirely and solely against the civil disobedience movement.

The Honourable Mr. H. G. Haig (Home Member): May I explain the position, Sir. I said in the Simla Session that the Bill was aimed at the civil disobedience movement. I also did say that certain provisions relating to the control of the Press would have a most important effect in curbing the terrorist movement.

Mr. President (The Honourable Sir Ibrahim Rahimtoola): My impression is Honourable Mover said in Simla that he was dealing with three things—communist tendencies, terrorism and civil disobedience movement.

The Honourable Mr. H. G. Haig: I was giving a description of the country and the dangers that we have to contend with. The main intention of the Bill is to deal with the civil disobedience movement, but it will also have an effect in restraining communism and terrorism.

Sir Abdulla-al-Mámün Suhrawardy: May I, Sir, with your permission, refresh the memory of my Honourable friend as well as of the Honourable the Home Member? So far as I remember, and you have also remarked to that effect, the Honourable the Home Member had said that the Bill, though mainly designed to combat the civil disobedience movement, also aimed at the triple menace or the triple threat of communism, terrorism and the civil disobedience movement. He went further and also said that though, on the surface of it, the civil disobedience movement might not have anything to do with terrorism and communism, yet behind the scenes there were points of contact. Fortunately I have got a copy of his speech before me and I will do well to give the exact words of his speech:

"We have in India a triple threat to peaceful progress—civil disobedience, communism and terrorism; and though the main provisions of this Bill are directed against the first of these, I hope the House will not forget,"

—as they seem to have forgotten now,—

"that the provisions relating to the Press will exercise a strong controlling influence over the movements of communism and terrorism. Discontented elements will always tend to coalesce. Though, on the surface, these three are very different movements behind the scenes there are certain contacts."

The Honourable Mr. H. G. Haig: I submit that exactly bears out what I said just now.

Mr. President (The Honourable Sir Ibrahim Rahimtoola): That was my impression also.

Sir Abdulla-al-Mámün Suhrawardy: The relevancy of this quotation, which I was making from this newspaper, lies in the fact that it will clearly show to the House that people are apt to give expression to views publicly which widely differ from their views expressed privately. People may express themselves privately against terrorism and against civil disobedience, but when "public opinion" is sought, they give expression to a wholly different opinion. When expression of "public opinion" is sought by means of a dilatory motion in the House or otherwise, then people are afraid of expressing their opinion publicly. With your permission, I will proceed with the quotation:

"It is a fact that they have absolutely no hesitation to take their own lives whenever they consider it necessary. It should, therefore, be agreed that they are a class of most desperate and determined men who have become accustomed to look upon human lives as mere toys. No wonder that they have succeeded in creating a sense of terror all over the country. It is this sense of terror, and not sympathy, as is supposed, which is responsible for preventing people coming forward openly to help the authorities in their efforts to end terrorism and so far there is nothing to enable the people in general to overcome this sense of terror."

[Sir Abdulla-al-Mámün Suhrawardy.]

The writer concludes with the significant words:

"Call the people cowards, if you will, but it is a grave injustice to brand them as sympathisers of terrorists."

People, according to my Honourable friend, Diwan Bahadur Rangachariar, are afraid of giving expression to their frank views and people are afraid of giving expression to their views, according to the Indian Contributor of the *Statesman* (November 18, 1932). What useful purpose then will be served by asking the Bill to be circulated for eliciting public opinion thereon. Now, Sir, I need not labour that point, because I have listened to the fiery speech of my Honourable friend, Mr. Ranga Iyer, wherein he exhorted this House "to bury this Bill on the floor of the House". I have also listened to the gentle and persuasive speech of the Diwan Bahadur in which he, in his own gentle way, has asked us to reject the Bill. So, I do not think there will be any support for the dilatory motion of those two gentlemen who have tabled the amendments.

There is a third motion, the original motion before the House, for taking the report of the Select Committee into consideration. Now, what was the justification of those Honourable Members, who had opposed at Simla the motion for referring the Bill to a Select Committee, for serving on the Select Committee? As I had remarked once before, the gentlemen on the Opposition Benches, though appearing never to consent, had consented to serve on the Select Committee and amongst them was my Honourable friend, Mr. Gaya Prasad Singh, who could never be accused of being, to quote his favourite phrase, "a henchman of Government". Perhaps he might be the henchman of the Congress or something else, but never the henchman of Government. We also had the honoured name of my esteemed friend, Mr. S. C. Mitra. We know how much he has suffered for his conviction and his belief. Who could accuse him of any ulterior motive or any ignoble motive in consenting to serve on the Select Committee? I need not enumerate the names of other distinguished gentlemen belonging to the Opposition who had consented to serve on the Select Committee. So far as I can understand, their object in serving on the Committee was to get an opportunity of softening the rigours of the various provisions of the Bill. If that was their justification, and, as a matter of fact, no reasonable Member of the House will deny that the provisions of the Bill have, as they have emerged from the Select Committee, been considerably modified. . . .

Mr. D. K. Lahiri Chaudhury (Bengal: Landholders): Then, why did they walk out of the Select Committee?

Sir Abdulla-al-Mámün Suhrawardy: My Honourable friend, Mr. Mitra, has not spoken yet and if he cares to do so, he will speak out his reasons. But I have before me his Minute of Dissent in which he has said why he walked out.

Sir Muhammad Yakub (Rohilkund and Kumaon Divisions: Muhammadan Rural): Because he was in bad company.

Mr. Amar Nath Dutt (Burdwan Division: Non-Muhammadan Rural): He was your pupil.

Sir Abdulla-al-Mámún Suhrawardy: But he is now the master of the leader of Mr. Dutt and many other leaders of the Opposition. I have had the honour of being his master and I need not at all be ashamed of having had the honour of being the teacher or master of a man like Mr. S. C. Mitra.

Mr. B. B. Puri (West Punjab: Non-Muhammadan): Then, you seem to have taught him something quite different.

Mr. K. Ahmed (Rajshahi Division: Muhammadan Rural): What did you teach him?

Sir Abdulla-al-Mámún Suhrawardy: I taught him the value of conciliation and co-operation and respect for law and order and also "Rule of Law" and Dicey on the Laws and Customs of the Constitution which Honourable Members on the Opposition Benches are so fond of flaunting before the House.

Mr. Amar Nath Dutt: Were you not a Swarajist when you were a Member of the Bengal Legislative Council?

Mr. President (The Honourable Sir Ibrahim Rahimtoola): These frequent interruptions by those Honourable Members who hold views different from the Honourable Member who is addressing the House must be deprecated. The Honourable Member should be allowed to proceed with his remarks in his own way.

Sir Abdulla-al-Mámún Suhrawardy: I was a Member of the Bengal Legislative Council in 1910 and it is a well-known fact that since then I had been a Member of that Council long before the birth of the Swaraj Party, and, later, I joined the Swaraj Party when the late lamented Mr. C. R. Das was its leader and it was the tyranny of the Congress, its interference with one's liberty of action in private affairs and personal matters that led me to sever my connection with it. It was not through any ulterior or ignoble motives that I joined or left the Swaraj Party. My Honourable friend, Mr. Mitra, will bear me out and tell you what immense sacrifices I made when I joined the Swaraj Party. It was on account of petty tyrannies—I do not wish to enter into details, because the names of gentlemen, whom all of you are now applauding and holding up as the greatest embodiment of non-violence, will have to be dragged in—it was because of the aggressive violence of gentlemen who preach non-violence which made me decide to have nothing to do with saints. (Applause.)

Mr. President (The Honourable Sir Ibrahim Rahimtoola): Will the Honourable Member proceed with his observations on the Bill?

Sir Abdulla-al-Mámún Suhrawardy: My reply has also some relevancy to the tyranny of the Congress and the pseudo-sympathisers of the Congress.

I was saying, Sir, that the reason why my Honourable friend, Mr. Mitra, agreed to serve on the Select Committee was apparently that he thought that it offered him an opportunity to soften the rigours and harshness of the various provisions of the Bill. The opportunity which he sought for himself, would he deny that opportunity to the Members of the

[Sir Abdulla-al-Māmūn Subrawardy.]

House? Why should he now at this stage—he and his friends—ask us to reject the Bill? The simple motion before the House is that the report of the Select Committee be taken into consideration. I am reading from their Minute of Dissent, wherein they themselves say: "rather than try and convince an unwilling majority, we will prefer to urge our views before the Assembly". In another place they say;

"As we propose to move our amendments to the Bill in detail on the floor of the House, we do not feel inclined to discuss the clauses."

So they themselves have been looking forward to the opportunity of coming to the House where probably they are not so evenly balanced as they were in the Select Committee. They complained also of the composition of the Select Committee and they say that the two parties in the Select Committee were "evenly balanced, seven against seven". Were I to criticise the composition of the Select Committee, I would say that out of the seven, against the seven of the Opposition, the Honourable the Home Member being in charge of the Bill had to be there, the Law Member had to be there as, without him, you could not discuss an important measure like this; the European Group had one representative; the United India Party had one representative. Leaving them out, who were the representatives of the large number of unattached Members? Even the Mussalmans from Bengal, from Chittagong, Midnapore and other districts of Bengal, had no opportunity of being on the Select Committee. But I am not going to criticise the composition of the Select Committee. If they were evenly balanced in the Select Committee, here they have on the floor of the House an opportunity to put forward their amendments which they themselves were looking forward to doing. Why then say, reject the motion for taking the report of the Select Committee into consideration? Sir, I think I have said enough in support of the motion of the Honourable the Home Member. I will now take up one or two points and make a few general observations, because a good deal has been said about the various clauses of the Bill by various gentlemen. First of all, I find in the Note of Dissent written by these five members that they begin by saying:

"The chief aim of the Government, as it seems from the Objects and Reasons of the Bill, is to crush the Civil Disobedience movement in all its forms in the country. We do not see eye to eye with the Government";

—and then they proceed to quote from His Excellency's speech dated 5th September, 1932—

"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 population is no longer concerned with Civil Disobedience movement."

