

28th March 1938

THE LEGISLATIVE ASSEMBLY DEBATES

(Official Report)

Volume III, 1938

(24th March to 12th April, 1938)

SEVENTH SESSION OF THE FIFTH LEGISLATIVE ASSEMBLY, 1938



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Legislative Assembly.

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MR. L. C. BUSS, M.L.A.

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LEGISLATIVE ASSEMBLY.

Monday, 28th March, 1938.

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

STARRED QUESTIONS AND ANSWERS.

(a) ORAL ANSWERS.

ARREST OF MULKI CHAND SAHNI OF PESHAWAR, AN INDIAN TRADER IN IRAN.

1027. *Mr. Abdul Qayum: Will the Foreign Secretary please state:

- (a) whether Mulki Chand Sahni of Peshawar, a trader in Iran, was arrested between Meshed and Zahedan on the 9th March, 1938;
- (b) whether he was carrying a number of gold coins with him at the time;
- (c) whether these gold coins, as well as his car, were confiscated by the Customs authorities in Iran;
- (d) what is the amount of loss that he suffered;
- (e) whether he has been fighting his case in several civil, revenue and criminal courts since then and, if so, with what result;
- (f) whether Government will lay on the table the latest information about his case; and
- (g) whether Government have taken any steps to help him so far; if not, whether Government propose now to do something in the matter?

Sir Aubrey Metcalfe: (a) Yes.

(b) and (c). Yes, according to Mr. Sahni's statement.

(d) The value of the confiscated articles was estimated by Mr. Sahni at approximately Rs. 26,000.

(e) Yes, he tried unsuccessfully to lodge an appeal in various Courts in Iran against the order of confiscation. In 1936 his petition was entertained by the Lower Court in Meshed. His car was ordered to be released, but the action of the Customs authorities in confiscating the gold was upheld, and he was also sentenced to six months' simple imprisonment.

(f) He appealed against the judgment of the Meshed Lower Court, but the result is not yet known. Government have no other information.

(g) Yes, His Majesty's Legation and Consular Officers in Iran have been affording him every possible assistance, since the case against him was first instituted.

Mr. Abdul Qaiyum: Is it a fact that according to the law then in force in Iran at the time of his arrest, he had not committed any offence, but that subsequently the law was altered and he was prosecuted and convicted?

Sir Aubrey Metcalfe: I believe that to be a correct statement of the case, and that particular feature has been pointed out very vigorously by His Majesty's Minister at Teheran to the appropriate authorities in Iran.

Mr. Abdul Qaiyum: Will Government do their best to help this poor man?

Sir Aubrey Metcalfe: We have done everything possible: I discussed the case only the other day with His Majesty's Minister in Teheran who happened to be in Delhi. He assured me that he would not relax his efforts on behalf of this gentleman.

Mr. Abdul Qaiyum: Thank you very much indeed.

(When question No. 1028 was called Mr. Manu Subedar was not in his place.)

Mr. N. M. Joshi: May I ask this question, Sir, as one of general interest?

Mr. President (The Honourable Sir Abdur Rahim): If it is of general interest I cannot see why he is not present.

Mr. N. M. Joshi: We are interested.

Mr. President (The Honourable Sir Abdur Rahim): If the Honourable Member for Government wishes to answer this question he can do so. But under the rules you cannot compel the Honourable Member to answer it.

Mr. N. M. Joshi: Will the Honourable Member agree?

The Honourable Sir Thomas Stewart: Certainly not.

+1028*—1081*.

DELAY IN THE CARRIAGE OF MAILS FROM BONGAIGONG TO GOALPARA IN ASSAM.

1082. ***Mr. Kuladhar Ohaliha:** (a) Will the Honourable Member in charge of Communications please state if there is any arrangement for swift carriage of mails from Bongaigong station of the Eastern Bengal Railway to Goalpara (Assam)?

(b) Are Government aware that there is a great delay in the carriage of mails by Dak-runners who take about ten hours to cover the distance of 28 miles?

(c) Did Government receive any representation from the people of Goalpara (Assam) for making arrangement to carry the mail by motor bus? If so, do Government propose to consider the proposal to give effect to the wishes of the public so that they may receive the mail quicker in the town?

The Honourable Sir Thomas Stewart: (a) and (b). The mails are conveyed between Bongaigaon R. S. and Jogighopa, a distance of 21 miles,

+For these questions and replies thereto, see pages 2255—61 of these Debates.

by runners, and between Jogighopa and Goalpara a distance of seven miles, by boat. The total transit time in the Up trip is 8 hours 50 minutes and in the Down trip 7 hours 15 minutes. The transit time, under conditions which have existed so far, was not susceptible of improvement.

(c) No. But a representation from the President, Bar Association, Goalpara, was received in January, 1938, by the Postmaster-General, Bengal and Assam. The question of introducing a mail motor service is at present under the consideration of the Postmaster-General.

REFRESHMENT CARS ON STATE RAILWAYS.

1033. ***Mr. B. B. Varma** (on behalf of Mr. T. S. Avinashilingam Chettiar): Will the Honourable the Railway Member state:

- (a) the number of refreshment cars which supply English food on the State-owned Railways;
- (b) the number of cars which supply Indian food;
- (c) the amount of money spent on these two kinds for cars respectively; and
- (d) the number of people using the cars providing English and Indian cars respectively?

The Honourable Sir Thomas Stewart: (a), (b) and (c). I am calling for the information required by the Honourable Member and will lay a reply on the table when it has been received.

(d) No record is maintained from which the figures required could be compiled.

CANCELLATION OF ARRANGEMENTS FOR BROADCASTING THE PROCEEDINGS OF THE INDIAN NATIONAL CONGRESS.

1034. ***Mr. B. B. Varma** (on behalf of Mr. T. S. Avinashilingam Chettiar): Will the Honourable Member for Communications state:

- (a) with reference to his answer to starred question No. 662 on the 5th March, 1938, whether arrangements were made to broadcast the proceedings of the Indian National Congress this year;
- (b) whether those arrangements were subsequently cancelled; and
- (c) if so, why they were cancelled?

The Honourable Sir Thomas Stewart: (a), (b) and (c). The attention of the Honourable Member is invited to part (a) of the reply given by me on the 23rd March, 1938, to Mr. Manu Subedar's starred question No. 941.

CLASSIFICATION OF JOURNEYMEN ON THE EAST INDIAN RAILWAY IN THE SENIORITY LIST.

+1035. ***Mr. Mohan Lal Saksena:** (a) Will the Honourable Member for Railways be pleased to state whether the reply to starred question No. 258(b) of the 11th February, 1936, still holds good?

(b) Are Government aware that the journeymen have been included in the seniority list and have been classified along with chargemen T. T.?

(c) Will Government please state if the journeymen have been classified as chargemen under instructions from the Railway Board?

†Answer to this question laid on the table, the questioner being absent.

(d) If the reply to part (c) be in the negative, are Government prepared to issue instructions to rectify the seniority list accordingly?

The Honourable Sir Thomas Stewart: I am obtaining information and will lay a reply on the table of the House in due course.

REFUND OF MONEY ON UNUSED HALVES OF RETURN TICKETS.

†1036. ***Prof. N. G. Ranga:** Will the Honourable Member in charge of Railways be pleased to state:

(a) whether it is the practice on all Indian Railways to refund unused halves of return tickets in exceptional circumstances, such as sickness, protracted litigation and exigencies of Government services; and

(b) which Railways do not follow this practice and whether Government propose to take steps to see that such refund is made on these railways?

The Honourable Sir Thomas Stewart: (a) Railways notify in their tariffs that refunds are not ordinarily granted on unused halves of return tickets. Government are not aware what special justification individual Railway require before they agree to allow such refunds.

(b) Some Railways, such as the Bombay, Baroda and Central India, Bengal Nagpur and Madras and Southern Mahratta, notify that no refund will be allowed on unused halves of certain return tickets under any circumstances. I shall convey the Honourable Member's suggestion to the Agents of these Railways for consideration.

INTRODUCTION OF CHEAP RETURN TICKETS ON RAILWAYS.

†1037. ***Prof. N. G. Ranga:** Will the Honourable Member for Railways be pleased to state:

(a) whether Government are prepared to consider the desirability of introducing cheap return journey tickets, for all stations, irrespective of distances, on Indian Railways; and

(b) whether cheap week-end return tickets are proposed to be introduced on State Railways?

The Honourable Sir Thomas Stewart: (a) and (b). The question of introducing return tickets is a matter essentially for consideration by individual Railway Administrations who, Government are aware, are always ready to grant concession tickets if satisfied that these are likely to bring them additional revenue.

RECOMMENDATIONS OF THE ASSAM FLOOD INQUIRY COMMITTEE RE RAILWAY EMBANKMENTS.

1038. ***Mr. Brojendra Narayan Chaudhury:** Will the Honourable Member in charge of Railways please state:

(a) if his attention has been drawn to part (c) of the statement laid on the table on the 3rd April, 1935, regarding water passages at mileage 230/6, 231/10 and 232, *vide* page 8518 of the Legislative Assembly Debates, particularly to the following passage:

"If therefore it is considered necessary to re-open all or any of these three waterways, the cost of the bridges should be borne by the Local Government or the Local Board under clause 11 (a) (b) of the Railway Act";

†Answer to this question laid on the table. the questioner being absent.

- (b) if he knows that these three openings were *definitely* recommended by the Flood Enquiry Committee at page 9 of the report—4 Kulaura to Sylhet in these words:

“Openings between mile 230/6 and 232—The Committee consider that additional openings *are* required here, the size and position of the openings to be decided after detailed examination (page 22)”;

- (c) if the attention of the Honourable Member has been drawn to page 8 of the report A, First Part (ii), where the Committee assured the public in these words:

“It is well known that extra water-ways required by the public after the limitation period *are* often provided by railways at their own cost”; and

- (d) if the position now taken of non-liability referred to in part (a) above was taken by the Chief Engineers of the Railway Board and the Assam Bengal Railway in the discussions of the Committee?

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

SUGGESTION BY CERTAIN RAILWAY AGENTS TO CLOSE THE RAILWAY CLEARING ACCOUNTS OFFICE.

†1039. ***Mr. N. V. Gadgil:** With reference to the reply to starred question No. 478, dated the 24th February, 1938, will the Honourable Member for Railways be pleased to state the reasons on which the Agents of certain Railways, had based their suggestion for closing the Railway Clearing Accounts Office?

The Honourable Sir Thomas Stewart: The reasons which influenced the Agents of certain Railways to suggest the abolition of the Railway Clearing Accounts Office were partly the inconvenience alleged to arise from the location of the Foreign Traffic Accounts Branch away from the headquarters of the administration and partly the belief (for which there was not adequate foundation) that the centralisation of work was costing more than before.

ABOLITION OF THE POST OF DEPUTY DIRECTOR, RAILWAY CLEARING ACCOUNTS OFFICE.

†1040. ***Mr. N. V. Gadgil:** (a) Will the Honourable Member for Communications be pleased to state if it is a fact that the post of Deputy Director, Railway Clearing Accounts Office, Delhi, has been, or is contemplated to be abolished, and, if so, what are the reasons?

(b) Do Government propose to consider the desirability of abolishing similar posts in different Railway Accounts Offices for the same reasons? If not, why not?

The Honourable Sir Thomas Stewart: (a) The post of Deputy Director, Railway Clearing Accounts Office, has at present been kept temporarily unfilled. It is intended to abolish it in the near future. This step is being

†Answer to this question laid on the table, the questioner being absent.

taken as a practicable measure of economy after consideration of the observations in paragraph 67 of the Report of the Railway Enquiry Committee.

(b) The need for economy will not be lost sight of, but the duties of the supervising staff in the Railway Clearing Accounts Office are not exactly comparable with those in other Railway Accounts Offices and what is practicable in the former is not necessarily advisable in the latter.

TRANSFER OF THE ACCOUNTS STAFF OF STATE RAILWAYS TO THE CONTROL OF AGENTS.

†1041. ***Mr. N. V. Gadgil:** Will the Honourable Member for Railways be pleased to state the decision Government have arrived at regarding the transfer of the Accounts staff of State Railways to the control of the Agents concerned, as suggested in the Wedgwood Committee report?

The Honourable Sir Thomas Stewart: The Honourable Member's attention is invited to the remarks against this item of the Committee's recommendations in the Statement made available to this House showing the action taken by the Railway Department (Railway Board) on Chapters III to XI of the Report.

ESTABLISHMENT OF A SEISMOLOGICAL STATION AT TURA OR IN SHILLONG.

1042. ***Mr. Kuladhar Chaliha:** Will the Honourable Member for Communications please state whether Government have considered the proposal of strengthening the seismological organisation in India in view of the earthquakes in Assam and Behar, and whether they have considered the advisability of establishing a seismological station either at Tura (in the Garo Hills) or in Shillong?

The Honourable Sir Thomas Stewart: A scheme for strengthening the seismological organisation in India, including a seismological station at Shillong, is under the consideration of the Government. No decision has yet been taken.

STOPPAGE OF MAIL AND EXPRESS TRAINS ON WAYSIDE STATIONS ON THE EAST INDIAN RAILWAY TO PICK UP RAJAS AND GOVERNMENT OFFICERS.

†1043. ***Mr. Sri Prakasa:** Will the Honourable Member for Railways state:

- (a) if it is a fact that mail and express trains on the East Indian Railway are stopped at wayside stations as special cases to pick up particular *rajahs* and high Government officers;
- (b) if this system prevails on other railways also;
- (c) what *rajahs* and officers are entitled to this privilege; and
- (d) if any extra charge is levied for this service?

The Honourable Sir Thomas Stewart: (a) The Agent, East Indian Railway, states that there have been exceptional cases where Mails and Express trains have been stopped out-of-course to pick up passengers.

(b), (c) and (d). Government have no information, except as regards the Assam Bengal Railway where certain trains are stopped out-of-course at some stations on payment of a fee of one rupee for each first class passenger.

†Answer to this question laid on the table, the questioner being absent.

DESIRABILITY OF SALE OF FOODSTUFFS INSIDE RAILWAY COMPARTMENTS.

†1044. ***Mr. Sri Prakasa:** Will the Honourable Member for Railways state:

- (a) if it is a fact that vendors of foodstuffs at railway platforms do not enter compartments to sell food;
- (b) if Government are aware that owing to over-crowding it is not always possible for passengers in distant corners to come up to the window towards the platform to purchase foodstuffs; and
- (c) whether Government propose to consider the desirability of requiring such vendors to enter compartments, if wanted, to sell food?

The Honourable Sir Thomas Stewart: (a) I am prepared to accept the Honourable Member's statement.

(b) and (c). If there is overcrowding in any compartment as the Honourable Member suggests, vendors would not find it practicable to enter such compartments with their trays.

DEPRIVATION OF PASS PRIVILEGES OF CERTAIN DEPENDENTS OF RAILWAY SERVANTS.

1045. ***Mr. Lalchand Navalrai:** (a) Will the Honourable Member for Railways be pleased to state whether it is a fact that since the day the free passes were granted to the staff employed on the Indian railways, the following dependents have been entitled to such passes:

- (i) widow mother, if dependent upon the employee, and no elder brother is employed on the railway;
- (ii) unmarried or widow sister, if dependent upon the employee, when the father of the girl is not alive and no elder brother is employed on the railway; and
- (iii) younger brother under the age of 18, dependent upon the employee, when father not alive and no elder brother is employed on the railway?

(b) Is it a fact that under the revised Free Pass Rules, which came into force on the Indian State Railways with effect from 1st January, 1937, the minor brother of an employee referred to in part (a) (iii) above has been deprived of either pass or privilege ticket order privileges, and that widow mother and unmarried or widow sister referred to in part (a) (i) and (ii) above have been deprived of the pass privilege, but are to get some restricted number of privilege ticket orders annually?

(c) What were the reasons for this change in the rules?

(d) Is it a fact that the deprivation of these dependents of the pass privileges is based on the British model of the Pass Rules?

(e) Does the Honourable Member propose to consider the question of restoration of passes for the aforesaid persons, when revising the Pass Rules?

The Honourable Sir Thomas Stewart: (a) Without considerable research it is not practicable to say what rules for the issue of passes to dependents

†Answer to this question laid on the table, the questioner being absent.

of railway employees were actually in force from time to time on each railway. In order to obtain a reasonable degree of uniformity in regard to this matter, the Railway Board, in a letter dated 21st September, 1935, issued instructions defining the term "dependent relatives", which were subsequently modified in the Railway Board's letter dated the 16th November, 1936. Relevant extracts from these two letters were placed on the table of the House in reply to Mr. Muhammad Azhar Ali's unstarred question No. 34 on the 2nd March, 1937.

(b) Yes.

(c) I would refer the Honourable Member to the reply given to part (d) of his question No. 159 on the 25th January, 1937.

(d) No.

(e) The question of what revision, if any, should be made in the pass rules is under consideration.

Mr. Lalchand Navalrai: May I know if this question will also be considered with the general question of passes which is pending revision by the Honourable Member?

The Honourable Sir Thomas Stewart: All aspects of the question will be considered.

Mr. Lalchand Navalrai: May I know at what stage the question is?

The Honourable Sir Thomas Stewart: At the stage of consideration.

Mr. Lalchand Navalrai: May I know at what stage, is it going to be decided soon or will it take two or three years?