They quote this with approval and they go on to say that the civil disobedience movement is on the wane in spite of the statement made by a certain Member, "completely clad in foreign clothes," that it was at its zenith. But never mind what he had said. These gentlemen say that the civil disobedience movement is on the wane; the civil disobedience movement is declining; why then, have this piece of legislation? I should like to inquire how has the civil disobedience movement been controlled and why is it on the decline? Has the great Mahatma lost faith in what he considers to be an article of faith, or is it due to the powers which the

executive obtained by means of Ordinances to control the movement? This piece of legislation is described as a gross piece of legislative impertinence by those very gentlemen who themselves had invited the Honourable the Home Member to introduce this piece of legislation. Unless their invitation was a gross piece of hypocrisy, I do not know how this has become a gross piece of legislative impertinence. Anyway, if the movement is controlled by the provisions of the Ordinances, then there is justification for this piece of legislation being brought into the House for consideration.

Now, there is a good deal of discussion about peaceful persuasion dealt with in clause 7. And, in the Note of Dissent, our friends say that they want an explanation to the clause worded as follows:

"Peaceful persuasion or inducement which does not or is not calculated to involve any obstruction, violence, intimidation, annoyance or alarm to any person does not come within the purview of this section."

What peaceful persuasion is and what peaceful picketing is, no one has attempted to explain. My friend, Mr. Gaya Prasad Singh, carried away by the exuberance of his enthusiasm for peaceful picketing, or otherwise, gave instance after instance of the abuse of the provisions of the Ordinances. But, may I be permitted to give a few instances of the abuse or the right use of peaceful picketing? He has also exclaimed, in moments of enthusiasm, have we not the right to close our shops? I will also ask, has not my friend, Pandit Sen, the right to close his temples? I also remind the House.

Mr. B. E. Puri: A shop is private property, while a temple is not.

Sir Abdulla-al-Mámūn Suhrawardy: Temples are also private properties. My friend, Pandit Sen, was not long ago in a state of great excitement and asked for Government protection against forcible temple entry and expressed his resentment against satyagraha. What is satyagraha? Ardour for the truth. Satyagraha has been performed by those gentlemen who profess to be peaceful picketers; and, yet, against satyagraha my friend, Pandit Sen, protested not long ago.

Pandit Satyendra Nath Sen (Presidency Division: Non-Muhammadan Rural): Because it is against the established usages of the country.

Sir Abdulla-al-Mámūn Suhrawardy: Of course there are forms of peaceful picketing which perhaps I myself might welcome. There was an occasion not very long ago when I was the recipient of gentle attention from a number of peaceful picketers. One fine morning I found my bedroom besieged by a bevy of fair picketers in Simla whose simple request was, first of all, to ask for permission to enter my room, and their second request was that I should not go to the Assembly. I was willing, and, with the greatest pleasure, I acceded to their request, because as an indolent and lazy Member of this House who never cared to attend a meeting of the Assembly, any pretext would have done for me; and also because I would have liked to prolong that mild form of peaceful persuasion or political flirtation. But I never realised the grave danger which I was running, because, later on, I discovered that it was a grave danger to domestic

[Sir Abdulla-al-Māmūn Suhrawardy.]

peace and concord and I had to write long letters to explain how it was that my bedroom was besieged and how I was threatened by a number of fair ladies. That kind of peaceful persuasion I do not certainly object to, but even that is fraught with grave dangers. But I will give two instances for the benefit of those gentlemen who only seek peace and harmony in picketing and who are so obsessed with the Congress and their newly-developed sense of patriotism that they do not see Chittagong, Calcutta, Benares, Cawnpore or even Midnapore where one of the Leaders of the Opposition saw the light of day, but which, from his bad eminence as Leader of the Independent Party, he disdains to see. Take the case of Benares. Some Congress volunteers go to a poor Muslim shopkeeper, who lives on his day's earnings by honest trade, and tell him to close his shop in obedience to a Congress fiat. The poor man cannot afford it. He pleads in vain. The picketers were not violent when they made the first request. It may be conceded that they implored with folded hands and on bended knees. Directly the poor man pleads his unwillingness, on the ground that he must earn to feed his wife and children; the Congress volunteers leave him. The next thing which happens is that the poor shopkeeper engaged in his business is visited by some strangers and stabbed to death. A riot follows and several lives are lost. This is an instance of "peaceful picketing" by Congress. Take another case. What happened in Calcutta? The Congress declared a hartal. Some picketers boarded a running train car and asked the driver not to drive. The driver said, he had to carry out his orders. What was the result? The "peaceful picketers" set fire to the tram car and there was a riot in which there was much bloodshed and many innocent persons were the victims. Picketing, which has such potentialities, ought to be stopped in the interest of the State. Now, there are gentlemen who, with tears in their eyes, say that indigenous industries will be ruined. That is stated in the Minute of Dissent also. "Peaceful propaganda to promote Swadeshi movements is an offence." Who has ever prevented that revered and respected leader of the Swadeshi movement, Sir P. C. Ray? Nobody has put a stop to his chemical activities. Nobody has ever questioned him as to whether those activities were directed to the discovery of high explosives, and nobody has prevented him from touring all over India, going through the length and breadth of the land preaching Swadeshi—not even the Government of Bengal. So there are instances of real peaceful preaching of Swadeshi unmolested and instances of "peaceful picketing," which, in the dictionary of the Congress, may mean something, but in ordinary parlance means molestation and is a euphemism for violence. Let there be no confusion of ideas; let us not confound patriotism with peaceful picketing and interference with the liberty of individuals—with licence to destroy the very foundations of liberty. I find in the same Minute of Dissent that there should be no law depriving the Press of its liberty or punishing the parents for the sins of their children. As regards the Press, it should be borne in mind that experience has taught us that the protracted method of prosecution for, say, sedition is not effective to control the illegal activities of the Congress. What happens when a prosecution is launched? After a long trial which, under the ordinary procedure, can be indefinitely protracted, and after appeal and revision, the offender is sent to jail. Who is he? Not the real offender, but the "jail editor". Who does not know that most of the

Congress papers have "jail editors" who are dummies and men of straw who are compensated and whose families are maintained, during imprisonment, with Congress funds? The only effective way to deal with the irresponsible press is to go for the press and not for a fictitious person who poses as a patriot or a hero afterwards.

A good deal has been said about punishing parents for the sins of their children. This is also an instance of confusion of ideas. It is not the case of punishing parents for the sins of their children. It may be punishing parents for the sins of being parents of children whose care and proper education they neglect; and this is not a doctrine unknown to law. Such Honourable Members, as have studied and understood the basic principles of the relation of master and servant, of guardian and ward, of parent and child, to them it will not be a matter of surprise if parents are held responsible, under certain conditions, for the sins of their children. We all know and, I am sure, the gentlemen who have signed the Note of Dissent very well know how a master is held responsible for the tort of his servants. This is not a doctrine of vicarious punishment..... (Interruption.) I do not say it is a case of tort: I say it is an illustration of what you may call, if you like, the doctrine of "vicarious punishment"

Mr. Lalchand Navarai (Sind: Non-Muhammadan Rural): An appropriate illustration, I believe.

Sir Abdulla-al-Mámún Suhrawardy: I will give a more appropriate illustration for your benefit. A more appropriate illustration is the absurd piece of legislation under which you punish a father for the marriage of his son and the Act you have passed with the help of those very gentlemen at whom you always fling a shot or two whenever the occasion arises—the officials and the Europeans. Were I to introduce a Bill for the repeal of that absurd piece of legislation which makes a criminal offence of a lawful act, which is lawful even under the civil law, and empowers you to send the parent or the guardian to jail and subject him to fine. (Interruption.) I am using the impersonal "you" and the Chair is not so sensitive as the gentleman on my left. Now, if I introduce a Bill for the repeal of that Act, I should like the official Members and the Europeans and the much-abused Nominated Members to stand aside and let us see who represents the public opinion of the country—let us see whether the Act will be worth an hour's purchase without the help of these gentlemen.

Diwan Bahadur Harbilas Sarda: How is all this relevant?

Sir Abdulla-al-Mámún Suhrawardy: I mean the Sarda Act, which does not represent popular opinion—it was passed in defiance of popular opinion and it was passed with the help of Europeans and officials who do not understand the spirit of the country at all, nor opinion, public or private, and the Sarda Act is an interference with the religious liberties of Hindus and Muslims

Diwan Bahadur Harbilas Sarda: When the Child Marriage Restraint Act was passed, it was passed by a majority, if I remember aright, of 67 to 14, so that even if you eliminate the entire official block, still it had a very large majority of elected Members in its favour.

Mr. President (The Honourable Sir Ibrahim Rahimtoola): I should like to draw the attention of Honourable Members to the fact that the House discussed the principle of this Bill in Simla for five days. That principle has remained unaltered and this is the third day of the present discussion. The Chair should like to appeal to Honourable Members to be as brief as possible in order that public business may be expedited.

Sir Abdulla-al-Mámún Suhrawardy: I will try to be as brief as possible. I would have finished my speech long ago but for the interruptions, relevant and irrelevant, of my friends who cannot bear to hear unpalatable truths. In the concluding portion of their Minute of Dissent they say:

"The civil disobedience movement is only a means to an end. The object is to attain Self-Government. We feel that as soon as the popular demands are conceded, the movement will cease automatically."

History is repeating itself. In 1906 or thereabouts was started the Swadeshi movement, a movement whose real object was the reversal of the Partition of Bengal which had resulted in creating a province in which the Muslims were in a majority. It is significant that in that atmosphere of unrest and turmoil and agitation, was born the Bengal terrorist movement. A similar cry was heard then—"Reverse the Partition and everything will subside and there will be no terrorism in the land". Lord Hardinge's Government listened to this advice of his friends and brought about that act of greatest administrative folly, the annulment of the Partition of Bengal and the creation of this Capital of Delhi, which has resulted now in the Government being in this parlous position financially and otherwise. But you have not put a stop to terrorism. Terrorism might have gone underground; terrorism might have been dead or dormant, but terrorism is not killed. Like the civil disobedience movement of today it might have been scotched; it might have been dormant, but it is not dead. Today I hear the cry "Release the Mahatma". My friend, Mr. Ranga Iyer, roars: "Release the Mahatma". My friend, Mr. B. Das, in his gentle way, lisps: "Release the 'Mahattan'", and if you release the 'Mahattan' everything will become quiet". But unless we accept the assumption that the Mahatma himself is responsible for all the trouble, for all the turmoil and all the agitation, that all the agitators are his emissaries who, at his bidding, will lay down their arms and declare a truce or peace, I cannot understand how the mere fact of the release of the Mahatma or even the grant of Dominion Status will bring about a change. Every movement has its history, its course of birth and growth and decline and cannot vanish automatically at any one's bidding

Mr. O. S. Ranga Iyer (Rohilkund and Kumaon Divisions: Non-Muhamadan Rural): On a point of order, Sir. The Honourable gentleman said that I used the argument for the release of Mahatma. Much as I am for the release of Mahatma, I did not use the word "release the Mahatma".