The Honourable Sir Thomas Stewart: I do not anticipate it will be two years before a decision will be reached.

Mr. Lalchand Navalrai: How much time will be taken in coming to a decision because the matter has been pending for so long?

The Honourable Sir Thomas Stewart: I realise, Sir, that the matter has been pending for a long time, but I can give no accurate forecast of when a decision will be taken.

RACIAL DISCRIMINATION IN THE POSTINGS OF STAFF ON THE MADRAS AND SOUTHERN MAHRATTA RAILWAY.

†1046. ***Mr. C. N. Muthuranga Mudaliar:** Will the Honourable Member for Railways please state:

- (a) the railway stations under the control of the Madras and Southern Mahratta Railway which are well known for (i) a healthy climate, (ii) facilities of education and (iii) medical assistance;
- (b) the total number of junctions under part (a) above;
- (c) the number of Anglo-Indian Station Masters, Signal Inspectors and Permanent Way Inspectors, at the junction stations referred to in part (b) above as compared with their Indian confreres;

†Answer to this question laid on the table, the questioner being absent.

- (d) whether Government are aware that a very large number of the stations referred to in part (b) above are in practice reserved for members of the Anglo-Indian community, and whether there is a lot of dissatisfaction and ill-feeling in the Indian section of the railway employees on this ground;
- (e) whether it is a fact that the posting of Anglo-Indian employees to particularly favourable stations is intended to increase their efficiency, and if so, whether similar grounds do not apply to Indian employees; and
- (f) whether Government propose to make necessary enquiries in the matter so as to remove discontent in the ranks of Indian employees?

The Honourable Sir Thomas Stewart: (a) to (f). Government have no information. The staff employed on this railway are not Government servants but are the servants of the Madras and Southern Mahratta Railway which is Company-managed. I am, however, sending a copy of the question to the Agent to examine the allegations of racial discrimination in the question and to take such action as he may consider necessary.

THROUGH CARRIAGE FOR PASSENGERS TRAVELLING BETWEEN JHANG-MAGHIANA AND LAHORE.

1047. ***Mr. H. M. Abdullah:** Will the Honourable Member for Railways please state:

- (a) whether it is a fact that Jhang-Maghiana being a District head-quarter, a considerable number of passengers travel by night train to Lahore;
- (b) whether it is a fact that no direct train from Jhang-Maghiana to Lahore and *vice versa* is provided that reaches Lahore early in the morning; and
- (c) if the answer to parts (a) and (b) be in the affirmative, whether Government propose to take necessary steps to run a through bogie composite to and from Jhang-Maghiana in connection with Mari Indus train?

The Honourable Sir Thomas Stewart: (a) An investigation of the position made two years ago showed that the number of passengers travelling by the night train from Jhang-Maghiana and Jhang City to stations on the Shorkot Road-Lyallpur-Lahore section and the Shorkot Road-Jaranwala-Lahore section averaged 88 per day.

(b) There is a direct train leaving Jhang-Maghiana at 9-45 P.M. which reaches Lahore at 10-5 A.M. the following day. In the reverse direction, the direct train leaves Lahore at 5-5 P.M. and reaches Jhang-Maghiana at 2-48 A.M.

(c) This is a detail of working which Government must leave to the Administration to settle. They understand, however, that the number of passengers from Jhang-Maghiana who travel daily, connecting at Lyallpur with the Mari Indus train, averages only 26 per day for Lahore and it is considered that this number does not justify the running of a through carriage.

Mr. Lalchand Navalrai: May I know from the Honourable Member if there is any branch railway on the North Western Railway where they have combined first and second class carriages?

The Honourable Sir Thomas Stewart: I must have notice of that question.

FIRST CLASS COMPARTMENTS ON BRANCH LINES OF THE NORTH WESTERN RAILWAY.

1048. ***Mr. H. M. Abdullah:** Will the Honourable Member for Railways please state:

- (a) whether it is a fact that at least two first class compartments, one for gentlemen and the other for ladies are provided on all the trains on branch lines on the North Western Railway;
- (b) whether it is a fact that first class passengers very seldom travel on these branch lines; and
- (c) if the answer to parts (a) and (b) be in the affirmative, what action Government propose to take in order to avoid this expenditure?

The Honourable Sir Thomas Stewart: (a) On branch line trains, the North Western Railway are reducing the first class accommodation to one coupé and one 4-berth compartment which form part of a bogie carriage, in which two second class compartments, a compartment for luggage and a brake van are also provided.

(b) No. The Administration consider that there is justification for the provision of this class of accommodation.

(c) Does not arise.

CLASSIFICATION OF JOURNEYMEN ON THE EAST INDIAN RAILWAY IN THE SENIORITY LIST.

+1049. ***Mr. Mohan Lal Saksena:** With reference to the position stated in answer to starred question No. 258 (b) of the 11th February, 1936, is the Honourable Member for Railways aware that journeymen have been included in the seniority list and have been classified with the chargemen T-T? If so, has this been done under instructions of the Railway Board?

The Honourable Sir Thomas Stewart: I am obtaining information and will lay a reply on the table of the House in due course.

COMMUNAL REPRESENTATION IN THE CENTRAL STANDARD'S OFFICE FOR RAILWAYS.

1050. ***Mr. H. M. Abdullah:** Will the Honourable Member for Railways please state:

- (a) whether the orders regarding communal representation apply to the staff employed in the Central Standard's Office for Railways; and

+Answer to this question laid on the table, the questioner being absent.

- (b) whether it is a fact that there is no Muslim Assistant in the clerical grade in that office; if so, whether Government propose to appoint a Muslim in the next vacancy, in the Assistants' grade when it occurs?

The Honourable Sir Thomas Stewart: (a) Yes.

(b) The reply to the first part is in the affirmative. As regards the second part, the question of filling the next vacancy will be considered when the vacancy occurs.

TENDERS TO WORK THE OUT-AGENCY CONTRACT AT BARPETA ON THE EASTERN BENGAL RAILWAY.

1051. *Mr. Kuladhar Chaliha: Will the Honourable the Railway Member please state:

- (a) if it is a fact that the Eastern Bengal Railway called for tenders to work the out-agency contract at Barpeta and that the said tenders were opened on the 7th February, 1938;
- (b) whether the tender quoting the lowest and reasonable rate was not accepted;
- (c) whether the tender of one Chandiprasad Mahajan happened to be accepted, even though he quoted a higher rate than others;
- (d) whether it is a fact that the person offering the lowest rate was certified to be reliable for the work by the local civil authority at the request of the Railway authorities; and
- (e) if so, whether Government are prepared to ask the Railway authority the reason for the non-acceptance of the lowest tender?

The Honourable Sir Thomas Stewart: (a) Yes.

(b) to (e). I understand from the Agent that the tenders were considered by a committee who decided that the choice lay between Chandiprasad Mahajan and another. The latter's tender was higher for passenger rates, but lower for goods and parcels traffic. The goods and parcels rates quoted were, however, below those of the previous contractor who had failed, and it was considered doubtful whether a satisfactory service could be given with these rates. The matter was accordingly referred to the local civil authorities who recommended Chandiprasad Mahajan whose tender was then accepted.

Mr. Kuladhar Chaliha: May I know whom the civil authorities consulted?

The Honourable Sir Thomas Stewart: From the information in my possession I understand that they recommended Chandiprasad Mahajan.

Mr. K. Santhanam: With reference to the answer to part (c) may I know how much higher was this accepted rate over the lowest tender?

The Honourable Sir Thomas Stewart: I should require notice of that.

DEPRIVATION OF PASS PRIVILEGES OF CERTAIN DEPENDENTS OF RAILWAY SERVANTS.

1052. ***Mr. Ramayan Prasad:** (a) Will the Honourable the Railway Member be pleased to state whether it is a fact that the Crewmen of the East Indian Railway enjoyed the privileges of free lodging, free light, etc.?

(b) Is it a fact that on the abolition of the Crew system and introduction of the Moody-Ward scheme, most of the Crew staff, including old Ticket Collectors absorbed in the Crew system on Crew scale of pay and allowance, were posted as Ticket Collectors and the privileges of free lodging etc., were withheld from them?

(c) Why were the Crewmen, who are now employed as Ticket Collectors deprived of the privileges?

(d) Is the Honourable Member prepared to look into the matter and order the restoration of the privileges to the Crewmen also, now employed as Ticket Collectors?

The Honourable Sir Thomas Stewart: (a) to (d). Government have no information. These are matters of detailed administration entirely within the competence of the Agent, East Indian Railway, to whom I am sending a copy of the question for information and such action as he may consider necessary.

ACCIDENT BETWEEN LANGCHALIET AND LAILALUNG ON THE ASSAM BENGAL RAILWAY.

1053. ***Mr. Kuladhar Chaliha:** (a) Will the Honourable Member in charge of Railways please state whether there was an accident on the 17th February, 1938, when the petrol Express No. 583 of the Assam Bengal Railway, was crossing a bridge between Langchaliet and Lailalung stations?

(b) Will Government please state whether the engine with a loco. rest-van and two wagons went off the rails and caused instantaneous death of the driver and serious injuries to the fireman?

(c) Is it a fact that the rails near the bridge were not properly bolted and, if so, who was responsible for this negligence?

(d) Is it also a fact that the brakes of the engine did not work properly and the driver failed to stop the train which caused his death?

(e) Are the engines inspected periodically as to their fitness?

(f) When was this particular engine last inspected, and were the brakes found in order?

(g) Have Government made enquiries and found out the exact cause of the accident?

(h) Have the Railway authorities paid any compensation to the dependants of the driver and to the fireman for his injuries? If so, when and what amount?

The Honourable Sir Thomas Stewart: (a) and (b). The Assam Bengal Railway Administration reported on the 17th February that the engine and six vehicles of a goods train capsized when passing over a bridge between Nailaung and Langchaliet stations, resulting in the death of the driver of the train and injuries to five other railway employees.

(c) to (g). The Government Inspector of Railways held an enquiry into this accident and his report, which is awaited, will be published in due course.

(h) I have asked the Agent of the Assam Bengal Railway for the information and will place a reply on the table when it is received.

Mr. Kuladhar Chaliha: May I know whether the bridge was inspected and when it was last inspected?

The Honourable Sir Thomas Stewart: I should require notice of that.

Mr. Kuladhar Chaliha: It is there in part (f) of the question.

The Honourable Sir Thomas Stewart: It is perfectly true that the reference has been made, but as that will be one of the matters which will be the subject of investigation by the Government Inspector, I suggest that we ought to wait his report.

ACCIDENT FROM A SHUNTING ENGINE AT AMLAPUTTI ON THE DIBRU SADIYA RAILWAY.

1054. ***Mr. Kuladhar Chaliha:** Will the Honourable the Railway Member please state:

- (a) whether Dr. Pratul Chandra Duara of Dibrugarh town was run over and killed by a shunting engine of the Dibru Sadiya Railway in Amlaputti on the 11th February, 1938;
- (b) whether the death was due to the wrong directions given by the staff at the station; and
- (c) whether Government propose to take sufficient precautions to stop accidents from the shunting engines at the Amlaputti station, where they block traffic for a long time at the level crossing there?

The Honourable Sir Thomas Stewart: (a) to (c). I am calling for the information required by the Honourable Member and will place a reply on the table when it has been received. .

Mr. Manu Subedar: Sir, I stepped into this House just as my questions were being passed over: I had some little trouble with my car on the way. May I have your indulgence to put my questions now?

Mr. President (The Honourable Sir Abdur Rahim): In the exceptional circumstances mentioned by the Honourable Member I will permit him to put his questions.

CAPITAL EXPENDITURE ON THE ALL-INDIA RADIO.

1028. ***Mr. Manu Subedar:** (a) Will the Honourable Member for Communications state the total capital cost incurred on the All-India Radio Department since its inception, and under which different heads this was incurred?

(b) How much of this was incurred from revenue and how much from borrowed funds, if any?

(c) How much of this was spent in India, and how much abroad?

The Honourable Sir Thomas Stewart: (a) A statement giving the required information is laid on the table of the House.

(b) The entire expenditure was incurred from revenue.

(c) A sum of Rs. 3,82,000 was spent in India and the rest was spent abroad.

Statement showing the capital Expenditure incurred in the All-India Radio up to the 28th February, 1938.

Head.	Amount spent Rs.
Works	2,80,605
Equipment	16,40,310
Other Charges	1,01,128
Total	20,22,043

Mr. N. M. Joshi: May I ask whether the accounts of this department are kept on the same lines as the accounts of the commercial departments, post offices and railways?

The Honourable Sir Thomas Stewart: No: it is not yet a commercialised department.

Mr. N. M. Joshi: May I ask whether Government propose to commercialise this department?

The Honourable Sir Thomas Stewart: They have no immediate intention of doing so.

CIRCULAR RE INDIANISATION OF HIGHER OFFICES IN THE KARACHI PORT TRUST.

1029. ***Mr. Manu Subedar:** (a) With reference to his reply to starred question No. 573 on the 2nd of March, 1938, will the Honourable Member for Communications state what was the circular sent out on the question of Indianisation of higher offices in the Port Trusts in India? When was it sent out?

(b) What was the effect of the circular which was sent out? Have Government any information whether any offices falling vacant thereafter were actually filled by Indians in accordance with that circular?

(c) Have there been cases when Government found that the instructions in the circular were disregarded?

The Honourable Sir Thomas Stewart: (a) A circular was issued in 1922 inviting the co-operation of all Port Trusts in the policy of Indianisation. A further circular was issued in 1933 in which the Port Trusts were asked to submit annual returns on the progress of Indianisation. The date of the circular was the 19th April, 1933.

(b) The percentage of Indians holding appointments with a maximum salary of Rs. 500 and above has risen from 9.4 in 1925 to 44.8 in 1936-37.

This result is ascribable to the co-operation of the Port Trusts in the policy of Indianisation rather than to the circulars which contained no instructions except that of submission of returns. The second part of the question does not arise.

(c) Does not arise for the reason already stated.

Mr. Manu Subedar: Since 1938 when this circular was issued much time has passed. Do Government propose to issue a fresh circular this time giving instructions instead of merely asking for submission of returns?

The Honourable Sir Thomas Stewart: No. The figures I have quoted show that there is no need for any further instructions.

Mr. Lalchand Navalrai: May I know if the Government's policy is that the Chairman of Port Trusts should be Indians?

The Honourable Sir Thomas Stewart: No. I cannot say that that is our policy.

Mr. Lalchand Navalrai: What is the policy then for Indianisation of these posts?

The Honourable Sir Thomas Stewart: Sir, I am afraid I cannot, in answer to a supplementary question, expound the policy of Government in regard to making appointments.

Mr. Manu Subedar: Have Government formed any views as to having Indians as chairmen in the major Port Trusts in India?

The Honourable Sir Thomas Stewart: Yes; Government have views.

Mr. Manu Subedar: Will Government place those views before the House?

The Honourable Sir Thomas Stewart: If the Honourable Member will give me an opportunity of doing so by raising the matter on a Resolution, I shall be happy to do so.

Mr. Manu Subedar: May I inquire whether the Honourable Member will do so if I put a question to that effect which will give him the desired opportunity?

The Honourable Sir Thomas Stewart: I cannot expound the policy of the Government in answer to a question.

TRANSMITTING EQUIPMENT FOR BROADCASTING.

1030. ***Mr. Manu Subedar:** (a) With reference to his reply to part (b) of starred question No. 571, asked on the 2nd of March, 1938, will the Honourable Member for Communications state for what equipment limited tenders were asked for in the United Kingdom?

(b) When was this done?

(c) Why were the tenders confined to British firms only? What were the names of those firms?

(d) Were the order given at the lowest price quoted?

(e) Were any negotiations with the supplying firms carried on by the Controller of All-India Radio before the tenders were invited?

(f) Was the Controller of All-India Radio in the United Kingdom at the time when the tenders were invited or considered?

The Honourable Sir Thomas Stewart: (a) For the 20 K. W. Medium Wave transmitter at Delhi.

(b) In December, 1934.

(c) and (d). When the order was first placed with the High Commissioner he was asked to call for public tenders. Subsequent enquiries, however, showed that the ordinary procedure for calling for tenders would involve a delay of several months as time would have to be given for the receipt of tenders from Europe and America and for their examination. As Government were anxious that the Station should begin operating in the cold weather of 1935-36, they wished to avoid any delay and decided to instruct the High Commissioner to call for restricted tenders only. He accordingly called for tenders from two firms, *vis.*, Messrs. Marconis and the Standard Telephone Company. The amounts of their tenders were roughly the same but it was considered that Marconis' offer was the more favourable of the two, as it included several components of special value to India.

(e) No, Sir.

(f) The Controller of Broadcasting was appointed much later.

EMPLOYMENT OF MESSRS. A. H. WHEELER AND COMPANY FOR RUNNING BOOK STALLS ON RAILWAYS.

1931. ***Mr. Manu Subedar:** Will the Honourable Member for Communications state:

(a) which of the Railways are employing Messrs. A. H. Wheeler and Company for the book stall;

(b) since when this firm has been employed;

(c) what are the terms of employment of this firm;

(d) whether Government have any control over the class of magazines or literature, or newspapers, which this firm carry in their stalls, or, which they will not carry;

(e) whether these people have the monopoly of selling books and newspapers on the stations;

(f) whether it is true that rejected and left-over novels purchased by the weight are being brought to India and dumped on the public at these stalls;

(g) whether Government have ever invited any other firm by private treaty, or by public tender, to undertake this work;

(h) whether Government have insisted upon Messrs. Wheeler's stalls carrying any Government publications, or given any special facilities to them to do so; and

- (i) whether Government propose to bring up this question at the next meeting of the Railway Finance Committee in order to secure maximum public convenience from these stalls?