Sir Abdulla-al-Mámún Suhrawardy: I may have confounded the Honourable Member with some one else. The long interval of four days may be responsible for my unusual lapse of memory.

Mr. C. S. Ranga Iyer: You are throughout confused. (Laughter.)

Sir Abdulla-al-Mámún Suhrawardy: After the explanation of my Honourable friend, I apologise to him and withdraw what I have attributed to him. He may not have roared, but somebody else like him roared "Release the Mahatma". That has been the burden of the song, but certainly Mr. Das, in his gentle way, said "Release the 'Mahattan', and there will be quiet and peace in the land".

Mr. S. C. Mitra (Chittagong and Rajshahi Divisions: Non-Muham-madan Rural): I say the same thing.

Sir Abdulla-al-Mámún Suhrawardy: My friend, Mr. Mitra, says that he will say the same thing. I know there are gentlemen who, in defiance of Congress opinion, are adorning the Opposition Benches. Their heart is breaking for the Congress and the Congress leaders, and they are shedding crocodile tears—(*An Honourable Member:* "Not crocodile tears"),—but they are sitting tight on their seats despite the Congress opinion or public opinion. Their own opinion becomes "public opinion" when it suits their convenience. Either the Congress represents public opinion or it does not. If it does not, then you have justification for being here. But if it does, I cannot understand how you are here. I think I should now, in deference to the wishes of the Chair, conclude my speech and say that I support the motion, which is a very reasonable motion, made by the Honourable the Home Member that the Report of the Select Committee be taken into consideration. This does not mean that when the Bill reaches the third stage, I will support its passage. I reserve my judgment till then.

Mr. S. C. Mitra: Sir, I rise . . .

Mr. President (The Honourable Sir Ibrahim Rahimtoola): How long are you likely to take?

Mr. S. C. Mitra: I will take about half an hour.

Mr. President (The Honourable Sir Ibrahim Rahimtoola): Then you will please begin after the lunch interval.

The Assembly then adjourned for Lunch till Twenty Five Minutes Past Two of the Clock.

The Assembly re-assembled after Lunch at Twenty Five Minutes Past Two of the Clock, Mr. President (The Honourable Sir Ibrahim Rahimtoola) in the Chair.

Mr. S. C. Mitra: I am opposed to the main motion that the Select Committee's report be taken into consideration. Sir, we have been taken to task why we agreed to be members of the Select Committee. When I had an opportunity to make my views known, I made it clear to the House that I was opposed to all the principles that were involved in this Bill. If, even after this, the House, with its eyes widen open, in its

[Mr. S. C. Mitra.]

wisdom, selected me as one of the members of the Select Committee, all I can say is that I am not to blame. As regards the principles to which it is said we are committed after reference of the Bill to Select Committee, I am in very great difficulty. I do not know even now what are the real principles underlying this hydra-headed piece of legislation. There are provisions in this Bill dealing with public servants as if they were depressed classes. There I find the principle of the bureaucracy. Then there are provisions in this Bill for annexation of immoveable property, and there one can find the principles of Imperialism. There are provisions for confiscating private property; that may be attributed to commercial principles. Then there are other provisions for suppressing the Press and bullying the public and there, we find, despotic principles. Lastly, there are provisions for punishing the father for the sins of his son there I find the Christian principle of vicarious suffering. So, if I am asked even now what are the principles to which the House stands committed, I am in great doubt. As regards the practice in the House of Commons, I would like to refer the House to a few passages in that well known book, May's Parliamentary Practice. I refer to page 412 where it is said:

"A committee can negative every clause of which the Bill committed to them is composed, and can substitute for those clauses new clauses, if relevant to the Bill, as read a second time, and otherwise in order."

So, I find that according to the Parliamentary Practice every clause of the Bill may be negatived and may be substituted. Then, there is another passage where it is said that even the Preamble itself may be altered. It is at page 485:

"The irregularity of the conversion by amendments of a Bill into a new Bill, by the committee to whom the Bill was referred, has been considered; though a Select Committee, after consultation with the Speaker, have negatived all the clauses, and the Preamble of a Bill; and made thereon a special report to the House. If the Select Committee should fail to report the Bill, the committee may be revived, and the Bill recommitted to it."

So, even according to the Parliamentary procedure, not only can a clause be negatived, but even the Preamble may be changed, and it is not irregular. Therefore, I submit, the contention that our going to the Select Committee was wrong neither in law nor in practice.

Sir, remarks have been made about the troubles in the Select Committee. If we have said anything in our report, I should like to make it perfectly clear that nothing was meant towards the Chairman personally. If it proves anything, it merely proves the obstinacy of the Government not to yield on any vital point, and we know that India's public men, when they are on the official side, have to do many things, sometimes against their own best wishes. I must here congratulate the Leader of the House on the very noble attitude that he took in not referring to anything that happened in the Select Committee, and I should like to follow his footsteps and not to enter into those petty squabbles. What we had to say we have put before the public and the House. I would like to mention that Government were not behind hand in putting forward their case in the press, for, I find, that before our report was published, there was a paragraph explaining the Government's position in the press. I would like to refer to only one passage in the minute of

dissent. In our report we made it clear that "we did not see eye to eye with Government" and then we narrated what view the Government took about the civil disobedience movement, and we quoted His Excellency's words. We merely argued on the assumption that the movement has been crushed—it does not mean necessarily that we said that that great national movement has been crushed. That disposes of what fell from my Honourable friend, Sir Abdulla Suhrawardy.

As I have said, I am not in favour of the main motion, I should also say that I am not much in favour of the amendments either. As regards recommitting the Bill to the same Select Committee, I think it will be futile. If any improvement can be made in this Bill, it can be done by this House. So I do not agree with that amendment. As regards the other amendment of my Honourable friend, Shaikh Sadiq Hasan, for circulation of the Bill, all I can say is, if it is meant as a dilatory motion, I shall vote for it, because, I am for postponing the evil day for as many days as possible. But, if he thought that by lapse of some time, better sense would dawn upon Government, I am afraid he is hopelessly mistaken. The Government is like a machinery. The ideas they have they will carry out; they will not care what changes are going on daily round about them. So I do not think we will derive any benefit by circulating this Bill.

I should like to make my position clear why I am against any such piece of legislation. I cannot accept the *bona fides* of the Government that this piece of legislation is not really meant for crushing the national spirit in this country. That is the trouble. Had I been convinced that the real purpose of the Government was only to tide over the present difficulty, I would have agreed even to a far more drastic piece of legislation—if that were possible, because, I think this is the worst piece of legislation and it cannot be made worse—I would have agreed to that, but presently I shall show why I cannot believe in the *bona fides* of this Government. My own idea is that the Government know what the future constitution is going to be for India. They know that it will not satisfy the popular ideal of self-government, not to speak of Dominion Status. They are anticipating further troubles in future and they are asking for powers to crush any national revival in future. It will be clear to all and sundry that Government do not mean to bestow on India anything like Responsible Government in near future by their attitude of enforcing such legislation. Otherwise what was the need for placing this emergency legislation permanently on the Statute-book. After a great deal of pressure, they have agreed to limit its life for three years, but their intention to have this legislation permanently on the Statute-book shows that the intention is not to tide over these difficult times alone but to fight against the spirit of nationalism in this unfortunate land. In this connection, I like to say a few words about what my teacher, Sir Abdulla Suhrawardy, said about the release of Mahatma Gandhi. Nobody said that by the release of Mahatma Gandhi everything will be settled. It was pressed from this side that a spirit of reconciliation is the only remedy to fight against this disorder and agitation in this country. The question was raised on the floor of this House as to why Mahatma Gandhi was not released and the Government's reply was that though he was permitted to deal with questions of untouchability, he could not be allowed to deal with other political matters. During question time in the House, it is difficult to make this point clear. So I like to press this view on the Government.

[Mr. S. C. Mitra.]

Untouchability is not in itself political. When the question of untouchability raises the question of temple entry, it is religious. When it deals with inter-dining and inter-marriage, it is social; but when it raises the question whether the Depressed Classes should vote in a separate electorate or joint electorate and what should be the number of seats reserved for them and similar matters, it is political. My study of the thing is that Government thought that as Mahatma Gandhi failed to effect any reconciliation between the caste Hindus and the Depressed Classes in London, he would fail on this occasion also. They did not like Mahatma Gandhi to die in a British prison. So they allowed him a chance, but when the bigger question of Hindus and Muslims came, his release was refused, because Government were disillusioned last time about the great influence Mahatmaji had in this country. So, this time, though I admit that the Hindu-Muslim question is largely political, like the case of voting of the Depressed Classes in a separate or joint electorate, but in connection with this bigger question, the release of Mahatmaji would have been of great help to our people and yet his release was refused. That is an illustration to show how the mind of the Government is working, though the Government may say that it is not their intention.

Mr. K. Ahmed: It is an inference only.

Mr. S. C. Mitra: Yes. It is an inference and I shall be very glad to hear that my inference is wrong. I would like to impress upon Government that this spirit of nationalism,—this hunger for liberty, this idea of every nation to have full freedom in its own native country,—cannot be and will never be checked by any piece of legislation. That is the main point that I have been urging all along. I had been a Congress man for a long time, even before the non-co-operation movement was launched in 1920. I have been a member of the all-India Congress executive. I have seen, year after year, we approached Government in a constitutional way with our petitions and appeals. Then, in 1920, when the whole country adopted non-co-operation, Government were very much nervous, because they did not know this phase of the movement. Gradually they got accustomed to it and they put all their pressure, and what is the result? Now the people have lost faith in constitutional agitation and non-co-operation has given place to the civil disobedience movement. Really the spirit is not crushed. Indians will not tolerate being dominated by anybody. I have said it many a time that the people of India are not anxious to turn the Britishers, bag and baggage, out of India. They will be glad to have their full co-operation to develop their industries and avail themselves of the great organising power of the English race. They appreciate all this, but if in their own land they are treated as slaves and inferior people, how can you expect them to put up with your treatment. I am very much afraid that the success of these drastic measures may drive this open movement underground. This non-violent movement will lose its non-violent character. The other day a friend was telling us that the British Government had sent infantry battalions to crush the spirit of the Bengali race. We were humorously saying that they would do well if they send the Sappers and Miners in future, because the whole movement might go underground. So we want to impress upon Government that there must be an effort on the part of the Government to conciliate this spirit of revolt in the younger generation. These drastic

measures will not help. If you can crush it by a measure like this, you do crush it, by all means, but it is absolutely certain that nowhere in the history of the world the spirit of a nation which has developed itself into an organic state could be kept under restraint for a long time. That is why I say, even if you crush the civil disobedience movement, you will be really adding to the strength of the anarchist or the terrorist movement. I can boldly assert that no man in his senses will support terrorist movements. We all demand freedom of thought, freedom of association and freedom of action and do not think life is worth living if our opinion is forced at the point of the bayonet or the risk of a bomb. That is neither here nor there. It is really clouding the issue.