The Honourable Sir Thomas Stewart: (a) Practically all the principal Railways, except the Assam Bengal, Bengal and North Western, Madras and Southern Mahratta and South Indian.

(b) The information is not readily available and its compilation by the various Railways concerned would involve a considerable amount of labour.

(c) to (e) and (g). I would refer the Honourable Member to the reply given to parts (a), (g) and (i) of Pandit Sri Krishna Dutta Paliwal's question No. 522 on the 19th September, 1935.

(f) Such information as Government have in regard to publications sold at the book stalls does not support the suggestion in the Honourable Member's question.

(h) No. Wheelers will stock at their book stalls any publications for which there is a general demand from the travelling public.

(i) No. The matter is one which might more appropriately be discussed by Local Advisory Committees on Railways, if the members thereof consider such a discussion necessary.

Seth Govind Das: Are Government aware that Wheeler generally asks for a very high commission from the famous publishers of India and, therefore, they are unable to supply their publications for sale in their stalls?

The Honourable Sir Thomas Stewart: I suggest that that is a question which does not arise from the answer I have given.

Mr. Manu Subedar: With reference to the answer to part (b) of the question, in view of the fact that this firm has been working for the railways from times immemorial, is it permissible to make a suggestion that the arrangements should now be revised in order to secure to the public the maximum benefit of getting first rate and up to date publications on the railway stalls?

The Honourable Sir Thomas Stewart: Yes.

Mr. Lalchand Navalrai: May I know from the Honourable Member if Messrs. Wheeler and Co. pay any charges to the railways for the stalls?

The Honourable Sir Thomas Stewart: I should require notice of that.

Mr. Lalchand Navalrai: May I also know from the Honourable Member if there is any control of the railways over Messrs. Wheeler and Co., with regard to the books,—their selections and other things, and price?

The Honourable Sir Thomas Stewart: I cannot answer that without notice.

Mr. Badri Dutt Pandé: Is it not a fact that their books, luggage, furniture and everything else is carted free all over India?

The Honourable Sir Thomas Stewart: I must have notice.

Mr. N. M. Joshi: May I ask whether it is not the personal experience of the Honourable Member that Messrs. Wheeler and Co. charges for books higher prices than the ordinary book stalls?

The Honourable Sir Thomas Stewart: I cannot remember that I have ever bought a book.

Prof. N. G. Ranga: Is the Honourable Member aware of the fact that books published in the Penguin and Pelican Series are sold at eight annas per copy by Messrs. Wheeler and Co. whereas they are available in Old Delhi at six annas a copy?

Mr. President (The Honourable Sir Abdur Rahim): That is a question of which notice ought to be given.

Prof. N. G. Ranga: With reference to part (b) of the question, is the Honourable Member aware that Messrs. Wheeler and Co. had written to various publishers in this country that they were not in the habit of stocking serious literature but were prepared to stock only light literature?

The Honourable Sir Thomas Stewart: No.

Mr. Manu Subedar: Will the Honourable Member collect information about the value of freight concessions given to this firm and place it before this House?

The Honourable Sir Thomas Stewart: Let the Honourable Member give notice of a question.

Prof. N. G. Ranga: When will the present contract come to an end?

(No answer.)

Prof. N. G. Ranga: The Honourable Member has not answered that question.

Mr. President (The Honourable Sir Abdur Rahim): Apparently he has given all the information that he has and he wants notice.

Prof. N. G. Ranga: In part (b) of this question the question is, "Since when has this firm been employed?"

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member's question is when the contract will come to an end. That is a different question.

Prof. N. G. Ranga: That is, the terms of employment. They have been employed for a very long time and it looks as though they will continue to be so perpetually, and the Honourable Member is not prepared to tell us since when they have been employed.

The Honourable Sir Thomas Stewart: The Honourable Member will find the answer to his question in the reference which is contained in my answer.

Prof. N. G. Ranga: What is that?

The Honourable Sir Thomas Stewart: I think he will find out from my answer.

Prof. N. G. Ranga: The reference is to 1935, some time ago. Will he kindly read the answer?

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has already given the reference. Next question.

Seth Govind Das: Are Government going to invite tenders after the term of Messrs. Wheeler and Co. has expired?

The Honourable Sir Thomas Stewart: Government are not responsible for that contract.

SHORT NOTICE QUESTION AND ANSWER.

INAUGURATION OF THE FEDERATION.

Mr. L. O. Buss: In view of recent newspaper reports, will the Honourable the Leader of the House be pleased to state whether there has been any change in the attitude of His Majesty's Government and the Government of India, as described in the answer given by the Honourable the Finance Member in this Assembly to starred question No. 737 on the 10th March, 1938, towards the early inauguration of Federation?

The Honourable Sir Nripendra Sircar: There has been no change, and the answer given by the Honourable the Finance Member represents the considered policy of His Majesty's Government and of the Government of India.

UNSTARRED QUESTIONS AND ANSWERS.

PUNJABIS AND NON-PUNJABIS IN CERTAIN POSTS IN THE RAILWAY CLEARING ACCOUNTS OFFICE.

115. Rai Bahadur Seth Bhagchand Soni: Will the Honourable the Railway Member please state the number of Punjabi and non-Punjabi incumbents in the posts of Superintendents, Accountants, Sub-Heads and Clerks Class I, in the Railway Clearing Accounts Office?

The Honourable Sir Thomas Stewart: With your permission, Sir, I shall answer questions Nos. 115 and 116 together.

Staff statistics in the Railway Department are not maintained by provinces of origin and Government do not consider it necessary to call for a special compilation in respect of the Railway Clearing Accounts Office.

PROMOTIONS TO CERTAIN POSTS IN THE RAILWAY CLEARING ACCOUNTS OFFICE.

†116. **Rai Bahadur Seth Bhagchand Soni:** Will the Honourable the Railway Member please state separately:

- (a) the number of promotions made to the posts of Superintendents, Accountants, Sub-Heads and Clerks Class I, in the Railway Clearing Accounts Office since (i) 1st January, 1929, and (ii) 1st January, 1936; and
- (b) the number of promotions referred to in part (a) above that were given to Punjabi and non-Punjabi staff, respectively?

PROMOTIONS IN THE RAILWAY CLEARING ACCOUNTS OFFICE.

117. **Rai Bahadur Seth Bhagchand Soni:** (a) Will the Honourable the Railway Member please state whether it is a fact that the committee presided over by Mr. M. K. Mitra, which was appointed in 1930 for fixing the seniority of the staff of the Railway Clearing Accounts Office, had reported that the staff transferred to that office from the Great Indian Peninsula and the Bombay, Baroda and Central India Railways, had not been given equitable treatment in the allotment of higher grades of the office and that the Committee had made strong recommendations for "Out of turn" promotions to the higher grades for the above staff?

(b) If the reply to the above be in the affirmative, will Government please state what steps have been taken to give effect to the above recommendations and with what result?

The Honourable Sir Thomas Stewart: (a) The Mitra Committee in 1929 recommended that the cases of the then senior men of the East Indian, Great Indian Peninsula and Bombay, Baroda and Central India Railways, whose chances for promotion in the ordinary course were remote, might be given special consideration for a short time, even if the men were not technically the most senior.

(b) The recommendations of the Committee have been given effect to, subject, of course, to the general fitness of the persons concerned, for the higher posts in question. In certain cases in 1934, clerks taken over from other railways than the North Western were exempted from the Departmental examination (Appendix C) and this concession was given, over and above what was recommended by the Committee.

PROMOTIONS IN THE RAILWAY CLEARING ACCOUNTS OFFICE.

118. **Rai Bahadur Seth Bhagchand Soni:** (i) Will the Honourable the Railway Member please state whether it is a fact that:

- (a) the personnel of the Railway Clearing Accounts Office consists of men drawn from Bombay, Ajmer, Bengal, the Punjab and the United Provinces, but that the overwhelming number of higher grade posts are held by the Punjabi staff alone;

- (b) 90 per cent. of the grade to grade promotions in the above office during the last nine years have gone to Punjabis; and
- (c) the staff transferred to the above office from Bombay, Ajmer and Calcutta, had not been allowed equitable share of higher grades and that they have no chances of promotions in the future either?

(ii) Is it the policy of Government to ensure fair and equitable treatment to the staff from all the Railways in the Railway Clearing Accounts Office, and if so, are Government prepared to take steps to correct the disparity in the distribution of higher grade posts among the Punjabi and non-Punjabi staff, of that office as early as possible? If not, why not?

The Honourable Sir Thomas Stewart: (i) (a) and (b). Honourable Member's attention is invited to the reply to questions Nos. 115 and 116. No statistics of staff by provinces of origin are maintained.

(c) I would refer the Honourable Member to the reply given to question No. 117.

(ii) The answer to the first part is in the affirmative; as regards the second and third parts, Government do not regulate promotions in their offices on a basis of provincial quotas but on the basis of the rights and merits of the persons concerned.

PROMOTIONS IN THE RAILWAY CLEARING ACCOUNTS OFFICE.

119. **Rai Bahadur Seth Bhagchand Soni:** (a) Will the Honourable the Railway Member please state whether it is a fact that the staff transferred to the Railway Clearing Accounts Office from the Bombay, Baroda and Central India Railway had submitted memorials to the Financial Commissioner, Railways, drawing his attention to the inequitable distribution of higher posts of the office among its various staff and the monopolisation of promotions by the Punjabi staff alone and requesting for due consideration of their cases as recommended by the Mittra Committee?

(b) Is it also a fact that the above memorials were not even allowed to reach the Financial Commissioner but were held up by the Controller of Railway Accounts?

(c) Is it also a fact that promotions (both in turn and out of turn) to higher grades, made even after the matter of distribution among the various staff had come to the notice of both the Controller of Railway Accounts and the Director, Railway Clearing Accounts Office, have one and all gone to the Punjabi staff?

(d) If the reply to the above be in the affirmative, will Government please state: (i) the reasons for withholding the memorials and (ii) whether they will now give consideration to the request made in the memorials?

The Honourable Sir Thomas Stewart: (a) Yes.

(b) The representations were withheld by the Controller of Railway Accounts under the powers vested in him.

(c) Honourable Member's attention is drawn to the reply given to unstarred questions Nos. 115 and 116.

(d) (i). The representations were withheld because the memorialists advanced a claim of an obviously unsubstantial character.

(ii) Does not arise.

STATE MANAGEMENT OF THE BOMBAY, BARODA AND CENTRAL INDIA RAILWAY.

120. **Mr. B. B. Varma:** Will the Honourable Member for Railways please state:

(a) whether the Secretary of State in 1905 purchased the property vesting in the Bombay, Baroda and Central India Railway Company by paying a fixed purchase price; if so, what was that price;

(b) what were the reasons, which prevented Government from taking over its direct management in 1906; and

(c) whether Government now propose to take over its direct management; if not, why not?

The Honourable Sir Thomas Stewart: (a) Yes. The purchase price amounted to £14,556,903.

(b) Government were of opinion that the policy of Company-management was in the best interests of the State, and that there were no adequate reasons for departing from that policy in the case of this particular railway.

(c) The earliest date on which the existing contract can be terminated is the 31st December, 1941. It is premature to consider now the question of taking over the line under direct State management.

PROMOTIONS TO NON-SELECTION POSTS ON STATE RAILWAYS.

121. **Mr. B. B. Varma:** Will the Honourable Member for Railways please refer to unstarred question No. 96 asked in this House on the 8th October, 1936, and state:

(a) whether it is a fact that grade to grade, class to class advancement of non-gazetted staff in posts declared as non-selection posts is made by selections on the Eastern Bengal, East Indian, Great Indian Peninsula and North Western Railways;

(b) the posts declared as selection posts on those Railways;

(c) the rule which provides selection in non-selection posts on those Railways; and

- (d) whether the Honourable Member will place on the table the proceedings of Selection Committees held on non-selection posts on those railways; if not, why not?

The Honourable Sir Thomas Stewart: (a), (c) and (d). I would refer the Honourable Member to the note under item (vi) of Rule 2 and note 3 under Rule 76 of the 'Rules for the recruitment and training of non-gazetted staff (except apprentice mechanics, trade apprentices, labourers and inferior staff) on State-managed Railways', a copy of which is in the Library of the House. Government have no reason to believe that these Rules are not being followed on the State-managed Railways. If, however, the Honourable Member will specify an instance in which these Rules have not been acted up to on any State-managed Railway, I shall enquire into the matter.

(b) Government have no information. This is a matter of detailed administration within the competence of the Agents of State-managed Railways.

ALTERNATIVE EMPLOYMENT FOR STAFF DECLARED MEDICALLY UNFIT FOR EMPLOYMENT ON RAILWAYS.

122. **Mr. Muhammad Azhar Ali:** Will the Honourable Member for Railways please refer to the answers and information given to starred questions No. 188, No. 341, No. 442 and No. 1096, asked in this House on 21st February, 1934, 20th February, 1935, 17th September, 1935 and 10th March, 1936, respectively, and state:

- (a) what is the alternative employment for the staff declared medically unfit for employment in A and B categories;
- (b) what are the suitable employments for the staff failed in the eye-sight test in A and B categories; and
- (c) whether the pay of the staff who failed in the eye-sight test in A and B categories and were provided employment in category C, where scales of pay are identical to A and B categories, is reduceable; if so, why?

The Honourable Sir Thomas Stewart: (a) and (b). Government have not specified alternative forms of employment in such cases. Railway Administrations have full powers to decide for which post an employee who has failed in eye-sight test is suitable.

(c) In such cases, the pay of an employee would be governed by Rule 15 of the Fundamental Rules.

ALTERATION IN THE DATE OF BIRTH OF RAILWAY EMPLOYEES.

123. **Mr. Muhammad Azhar Ali:** Will the Honourable Member for Railways please refer to the answers given to starred questions No. 1695 and No. 1247, and to unstarred questions No. 606 and No. 19, asked in this

House on the 17th April, 1936, and 15th October, 1936, and 17th April, 1936, and 31st August, 1936, respectively and state:

- (a) whether, under paragraph 228-A of State Railway Open Line Code, Volume II, the power to alter the recorded date of birth is vested in the Railway Board;
- (b) whether the Railway Board in their letter No. E-34-L.G.-39, dated the 31st January, 1935, asked the Agents to entertain applications for alteration of recorded date of birth and laid down the policy; and
- (c) what proof of satisfaction is required by the East Indian Railway to alter the recorded date of birth?

The Honourable Sir Thomas Stewart: (a) Yes. I may, however, mention that the power in the case of non-gazetted staff to alter dates of birth, after entering Government service, has been delegated to the Agents of State-managed Railways.

(b) Presumably the Honourable Member is referring to the Railway Board's letter dated the 3rd January, 1935, if so, the reply is in the affirmative.

(c) The evidence produced should be such as to furnish an uncontrovertible proof that the date of birth of an employee is not as recorded in the service register.

COMMUNAL COMPOSITION OF THE STAFF IN THE RAILWAY BOARD.

124. **Mr. Muhammad Azhar Ali:** Will the Honourable Member for Railways please state:

- (a) the number of both gazetted and non-gazetted staff, community-wise, and the Railway to which they belong, employed in the Railway Department (Railway Board), on the 1st March, 1937, and on the 1st March, 1938, respectively;
- (b) the percentage of each community and of each Railway, to which they belong, against the total strength of gazetted and non-gazetted staff of the Department, respectively; and
- (c) the reason for preponderance in gazetted and non-gazetted staff of the Department, respectively, by any community and by any Railway respectively?

The Honourable Sir Thomas Stewart: (a) and (b). Two statements (A and B) giving the required information are placed below.

(c) The gazetted posts in the Railway Board's office are filled by selection of suitable officers already in the service and not on communal considerations.

The vacancies in the non-gazetted establishment are filled either by direct recruitment to which orders regarding communal representation apply or by transfer of suitable men from railway administrations or other offices without communal considerations.

A.

Statement showing the number and percentage of Gazetted Staff by Communities and by Railways, employed in Railway Department (Railway Board) on 1st March, 1937 and 1st March, 1938.

	Community.										Railway.									
	Euro-peans.		Hindus.		Muslim.		Anglo-Indian.		Indian Christian.		N. W.		G. I. P.		E. B.		E. I.		Other Sources.	
	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%
1st March, 1937.	8	32	8	32	4	16	4	16	1	4	7	28	3	12	2	8	1	4	12	48
1st March, 1938.	9	36	6	24	5	20	4	16	1	4	8	32	3	12	1	4	1	4	12	48

B.

Statement showing the number and percentage of Non-Gazetted Staff Community-wise employed in the Railway Departments (Railway Board) on the 1st March, 1937 and 1st March, 1938.

	Hindu.		Muslim.		Anglo-Indian.		Indian Christian.		Sikh.	
	No.	%	No.	%	No.	%	No.	%	No.	%
1st March, 1937	76	68.5	20	18.0	8	7.2	4	3.6	3	2.7
1st March, 1938	80	67.8	22	18.6	8	6.8	4	3.4	4	3.4

N.B.—The question of the percentage railwaywise does not arise in the case of such non-gazetted Staff as are recruited from Railways as they cease to belong to any railway on their confirmation in this office.

FEE FOR MEDICAL ATTENDANCE ON CERTAIN STAFF ON THE NORTH WESTERN RAILWAY.

125. **Mr. Muhammad Azhar Ali:** Will the Honourable Member for Railways please refer to the answer given to starred question No. 7, asked in this House on the 31st January, 1938, and state whether it is a fact that the Divisional Superintendent, North Western Railway, Lahore, by an order No. 494-E/O/P.-5, dated the 19th January, 1938, laid down a fee for medical attendance on staff, drawing over Rs. 75? If so, how far is it justified?

The Honourable Sir Thomas Stewart: Government are informed that the circular letter referred to by the Honourable Member intended to lay down a scale of fees payable by the staff for medical attendance on their family members at their residences. By a mistake it included medical attendance on the staff themselves. The mistake on being brought to notice was corrected and the circular letter now applies only to families of the staff.

LEVY OF LICENCE FEE ON INDIAN REFRESHMENT ROOMS ON THE NORTH WESTERN RAILWAY.

126. **Mr. Muhammad Azhar Ali:** Will the Honourable Member for Railways please enquire and state:

- (a) whether it is a fact that in July, 1937, the Agent, North Western Railway, decided to levy licence fee on Indian refreshment rooms;
- (b) whether it is a fact that refreshment rooms contracted by Europeans and Indian *khansamas* are exempted from the said levy of licence fees;
- (c) the reasons for this exemption from the levy of licence fee;
- (d) whether the levy of licence fee on Indian refreshment rooms had the approval of the Central Advisory Committee for Railways; if so, when;
- (e) whether there is any individual person or persons who hold contracts for more than one Indian refreshment rooms; if so, whether licence fee is levied according to the individual room or according to the person;
- (f) what are the justifications for the levy of licence fee on Indian refreshment rooms only; and
- (g) whether Government are prepared to consider the desirability to cancel the levy of the licence fee; if not, why not?

The Honourable Sir Thomas Stewart: (a) The North Western Railway Administration had under consideration certain proposals for the levy of licence fees, based on what was considered, after investigation, to be a reasonable charge to make for the grant of licences for vending contracts at stations on that system. Under instructions from the Railway Board, however, these proposals have been kept in abeyance, pending a decision by Government on the policy to be generally followed in respect to these contracts.

(b), (c) and (e) to (g). Do not arise, in view of my reply to part (a).

(d) I would refer the Honourable Member to the reply I gave to part (b) of Maulvi Syed Murtaza Sahib Bahadur's unstarred question No. 112 on the 23rd March, 1938.

STATEMENTS LAID ON THE TABLE.

Information promised in reply to starred question No. 9 asked by Mr. Sham Lal on the 31st January, 1938.

ABSENCE OF A GATE AT THE RAILWAY CROSSING SOUTH OF SATROD VILLAGE IN HISSAR DISTRICT.

- (a) There are both gates and a gateman at level crossing No. 88, situated to the south of Gang Quarters No. 28.
- (b) Does not arise.
- (c) No application for a gate at this level crossing has been received.
- (d) Does not arise.

Information promised in reply to starred question No. 34 asked by Mr. Abdul Qaiyum on the 31st January, 1938.

EXPENDITURE ON CERTAIN UTILITY SERVICES IN THE AGENCY TRACTS OF THE NORTH-WEST FRONTIER PROVINCE.

(a) The figures are given below :

Item.	Amount spent.
1. Education	2,41,472
2. Medical Relief	3,01,196
3. Irrigation	72,255
4. Sanitation	59,991

In addition Rs. 20,000 per annum is spent on scholarships to boys from the Agencies.

(b) Rs. 14,50,760.

Information promised in reply to starred question No. 504 asked by Mr. K. Santhanam on the 25th February, 1938.

ASSIGNMENT OF SITES IN NEW DELHI BY PUBLIC AUCTION.

- (a) and (b). Yes. Sites are allotted without auction in the following circumstances
- (i) on concession terms, for charitable or public purposes and to Princes and Rases in

the appropriate reserved areas; and (ii) at assumed market rates if auction would be unsuitable or inconvenient. The grant to individuals was once part of a policy which was first adopted by Government 16 years ago and which has now been given up as the purpose for which it was adopted has been fulfilled. One application, which in point of time was anterior to the revised policy, is under consideration.

Information promised in reply to supplementaries to starred question No. 557 asked by Mr. T. S. Avinashilingam Chetliar on the 2nd March, 1938.

CONTRACT WITH THE PENINSULAR AND STEAM NAVIGATION COMPANY.

The information promised to be placed on the table of the House having already appeared in these Debates†, copies thereof have now been placed in the Library of the House.

Information promised in reply to starred question No. 688 asked by Mr. Lalchand Navahaj on the 7th March, 1938.

CONNECTION OF KAROL BAGH WITH NEW DELHI BY THE SHORTEST AND DIRECT ROUTE.

The possibility of connecting the Western Extension area (Karol Bagh) with New Delhi by a road has not yet been considered. The Delhi Improvement Trust will now, it is understood, examine the proposal, but it cannot be said whether its adoption will be financially possible.

Information promised in reply to part (b) of starred question No. 875 asked by Sardar Mangal Singh on the 21st March, 1938.

ACTION ON RESOLUTIONS PASSED BY THE CENTRAL LEGISLATIVE ASSEMBLY.

The Honourable Member is referred to the statement laid on the table by me on the 30th March, 1935, promised in reply to starred question No. 656, asked by Mr. Mohan Lal Saksena on the 5th March, 1935, to the statement laid on the table by the Honourable Sir Frank Noyce on the 20th March, 1937, promised in reply to starred question No. 548, asked by Mr. Mohan Lal Saksena on the 8th March, 1937, and to the statement laid on the table by me on the 16th September, 1937, promised in reply to unstarred question No. 25, asked by Mr. Mohan Lal Saksena on the 26th August, 1937, which give the required information up to the Delhi Session, 1937.

The information in respect of the Resolutions passed by the Legislative Assembly during the Simla Session, 1937, and the action taken on each of them is given in the following statement :—

†See pages 117-120 of these Debates, dated the 28th January, 1929.

Statement showing the Resolutions adopted by the Legislative Assembly during the Simla Session, 1937 and action taken by Government thereon.

Serial No.	Date on which moved.	By whom.	Subject of Resolution.	Department concerned.	Action taken by Government.
1	23rd August, 1937 and 24th August, 1937.	The Honourable Sir Nripendra Sircar.	Amendments to Indian Legislative Rules.	Legislative Department.	No action has been taken.
2	3rd September, 1937.	Sardar Sant Singh.	Economies in the Central Government expenditure.	Finance Department.	For reasons which were explained in the course of the debate by the Defence Secretary, the Foreign Secretary and the Honourable the Finance Member no further action has been taken on this resolution.
3	3rd September, 1937 and 10th September, 1937.	Sir Muhammad Yakub.	Appointment of qualified Indian cadets by British Shipping Companies.	Department of Commerce.	Matter is under consideration.
4	27th September, 1937.	The Honourable Sir Saiyid Sultan Ahmed.	Ratification of the International Agreement on the production and marketing of sugar.	Ditto	The Government of India after due consideration of the relevant facts have not accepted the recommendations of the Assembly. (The Agreement was ratified on the 1st January, 1938.)
5	7th October, 1937	The Honourable Sir James Grigg.	Repayment of contributions from Railway Revenues to General Revenues.	Finance Department.	The arrangement proposed in the Resolution has been adopted.

ELECTION OF MEMBERS TO THE STANDING FINANCE COMMITTEE FOR RAILWAYS.

Mr. President (The Honourable Sir Abdur Rahim): I have to inform the Assembly that the following Members have been elected to the Standing Finance Committee for Railways, namely:

1. Lieut.-Colonel M. A. Rahman;
2. Mr. H. M. Abdullah;
3. Mr. F. E. James;
4. Maulvi Syed Murtaza Sahib Bahadur;
5. Sardar Sant Singh;
6. Mr. Satya Narayan Sinha;
7. Sir Abdul Halim Ghuznavi;
8. Mr. K. Santhanam;
9. Nawab Sahibzada Sir Sayad Muhammad Mehr Shah;
10. Haji Chaudhury Muhammad Ismail Khan; and
11. Pandit Nilakantha Das.

STATEMENT LAID ON THE TABLE.

CASES IN WHICH THE LOWEST TENDERS HAVE NOT BEEN ACCEPTED BY THE HIGH COMMISSIONER FOR INDIA.

Mr. H. Dow (Commerce Secretary): Sir, I lay on the table a statement, furnished by the High Commissioner for India, showing all cases in which the lowest tenders have not been accepted by him in purchasing stores for the Government of India, during the half year ended the 31st December, 1937.

HIGH COMMISSION

INDIA STORE

ABSTRACT OF CASES in which tenders for stores demanded by the Central of the goods demanded, were accepted on the grounds of superior inspection, quicker

HALF YEAR ENDING

Stores ordered.	Contract number.	Name of contractor.	Amount of Contract.
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PART A.—Cases in which lower foreign tenders, including British tenders for ten-

Nil.

PART B.—Cases in which the discrimination

Wire, barbed.

2082½ Cwts.

W. 901/1881/7-7-37.

Richard Johnson
& Nephew Ltd.

£. s. d.

2,745 10 4

2082½ Cwts.

W. 902/1881/7-7-37.

William Bain & Co.
Ltd.

2,759 6 3

5,504 16 7
(British).

Cylinders, nitrous oxide,
empty, No. 100.

W. 1636/3041/17-9-37

The British Oxygen
Co. Ltd.

112 10 0
(British).

Tips, boot, toes, of sizes,
188,520 pairs.

W. 1261/2385/12-8-37.

Blakey's Boot Pro-
tectors Ltd.

330 12 4

W. 1306/2385/17-8-37.

Fred, Hawkes (N. V.
Engineers) Ltd.

153 16 11

484 9 8
(British).

MR. FOR INDIA.

DEPARTMENT.

Government, other than the lowest complying with the technical description quality, superior trustworthiness of the firm tendering, greater facility of delivery, etc.

31st DECEMBER, 1937.

Lowest tender not accepted.	Reason for acceptance.
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foreign made goods, have been set aside wholly or partially in favour of British ders.

Nil.

is between British firms only.

£ s. d.

The barbed wire was most urgently required and in order to expedite the supply the contract was divided between the two lowest tenderers.

5,491 0 8
(British).

111 7 6
(British).

A letter had been received from the indenting officer requesting that immediate steps should be taken to expedite the despatch of the cylinders at the earliest possible opportunity. As the two lowest tenderers each required from 12 to 15 weeks for delivery, the order was placed with the next tenderer who offered delivery in 4 weeks.

These items formed part of a large indent for which immediate supply was requested. The order was divided between the two lowest tenderers and much earlier delivery thus secured.

448 6 5
(British).

PART B.—Cases in which the discrimination

Stores ordered.	Contract number.	Name of contractor.	Amount of contract.
Cylinders, nitrous oxide, empty, No. 150.	W. 2056/4479/22-10-37.	The British Oxygen Co., Ltd.	£ s. d. 168 15 0 (British).
Cylinders, carbon dioxide, empty, No. 100.	W. 2198/3632/3-11-37.	The British Oxygen Co., Ltd.	225 0 0 (British).
Shirting, cotton, white, 5,000 yards.	W. 2587/2683/10-12-37.	Joshua Hoyle and Sons, Ltd.	139 13 0 (British).

PART C.—Cases in which the discrimination is*Nil.***PART D.—Cases in which lower British tenders have***Nil.*

is between British firms only—contd.

Lowest tender not accepted.	Reason for acceptance.
£ s. d. 167 1 3 (British).	The indent asked for immediate supply and stated that the requirements were specially urgent. The two lowest tenderers each required 12/16 weeks for delivery. The order was placed with the next lowest tenderer who offered delivery in 2/3 weeks
222 15 0 (British).	The cylinders were urgently required. The two lowest tenderers each required 12/16 weeks for delivery. The order was placed with the next lowest tenderer who offered delivery in 4/5 weeks.
138 0 5 (British).	The lowest tenderer required three months for the delivery of the first 2,500 yards and a further month for the completion of the contract. As the indent asked for early supply the order was placed with the next lowest tenderer who offered delivery of 2,200 yards immediately and completion in 7/8 weeks.

between foreign firms only.

Nil.

been set aside in favour of foreign tenders.

Nil.

ELECTION OF A MEMBER TO THE GOVERNING BODY OF THE INDIAN RESEARCH FUND ASSOCIATION.

Sir Girja Shankar Bajpai (Secretary, Department of Education, Health and Lands): Sir, I beg to move:

"That the Members of this Assembly do proceed to elect, in such manner as may be approved by the Honourable the President, one person from among their numbers to sit on the Governing Body of the Indian Research Fund Association *vice* Mr. George Joseph, deceased."

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

"That the Members of this Assembly do proceed to elect, in such manner as may be approved by the Honourable the President, one person from among their numbers to sit on the Governing Body of the Indian Research Fund Association *vice* Mr. George Joseph, deceased."

The motion was adopted

Mr. President (The Honourable Sir Abdur Rahim): I have to inform Honourable Members that for the purpose of election of a member to the Governing Body of the Indian Research Fund Association the Notice Office will be open to receive nominations up to 12 Noon, on Wednesday, the 30th March, and that the election, if necessary, will be held on Friday, the 1st April, 1938, in the Assistant Secretary's Room, Council House, New Delhi, between the hours of 10-30 A.M. and 1 P.M. The election will be conducted in accordance with the principle of proportional representation by means of the single transferable vote.

THE PREVENTION OF CRUELTY TO ANIMALS (AMENDMENT) BILL.

The Honourable Sir Henry Craik (Home Member): Sir, I move for leave to introduce a Bill to amend the law relating to the prevention of cruelty to animals.

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

"That leave be granted to introduce a Bill to amend the law relating to the prevention of cruelty to animals."

The motion was adopted.

The Honourable Sir Henry Craik: Sir, I introduce the Bill.

DEMANDS FOR SUPPLEMENTARY GRANTS.

LIGHTHOUSES AND LIGHTSHIPS.

The Honourable Sir James Grigg (Finance Member): Sir, I move:

"That a supplementary sum not exceeding Rs. 60 000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1938, in respect of 'Lighthouses and Lightships'."

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

"That a supplementary sum not exceeding Rs. 60 000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1938, in respect of 'Lighthouses and Lightships'."

The motion was adopted.

CURRENCY.

The Honourable Sir James Grigg: Sir, I move:

"That a supplementary sum not exceeding Rs. 65 000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1938, in respect of 'Currency'."

Mr. President (The Honourable Sir Abdur Rahim): Motion moved:

"That a supplementary sum not exceeding Rs. 65 000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1938, in respect of 'Currency'."

Mr. N. M. Joshi (Nominated Non-Official): Sir, I rise to oppose this motion. I shall very briefly state my reasons for taking this drastic step. I am thoroughly dissatisfied with the replies which the Honourable the Finance Member has given to some of the questions asked in this House regarding the administration of the Security Printing Press in Nasik. In the first place, the wages paid to the employees, the workmen specially of this Security Printing Press have been extremely low. The Honourable Member did not say that he would make enquiries into the question of wages. Secondly, the housing provided to the employees is also thoroughly unsatisfactory. There are no sinks in their houses to drop waste water and no lights in the lavatories which are common. There is also the question of discrimination between Indian officers and the European officers of this Security Printing Press. There are houses set apart for European officers and a very lower type of houses provided for Indian officers.

Mr. President (The Honourable Sir Abdur Rahim): Surely the Honourable Member cannot go into general grievances now.

Mr. N. M. Joshi: I am not going into details.

Mr. President (The Honourable Sir Abdur Rahim): That is not before us now.

Mr. N. M. Joshi: The difficulty is that we cannot give them any money for the Security Printing Press.

Mr. President (The Honourable Sir Abdur Rahim): Then don't do it. That is another matter, but this is not the occasion for the ventilation of general grievances.

Mr. N. M. Joshi: There is another matter of great public interest connected with this and it is this. This Printing Press has been ordering paper from a firm in Europe through the Master Printer of this Press. One of the officers who has been ordering the paper has now become a director of the company which supplied this paper. I want the Government of India to give attention to this question which is of great public

[Mr. N. M. Joshi.]

interest. It is a wrong thing for a public officer to order paper from a company and after a few years, having given sufficient custom to that firm,

Mr. President (The Honourable Sir Abdur Rahim): Has that any bearing on this Demand? If that appointment has led to any excessive Demand that is another matter.

Mr. N. M. Joshi: There is an increased Demand for currency. That means increased use of paper. We cannot give them money for increased paper because that increased paper

The Honourable Sir James Grigg: I have no doubt whatever that the points which have been raised are outside the scope of the Grant, but as this question of directorship has been raised, I think it is important that the actual position should be left in no doubt. I would ask you to regard the rules with a certain amount of leniency and allow this point to be made.

Mr. N. M. Joshi: I do not want to speak long as the Honourable Member is going to make a statement. The point is that this practice which is followed by the Government of India is against the proper conduct of Government servants. I would like the Honourable Member to pay special attention to this as we are all anxious for the purity of public service in this country.