Sir, what we say is that these repressive measures that are meant against the civil disobedience movement will not avail—because that movement is a very legitimate movement—when an unarmed nation finds that all its reasonable appeals have failed and when it finds, year after year, that the nation is being crushed under economic pressure to the verge of starvation, when, for example, boys having received the highest education have not any avenues open for earning sufficient pittance to keep body and soul together, while they see before their very eyes every other nation progressing. Sir, how can Government, by drastic legislation alone, expect to keep a nation under subjection? That is the one idea that all along actuated me to say that these are not the measures that will help the Government, and that what should be done is to take recourse to real reconciliative measures: and, in that connection, Mahatma Gandhi's release was urged. Of course, simply by releasing Mahatma Gandhi nothing can be attained. If, for example, Mahatma Gandhi today unconditionally accepts Government's terms and tries his best to stop civil disobedience, what will be the effect? He will simply lose his influence with the people. Neither the Government nor the people will gain, but he will become impotent. Sir, every great leader maintains his position, because he can anticipate and rightly interpret the feelings that are working in the nation's mind. That is the outstanding element in a great leader: and if Mahatma Gandhi accepts Government's terms unconditionally, he may issue his ukase, but, Sir, it may be taken for granted that Mahatma Gandhi or even a greater man than he, will fail in the objective. What we urge is that let Mahatma Gandhi be released unconditionally as part of the wider principle of reconciliation. It is known to Government that he has accepted the principle of non-violence and by means of persuasion and non-violent pressure he hopes to effect a change in the angle of vision of this Government. If that is possible, if Mahatma Gandhi is given a chance of proceeding in his own ways, then that spirit of reconciliation will help in bringing in peace and order in the country and, not the mere fact of the release of Mahatma Gandhi. Sir, I am opposed to this drastic legislation, because I know it cannot affect the real issue. The true policy of reconciliation with full responsible Government will put an end to civil disobedience movement, and not these drastic laws.

Sir Hari Singh Goss (Central Provinces Hindi Divisions: Non-Muhamadan): Sir, I think we have debated the general question for three days and it is time that we came to closer grips with the Honourable the occupants of the Treasury Benches. On the last occasion, when this Bill was committed to a Select Committee, and, on the previous occasion, before the Bill was introduced, we explained our position to the Government

[Sir Hari Singh Gour.]

in regard to the Ordinance Bill. Our position was clear and unequivocal, and, if Honourable Members will recall the words I used on the previous occasion, they will at once understand the reason why this side of the House is not at one with the Honourable the Home Member. Sir, in the month of February when the Ordinance Resolution was under consideration, I then pointed out to the then Home Member that there were several clauses in the Ordinance which could not stand the scrutiny of a judicial trial. I pointed out that, under the Government of India Act, this Legislature was not a sovereign body and that it was a body exercising its power by delegated authority from Parliament and that its powers were controlled and circumscribed by the provisions of section 65 of the Act. I then drew the attention of the Government to the proviso which laid down in clear unmistakable terms that the Government of India or the Indian Legislature had no power to enact any law which would in any way affect in any degree the allegiance of any person to the Crown of the United Kingdom, and I then explained as to what this phrase meant. I cited in that connection a passage from a well-known book, Taswell-Langmead's, "English Constitutional History", page 95, and to the later edition of that book I wish to recall the memory of Honourable Members today. At page 88, Sir, the authors summarise what are the conditions or implications of allegiance. They say:

"Three great political documents, in the nature of fundamental pacts between the Crown and the nation, stand out as prominent landmarks in English constitutional history.—The Magna Charta, the Petition of Rights and the Bill of Rights, constitute, in the words of Lord Chatham, the Bible of the English constitution'. In each of these documents, whether it be of the thirteenth or of the seventeenth century, is observable the common characteristic of professing to introduce nothing new. Each professes to assert rights and liberties which were already old, and sought to redress grievances which were for the most part themselves innovations upon the ancient liberties of the people."

Honourable Members, who have studied the history of the English constitution imbedded in the English history, will find that, as far back as 1250, after the battle of Runnymede, when the Magna Charta was signed by King John, two clauses were acceded to and these are clauses 20 and 39; and clause 20 of the Magna Charta lays down that there shall be no amercement without trial. In other words, there shall be no forfeiture of property without a judicial trial; and the second, with which Members must be more familiar, is the well-known *Habeas Corpus* jurisdiction. In 1628, the Petition of Rights was granted and, in clauses 3 and 4 of it, it was clearly enacted that there shall be no seizure of property without trial. In 1689, in the reign of William and Mary, a Bill of Rights was passed in which it was emphatically laid down that fines and forfeiture before conviction were illegal and against the common law of England. All these clauses were brought under consideration and embodied in the Acts of Settlement of 1701 in which it was once more emphasised that the laws of England are the birth-right of the people binding on the king, so that you see the history of the English common law rights, which are the birth-rights of every British subject wherever he may be domiciled, and if we really wish to examine this question, we must examine the question from this basis of constitutional law.

Honourable Members will find that in this Bill, as in the Ordinance that preceded it, provision has been made for the forfeiture of property without recourse to justice. Provision has been made for vicarious punishment,

provision has been made giving the executive the right to amend and rescind Acts of this Legislature and last, but not least, a serious encroachment has been made upon the enactment passed by this House after full, fair and, may I add, prolonged consideration only so late as the 9th October, 1931, known as the Press Emergency Act. If, therefore, Sir, the further consideration of the report of the Select Committee is to be acceded to, I must ask this House to apply the test which we laid down and apply the common sense rules to which every Member of the Government and every Member on this side of the House must bow. Is there anything in the Government of India Act which can authorise the Indian Legislature to forfeit property of a subject of the Crown without trial and without giving him any right of redress in a Court of law? If I was to ask the Honourable Members of this House to take my word for it—Honourable Members on the Treasury Benches might demur, but they cannot object to the statement of law embodied in a well-known treatise written by Professor Dicey in his book on the Law of Constitution. Let us see what he says about it. And if, according to the test of that book, we find that there are provisions in this Bill which are *ultra vires* of the Indian Legislature, then I venture to ask the Home Member if he has consulted the Law Officers of the Crown on the legality of those provisions to which his attention was drawn as far back as February last. In Dicey's Law of Constitution, pages 228 and 229, we have the following words:

"The best proof of the very limited legal effect of such so-called suspension is supplied by the fact that before a *Habeas Corpus* Suspension Act runs out its effect is, almost invariably, supplemented by legislation of a totally different character, namely, an Act of Indemnity."

On page 229 he says:

"Suppose, again, that an arrest should be made by orders of the Ministry under circumstances which involve the unlawful breaking into a private dwelling-house, the destruction of private property, or the like. In each of these instances, and in many others which might easily be imagined, the Secretary of State who orders the arrest and the officials who carry out his commands have broken the law."

When he says "broken the law", he does not refer to the Statutory law only, but to the very foundations of the English constitution upon which depends the allegiance of the subject to the Crown. Those are the fundamental principles which cannot be altered even by the British Parliament. Then he goes on:

"They may have acted under the *bona fide* belief that their conduct was justified by the necessity of providing for the maintenance of order. But this will not of itself, whether the *Habeas Corpus* Act be suspended or not, free the persons carrying out the arrests from criminal and civil liability for the wrong they have committed. The suspension, indeed, of the *Habeas Corpus* Act may prevent the person arrested from taking at the moment any proceedings against a Secretary of State or the officers who have acted under his orders. For the sufferer is of course imprisoned on the charge of high treason or suspicion of treason, and therefore will not, while the suspension lasts, be able to get himself discharged from prison. The moment, however, that the Suspension Act expires he can, of course, apply for a writ of *habeas corpus*, and ensure that, either by means of being put on his trial or otherwise, his arbitrary imprisonment shall be brought to an end. In the cases we have supposed the prisoner has been guilty of no legal offence. The offenders are in reality the Secretary of State and his subordinates. The result is that on the expiration of the Suspension Act they are liable to actions or indictments for their illegal conduct, and can derive no defence whatever from the mere fact that, at the time when the unlawful arrest took place, the *Habeas Corpus* Act was partially at any rate, not in force."

The position, therefore, is as follows. Three fundamental rights, which are the condition of every oath of allegiance and are the birth-right of every British subject, have been safe-guarded to us by

[Sir Hari Singh Gour.]

the Government of India Act, and that Act has laid down that nothing in the Act shall entitle the Indian Legislature to legislate in respect of anything which in any degree affects these rights upon which depends the oath of allegiance. Now, Sir, in England, in cases of grave national emergencies, what the Ministry do is to suspend for the time being the operation of the *Habeas Corpus* Act, but always follow, when the emergency has ceased, by the enactment of another measure known as the Act of Indemnity. But what are we here going to do? Let Honourable Members look at their Bill and they will see as to what provision is being made here in this enactment. Honourable Members' attention is invited to clause 17-F which lays down that every act, howmuchsoever illegal, howmuchsoever egregious and unjustified, will give no cause of action to the civil or criminal Court barring only cases in which the act has not been done in full faith or intended to be so done under that sub-section of the Bill under reference. Now, Sir, under English law, it has been laid down that howmuchsoever *bonâ fide* may be the act of the servant of the Crown, the doctrine of *respondet superior* would not apply towards acts which are inherently illegal. And here I submit that in section 17-F, under clause 18 of the Bill, the Honourable the Home Member wants to enact the law which gives these very servants a complete indemnity in advance of the acts which they are about to commit howmuchsoever illegal those acts might be. The Honourable Member will realise that in England such acts will be regarded as not only illegal, but as loosening the very fabric of the English constitution. As far back as 1801, it was settled in Parliament that an act of indemnity had to be passed after the acts had been done and when Parliament was in possession of all those acts, it was for the Parliament to decide whether they shall condone or not condone the acts of their servants. I, therefore, submit that this basic principle of common law to which I drew the attention of the occupants of the Treasury Benches in sufficient time has not yet been examined, so far as I am aware by any legal experts, or, indeed, by the Select Committee.