The Honourable Sir James Grigg: Which point am I to reply to?

Mr. President (The Honourable Sir Abdur Rahim): I don't know.

The Honourable Sir James Grigg: On this question of *ex-Government* servants taking up directorships after their retirement with companies with which they have been in business relations or with which their departments have been in business relations, I have already made in this House a statement. I said that it was a question which the Government of India might very well re-examine; but I did give a preliminary warning to the House, that the difficulty of dealing with questions of this sort has always been the absence of effective sanctions and that difficulty has been felt even in Great Britain where there is a much greater control over the award of pensions than there is in this country. In Great Britain, where I believe they have had occasion recently to re-examine and re-state their policy in this matter, my recollection is that His Majesty's Government found it necessary to rely in the main on the individual sense of what is right and wrong rather than impose any rules which they could not in the last resort enforce. However, that does not take away from the fact that I have already promised that the Government of India should re-examine this question in all its bearings. The matter is important and that, Sir, is why I asked for your indulgence. The idea should not get about that the Government of India is indifferent to this important question. I do not know whether I am to mention the question of wages, because I do not feel so strongly about the necessity of stretching the rules there, for I understand that the wages paid at Nasik are not out of keeping with those ordinarily paid for similar work elsewhere.

Mr. Bhulabhai J. Desai (Bombay Northern Division: Non-Muhammadan Rural): Mr. President, in view of the statement made by the Honourable the Finance Member I think it is necessary to clear the position a little more. The position, I understand, is that Government in matters like this do not approve of persons in service retiring and thereafter engaging directly or indirectly in a business with which they or their department was connected by way of supplies. It is stated that there is no sanction behind it and therefore it must be left to their sense of honour. With great deference . . .

The Honourable Sir James Grigg: May I interrupt? That was the position which to the best of my recollection His Majesty's Government had taken up. As far as the Government are concerned, I merely used that as a warning. As far as the statement of policy on behalf of the Government of India is concerned, it simply means a promise to re-examine the case in all its bearings, with no more than that preliminary warning—no predilections and no pre-judgments.

Mr. Bhulabhai J. Desai: That is, their mind is blank, with no predilection and no pre-judgments. The position actually comes to this, that so far as the information placed before this House is concerned, there is a statement of His Majesty's Government to the effect that the matter is largely to be left to the sense of honour of that particular official or servant. I think it is high time that in the case of covenanted servants—that is, those who are under a contract; for, that is the only literary meaning of the word—and even in the case of those who do not belong to what are properly called covenanted services, there is always a condition made in the terms of the contract like this; it is done in many instances where people are, for example, employed in trades where there are secrets, namely, that if a member of the civil service or a military service engages in any employment or profession, after his retirement which the Government of India do not approve of, they will forfeit their pension, so that there can be no question of there being an absence of any sanction in the hands of the employer, and so that any knowledge or secret or any other information acquired by them during the course of their service may not be at the disposal of other persons after their retirement. After all the salaries are high and the pensions are liberal and there is no reason why a clause to that effect should not be inserted in the contract, so that, while it is said that there are no pre-judgments and no predilections, we wish to point out a very straightforward and a very honest course, so that there may be no circumvention in matters of this kind in future.

The Honourable Sir James Grigg: May I with your permission make it quite clear that when I said that there were no predilections and no pre-judgments before, I merely intended to convey that nothing would be excluded from the scope of our re-examination and certainly the suggestion that the Leader of the Opposition has made comes within that promise of non-exclusion. Here again, he knows as a distinguished lawyer that this will mean an alteration in the terms of service and can only apply to future entrants and that is also another of the difficulties which I am sure he recognises.

Mr. K. Santhanam (Tanjore *cum* Trichinopoly: Non-Muhammadan Rural): Sir, I wish to say a word about this matter. I do not see how there is no sanction, because, though the Government of India may have no hold

[Mr. K. Santhanam.]

on retired Government servants, there is nothing to prevent the Government of India from saying that they would refuse to have any dealings with firms which employ Government servants, after retirement, who have been dealing with them while in service. Therefore, in all such cases sanction is always available. The Government of India may make a rule that no firm shall employ anyone who has had any dealings with it in an official capacity as an officer of the Government. I think this question of sanction has been made unnecessarily obscure. The Government of India have got sanction both directly, as our leader has pointed out and also in the other way I have suggested. With reference to this particular Demand, I want to point out that the excess grant is due partly to increased electricity and water charges. I understand that this increase is due to the fact that a big bungalow has been left vacant because it would not be given to the Indian officials. I understand there are four bungalows which are let only to British officials. Though there are Indian officials of equal standing who are eligible, I understand they are not given these. Probably because the bungalow has been kept vacant for a long time, we are asked to pay by this Supplementary Demand extra charges for electricity and water. I am not able to say my information is absolutely correct, but I would like information from the Honourable the Finance Member whether this Supplementary Grant is not partly due to the fact that the bungalow has been wilfully kept vacant because they would not give it to an Indian.

The Honourable Sir James Grigg: No, Sir.

Mr. Manu Subedar (Indian Merchants' Chamber and Bureau: Indian Commerce): Sir, I welcome the statement of the Honourable the Finance Member that the whole question of the activities of Government servants, after they retire, in the direction of taking up employment in business firms is under examination. I am very glad that no considerations will be excluded, as the Honourable the Finance Member has said. With your permission I may make a suggestion, *vis.*, that when a firm has any dealings with the Government of India either directly or through their agents, it should be obligatory on such firm to inform the Government of India that one of their employees, managers, advisers or directors, has been in the service of the Government of India or any of the Provincial Governments previously. This obligation will in itself be a salutary check and will warn officials concerned to be a little more careful to see that there is no undue influence exercised by these persons as retired officials.

Maulvi Abdur Rasheed Chaudhury (Assam: Muhammadan): Sir, I would like to oppose this entire Demand and criticise the whole currency policy of the Government of India. Sir, it would have been more proper if a cut motion would have been moved in the name of some Honourable Member on this currency policy so that it might have been properly criticised, but as it has not been so moved, I have no other alternative but to oppose the entire Demand so that I may criticize the currency policy of the Government of India.

The Honourable Sir James Grigg: Will the Honourable Member kindly specify once more what information has not been given?

Mr. President (The Honourable Sir Abdur Rahim): Will the Honourable Member repeat what he said?

Maulvi Abdur Rasheed Chaudhury: I could not follow the point, Sir.

An Honourable Member: What is the grievance?

Maulvi Abdur Rasheed Chaudhury: I want to oppose the entire Demand so that I may criticize the entire currency policy of the Government.

Mr. President (The Honourable Sir Abdur Rahim): That is not open to discussion; no question of policy can be discussed now.

Maulvi Abdur Rasheed Chaudhury: I would like to speak on the 1s. 4d. and 1s. 6d. ratios.

Mr. President (The Honourable Sir Abdur Rahim): If that is all that the Honourable Member intends to do, it is just as well that he should resume his seat.

Maulvi Abdur Rasheed Chaudhury: I want to speak generally, Sir . . .

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member cannot do that. The question is:

"That a supplementary sum not exceeding Rs. 65,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1938, in respect of 'Currency'."

The motion was adopted.

MINT.

The Honourable Sir James Grigg: Sir, I move:

"That a supplementary sum not exceeding Rs. 3,00,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1938, in respect of 'Mint'."

Mr. President (The Honourable Sir Abdur Rahim): Motion moved:

"That a supplementary sum not exceeding Rs. 3,00,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1938, in respect of 'Mint'."

Prof. N. G. Ranga (Guntur cum Nellore: Non-Muhammiadan Rural): Sir, in spite of this additional expenditure we find in actual practice that more and more of these spurious coins are coming into circulation. We have protested

The Honourable Sir James Grigg: This is not for the production of spurious coins but for non-spurious coins.

Mr. President (The Honourable Sir Abdur Rahim): I think the Honourable Member knows quite well that that sort of question is not within the scope of this Demand.

Prof. N. G. Ranga: I want to know what the Honourable Member proposes to do in order to see that no additional expenditure is incurred while these spurious coins are in circulation until they are withdrawn from circulation and then by putting into circulation good and passable coins

Mr. President (The Honourable Sir Abdur Rahim): The Demand is for genuine coin.

Prof. N. G. Ranga: Does it not mean that I can ask them to withdraw the spurious coins

Mr. President (The Honourable Sir Abdur Rahim): That has nothing to do with this Demand.

Mr. Brojendra Narayan Chaudhury (Surma Valley *cum* Shilling: Non-Muhammadan): Sir, we demand better and more exhaustive information than that given in the single sentence, "The additional expenditure is due to an increased demand for coin", which is not at all illuminating. Sir, I have scrutinised the figures. Whereas under B-4—Operative Establishment, the original estimate for operative establishment was Rs. 3,15,000, the additional cost is only Rs. 6,300, but in item B-7—Allowances and Honoraria, whereas the original estimate is Rs. 61,500, the additional expenditure is as high as Rs. 69,000. Ordinarily, the expenditure on these items is expected to be proportionate to the original demands, but here I find that they are out of all proportion to the original demands. What I want to know is how the exact amount of this additional expenditure is necessary. I want a short note on how this additional expenditure is incurred how the figures are worked out.

Mr. M. S. Aney (Berar: Non-Muhammadan): Sir, it seems to me that this Demand is for the sake of providing for some more establishment in the Mint Department, because the additional expenditure is due to an increased demand for coin. I want to know from the Honourable Member what are the reasons for this increased demand for coin, what kind of coin constitutes an urgent demand, and what are the reasons for that. Some explanation of that kind should be given so that we shall be in a position to understand whether this additional expenditure should be sanctioned or not; why this larger demand for coin is there; what is the reason for that, and what kind of coin is in more demand now.

The Honourable Sir James Grigg: To the best of my belief, Sir, it is almost entirely on account of token coinage.—small coinage—caused by an increase in the number of retail transactions; and I may say that this Grant is more than covered by receipts on the other side. So it is a profitable transaction. I think if the Honourable Member will look at the question he will see that it is operative establishment—which I take it means almost all workmen.

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

"That a supplementary sum not exceeding Rs. 3,00,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1938, in respect of 'Mint'."

The motion was adopted.

MISCELLANEOUS EXPENDITURE.

The Honourable Sir James Grigg: Sir, I move:

"That a supplementary sum not exceeding Rs. 90,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1938, in respect of 'Miscellaneous Expenditure'."

Mr. President (The Honourable Sir Abdur Rahim): Motion moved:

"That a supplementary sum not exceeding Rs. 90,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1938, in respect of 'Miscellaneous Expenditure'."

Prof. N. G. Ranga: Sir, I consider that this expenditure is a wasteful one and for this reason. If they had spent all this money upon some philanthropic purpose or even on rural development, according to my Honourable friend, the Finance Member, then there would have been some justification because we would have had the satisfaction that Government had taken advantage of the Coronation of His Majesty in order to confer some particular benefit upon the poor people of this country. But I find that they simply burnt this money away in a few hours on a fine night here in this place where only ghosts and jackals keep watch and very few human beings have a chance of enjoying a peaceful night at least. Sir, we find that our various Provincial Governments are finding it hard to devote even a few thousands of rupees for the sinking of wells, construction of a small hospital or establishing a small primary school or providing some other local benefit to the local public, and the Honourable the Finance Member has grown eloquent in his plea that every thing should be done to help the finances of the Provincial Governments. That is why he said that he could certainly claim credit for having implemented the recommendations of the Niemeyer Award and thus provided funds for the provinces. I do not know why he did not try to devote all this money for distribution amongst the provinces which are dying for funds. It is a well-known fact that Her Excellency Lady Linlithgow is very anxious to develop a regular campaign for fighting tuberculosis in this country. She wants money and I want to know why the Honourable the Finance Member did not think of some such scheme? Certainly, this huge sum of Rs. 90,000 would have been very welcome to that Fund. I do not know why he did not think of devoting it to that Fund. One could think of many other objects on which this money could have been spent. I know that a part of the King's Jubilee Fund was spent on a hospital not far from Delhi and I learn that that hospital is doing good work and is giving satisfaction to the public. Some such institution could have been established with this money. Why is it that they thought of spending all this money on lights alone? Even if they had thought of lighting arrangements, why did they not think of illuminating buildings in the Old Delhi? Instead of doing that, they simply took this unholy satisfaction of lighting all these buildings in this place of jackals. This is really a sad commentary upon the poor imagination of this Government. I think the House should really be unanimous in throwing out this Demand not only to show its disregard so much but to display its censure upon the wasteful and careless manner in which this Government wastes public money. Sir, I oppose this Demand.

Mr. Abdul Qaiyum (North-West Frontier Province: General): Sir, I rise to oppose this Demand. I am rather surprised at the very mild

[Mr. Abdul Qaiyum.]

language used by my Honourable friend, Prof. Ranga, while he was speaking on this Demand. I think this Demand betrays yet another act of criminal waste of money belonging to the poor Indian tax-payers, and it shows that the Government in this country is absolutely callous to the interests of the people. After all, does the Government think that in the year of Grace 1938 they can strike and dazzle the imagination of the Indian people, and kindle in them a love for the British Raj by wasting their money on such foolish things as the lighting of these big buildings in New Delhi. It is very interesting to note that it was in May, 1937, when the Government of India had moved up to the Olympic heights of Simla, that this scandalous waste of money was indulged in, and probably the sight-seers were no other than jackals. The Government must realise that the time is long past when they could awaken any kind of emotion in the mind of any respectable Indian, who has got any love for his country, in favour of British Royalty, by resorting to such methods.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member must confine his remarks to the Demand before the House.

Mr. Abdul Qaiyum: Sir, it is an attempt on the part of the irresponsible beaurocratic Government to devise ways and means for supporting the Imperialism of Great Britain which is now tottering in this country. Is the Honourable the Finance Member unaware of the fact that an appalling poverty prevails in the villages which are only a few miles away from these big palaces which they have reared up in this city? Is he unaware of the appalling rate of infant mortality, and of the starvation of the millions round about this city? If you want to see a real commentary on the British Raj, you go just a few miles from this city and you will find that, after 150 years of British rule, many people do not get decent medical aid, and do not get enough for their daily meals. Sir, this Demand must be thrown out and the Government must be told that Indians are not going to be made fools of any more by allowing their own money to be spent on foolish illuminations. I think it is a criminal act and if and when Swaraj is set up in this country, I think Herr Hitler's methods should be followed whereby Schuschnigg will shortly be made to stand his trial as a criminal. Similarly, the Honourable the Finance Member and the Government of which he forms part will have to answer to this country. Sir, I oppose this Demand.

The Honourable Sir Henry Crick (Home Member): Sir, I am deeply touched by the spectacle of the Honourable Member who has just spoken in the double role of Dr. Schuschnigg and the champion of the starving poor. I do not know which role he fills best, but perhaps, on the whole, the latter is the one for which he is best physically qualified. There seems to be some misapprehension about this expenditure which relates to the illuminations on the occasion of His Majesty's Coronation, not in New Delhi alone but in all public buildings of the Central Government in all the important towns of India. It seems to me that considering the interest that that historic ceremony aroused, the expenditure was on a very moderate scale. To imply, as has been implied by Prof. Ranga, that the whole amount was spent on the illumination of the buildings in New Delhi for the benefit of the jackals, is grossly misleading. Only a

small portion was spent on New Delhi and the public buildings in Old Delhi were also equally illuminated.

There were illuminations in Simla, in Calcutta and all the important towns of India where the Central Government has buildings and to the best of my belief the illuminations gave great pleasure to hundreds and thousands of spectators. I myself saw the crowds in Simla moving up and down the Mall continuously admiring the illuminations and I am told very large crowds came to New Delhi and that the enjoyment was not wholly confined to jackals. I think it would be a very ungracious act on the part of this House to refuse to pay this small sum because certain Honourable Members think it might have been better spent in giving free meals or providing free medical attendance to the poor. That is the sort of argument that is often used on these occasions, but it is really quite irrelevant because you might just as well argue that you should not indulge in any kind of expenditure because it might better be devoted to feeding the poor.

Mr. Abdul Qaiyum: We cannot hear a word of what the Honourable the Home Member says. Sometime back the Honourable the Communications Member passed certain remarks against me which were not heard at the time. If only I had heard those remarks, I would have given a suitable reply. As it is we cannot hear any of the speeches made by the Government Members.

Mr. President (The Honourable Sir Abdur Rahim): I cannot help the Honourable Member. I cannot compel the Government Members to speak loud.

Mr. Abdul Qaiyum: Then, I seriously suggest that loud speakers be immediately installed in the House.

Mr. M. Ghiasuddin (Punjab: Landholders): Sir, it appears to me that unnecessary heat has been introduced in this debate by my Honourable friends, Prof. Ranga and Mr. Abdul Qaiyum. Sir, it has been the custom in every country to celebrate days connected with their Royalty or Republic or whatever form of Government, they may have. Even in the model Government, the paradise of my Honourable friend, Prof. Ranga, namely, the Soviet Russia, they celebrate the day of their Revolution of what is called May day. I am sure public money is also wasted there, if it can be called a waste. All nations celebrate a particular day. What about France? The day of their glorious Revolution, namely, 14th May, is celebrated with pomp and show. I am sure a good many people enjoyed the illuminations. After all our lives in India are very dull and dreary and by such illuminations and display, I am sure, some enjoyment is derived by good many people and they also have a chance of showing their loyalty to His Majesty the King Emperor. Sir, I support this Demand.

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

"That a supplementary sum not exceeding Rs. 90,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1938, in respect of 'Miscellaneous Expenditure'."

The Assembly divided.

AYES—61.

Abdoola Haroon, Seth Haji Sir.
 Abdul Hamid, Khan Bahadur Sir.
 Abdullah, Mr. H. M.
 Abdur Rasheed Chaudhury, Maulvi.
 Ahmad Nawaz Khan, Major Nawab Sir.
 Ahmed, Mr. K.
 Aikman, Mr. A.
 Ayyar, Mr. N. M.
 Bajpai, Sir Girja Shankar.
 Bewoor, Mr. G. V.
 Bhagchand Soni, Rai Bahadur Seth.
 Boyle, Mr. J. D.
 Buss, Mr. L. C.
 Chanda, Mr. A. K.
 Clow, Mr. A. G.
 Conran-Smith, Mr. E.
 Craik, The Honourable Sir Henry.
 Dalal, Dr. R. D.
 Dalpat Singh, Sardar Bahadur Captain.
 DeSouza, Dr. F. X.
 Dow, Mr. H.
 Essak Sait, Mr. H. A. Sathar H.
 Fazl-i-Ilahi. Khan Sahib Shaikh.
 Ghiasuddin, Mr. M.
 Ghulam Bhik Nairang, Syed.
 Ghuznavi, Sir Abdul Halim.
 Gidney, Lieut.-Col. Sir Henry.
 Gilbert, Mr. L. B.
 Griffiths, Mr. P. J.
 Grigg, The Honourable Sir James.
 Highet, Mr. J. C.

Ismail Khan, Haji Chaudhury Muham-
 mad.
 James, Mr. F. E.
 Jehangir, Sir Cowasji.
 Kamaluddin Ahmed, Shamsul-Ulema.
 Kushalpal Singh, Raja Bahadur.
 Lloyd, Mr. A. H.
 Mackeown, Mr. J. A.
 Matthews, Mr. V. G.
 Mehr Shah, Nawab Sahibzada Sir Sayad
 Muhammad.
 Menon, Mr. P. A.
 Metcalfe, Sir Aubrey.
 Miller, Mr. C. C.
 Mody, Sir H. P.
 Ogilvie, Mr. C. M. G.
 Rajah, Raja Sir Vasudeva.
 Row, Mr. K. Sanjiva.
 Scott, Mr. J. Ramsay.
 Sen, Rai Bahadur N. C.
 Shaukat Ali, Maulana.
 Sher Muhammad Khan, Captain Sardar
 Sir.
 Sikandar Ali Choudhury, Maulvi.
 Singcar, The Honourable Sir Nripendra.
 Sivaraj, Rao Sahib N.
 Smith, Lieut.-Col. H. C.
 Spence, Mr. G. H.
 Stewart, The Honourable Sir Thomas.
 Sukthankar, Mr. Y. N.
 Sundaram, Mr. V. S.
 Walker, Mr. G. D.
 Yamin Khan, Sir Muhammad.

NOES—40.

Abdul Qaiyum, Mr.
 Abdul Wajid, Maulvi.
 Aney, Mr. M. S.
 Ayyangar, Mr. M. Ananthasayanam.
 Banerjea, Dr. P. N.
 Chaliha, Mr. Kuladhar.
 Chattopadhyaya, Mr. Amarendra Nath.
 Chaudhury, Mr. Brojendra Narayan.
 Chunder, Mr. N. C.
 Das, Mr. B.
 Das, Pandit Nilakantha.
 Datta, Mr. Akhil Chandra.
 Desai, Mr. Bhulabhai J.
 Deshmukh, Mr. Govind V.
 Gadgil, Mr. N. V.
 Govind Das, Seth.
 Gupta, Mr. K. S.
 Hans Raj, Raizada.
 Jogendra Singh, Sirdar.
 Kailash Behari Lal, Babu.

Lahiri Chaudhury, Mr. D. K.
 Maitra, Pandit Lakshmi Kanta.
 Mangal Singh, Sardar.
 Misra, Pandit Shambhu Dayal.
 Paliwal, Pandit Sri Krishna Dutta.
 Pande, Mr. Badri Dutt.
 Raghubir Narayan Singh, Choudhri.
 Ramayan Prasad, Mr.
 Ranga, Prof. N. G.
 Rao, Mr. Thirumala.
 Santhanam, Mr. K.
 Sham Lal, Mr.
 Sheodass Daga, Seth.
 Singh, Mr. Gauri Shankar.
 Singh, Mr. Ram Narayan.
 Sinha, Mr. Satyz Narayan.
 Som, Mr. Suryya Kumar.
 Sri Prakasa, Mr.
 Subedar, Mr. Manu.
 Varma, Mr. B. B.

The motion was adopted.

EXPENDITURE ON RETRENCHED PERSONNEL CHARGED TO REVENUE.

The Honourable Sir James Grigg: Sir, I move:

"That a supplementary sum not exceeding Rs. 9,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1938, in respect of 'Expenditure on Retrenched Personnel charged to Revenue'."

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

"That a supplementary sum not exceeding Rs. 9,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1938, in respect of 'Expenditure on Retrenched Personnel charged to Revenue'."

The motion was adopted.

ANDAMAN AND NICOBAR ISLANDS.

The Honourable Sir James Grigg: Sir, I move:

"That a supplementary sum not exceeding Rs. 60,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1938, in respect of the 'Andaman and Nicobar Islands'."

Mr. President (The Honourable Sir Abdur Rahim): Motion moved:

"That a supplementary sum not exceeding Rs. 60,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1938, in respect of the 'Andaman and Nicobar Islands'."

Prof. N. G. Ranga: Sir, I find here an item (c) amounting to Rs. 45,000 supposed to have been spent on subsistence money. In explaining this it is stated that the *talabdar* convicts had to be recalled to the Settlement from their work in the Forest Department and therefore this money had to be spent upon their maintenance. I want to know what the general practice is in allowing some of these convicts to go out of the prisons and work in the island under the Forest Department. In that connection I desire to know what are the various wages paid to them and whether anything more is paid by the jail authorities to supplement the wages paid by the Forest Department, and if so, what that supplementary payment is. Then why is it that in this particular year after having allowed these people to go out of these wretched jails and work in the forests under the Forest Department, these people were recalled to the jails again? Is it because they demanded more than what was offered to them by the Forest Department by way of wages or is it because they disobeyed the orders,—whether the usual orders or arbitrary orders,—given by the Forest Department to these people, or is it because they found it intolerable to accept the general conditions of work under which they are made to work by the Forest Department and, therefore, they had rebelled against the usual discipline of the Forest Department and for that reason they were asked to go back to the Settlement and were fed at the expense of the State instead of being made to work and earn their own wages? If they had been allowed to work in the Forest Department outside the jails they would have earned their own wages and Government need not have incurred this expenditure. I do not know why Government thought it fit first of all to take them out and then brought them back to the jails and spent Rs. 45,000 upon their maintenance instead of making them earn their own wages.

Mr. Sri Prakasa (Allahabad and Jhansi Divisions: Non-Muhammadan Rural): Sir, public feeling in this country has long been against the Andamans being retained as a convict settlement. I can understand the anxiety of my Honourable friends opposite to retain it because I believe they are making sure of a place for themselves in their paradise. But so far as we are concerned, we have no desire to go to that paradise and we do not want any of our friends or brothers to go there either. When public feeling is so strong against that, I do not see the reason for Government trying to spend more and more money on it, particularly now when the convict settlement is almost futile.

In answer to some questions in this House the Honourable the Home Member said that the provinces have now the charge of their prisoners; but still this particular settlement is being retained. I do not understand why the Government of India should be called upon to spend so much money for prisoners when we do not want them to go there and when the provinces are willing to take them.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member is discussing the question of general policy. The general policy cannot be discussed now.

Mr. Sri Prakasa: They are spending so much extra money; I would like to oppose this Grant. I would like to know from you how I should oppose it.

Mr. President (The Honourable Sir Abdur Rahim): That is not the function of the Chair.

Mr. Sri Prakasa: The only thing that I can say is that the policy is wrong.

Mr. President (The Honourable Sir Abdur Rahim): When the original Demand was made, that was the proper time to criticise the policy if the Honourable Member wanted to criticise it. Now the only way the Grant can be opposed is, if there is any new service or anything like that, to discuss the question of policy so far as that new service is concerned, or to oppose it on grounds of economy.

Mr. Sri Prakasa: The Demand was made last year, and we opposed it then. We find that, despite our opposition, they have not only used up the Grant, but have spent more money than they estimated at that time. When they know that we do not want that settlement, they should have reduced the expenditure, but instead they have increased it. Therefore, their crime becomes more heinous. We feel that this is a sheer waste of public money. The original Grant was wrong, and when they want more money under the same head, they are making matters worse, because of the strong feeling we have on the subject and because also Government have a method of getting out of this expenditure by sending the prisoners to the various provinces to which they belong, we oppose this Supplementary Grant as unnecessary and wasteful.

The Honourable Sir Henry Oralk: Honourable Mr. Sri Prakasa is under a misapprehension. So far as I recollect, it is not correct that the House refused the grant.

Mr. Sri Prakasa: It was not voted down; but we opposed it.

The Honourable Sir Henry Oralk: The majority agreed to it, and it was passed, so that knocks the bottom out of that argument. Then he suggested that the convict settlement should be closed because Local Governments are willing to take the convicts back. That is not the case. They are not willing to take them back, and it is very natural, as they would have to pay for them in that event, and in present conditions the Government of India pays.

Mr. Sri Prakasa: Why should we pay for their prisoners?

The Honourable Sir Henry Oralk: Because they have refused to take them back. At least two provinces where Congress Ministries are in power have said, "No, we do not want to have these men sent back." The Honourable Member has no basis for either of his pleas. The actual increase in expenditure during the current year was due to the circumstances that are briefly explained in the footnote to the printed statement. It was anticipated that a considerable number of volunteer convicts could be transferred to work in an island at a considerable distance from Port Blair—it is quite a separate one, 20 or 30 miles away by sea—where forest working is in progress, and actual arrangements were made to send a considerable number of convicts to work in the forests there. But an unexpected outbreak of malaria occurred in that island where forest operations are in progress, and it was decided either not to send these men, or, if they had been sent, to bring them back to Port Blair which is free from malaria.

Mr. Sri Prakasa: Malaria in paradise!

The Honourable Sir Henry Oralk: I have said that Port Blair is now practically free from malaria. Malaria occurred in quite a separate island which is 20 to 30 miles from Port Blair, and it was on account of the outbreak of malaria that the convicts who had been detailed to go there for forest work were brought back. The Honourable Member asks what is the rate of wages. I cannot say off-hand, but my recollection is that the lowest wage is about Rs. 13 a month for an unmarried convict, but if he has his wife and children he gets a bigger allowance. Mr. Ranga with his usual inaccuracy has suggested. . . .

Prof. N. G. Ranga: Question.

The Honourable Sir Henry Oralk: I have never found him being accurate—he suggested that these convicts were sent to work in the forests, and that they revolted because of the low rate of pay.

Prof. N. G. Ranga: As a matter of personal explanation, I simply asked for information whether it was so or not: I did not assert that it was so. It is for the Honourable Member to give the information and not to assume that I have made a statement and then to say that it is all incorrect.

The Honourable Sir Henry Craik: The Honourable Member put his question in what is generally known as the form of a leading question, suggesting that the answer was what he stated.

Prof. N. G. Ranga: If you have any facts state them.

The Honourable Sir Henry Craik: I have stated that the suggestion made by the Honourable Member is entirely inaccurate. There was no question of refusing to accept the rate of wages or anything of the sort. They were brought back because it was not desirable to expose them to the risk of malaria. (Interruption.)

Mr. President (The Honourable Sir Abdur Rahim): I must ask the Honourable Member not to interrupt. It is impossible for anybody to speak if he is interrupted like this.

The Honourable Sir Henry Craik: There were other slight excesses in expenditure that could not be anticipated due to the rise in the price of foodstuffs, specially the rise in the price of coal.

Mr. Sri Prakasa: Coal is wanted in hell and not in heaven.

The Honourable Sir Henry Craik: Whether you travel to hell or heaven you want coal if you have to travel by steamer. The other cause was, in December last there was a very severe cyclone which did a lot of damage to crops for which the cultivators had to be given relief. These are the only grounds why there has been this small increase which we could not anticipate.

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

"That a supplementary sum not exceeding Rs. 60,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1938, in respect of the 'Andaman and Nicobar Islands'."

The motion was adopted.

INTEREST FREE ADVANCES.

The Honourable Sir James Grigg: Sir, I move:

"That a supplementary sum not exceeding Rs. 12,00,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1938, in respect of 'Interest Free Advances'."

Mr. President (The Honourable Sir Abdur Rahim): Motion moved:

"That a supplementary sum not exceeding Rs. 12,00,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1938, in respect of 'Interest Free Advances'."

Prof. N. G. Ranga: No explanation is given for the expenditure of Rs. 3,50,000 against charges for destruction of coin. It is in this connection that I wish to mention that if Government had only taken care to put into circulation coins which could not be counterfeited in this country, this expenditure could have been saved. The fact that there are too many spurious coins in this country was brought to their notice on two occa-

sions in this House. I do not know what steps Government took to see to lessen this particular danger from counterfeit coins. If my memory does not play me false I remember that the Honourable Member promised to look into this matter and see what steps could be taken to lessen this particular danger. I do not know what action it has so far taken in that direction.

Secondly, may I know whether it is permissible for the public to return to the treasury several of these counterfeit coins which have fallen into their hands and which they have accepted unwittingly but which later on they found to be counterfeit: and whether they can get good coins in exchange. If not, I want to know what safeguard there is for the public against being deceived by the people who are bringing into circulation these various counterfeit coins.

Thirdly, I wish to make a practical suggestion: that these nickel coins should be withdrawn from circulation because it is very largely in this direction that these spurious or counterfeit coins are coming into circulation. If you withdraw them, the question would then arise what other coin can be expected to take their place. There used to be some time ago silver coins—but the old two-anna silver coin was too small and it would not be so very convenient. But we can very well do without it. We can get on, I think, with four-anna silver coins and it would be quite convenient. It is generally admitted that it is much more easy to counterfeit nickel coin than to counterfeit silver coin. Therefore I suggest that Government should withdraw all these nickel coins from circulation and. . . .

Mr. President (The Honourable Sir Abdur Rahim): That is a big question of policy.

Prof. N. G. Ranga: If they do that then they would be able to economise and this sum of Rs. 3 lakhs odd need not have been spent on account of so many spurious nickel coins. Therefore, I want the Government to give a satisfactory answer.

Mr. Sri Prakasa: Sir, I should like my Honourable friend, the Finance Member, who is an expert in these matters to explain to me the economics of this particular item, namely, charges for destruction of coin Rs. 3,50,000. Are we to understand that the process of destroying costs so much money? I have found that it is quite easy to destroy a coin. It does not cost a rupee to fling a rupee into the fire. If this amount is the value of nickel or paper spent in those coins, then I think there must be some mistake somewhere. I fear that this figure is not quite accurate, as the nickel and paper cannot possibly cost so much. Either we should have a figure showing the exact cost of destroying coins, or the exact cost of the paper and the nickel on which these coins were printed or stamped that have been destroyed, because I seem to have a suspicion that we are going to pay Rs. 3,50,000 in good silver for this token amount in mere nickel. I must confess that I am fairly confused and am not able to understand what this means. I shall, therefore, be glad if my Honourable friend, the Finance Member, will please enlighten me on the subject.

The Honourable Sir James Grigg: Sir, the learned professor as usual is barking up the wrong tree. There is no question of spending Rs. 3½

[Sir James Grigg.]

lakhs in calling in spurious coins and destroying them. It is a question of calling in worn and defaced nickel coins, melting them down and using the nickel again for other coinage: and on the revenue side there will appear the credit for the value of the metal obtained from these destroyed coins. I hope that also answers the learned economic problem, whose purport I was not able to grasp, which was put to me by my Honourable friend, Mr. Sri Prakasa. As regards Prof. Ranga's question as to whether when members of the public present to treasuries and elsewhere what the Americans are pleased to call boloney coins, they will be paid in full for them, the answer is, certainly not.

Prof. N. G. Ranga: What steps are being taken to prevent this counterfeiting of nickel coins?

The Honourable Sir James Grigg: That does not arise on this, but I have given answers on that question, on an average, once a fortnight in this Assembly.

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

"That a supplementary sum not exceeding Rs. 12,00,000, be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1938, in respect of 'Interest Free Advances'."

The motion was adopted.

THE SUGAR INDUSTRY PROTECTION (TEMPORARY EXTENSION) BILL.

Mr. H. Dow (Commerce Secretary): Sir, I move:

"That the Bill to provide for the temporary continuance of the existing protection conferred on the sugar industry in British India be taken into consideration."