Reading through the proceedings of the Select Committee, I find no reference, not even a passing reference, to this fundamental question which affects the very foundation of the Legislative Assembly's jurisdiction in matters of this legislation. Therefore, I submit, it is perfectly just and right that we should pass in review our own power and transgress nothing that we are forbidden to do by the limited jurisdiction conferred upon us by the Government of India Act. It is not merely a question of propriety, it is a question of jurisdiction and legality.

Another point to which I would draw the attention of the House is, how many provisions there are in this Bill which empower the executive to confiscate property without recourse to a Court of justice. Clauses after clauses occur in the Bill and let me give Honourable Members one reference. Section 17-B lays down:

"The District Magistrate, Commissioner of Police or officer taking possession of a notified place shall also take possession of all moveable property found therein, and shall make a list thereof in the presence of two respectable witnesses."

Then the clause goes on:

"If, in the opinion of the District Magistrate, or, in a Presidency-town, the Commissioner of Police, any articles specified in the list are or may be used for the purposes of the unlawful association, he may proceed, subject to the provisions hereafter contained in this section, to order such articles to be forfeited to His Majesty."

Now, I wish to ask, in all humility, what authority do the Government have to confiscate a man's property by an executive action without giving him the opportunity and his right to question the act in a Court of law. The Select Committee have adopted a short sub-clause, (7), of which I am not unaware, namely, that the matter may be referred to "the decision of the District Judge whose decision on that point shall be final", mark the word, "final". In this connection, I have already troubled the House by recalling to it the provisions of section 107 of the Government of India Act which lays down that the High Court shall have powers of superintendence over all Courts subordinate thereto and yet here, by one fiat of the Indian Legislature, you are making an order passed by a subordinate Court final in the sense that it shall not be open to appeal or revision by the High Court. Sir, I will only trouble the House by giving a few instances of the *ultra vires* character of the several provisions of this Bill which the Honourable the Home Member, and indeed the Honourable the occupants of the Treasury Benches should seriously think over before proceeding further with the motion that they have in hand. I am not, and I shall never be a party to a mere dilatory motion. I have always assisted the Government against the wishes and much against the advice of my Honourable friends who surround me when I am morally convinced that the Government are right. But this is one of those occasions when Government should take counsel with themselves and see whether they are not transgressing the plain provisions of the English constitution underlying the enactment of section 65 of the Government of India Act.

Passing on to another aspect of the Bill, we find that this Bill gives the Local Governments power to amend or annul some of the salutary provisions contained in the Criminal Procedure Code by making bailable offences non-bailable and by suspending the operation of several provisions of the Criminal Procedure Code. Now, Sir, I ask this House one question. I ask the occupants of the Benches on both sides, whether they are sitting on the Treasury Benches or on the Opposition Benches, one question, we are sitting here as legislators of the country, we have the power of legislating for this land. Are we prepared to abdicate our functions and surrender our rights in favour of the executive in the Provinces? (Hear, hear.)

Some Honourable Members: No, no.

Sir Hari Singh Gour: I ask Honourable Members another question. The Local Governments will make an offence non-bailable which you have made bailable. The Local Governments will suspend several provisions of the Criminal Procedure Code which you have passed. Will you be a party to giving them indemnity against the abuse of the provisions and abuse of the power which you are transferring to the executive? Sir, this is not a mere question of abstract law, it is a question which must create qualms of conscience even in the occupants of the Treasury Benches. I am sure, Sir, that if I could divide up the personality of the Honourable the Home Member and make Mr. Haig separate from the Honourable the Home Member, which I might be tempted to do by enforcing the provisions of clause 7, by asking him to do his duty, and if you will permit me, Sir, in anticipation, to enforce the provisions of that clause by demanding that all the loiterers in the Treasury Benches shall not molest

[Sir Hari Singh Gour.]

him, what would be his answer. (Laughter.) I am sure that here Mr. Haig differs from the Home Member. Sir, we are asked once more in this House to tighten up the rigours of the Press law and bring it back to the position in which it stood before this House, after a month of serious consideration, enacted the measure in anticipation and to provide against the very movement of which the Honourable Member complains. I wish to ask the Honourable the Home Member, has this Press emergency law been brought into force and has it been found wanting so as to entitle him to have recourse to the very provisions which we rejected and which he now demands we should re-embody in the Ordinance Bill? If Honourable Members will turn to the debate on the Press Bill, and I invite the attention of Honourable Members to a few passages in that debate printed on page 300, dated 11th September, 1931, this is what Sir James Crerar, the predecessor in office of the Honourable the Home Member, said in its support:

"Public opinion has been deeply and justly shocked by the unhappy prevalence and the serious extension of terrorist crime. Public opinion is insistent in its demand for a remedy."

It is in response to that appeal made by the Honourable the Home Member that this House recast the drastic provisions of the old Ordinances and, by their considered judgment, enacted the provisions of Act XXIII of 1931. But, before the ink on the paper on which that Bill was printed was dry, the Honourable the Home Member comes back and says: "Oh! give us back the power that we possessed under the Ordinance. Never mind the Act that you passed in October, 1931". Sir, should this House stultify itself? Is there any Member of this House who would not ask the question: "We have given you a power only a few months ago. We spent days and days of anxious thought as to how to remedy the evil of which you complained and we have given you statutory authority within the limits we considered fair and just; and you promised in accepting that measure to try and use it for the purpose for which it was intended. But you did nothing of the kind; you have broken the compact by not using the Press law which we enacted and now you come once more and say that you do not want that, you want something more drastic". Sir, those of us, who have little children, know that if you give a child a jujube to eat and he sees another on the table, he says: "No, mummy, I do not want this, I want that"; and when you give him that, he says: "No, mummy, I do not like this, I want that". Is that your attitude? We gave you one, and now you come up without trying it, and say: "No, no, we do not want that". (Laughter.) And, supposing, out of our affection for you, we do give you the other, I am not sure that you would not come up the next day and say: "No, we do not want this, we want that". Where is it all going to end? You would be landing yourself into a mass of contradictions in which not your sagacity or judgment, but even the sanity of your judgment would be in question. Sir, I am certain that Honourable Members will reflect before they commit themselves to this irrevocable step of giving the Government larger powers when the Press Act is before them on the Statute-book and not given effect to or tried, or if tried, has not in any degree been found wanting.

If these were the objections, Sir, in my humble judgment they would be insuperable. But, when I turn to the details of the Bill, what do I

find? The Honourable the Home Member, in accepting the motion for reference to Select Committee, said that he was quite prepared to go to the Select Committee, but he cautioned the House that he would not agree to the Bill being reduced to a pale shadow. Mentally, I am afraid, there was a reservation that when the Bill came back, it might be not a pale shadow, but a grim spectre, and this is what Honourable Members see before their eyes. (Cheers from the Opposition Benches.) You see before you, Sir, all the provisions of the Ordinance re-enacted in no way diluted out of deference to the consideration that we showed, out of deference to the criticisms that we have been making since February of this year. And, therefore, we feel justified in asking a question, if we are to precipitate the further progress of this Bill and enact it into law, are we quite sure that we have resolved all the doubts that arise in our minds regarding the legality, propriety and wisdom and expediency of giving such wide legislative powers to the executive? Sir, the other day my friend, Sir Leslie Hudson, in a maiden speech, on which I congratulate him, spoke with brutal frankness that the Congress had declared war upon Government and Government were bound to respond. These are the bows and arrows of Government flung at the Congress for which the Honourable Member wants that you and I should supply the poisonous tips. Sir, I can forgive my friend, Sir Leslie Hudson, but I cannot forgive my friend, Mr. Arthur Moore, who is not a stranger to this House, who is conducting a widely read newspaper and who this morning solemnly got up and said that Government must govern or get out. Are we the Government? We are not the Government.

Mr. Arthur Moore: May I point out that I did not say this, Sir?

An Honourable Member: It was Mr. Ghuznavi who said that.

Sir Hari Singh Gour: I make very little distinction between Mr. Ghuznavi and Mr. Moore. They are two leaves from the same book. (Applause.) My Honourable friend in an impassioned speech said that he would support this Bill though he was not enthusiastic about it; but has my friend for one moment thought as to what his words implied? Government have their duty. As administrators, their duty is plain and simple, namely, to make short work of all laws. They are in the position of a policeman who has got no time to turn to his breast-pocket and read the instructions; but we are here as legislators and it is our duty now to issue commands and whatever might have been the illegalities of the executive government in the past, they are responsible, not we; because it is they who have promulgated Ordinances and given effect to them over the head of the Legislature. But now when occasion arises, when the Legislature has to issue to the country at large its mandate and to all public servants, executive, police, judicial and others, the fiat from the Central Legislature, telling them what to do and what not to do, the occasion is a solemn one; the responsibility is great and your power on this occasion must be wisely exercised. Do not run away with the feeling that the executive will use these powers more wisely in the future than they have done in the past; only in the future they will use these powers not because they have fashioned them, but they shall use them in your name and under your authority. When a lathi charge is

[Sir Hari Singh Gour.]