I do not expect the House to receive with any great enthusiasm this Bill, the nature of which the shrewder Members of the House must have already been able to forecast from the various answers which I have given to questions during this Session. The facts are as follows: Government appointed a Tariff Board in April last, to examine the state of the sugar industry in the expectation that their report would be ready in October. That would have enabled Government to consider the report and to lay before the House, in fulfilment of the obligation which is laid on them by section 3 of the Sugar Industry (Protection) Act, their proposals in respect of the period from March 1938 to March 1946. Now, for reasons which, so far as I am aware, were entirely connected with the intricacy of the inquiry and the amount of evidence to be considered, the Tariff Board were unable to submit their report until late in December. The report, about which I am not prepared to disclose anything except that it is an extremely voluminous document and that it makes proposals which have to be carefully considered by more than one Department of Government, is one concerning which Government have not been able, during the distractions of a long legislative session, to formulate their final conclusions and so discharge the obligation which is laid on

them by section 8 of the Sugar Protection Act. Honourable Members will also realise that, since the report has been received, there has been legislation in two of the most important provinces from a sugar point of view, and Government have naturally to consider also the effects of this legislation on the industry.

I have already explained in the House that Government, following their usual custom do not propose to publish the report in advance of formulating their decisions upon it. The reasons for this, I think, are generally well understood. At the same time Government do fully realise, and sympathise with, the desire on the part of the industry to have such reports in their hands as quickly as possible. Tariff Reports generally contain a good deal of statistical material and some reasoned analysis of probable future trends in the industry. And these are matters to which industrialists naturally wish to give their early and careful attention. But at the same time hasty and precipitate action by Government would be a far more serious matter for the industry than any delay in publication, and I hope that the House will recognise that fact.

I have now only to say a few words regarding the form of the Bill before the House. The House will see that it not only proposes to extend the present scale of protection for one year by making the necessary alteration in the Schedule to the Indian Tariff Act, but it also proposes an emendation of section 3 of the Sugar Industry (Protection) Act. That is because Government are of opinion that a proposal to continue the existing duty for one year coupled with a statement of their intentions to consider further the duty for the period from March 1939 to March 1946 and to lay their proposals before the Legislature later in respect of that period, would not have been an adequate discharge of the obligation which is laid on them by section 3 of the Act. They are, therefore, seeking to amend this section, and Honourable Members will see that section 2 of the Bill has been so drafted as to have retrospective effect by its own force from the 31st March, 1938.

With these words, I commend the Bill to the consideration of the House.

Mr. President (The Honourable Sir Abdur Rahim): Motion moved:

"That the Bill further to provide for the temporary continuance of the existing protection conferred on the sugar industry in British India be taken into consideration."

Prof. N. G. Ranga (Guntur *cum* Nellore: Non-Muhammadian Rural): I am glad that Government seek to take such prompt action in this matter, but I wish to draw the attention of the House to the fact that when this protection was sought to be given to this industry the intention of the Government was to give protection not only to the manufacturers but also to the growers of sugarcane. It was because of that that Government had brought forward another piece of legislation by which they empowered Provincial Governments to fix wherever it was advisable and necessary minimum price for sugarcane. But, Sir, as we know, in many provinces not sufficient care was taken by Provincial Governments to see that the growers of sugarcane also were as much benefited from this protection as the manufacturers, with the result that sugarcane growers have been very badly affected. The manufacturers have exploited them very badly and the benefit that could be derived from this protection duty has gone almost entirely to manufacturers alone.

Seth Haji Sir Abdoola Haroon (Sind: Muhammadan Rural): In which province have the Government not fixed a minimum?

Prof. N. G. Ranga: In the Madras Presidency in particular they have not fixed any minimum price.

Seth Haji Sir Abdoola Haroon: Bengal?

Prof. N. G. Ranga: I cannot give any definite information, but in Madras they have not done it. In Bengal Dr. Banerjee says that they have not done it yet. Anyhow, as far as Bihar and U. P. are concerned, only recently our *kisans* were complaining that the action taken by the Provincial Governments there was not satisfactory and did not afford them sufficient protection from the manufacturers. It was because of that complaint that the two Congress Governments ever since they came into power had been trying to devise ways and means by which adequate protection could be afforded to the peasants. It is as a result of that I think that the latest scheme—I do not know whether it is shared in by the Bihar Government also—of the U. P. Government has come to be devised. According to it, certain zones of cultivation and production of sugar-cane are fixed for the various factories and each factory is expected to consume first of all sugar-cane produced in that particular area and the only way to try to purchase sugar-cane produced elsewhere. This method has been devised to assure a regulated and steady market for the growers within the area of a particular factory.

But in actual practice what is happening? In the hope that their sugar-cane is going to be purchased by these millowners, many peasants have placed their lands under sugar-cane. They began growing sugar-cane with such enthusiasm that the supply of sugar-cane has overstepped the demand for it coming from the manufacturers. Naturally, the manufacturers have taken full advantage of it. Though there was some sort of a minimum price fixed in the U. P. and in Bihar for sugar-cane, they have forced the peasants to agree to a lower price. If the peasants do not accept a price lower than the minimum price fixed by the State there is no chance for their sugar-cane being marketed at all or purchased by these millowners. Therefore, if we want our sugar-cane growers to be benefited from this protection there is great need for taking necessary steps either to restrict area under sugar-cane in any particular province or for the whole of India in relation to the demand for sugar, or for restricting the area from which any particular manufacturer can be allowed to purchase sugar-cane for his own factory. One or the other of these two methods or both of them may have to be adopted in order to give the necessary protection to these sugar-cane growers. It may be stated that the question of agriculture is an entirely provincial one and, therefore, the Government of India cannot be expected to go into it. But it is relevant that when Government seek to provide protection for this industry as a whole they should take the necessary steps to see, if necessary in co-operation with Provincial Governments, that all interests concerned in this industry, particularly, the growers and the manufacturers, are adequately protected not only from the public and the foreigner who imports his sugar into this country but also from each other, and my charge against the Government of India is that they have not taken adequate care to see that the growers are sufficiently benefited.

It is not only that. If they had not been benefited but if they had been able to earn their livelihood in the ordinary way there would have been some excuse. But, in fact, what has happened is that they have given up growing more profitable crops in the hope that they could make greater profits through the cultivation of sugar-cane. Therefore, they have taken to this, which is more costly to produce. In order to convert their land for the cultivation of sugar-cane they have to invest large sums of money. They have to purchase bamboos, they have to buy manure, they have to keep the land fallow for one or two years. They have to purchase in many cases very costly bullock carts in order to carry the sugar-cane to the factories. In some cases even pneumatic tyres have come to be attached to their carts in order to take the sugar-cane more easily and more quickly to the factories. After having incurred all this additional expenditure and after having staked their all on the production of sugar-cane by which they hoped to make their living, they find that the mills are not prepared to accept their sugar-cane and they are obliged to sell it away for a pittance or even to burn it. When the rise in the sugar excise duty was insisted upon by the Honourable the Finance Member, the sugar manufacturers simply refused to purchase any more sugar-cane. What are these people to do? They had all this sugar-cane in their hands. That is why lakhs of maunds of sugar-cane were burnt away in the provinces of U. P. and Bihar. It is because of that that the Provincial Governments, after the Congress took over office, have been obliged to come to their rescue. I do not know whether the latest steps that they have taken or are about to take are going to benefit these sugar-cane growers, but we are entitled to have information from the Government now when they are going to continue this protection. I am not opposed to this particular protection but when it is being given I want it to benefit not only the manufacturer but also the cultivator. Therefore, Sir, the House is entitled to obtain information on all these points from the Government and also to know whether the Government have assured themselves of the fact that the protective duty is going to benefit the cane growers. Some Provincial Governments have already tried to give effect to their demand that a minimum price should be fixed and some Governments have not given any effect to that particular demand. I want to know whether the Government of India have consulted those Governments and, if so, what their views are and what they are going to do in order to benefit the cane growers.

Mr. Manu Subedar (Indian Merchants' Chamber and Bureau. Indian Commerce): I am not blaming the Government of India for extending this protection for one year, though the question might legitimately be raised as to why this Tariff Board was not appointed a little earlier than it was. This problem of the sugar industry illustrates a good many things and speaking in the absence of the findings and the examination of the problem by the Tariff Board, I will only content myself with mentioning a few of them. For one thing, the sugar industry has disposed of, I hope, once and for all, the superstition and the stigma that Indian capital was shy, that there was not an adequate amount of capital in this country for being put into an industry which offered a reasonable prospect of return to that capital. The expansion, however, of the sugar trade was excessive and though the disaster, which the Honourable the Finance Member predicted in his last year's speech, has not overtaken everybody, because they seemed to be carrying on somehow in the hope that protection was coming soon, there is no doubt that the earlier rate of return to

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the sugar industry has become a dream and that most factories today are not in too flourishing a condition.

The sugar industry further illustrates the necessity of something which the Honourable the Finance Member has repeatedly told this House ought not to arise, namely, a plan. Here is an instance of an expansion which was done without an all-India plan and you see the number of difficulties which it has raised for everybody concerned. May I go over the list of difficulties briefly in order to enlighten the House as to what the effect is. For one thing, difficulties have arisen between the producers and the Government in the sense that the Government of India have not only imposed an excise duty but have increased it, since the finding of the Tariff Board seven years ago. Then, between the Provincial Governments and the Government of India a very large question is looming in front. I do not know whether this question is ultimately to be decided by the Federal Court. To repeated questions of mine, the Honourable the Finance Member has adopted an attitude of reticence for which I do not blame him, for he is not ready with the exact bearings and the exact outcome of the problems which have arisen, namely, as to whether the action of the Provincial Governments in imposing the sale tax does or does not encroach on the preserves of the Government of India and whether the Government have or have not tried to bargain with the Provincial Governments to give them a share of the excise duty in order to buy some kind of peace. I say that whatever immediate arrangements you might make about this, sugar once again illustrates the kind of problem which is bound to arise in the case of many other commodities between the Provincial Governments and the Central Government. We are waiting with interest to see if Government are in a position to give us some information today. Otherwise, I trust that they will take the earliest opportunity to take the public into their confidence as to what is happening.

Take the question with regard to the cultivators—the question which my friend, Prof. Ranga, has raised and which I entirely endorse, namely, if protection is given, should it be to the immediate producers or should others who are concerned in the production of the necessary raw material also be watched and it should be seen that they get fair treatment? Now, there is no doubt and I say this, though I am an industrialist, representing the most capitalistic constituency in this country, that there is no doubt that in some cases producers did take advantage of the weakness of the poor farmers, who brought their crops to the door of the factory. They said they were busy and they did what banks do when there is a run. They count out very very slowly. In other words, they put an arbitrary price and they told the farmers “This is the price. You sell it if you like”. The farmers have no choice. I am told that the sugar-cane, once it has been cut, loses weight as well as quality and if it is not immediately dealt with, it deteriorates completely. I say that it is not right for the State to adopt a policy with regard to the sugar industry, in which the consideration of the farmer is left out. I do not think that it is right that the producers of sugar, who are protected, should have the full benefit and should manage by this means to transfer the entire risk of the trade to the producer of the sugar-cane. If the Government of India is not in a position to say how much sugar-cane there should be grown, if there is no plan or programme of any kind and if the manufacturers do not know how much they will be able to produce next year, how do you expect the

poor cultivator to know whether the crop—which takes generally ten months as against the three months for any other crop—is going to be in demand or not. I am very glad that to some extent this very genuine grievance of the farmers will be put right by the Provincial Governments in the measures which they have taken, though it remains to be seen whether the measures which they have taken will ultimately be found adequate in order to put right all the difficulties in connection with the sugar trade and whether they would not have to be supplemented by other measures.

Then, Sir, I should like to put before this House for one moment the adequacy or inadequacy of the protection which is sought to be given by this Bill. Every manufacturer of sugar will tell you that the present protection is not adequate. By that he does not imply that the scale of duty on imported articles is not adequate. All he implies is that the burden of the excise duty on him is very heavy in the sense that he has to find this money first before goods leave the factory. The protection which on paper is high is lost on account of the many restrictions to which he is subjected, some of which I would support, but there are others which add to his costs and in spite of the fact that the Government of India come and say that they are reviving the protection for another year, there is no doubt that the amount of actual protection which is reaching the industry is being cut down in various small ways.

Sir, I want to put once more a question here. I have to complain on the floor of the House of the evasive replies given by the Treasury Benches opposite. I have made more than one inquiry in order to find out whether the Government of India know that molasses is being exported from India and imported into the United Kingdom, whether it is turned into power alcohol which is being used for motor transport, and if it is so employed elsewhere, why it is not utilised here? This is a waste product which, if not utilised, deteriorates and contaminates and becomes a cause of ill-health to the surrounding districts. But this is a waste product of great value in other parts of the world. In India, however, in spite of the fact that several years have already passed since the sugar protection was given in the first instance, we are still in the stage when the Government Benches are unable even to say whether anything is being done. This is really very unsatisfactory. I am told that much is being done in the Indian States of Mysore and Hyderabad and now we understand that there is a committee of some kind sitting in the United Provinces and in Bihar, but I ask, why has not this question been tackled? It is partly industrial research and partly an issue of encouraging the agriculturist. If molasses could be fully utilised locally, my submission is that the amount of protection which is now being given might or might not be necessary, and I am almost certain that the complaint of inadequacy of protection would largely disappear. If that is so, what I would like to know is why the Government of India, while the Tariff Board was sitting for nearly one year, have not been active in this matter.

Sir, I have been reading that the Government of India have invited the Imperial Chemical Company to utilise, if they so like, the waste material in their salt works. Now, they have given away these concessions without asking any Indian firms whether they can utilise this concession and

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the whole justification there was that it was waste material belong to the Government of India which had to be utilised, and as no Indian firm came forward, they were obliged to give away this concession. All I say is that if the Government of India showed anxiety at the instance of a foreign firm with regard to the utilisation of waste products in their salt works, how is it that throughout the seven years that the consumer has been paying for the protection given to the sugar industry, the Government of India have not taken active steps towards the utilisation of this by-product of the sugar industry of India and it is at present, as far as I am informed, completely thrown to the waste; and it actually costs factories something to get rid of it.

Then I come to the final point that I wish to make on this subject and it is with regard to consumers. At present there is a considerable amount of competition inland amongst the sugar manufacturers themselves and inland sugar is actually selling at a very much lower figure than the figure of any imported article *plus* the duty. This production is now sought to be restricted by the action taken by the Governments of the United Provinces and Bihar. What, I ask, is the relative position of the Provincial Governments and the Central Government with regard to this restriction? At present it is a very salutary position and it has saved the industry from the ruin which it was otherwise going in for under uncontrolled internal competition. What is the upper point? Supposing the control, through associations of trade as in the tea industry and various other industries, became very strict and they were able to restrict the output and by restricting the output they were able to put up the price against the public, have Government got any legal power to control that, and if so, I would like to know what?

Sir, the restriction of output is coming in any case. The action taken in Bihar and the United Provinces must result in the restriction of the quantity of production and that restriction, I fear, will still affect the *kisans* for whom my friend, Prof. Ranga, holds a brief. As I said in the beginning, the sugar industry is an illustration of how a lack of a plan on the part of the Government can lead to difficulties for every section of the population.

The last point I wish to make is with regard to the Indian States. I understand that great efforts are being made in the various Indian States for encouraging sugar cultivation and to set up sugar mills. The Government of India have been carrying on negotiations which the Honourable the Leader of the House has constantly told us the astrologer has prevented him from disclosing, but apart from the negotiations for the Federation which may or may not come about, apart from the political arrangements with the States, may I inquire what the Honourable the Finance Member has been doing during the seven years that the sugar production has continued and during which the excise duty has continued? What has he been doing to enunciate a general principle which would be fair to British India, fair to the States and fair to the industry so far as the distribution of the excise collection is concerned? But apart from this distribution, there is the question of keeping some kind of check on the over-production of sugar in this country as a whole including British India and the States. This last question is of major importance, and if

something is not done, again we shall have the same phenomena of unregulated internal competition and the destruction of capital and labour and also of those who are the suppliers of the raw materials; and it would be unwise not to forestall this disaster by suitable action in time.

Dr. P. N. Banerjee (Calcutta Suburbs: Non-Muhammadan Urban): Sir, the Bill in its present form is of a non-controversial character. It merely seeks to continue the grant of protection to the sugar industry for another year. The Honourable the Secretary in charge of this Department said that the report was received only a short time ago and it has not been possible for Government to examine its contents as yet. I wish the report had been presented a few months earlier so that we might have had the opportunity of discussing it on the floor of this House during the present Session. But we can afford to wait for some time. In the meantime, I hope Government will take steps to publish the report broadcast so that the industry itself may be able to benefit from the recommendations which have been made and the Legislative Assembly itself may be well prepared for a debate on the whole question.

Sir, during the last six years the sugar industry in India has made phenomenal progress. This demonstrates to the fullest extent the success of the policy of discriminating protection. There were many in India who prophesised that this policy of discriminating protection would be doomed to failure and the lie has been given to their predictions. I hope and trust that nothing will be done to go back upon this policy in future and that this policy will be extended to other subjects as well. We should also be careful to examine the results of the levy of the excise duty in its original form and then in its extended form. It should be the duty of the Government as well as of the Legislature to examine very carefully the effect of protection on the mill industry of sugar as compared with the cottage industry. Only the other day the Honourable the Finance Member said that it would be necessary to examine the effect of a protective duty on small industries of the country. That is very essential. While we are committed, on the one hand, to a policy of discriminating protection for the larger industries of the country, we also desire that the cottage and small organised industries of the country should be protected.