made, the policeman will say: "Here is an Act of the Indian Legislature, passed by the will and with the concurrence of a body in which the elected Members were in a majority and I am carrying out my lawful charge in the name of that body". The position is different to what it was when the Ordinances were on the Statute-book and you did not share the responsibility of enacting them. Our position on the present occasion is grave and solemn and I wish to warn the Government that whatever may be the temptation for the promulgation of Ordinances, we shall not be hurried into a hasty piece of legislation of the legality of which we are not certain, of the impropriety of which we are certain; and I, therefore, ask this House to give time to consider. When my Honourable friend, Mr. Sadiq Hasan, moved his motion for circulation, some Honourable Members got up and said, "What do you want this circulation for?" It really makes one sad to think that there are Members in this House who can talk in that spirit of levity. Knotty questions of constitutional law, questions which must have baffled the Government, questions as to how far the Indian Legislature can abrogate the fundamental rights upon which is based every oath of allegiance, and the power of the Indian Legislature—these are the questions which we should like the High Courts to consider and give their opinions upon. Can the Honourable the Home Member deny that that is an avenue of approach which is not reasonable? We should further like the Honourable the Home Member to consult Governments, like the Governments of Ajmer Merwara, Baluchistan and Coorg and the Sonthal Parganas as to whether they want any Press Act, because, I find from the operative clause of this Bill that the whole of this Act, except sections 4 and 7, are to apply to the whole of British India. I should like to know whether the whole of this Act, barring these two sections, are necessary in all these tracts where the civil disobedience movement is not even heard of. Further, I should like to know whether the Local Governments in all the Provinces have constructed those fine castles in the air to which my Honourable friend, the Home Member, referred in his opening speech, which are to rest upon the imaginary foundation of this Bill, not yet enacted into law. I have seen from the newspaper reports that in Bengal and the United Provinces, in the Punjab and the Frontier Province, they have reared up a superstructure on the imaginary foundation of this Bill; but I have not heard whether all the Provinces have done the same and, if they have not, I presume that they do not consider the necessity for this Bill. We should then be enacting for places and persons who are wholly unaffected by the provisions of this Bill and I cannot understand why this large and all-embracing measure is to apply even to tracts wholly unaffected by the civil disobedience movement. These are the general considerations which naturally make me pause before I can give my vote in favour of the further progress of this Bill; and when my friend, Mr. Sadiq Hasan, wants the circulation of this Bill, he is not asking for anything impossible. You will have a chance between now and January or February when we next meet to have the expert opinions of the High Courts, the opinions of the Local Governments to be affected and not to be affected and there would be time then to make further progress with this Bill. In the meantime I find that the atmosphere is highly uncongenial to the further progress of this Bill. I see in the country around me cries of peace from everywhere, unity conferences, and such like are the order of the day; and I was only yesterday reading a cable sent from England to the effect

that the Secretary of State had been assured that the civil disobedience movement was dead and the power of the Congress crushed. If that is the case, I ask you, is it not time to cry halt to your repressive policy? Give the country a little breathing time and it may be that the difficulties which you apprehend and from which you say you are suffering will solve themselves by the short lapse of time. There is, therefore, everything to be gained and nothing to be lost by acceding to the motion of my Honourable friend for circulation. It is not a dilatory motion. If it were a dilatory motion, I would have voted against it, but I have been thinking within myself and, I am sure, there are many behind me who have been doing the same—and taking counsel with me as to what I consider to be the right course to follow on this occasion, and with the weight of my responsibility to advise them, I feel that I should be guilty of gross dereliction of my duty as a Member of this House, as a representative of the public, if I did not tell Honourable Members on the other side of the House as to what I think of this Bill, and in what respect does this Bill require further improvement before it can be enacted into law. It does not matter whether it goes to the Select Committee or not. I am not in favour of a Select Committee, because the Select Committee may or may not consider the various intricate provisions of the Bill, but the Honourable the Home Member understands what we want, and, if he has got an answer, he will give it, but if he has not got an answer, he will give us an argument, and we shall see what to do with the argument without an adequate answer.

Sir, I do not wish to detain this House, but, passing in critical review, I shall only refer to a few clauses which, I submit, require drastic changes. In the first place, I should like this Bill to be only applied to provinces where there has been the civil disobedience movement and where the recrudescence of the civil disobedience movement is either imminent or is probable. In the second place,—I may be alone, I do not care,—but I shall be constrained to vote against any provision in this Act which gives the executive the right of taking away a man's property without giving him the right to obtain redress in a Court of law.

Then, Sir, in this Bill—our Labour Member is not present; he is absent performing other public duties,—there is clause 3, the provisions of which would prevent any concerted action by the Trade Unions, though the Trade Unions have been recognised as lawful Organisations and Associations by the Government. They may have grievances of their own unconnected with the civil disobedience movement, and you will still, under the provisions of this Act, prevent them from ventilating their grievances in the only way in which they have the power to ventilate their grievances.

Then, Sir, there are drastic penalties against picketing, and the justification against picketing is that picketing is a part of the civil disobedience campaign. Sir, long before the civil disobedience movement started, we reformers, and you, Sir, and a great many others, were interested in temperance and in Swadeshi, and if there are a large number of people,—and the Honourable the Law Member rightly pointed out that Congress was not the people of India,—there are a very large number of people who are interested in this necessary measure of social reform. They want that the people should use indigenous articles, they want that people should be persuaded to refrain from drinking. Are they singular? In that great trans-Atlantic republic, the United States of America, people, flesh of your

[Sir Hari Singh Gour.]

flesh and blood of your blood, have they not started and started with success a raging and tearing campaign that America should go dry?

Mr. Arthur Moore: No, wet.

Sir Hari Singh Gour: And did they not use all measures within their power to bring sobriety to the nation?

An Honourable Member: To the detriment of Europe.

Sir Hari Singh Gour: Sir, I venture to submit that outside that class of civil disobedience workers whose object is political, there is a much larger class of non-political social reformers who are anxious and have been anxious to establish temperance and Swadeshism in this country. Have you made any provision to safeguard their rights? You have done nothing of the kind. I, therefore, submit that the provisions of this clause regarding picketing are too wide. It may be that the Honourable the Home Member would say that if we allow a narrow door for the escape of social reformers, it will be a door through which all these civil disobedience people will escape. But, if that is the defect of the law, it is no reason why you should not make adequate provision against it. I am not here redrafting the clause. I am only telling Honourable Members that if they really want that the mischief of civil disobedience as such should be restricted, they should immediately restrict the Bill by the use of suitable language to the mischief directed against. I, therefore, submit that there are not only one or two casual defects in this Bill which can be solved by amendments here, but the whole thing is pierced through and through with defects of a more or less serious character which cannot be disposed of on the floor of this House. I do not, therefore, Sir, ask my friends on this side to assist the Government in the further progress of this Bill. Before I sit down, I would ask every Honourable Member to carefully ponder and consider the serious responsibility that rests on his shoulder on this occasion how he uses his vote. (Loud Applause.)

Several Honourable Members: Sir, the question be now put.

Mr. President (The Honourable Sir Ibrahim Rahimtoola): The question is that the question be now put.

- The motion was adopted.

The Honourable Mr. H. G. Patel: (Loud Cheers.) Sir, it is nearly two months now since this House debated the principles of this Bill at considerable length for five days in Simla. Since then the Select Committee has examined the provisions of the Bill exhaustively for about a fortnight; and now we have reached the end of the third day's debate on this motion. I confess that I am surprised that the Government should be accused of adopting a procedure of haste. Indeed, the inevitable delays in the various stages of considering this Bill have given rise, in the course of the debate, naturally enough, to a certain amount of repetition of arguments and considerations that have been advanced before in Simla. That being so, I hope, Sir, you will excuse me if I too revert to some of the general

considerations and remind the House of the main position of Government in regard to this Bill.

In the first place, the Bill, as I said this morning, is directed against civil disobedience, and let me for a moment remind the House of what civil disobedience means. It is a movement designed to paralyse and coerce the Government, and it is a movement which, in the course of its activities, endeavours to intimidate and coerce those individuals who do not agree with the Congress. Now, Sir, we have heard many estimates of the vitality of this movement. My Honourable friend, Diwan Bahadur Rangachariar, whom I am sorry not to see here this afternoon, suggested that the movement was moribund, if not completely dead. This morning's telegrams bring us a curiously different estimate. The members of the India League Delegation, in their brief visit to this country, have made a number of discoveries which appear to have escaped the notice of those of us who merely live here. (Laughter.) And among their discoveries is this, that "the whole of India is Congress minded, and Mr. Gandhi holds in his hands the lives of all Englishmen and Englishwomen in India, and he has been rightly described as the best policeman the British have in India". That is to say, the leader of the civil disobedience, a movement directed to destroy the law, is the best policeman at present that we have in India! Well, Sir, I do not wish to lay too much stress on the views of the India Delegation. They are, after all, comparative novices in Congress propaganda. No doubt, with added experience they will realise that a propagandist statement ought to have some plausibility if it is going to carry conviction.

Sir, the civil disobedience movement, in the judgment of the Government, is gradually dying down, but it is still alive,—there must be no mistake about that. It will not, in my judgment, end so long as the leaders feel that there is any prospect of gaining their objects, and nothing is so likely to convince the leaders that they cannot gain their objects as the passing of this Bill and the Bills which are before the local Legislative Councils, for those Bills provide the powers against which the civil disobedience movement cannot prevail.

As I said before, in Simla, we are approaching a difficult period of transition. At a time like this we do not want the State to be inoculated with germs which will lead to the dissolution of all our bones, for the worst feature, in my opinion, of the civil disobedience movement, is the method of direct action which it follows. There could be no more disastrous legacy that we could pass on, the present Government could pass on, to its successors than the triumph of direct action. Direct action is the greatest enemy of democracy. The principle of democracy is that the country is governed by argument, by reason, by voting, and not by coercion. It is not governed by walking out or by lying down, or by methods of obstruction, whether active or passive, and, if those methods gain the prestige of success just as this country is embarking on this enormous experiment in democracy, I can only see disaster ahead of us.

Well, Sir, we have had discussion as to the period for which these powers should be enacted. Our view is that the powers must be taken for a period sufficient not only to see the end of the present civil disobedience movement, but to see that there is no chance, particularly at a time when power is being transferred to other hands, of a revival. I am well aware that certain Honourable Members contend that once the new constitution

[Mr. H. G. Haig.]

has come in there can be no prospect of these methods being employed. But this is not a weapon that can merely be used against the present Government; in fact, it is not a weapon that is only being used against the present Government. The Congress is tyrannising over its own fellow countrymen, and if the Congress were successful in its object, it would establish under the new constitution a tyranny of a type that we have seen elsewhere in other countries where a small group of men get power for themselves and dominate by coercion the great mass of their fellow citizens.

As I have said before, and I say it again, we are not, in the measures that we are taking against civil disobedience, attacking the spirit of nationalism. We are attacking the methods that the Congress mistakenly adopts. It has been suggested in the course of this debate that our motives cannot be trusted, that we say one thing and mean another, that we have no intention of handing over power to the people of this country, but that having secured the passage of this Bill we shall entrench ourselves in our present position.

Well, Sir, instead of weaving the webs of suspicion, let us look at the facts. At the present moment, the Third Round Table Conference is sitting in London and let us look at the past history of that Conference. It does not start with a clean slate. The First Conference and the Second Conference came to very far-reaching fundamental decisions of principle as to the nature of the new constitution. We cannot foresee precisely the form in which those principles will be clothed when His Majesty's Government come to put forward in Parliament their proposals next year, but, at any rate, we have a clear idea of the general object and intention of His Majesty's Government and that is that real power should be handed over to the people of this country. Again, if we really intended to use these powers to resist reform, why should we agree to a time limit of three years? What use is it to us to maintain our present position for three years and then do exactly what in fact we are proposing to do now. If anything of that sort had been in our minds, surely we would have insisted on the permanence of this measure, and we would have justified the description of ourselves just given by my Honourable friend, Mr. Mitra—a machine, a relentless machine which never deviates from its course. The Honourable the Leader of the Independent Party raised another difficulty. He said—Suppose Congress come in and repeal this measure. Well, Sir, in the first place, I am not one of those who believe that the Congress in the new conditions are likely to sweep the country. They may secure the power in certain parts of the country; in others, I believe, they will certainly not. But suppose the Congress does come in. I am perfectly prepared to take my chance of that. We cannot guide the Governments of the future. We can only give them a fair start and leave them to solve their own difficulties in their own way. Again, I think, it was my Honourable friend, Sir Abdur Rahim, who suggested that non-Congress men, those Honourable Members who sit on the opposite side of the House and who condemn this measure, if they come into power, the first thing they will do is to repeal it. Well, Sir, it is surely a commonplace of experience that those who speak very scathingly and drastically in opposition very often change their minds when they come into positions of responsibility. (*Some Honourable Members: "and vice versa also."*) Honourable Members opposite very often know our difficulties, but I do

not expect them to acknowledge them. But when they sit in these seats, they will have to face them themselves and they will find that responsibility moulds opinions in unexpected ways.

Mr. Lalchand Navarai: Do not pass the Bill and we will recognise the responsibility.

The Honourable Mr. H. G. Haig: We had an appeal from my
4 P.M. Honourable friend, Diwan Bahadur Rangachariar. He, as a good liberal, sees clearly how we are all in the wrong, the Congress and the Government alike, and he was inspired by a feeling of kindly tolerance which, I felt at times, he was disposed to extend even to the Government as well as to the Congress, and, with his mellow outlook on life, he believed in killing this civil disobedience by kindness. There are diseases in the body politic as in the human body which do not yield to treatment without a little pain and I cannot believe that, shrinking from a little pain, a little inconvenience and a little difficulty, the House will ask us to leave our task half done. We have got to eradicate this belief in direct action. What is the spirit we are fighting against? It is not, as I said, the nationalist spirit, but we are fighting against a spirit which is well expressed, I think, by a passage which I saw a few days ago in the Bombay Congress Bulletin, surely an authoritative exponent of Congress ideas. It was dated the 7th November of this year and this is what it says:

"The Congress adopts every possible method of persuasion in trying to convert people to its convictions. Failing that, it is driven to resort to direct action and is always ready to face the consequences that result from direct action."

In other words, the Congress starts off by trying to persuade others, but if they are so stupid or so obstinate as not to agree with the Congress, then they will be made to. That is the spirit that we have got to eradicate. (Applause.) That is the spirit which leads, as they themselves say, to direct action, to boycotting, to picketing and to all the activities at which this Bill is aimed. A democratic constitution cannot exist if that spirit is widespread. I do not propose, Sir, to say more than one word about the Select Committee, but I cannot refrain from extending my respectful commiseration to my Honourable friend, Mr. Puri, who was frank enough to acquaint us with his disappointment when he walked out of the Committee and found that he was followed by three members only, instead of six. It is a painful matter, Sir, for a leader when he finds that his followers do not follow him.

Now, there are a number of points which have been raised in the course of this debate which, I think, can best be answered when we come to the amendments. But there are one or two which I must endeavour to deal with briefly here. In the first place, there seems to be some little misunderstanding as to the relation between the Bill before the House and the local legislation which is being promoted in various Legislative Councils. The position is that the main and universal activities of the civil disobedience movement are being dealt with by the Bill before this House; and, if that Bill is passed, there will be many areas in India where no further supplementary legislation will be required. But there are other provinces where civil disobedience has shown more formidable

[Mr. H. G. Haig.]

manifestations, where supplementary legislation is required, and that supplementary legislation is now proceeding and proceeding successfully in one local Legislative Council after another. The position is that if this House does not pass this legislation, then the foundation, on which the measures taken in various local Legislative Councils are based, will disappear.

Then, Sir, my Honourable friend, the Leader of the Nationalist Party, has made a great complaint as to our treatment of the Emergency Press Act which was passed, I think, in 1931. He said that having got that Act, we threw it away and did not use it, and immediately produced an Ordinance in its place. Well, Sir, I must remind the House that that Act was confined to activities in promotion of the terrorist movement. It did not profess to control the press to any greater extent than that; and when the civil disobedience movement was revived and a totally different set of conditions was set up, naturally much greater control was required over the press; but we have not discarded the provisions that this House, as my Honourable friend reminded us, decided to give us. On the contrary, if he will look at the provisions of this Bill, he will see that they are based on an amendment of that very Act, an extension of that Act. We are not repealing the powers granted by that Act, we are supplementing them. Therefore, we are still treasuring the jujube that the House has so kindly offered us.

My Honourable friend, Mr. Ranga Iyer, drew attention to a certain case in Bombay where the security of the *Free Press Journal* had been forfeited and I promised to look up the papers. I find that though the article dealt with a movement, I think it was for temple entry, any how a dispute between Sanatanists and Untouchables, the action taken by the Bombay Government had nothing to do with that particular dispute, but they took that action in view of a very definite attack which was made in the article on the character and the impartiality of the Government.

My Honourable friend, Mr. Hoon, suggested that the Government were in a dilemma in connection with the arrests of civil disobedience followers. He said that the Congress leaders were anxious to get as many of their followers into jail as possible. That, Sir, is a matter of which we are perfectly well aware. We can quite well see that the policy of the Congress is to fill the jails. He then suggested that the object of the Government was precisely the same, and that any officer who had effected a large number of arrests received special commendation from the Government. Sir, the Government realise that the best index of their success in wearing down the civil disobedience movement is the reduction in the number of arrests and the reduction in the number of persons imprisoned in jail. I have some figures here before me which are from that point of view extremely encouraging. Every month, I think, since February, when the number of convictions was very large—over 17,000—every month since then the number of convictions has been steadily decreasing, until in October it had fallen to under 2,000. In the same way, since the end of April, the number of persons in jail has been steadily decreasing every month. It was at its maximum at the end of April,

when there were over 32,000 persons in jail, and, at the end of October, that number had been reduced to 18,000. Therefore, Sir, I am not alarmed by the dilemma suggested by Mr. Hoon.

I listened with the greatest interest to my Honourable friend, Mr. Gaya Prasad Singh, as he read out a series of extracts dealing with orders passed under section 4 of the Ordinance—a section which is not in any way reproduced in this Bill. I could not help wondering as he proceeded whether he had not got his brief mixed up. I thought possibly he had got hold of a brief intended for some Honourable Member in a local Legislative Council where it was proposed that these provisions should be reproduced, and I shall look with interest to see whether in some local Legislative Council some Honourable Member begins to read out Mr. Gaya Prasad Singh's brief and gives us a list, which I have long been waiting for, of abuses of the boycotting section. Sir, we are always told of extraordinary cases which might arise under the boycotting section. Ingenious and imaginative hypotheses are advanced as to what might conceivably happen. But we do not get either from Mr. Gaya Prasad Singh or anybody else examples of actual abuses of that boycotting section. I shall study the proceedings of Legislative Councils in the provinces with great interest in order to see Mr. Gaya Prasad Singh's real brief.

Well, Sir, I do not think it necessary to discuss at any length the amendments before the House. Shaikh Sadiq Hasan has proposed that the Bill should be circulated for the purpose of eliciting opinion. I think, in support of his proposal, he said that if this motion were carried—the motion for circulation—we could be sure that the whole matter would be discussed threadbare.

Well, Sir, I am inclined to think that even now it is wearing a little thin. It is perhaps an awkward thing for me to express a preference as between the views of the Honourable the Leader of the Nationalist Party and the Honourable the Deputy Leader of the Nationalist Party, but if I may venture to express a preference I would say that it is better, as Mr. Ranga Iyer suggested, to face these issues definitely without delay or evasion. I would ask the House to vote for the motion which I have placed before it in the interests of the peaceful development of the country and the liberty of action of individuals in the political and economic sphere. (Applause.)

Mr. President (The Honourable Sir Ibrahim Rahimtoola): The question is:

"That the Bill, as reported by the Select Committee, be re-committed to the same Select Committee with instructions to report on or before the 24th November, 1932."

Mr. Goswami M. R. Puri: I beg to withdraw my amendment.

The amendment was, by leave of the Assembly, withdrawn.

Mr. President (The Honourable Sir Ibrahim Rahimtoola): The question now is:

"That the Bill, as reported by the Select Committee, be circulated for the purpose of eliciting opinion thereon."

The Assembly divided:

AYES—40.

Abdul Matin Chaudhury, Mr.
 Abdur Rahim, Sir.
 Aggarwal, Mr. Jagan Nath.
 Bagla, Lala Rameshwar Prasad.
 Bhuput Singh, Mr.
 Chandi Mal Gola, Bhagat.
 Dutt, Mr. Amar Nath.
 Gour, Sir Hari Singh.
 Gunjal, Mr. N. R.
 Hari Raj Swarup, Lala.
 Isra, Chaudhri.
 Jadhav, Mr. B. V.
 Jog, Mr. S. G.
 Lahiri Chaudhury, Mr. D. K.
 Lalchand Navalrai, Mr.
 Liladhar Chaudhury, Seth.
 Maswood Ahmad, Mr. M.
 Misra, Mr. B. N.
 Mitra, Mr. S. C.
 Murtuza Saheb Bahadur, Maulvi
 Sayyid.

Pandian, Mr. B. Rajaram.
 Parma Nand, Bhai.
 Phookun, Mr. T. R.
 Puri, Mr. B. R.
 Puri, Mr. Goswami M. R.
 Ranga Iyer, Mr. C. S.
 Rastogi, Mr. Badri Lal.
 Reddi, Mr. P. G.
 Reddi, Mr. T. N. Ramakrishna.
 Roy, Rai Bahadur Sukhraj.
 Sadiq Hasan, Shaikh.
 Sardar, Diwan Bahadur Harbilas.
 Sen, Mr. S. C.
 Sen, Pandit Satyendra Nath.
 Singh, Kumar Gupteshwar Prasad.
 Singh, Mr. Gaya Prasad.
 Sitaramaraju, Mr. B.
 Thiampun, Mr. K. P.
 Uppi Saheb Bahadur, Mr.
 Ziauddin Ahmad, Dr.

NOES—63.

Abdoola Haroon, Seth Haji.
 Abdul Hye, Khan Bahadur Abul
 Hasnat Muhammad.
 Acott, Mr. A. S. V.
 Ahmad Nawaz Khan, Major Nawab.
 Ahmed, Mr. K.
 Allah Bakh Khan Tiwana, Khan
 Bahadur Malik.
 Amir Hussain, Khan Bahadur Saiyid.
 Anklesaria, Mr. N. N.
 Anwar-ul-Azim, Mr. Muhammad.
 Bajpai, Mr. G. S.
 Bhore, The Honourable Sir Joseph.
 Bower, Mr. E. H. M.
 Dalal, Dr. R. D.
 DeSouza, Dr. F. X.
 Dudhoria, Mr. Nabakumar Sing.
 Dunn, Mr. C. W.
 Dutt, Mr. G. S.
 Fazal Haq Piracha, Shaikh.
 Fox, Mr. H. B.
 Graham, Sir Lancelot.
 Greenfield, Mr. H. C.
 Gwynne, Mr. C. W.
 Haig, The Honourable Mr. H. G.
 Hezlett, Mr. J.
 Hossack, Mr. W. B.
 Hudson, Sir Leslie.
 Ishwarsingji, Nawab Naharsingji.
 Ismail Ali Khan, Kunwar Hajee.
 James, Mr. F. E.
 Jawahar Singh, Sardar Bahadur
 Sardar
 Lal Chand Hony, Captain Rao Baha-
 dur Chaudhri.
 Mackenzie, Mr. R. T. H.
 Macqueen, Mr. P.

Meek, Dr. D. B.
 Metcalfe, Mr. H. A. F.
 Mitter, The Honourable Sir
 Brojendra.
 Moore, Mr. Arthur.
 Morgan, Mr. G.
 Muazzam Sahib Bahadur, Mr.
 Muhammad.
 Mukherjee, Rai Bahadur S. C.
 Naydu, Rao Bahadur B. V. Sri Hari
 Rao.
 Nihal Singh, Sardar.
 Noyce, The Honourable Sir Frank.
 Parsons, Sir Alan.
 Rafiuddin Ahmad, Khan Bahadur
 Maulvi.
 Rajah, Rao Bahadur M. C.
 Rajan Bakh Shah, Khan Bahadur
 Makhdom Syed.
 Rau, Mr. P. R.
 Ryan, Mr. T.
 Sarma, Mr. R. S.
 Schuster, The Honourable Sir
 George.
 Scott, Mr. J. Ramsay.
 Sher Muhammad Khan Gekhar,
 Captain.
 Singh, Mr. Pradyumna Prashad.
 Smith, Mr. R.
 Sorley, Mr. H. T.
 Suhrawardy, Sir Abdulla-al-Mamun.
 Talib Mehdi Khan, Nawab Major
 Malik.
 Tottenham, Mr. G. R. F.
 Wajihuddin, Khan Bahadur Haji.
 Wilayatullah, Khan Bahadur H. M.
 Yakub, Sir Muhammad.
 Zulfikar Ali Khan, Sir.

The motion was negatived.

Mr. President (The Honourable Sir Ibrahim Rahimtoola): The question is:

"That the Bill to supplement the Criminal Law, as reported by the Select Committee, be taken into consideration."

The Assembly divided :

AYES—63.

Abdoola Haroon, Seth Haji.
 Abdul Hye, Khan Bahadur Abul
 Hasnat Muhammad.
 Acott, Mr. A. S. V.
 Ahmad Nawaz Khan, Major Nawab
 Ahmed, Mr. K.
 Allah Baksh Khan Tiwana, Khan
 Bahadur Malik.
 Amir Hussain, Khan Bahadur Saiyid.
 Anklesaria, Mr. N. N.
 Anwar-ul-Azim, Mr. Muhammad.
 Bajpai, Mr. G. S.
 Phore, The Honourable Sir Joseph.
 Bower, Mr. E. H. M.
 Dalal, Dr. R. D.
 DeSouza, Dr. F. X.
 Dudhoria, Mr. Nabakumar Sing.
 Dunn, Mr. C. W.
 Dutt, Mr. G. S.
 Fazal Haq Piracha, Shaikh.
 Fox, Mr. H. B.
 Graham, Sir Lancelot.
 Greenfield, Mr. H. C.
 Gwynne, Mr. C. W.
 Haig, The Honourable Mr. H. G.
 Hezlett, Mr. J.
 Hossack, Mr. W. B.
 Hudson, Sir Leslie.
 Ishwarsingji, Nawab Naharsingji.
 Ismail Ali Khan, Kunwar Hajee.
 James, Mr. F. E.
 Jawahar Singh, Sardar Bahadur
 Sardar.
 Lal Chand, Hony. Captain Rao
 Bahadur Chaudhri.
 Mackenzie, Mr. R. T. H.
 Macqueen, Mr. P.

Meek, Dr. D. B.
 Metcalfe, Mr. H. A. F.
 Mitter, The Honourable Sir
 Brojendra.
 Moore, Mr. Arthur.
 Morgan, Mr. G.
 Muazzam Sahib Bahadur, Mr.
 Muhammad.
 Mukherjee, Rai Bahadur S. C.
 Naydu, Rao Bahadur B. V. Sri Hari
 Rao.
 Nihal Singh, Sardar.
 Noyce, The Honourable Sir Frank.
 Parsons, Sir Alan.
 Rafiuddin Ahmad, Khan Bahadur
 Maulvi.
 Rajah, Rao Bahadur M. C.
 Rajan Bakhsh Shah, Khan Bahadur
 Makhdum Syed.
 Rau, Mr. P. R.
 Ryan, Mr. T.
 Sarma, Mr. R. S.
 Schuster, The Honourable Sir
 George.
 Scott, Mr. J. Ramsay.
 Sher Muhammad Khan Gakhar,
 Captain.
 Singh, Mr. Pradyumna Prashad.
 Smith, Mr. R.
 Sorley, Mr. H. T.
 Suhrawardy, Sir Abdulla-al-Māmūn.
 Talib Mehdi Khan, Nawab Major
 Malik.
 Tottenham, Mr. G. R. F.
 Wajihuddin, Khan Bahadur Haji.
 Wilayatullah, Khan Bahadur H. M.
 Yakub, Sir Muhammad.
 Zulfikar Ali Khan, Sir.

NOES—39.

Abdul Matin Chaudhury, Mr.
 Abdur Rahim, Sir.
 Aggarwal, Mr. Jagan Nath.
 Bagla, Lala Rameshwar Prasad.
 Bhuput Singh, Mr.
 Chandi Mal Gola, Bhagat.
 Dutt, Mr. Amar Nath.
 Gour, Sir Hari Singh.
 Gunjal, Mr. N. R.
 Hari Raj Swarup, Lala.
 Isra, Chaudhri.
 Jadhav, Mr. B. V.
 Jog, Mr. S. G.
 Lahiri Chaudhury, Mr. D. K.
 Lalchand Navalrai, Mr.
 Liladhar Chaudhury, Seth.
 Maswood Ahmad, Mr. M.
 Misra, Mr. B. N.
 Mitra, Mr. S. C.
 Murtuza Saheb Bahadur, Maulvi
 Sayyid.

Pandian, Mr. B. Rajaram.
 Parma Nand, Bhai.
 Phookun, Mr. T. R.
 Puri, Mr. B. R.
 Puri, Mr. Goswami M. R.
 Ranga Iyer, Mr. C. S.
 Rastogi, Mr. Badri Lal.
 Reddi, Mr. P. G.
 Reddi, Mr. T. N. Ramakrishna.
 Sadiq Hasan, Shaikh.
 Sarda, Diwan Bahadur Harbilas.
 Sen, Mr. S. C.
 Sen, Pandit Satyendra Nath.
 Singh, Kumar Gupteshwar Prasad
 Singh, Mr. Gaya Prasad.
 Sitaramaraju, Mr. B.
 Thampam, Mr. K. P.
 Uppi Saleeb Bahadur, Mr.
 Ziauddin Ahmad, Dr.

The motion was adopted.

The Assembly then adjourned till eleven of the Clock on Tuesday, the
 22nd November, 1932.

*APPENDIX.

*Translation of a speech delivered in Marathi by Mr. N. R. Gunjal, M.L.A.,
on the 15th November, 1932.*

Mr. N. R. Gunjal (Bombay Central Division: Non-Muhammadan Rural): Sir, I support the motion for circulation of the Bill moved by my friend, Shaikh Sadiq Hasan. It seems to me that Government have, after a great exertion, brought forward this Bill with the object of harassing the people and their leaders.

So far, only the educated classes have ventilated their views on the Bill through the Press; but, since it has not been published in all the vernaculars of the land, the general masses are unable to form an adequate opinion on this wicked measure. It is, therefore, necessary to circulate the Bill for the purpose of eliciting public opinion thereon.

The late Honourable Mr. Gokhale had remarked that it was incumbent on Government to publish in all the vernaculars of the land any legislation that was likely to undermine the interests of the people; and that if Government ignored that duty, the representatives of the people at least, ought to be alive to it. The House should, therefore, pass Shaikh Sahib's amendment. Opposition of this amendment by Government would, to use the expression of the late Honourable Mr. Gokhale, be only indicative of their dishonesty of purpose.

While speaking on the Bill, the Honourable Mr. Haig has unnecessarily made strictures on the Congress and other national institutions. The Round Table Conference is still working, and it ill-becomes Government to get this anti-national measure passed post-haste at this juncture.

I hope the House will support the amendment moved by my Honourable friend, Shaikh Sadiq Hasan.

*Vide page 2111 of L. A. Debates, dated the 15th November, 1932.