Then, there is the question whether any duty, in addition to the excise duty, can be levied by the provinces or not. That is a legal question and let us hope that it will be decided soon. The provinces require more money to carry on their administration and, if it be possible, without infringing the rights of the Central Government and the Central Legislature, we should help the Provincial Governments.

My Honourable friend has raised the question of protection being given to the growers of sugar-cane, I think it is absolutely essential, when we protect an industry, that all the different parties to that particular industry should be protected. In connection with the sugar industry it is very necessary that the interests of the agriculturist should be safeguarded.

Mr. N. M. Joshi: Also labour interests.

Dr. P. N. Banerjee: And labour interests also. I cannot say definitely now how this protection is to be granted without trenching upon Provincial Autonomy, but I believe that by consultation and co-operation

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some method may be found by which protection may be granted to the different interests involved in the sugar industry. I hope and trust that all these complex problems will be carefully considered before a new Bill is placed before this House.

Sir, I support the motion.

The Assembly then adjourned for Lunch till Half Past Two of the Clock.

The Assembly re-assembled after Lunch at Half Past Two of the Clock, Mr. Deputy President (Mr. Akhil Chandra Datta) in the Chair.

Seth Haji Sir Abdoola Haroon (Sind: Muhammadan Rural): Sir, I wish to say only a few words on this Bill. While moving the motion for consideration of this Bill, the Honourable Member in charge of the Bill spoke a few words as to why the Tariff Board report has not been published. He gave several reasons. I submit the Tariff Board report has been in the hands of Government for the past three months, and I am sorry to see that the Government could not come to any conclusion during this interval. Great harm has been done to sugar industry because we have not been informed of the contents of the Tariff Board report. Many speculations have been going on in the country and the industrialists do not know where they stand in regard to this sugar industry. Today the Government have brought forward the Bill and they have explained their inability to decide the matter before. Therefore, they have brought forward this Bill only for one year.

I do not want to oppose this measure. At the same time, I wish to impress upon the Government the fact that when they bring forward a measure next year, they have to consider many things. Several Honourable Members spoke before me and they all urged that protection should benefit the cultivators, the manufacturers and also the consumers. Perhaps the House is aware that the Governments of U. P. and Bihar have passed certain measures in their Legislatures fixing the price of sugar-cane at a rate much higher than that of last year. They have also compelled the sugar factories to take licenses from the Government. I understand they are also arranging the zone system in their provinces. They have also compelled the sugar factories to join in the syndicate. Of course, we are also trying to help the Government of the provinces to stabilise the industry and also to give benefit of protection to the cultivators. The other provinces are now free. Up till now the other provinces have not fixed the rate for sugar-cane, nor are they asking the sugar factories to take out licenses, nor are they introducing the zone system. They are free to erect more sugar factories or extend their factories, whereas in the U. P. and Bihar, they are unable to extend their factories or to manufacture more sugar. We do not know how this Act is worked in these two provinces. Besides, the Indian States have large programmes to erect more and more sugar factories and also to extend their sugar production. According to my information the Indian States are at present producing not less than 80 to 90 thousand tons of sugar, about 10 per cent. of the production of sugar in the whole of India. They are not charging income-tax on sugar factories. Besides that, they are getting the benefit of excise duty on the sugar consumed in British India for their own States. Whenever sugar is exported to Indian States, the States are

charging customs duty. If this state of affairs should continue, I do not know how far the British Indian industry will be able to stand this competition and I am sure the States will monopolise the manufacture of sugar hereafter. These are the difficulties facing the industry in British India.

The Government are now delaying the giving of protection. It is said that they will bring a comprehensive Bill next year. I would urge upon the Government to consult all the provinces and if possible convene a conference of the provincial representatives in Delhi or Simla and consider the whole problem of sugar industry and then decide whether the Act should only be for U. P. or Bihar or whether it should be extended to other provinces also.

Sir, at present the position is that factories already set up are producing more sugar than India can consume. And Honourable Members are aware that there was great opposition last year when Government passed a law that no sugar should be exported from India to any other place except Burma. So, on the one hand they have stopped the export of sugar and on the other hand the sugar produced is more than India can consume. So, now they have to seriously consider how they can, not only give protection but also stabilise the industry for the future. Even at present the industry is paying about four crores of rupees to Government as excise duty. It is a great advantage to Government to get such a big income, but since this industry was established Government have not left them in peace. They have put an excise duty not only in the first year but twice, and besides that they have taken no steps to stabilise the industry. Sir, I hope Government will consider the suggestions I have made before they come up next year with a fresh Bill. I know there is an impression generally that the industry has been established on account of the Sugar Protection Bill, but my own view is that, before the sugar protection duty came, the ordinary import duty was the same as the protection duty today. It is not only in this country that the sugar protection duty is so high, but nearly all over the world it is as high as it is here, if not higher. Therefore, Sir, I think that Government should not rest content with giving protection only but they should consider how to stabilize the industry and support it so that they may get more and more money. Sir, I support the Bill.

Maulvi Muhammad Abdul Ghani (Tirhut Division: Muhammadan): Sir*, when at first the Sugar Industries Protection Act was passed it was stated that the sugar industry as a whole would benefit by the tax imposed on it. But, believe me, Sir, if I say that the plight of the sugar-cane cultivators has gone from bad to worse since the Act came into operation so much so that last year in the province of Bihar there was practically no demand whatsoever for sugar-cane. Sugar factories were not prepared to take even a maund or two for their consumption. The result was that cultivators had to burn lakhs of *bighas* of sugar-cane. Imagine the suffering of the poor cultivators from this single instance.

Now, Sir, a cultivator prepares his field for this purpose for six months in some cases and for full one year in others, and then supervises the cultivation of sugar-cane for another year. This means that one sugar-cane field remains confined to the cultivation of sugar-cane for a year and a half. Now, take the cost that he has to pay during this period by way of rent for land,

* Translation of the Honourable Member's Speech delivered in vernacular.

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price for manure, the wages for working the field and the price for seed. Total this up, and you will find that the outlay is one and a half times more than the price at which sugar-cane can be sold in the market. Even according to experts the price for sugar-cane would be eight annas per maund; but since this Act came into operation no factory has ever offered to buy sugar-cane at the rate of eight annas per maund. The poor cultivator suffers further when his load of sugar-cane is weighed. Already on his way to the market people have snatched canes from the bullock cart. Let me assure you, Sir, that no cultivator in these circumstances would like to suffer like this and go on cultivating sugar-cane. But he has no other alternative. The reason is that he has no other means of getting a return in cash for his labours. Formerly he could get money in cash by selling his stock of oilseeds and opium and thus pay off the land tax. But now, except through the cultivation of sugar-cane, he has no other means of getting money in cash. I am myself a cultivator and as such fully know his grievances and grief.

Sir, prior to the passing of this Act the cultivators could get the price of their sugar-cane by working on nine maunds of sugar-cane per day. I am rather compelled to say that this Act was made only for the benefit of the capitalists, and only the capitalists have been benefiting by the protection afforded by this Act. Previously they used to make 50 per cent. profit. They are making 25 to 30 per cent. profit even now. Just imagine. What other business line is there in the world which would fetch so much profit? Even when the Government of India float a loan at 3 per cent. return they get so much money that the loan has to be closed down early. I cannot understand why Government have not placed any restrictions yet on the profit the capitalist class earns. Now, Sir, when the plight of the cultivating class became very critical the Governments of the U. P. and Bihar had to fix a minimum price for sugar-cane in places where 80 per cent. of production is that of sugar-cane. But that, too stands at five maunds only and has been objected to by my Honourable friend, Sir Abdullah Haroon.

This Act is still a temporary measure. The latest findings of the Tariff Board on the subject have just appeared in their report, and Government evidently have not had time to consider them. I do not, therefore, propose to oppose this Bill, but I must tell the Government that when next they bring any amendment to this Act they should see that the rights of the cultivators are fully safeguarded. After fixing the minimum profit for the capitalist the minimum price should be fixed for the cultivator according to the surplus left over, so that the cultivator may also benefit by devoting his time and money to this kind of cultivation. The capitalists opened mills upon mills in the beginning and within the course of three years made up for all their expenditure. They do not have to pay interest on their expenditure now. It is only the establishment charges that they have to meet. The balance left is all profit.

In this connection, Sir I might say one thing more, and it is this that the excise duty imposed by Government on sugar is not to the benefit of the cultivators. The Government of India should offer to help them from this source of revenue by supplying them with manure and seed free of cost.

Molasses at present are all wasted. They can be very useful in the process of manuring. It would be just as well if the cultivator is taught

how to make use of it. Already they are used in preparing alcohol and sweets. In my province, in Saran district, there is a sugar factory called the Marhawra Sugar Factory. There they deal with this thing, and the profit too is quite large. If this could be introduced in all other factories, a part of the profits thus made could very well be diverted to the advantage of the cultivator. It would not be advisable for Government to grant a free contract for molasses to any outside company. The poor cultivator, Sir, is made to suffer in several ways. He is offered less price for his goods. This tells upon his happiness. Those living within close range of sugar factories suffer from mosquitoes and stench produced by the foul water released from the factories. This tells upon their health. Most of them generally suffer from cold and other ailments of the chest. All this is because almost all the factories burn dry and crushed bits of sugar-cane for fire instead of coal. The ash gets mixed up with the air, and when this air is constantly inhaled by these people it naturally injures their health. I hope, Sir, that Government would in future pay more regard to all these aspects in the life of the poor cultivator.

Mr. H. Dow: Sir, it seems to me that in replying to the debate, it would be inappropriate for me to attempt to reply in detail to the criticisms that have been made. I have given, as Government's reason for not bringing forward a major comprehensive measure, the fact that Government have not fully considered this report, and I should not like to convey, by attempting to answer these points in detail, the impression that Government have in fact made up their mind on these matters. I can, however, promise that Government will take very carefully into consideration the points that have been made.

There are, however, just one or two points made by one or other of the three learned Professors of Economics who have addressed the House on this occasion, to which I may perhaps refer. First of all, Mr. Manu Subedar asked why Government did not appoint the Tariff Board earlier. That, I think, is a perfectly good and legitimate point, and had it been realised that the Board would take longer than the usual run of Tariff Boards, no doubt Government would have appointed this Board a few months earlier. But, at the same time, I should like to point out that here, while getting over one difficulty, we should have come up against another. It is inadvisable to appoint a Board too long ahead of the date when one expects to take action on its report, and in this particular case I have already pointed out that the matter has been complicated by the legislation which has been passed in two provinces since the date of the report. In this particular instance, that would anyhow have had to be taken into consideration, so that I do not think we should really have been very much forward even if we had appointed the Board two months earlier.

Prof. Ranga—and I think Prof. Banerjee to some extent supported him—pointed out that this protection is not meant to be given only to the sugar milling industry, but to the sugar industry in general. That is a point which Government certainly did have in mind at the time of the last Bill, and which they will have in mind again. It is true that one frequently sees statements in the press which might lead one to suppose that the only part of the industry, which was entitled to protection, was the sugar milling industry. Prof. Ranga then went on to talk about the necessity of fixing a price for cane in other provinces as well as in the U. P. and Bihar. In the first instance, as you know, that is a matter

[Mr. H. Dow.]

for the Provincial Governments rather than for this Government to consider. But 80 per cent. of the Indian production of cane is grown in these two provinces which have already fixed a price, and I understand that the only reason why the Madras Government have not fixed a price for cane is that they are of opinion that the price already obtained by the cultivator for his cane is considerably in excess of any minimum price that they could reasonably fix.

Then it seemed to me that a good deal of what Mr. Manu Subedar said was really a complaint against what I might call the remorseless working of natural economic laws, rather than a specific complaint against any action Government had taken or proposed taking. There was another gentleman of the same name a long time ago who made laws, but the laws of Manu were of a different nature to economic laws. His laws were promulgated by an exercise of executive authority, but it is no use trying in this way to alter natural economic laws. As an example of what I mean, I may refer to the complaint that Mr. Manu Subedar made twice during his speech about uncontrolled and excessive internal competition in the Sugar trade, and he seemed to think that Government ought to take measures to stop it. Now, if there is excessive protection, it seems to me that excessive internal competition is almost bound to be the result. I suppose that his suggestion was that Government, while maintaining excessive protection, ought to restrict the number of people who could take advantage of it. I do not think myself that legislation of that kind would be a suitable method, to try and prevent the operation of an inexorable economic law.

Sir Haji Abdoola Haroon, I think, was a little unfair when he suggested that Government had had this report in their hands for three months, and had time enough to have dealt with it. He however, it seems to me, proceeded to demolish his own point by trying to impress on Government what a great deal they had to do before they came up next year with the measure which has been adumbrated. If we were now placing our final conclusions before this House, it is quite obvious that we should have had to do all that he has suggested we ought to do next year; and the suggestion that this could have been done in the last three months, of which two months have been occupied by this Session, is as I think he will agree on reconsideration, hardly practicable.

Sir, with these words, I commend the motion for the consideration of this House.

Mr. Deputy President (Mr. Akhil Chandra Datta): The question is:

"That the Bill to provide for the temporary continuance of the existing protection conferred on the sugar industry in British India be taken into consideration."

The motion was adopted.

Clauses 2 and 3 were added to the Bill.

Clause 1 was added to the Bill.

The Title and the Preamble were added to the Bill.

Mr. H. Dow: I move:

"That the Bill be passed."

Mr. Deputy President (Mr. Akhil Chandra Datta): Motion moved:

"That the Bill be passed."

Prof. N. G. Ranga: Sir, I am sorry I was not here when my Honourable friend was replying to some of the points that I raised this
3 P.M. morning

Mr. Deputy President (Mr. Akhil Chandra Datta): The Honourable Member ought to have been here.

Prof. N. G. Ranga: That is why, Sir, I expressed my regret for not having been here. I am told that the Honourable Member took shelter behind the fact that this question of fixing a minimum price is an entirely provincial matter and therefore it is to be left to the provinces and the Government of India cannot be expected to do anything more than what they have done. I hope I have correctly stated his position. When this question came up before this House, my Honourable friend, Sir Girja Shankar Bajpai, (he was then only a Mr.), stated in reply to a complaint made that the fixing of the minimum price was made only a permissive thing and, therefore, the Government of India was leaving it to the initiative of the Local Governments—he said:

"I think there are two substantial sanctions upon which we can rely for that consummation to be achieved. The first is the pressure of public opinion. I think it may be taken for granted that agricultural interests which are predominantly represented in the local councils will see to it that machinery of this kind, if its application is necessary, is applied. The second is the one contained in the announcement made by the Honourable the Finance Member that a fraction of the receipt from the excise duty, that is to say, subject to a maximum of one anna of the total yield out of every rupee from the excise duty may be given to the provinces in order to enable them to organise the machinery and generally to pay for the cost of administration. That is our position and we expect that the Bill which we have now placed before the House, if it is passed, will be applied by the provinces."

This is what he stated. As far as these two sanctions are concerned, I regret to say that they have not worked so far in Madras and Bengal provinces. I am told that the Honourable Member Mr. Dow said that in Madras the price that rules in the market is considerably higher than any minimum that could be fixed. I do not know what he meant by that

Mr. H. Dow: You had better ask the Madras Government.

Prof. N. G. Ranga: I know one thing, that my Honourable friend, Mr. Dow, should also consider it his duty to try to understand whether what has been represented to him by the Madras Government is reasonable or not. Today there is a price ruling in the market. The cultivators there find it to be not profitable for them to grow sugar-cane and then sell it at that price and, therefore, they want a regular inquiry to be made into the costs of cultivation and to make a recommendation whether or not the existing price can be considered to be absolutely the minimum, or whether a higher figure can be fixed as the minimum price permissible for their cane

Mr. F. E. James (Madras: European): They have had that inquiry.

Prof. N. G. Ranga: They have not evidently taken the trouble to make that inquiry. My Honourable friend, Mr. James, tells me that the Madras Government has made that inquiry. When was it? More than two years ago—that was by the Raja of Bobbili. Recently attempts were made again by the sugar-cane growers of Hospet and other places to influence the Congress Ministry to fix a minimum price, and it may be that my Honourable friend has in mind that the Congress Ministry has made certain inquiries. To the best of my knowledge, the facts are these: the Honourable Mr. Giri, the Minister in charge, has called for a conference of all the interests concerned, millowners and the growers; and at this conference it was ascertained that the price that was being paid at Hospet by the mill concerned is certainly very much lower than the price that was being paid by the manufacturers of sugar in other parts of the same province; and it was also found that certainly if only this Hospet factory were managed properly and efficiently as it ought to be, it must be in a position to pay very much higher prices than it was paying, and suggestions were mooted at that meeting how best the particular factory can be improved in its efficiency and so on. But in the end the outcome of the conference was only this: that the Minister in charge was obliged to ask the interests concerned to come to some sort of private understanding or undertaking because he found that it might be considered to be rather high-handed and unreasonable by the manufacturer himself if he were to force the manufacturer straightaway to agree to a higher figure. This private understanding did not materialise, because the manufacturer was not prepared to improve his own internal administration according to the discussions that took place there; and the peasants themselves were not prepared to accept the minimum price that the manufacturer was prepared to offer them. Therefore, the negotiations proved abortive. What is the next thing open for the Madras Government, to do? To take advantage of this particular Act and then fix a minimum price. They would have done it if they had felt, as my Honourable friend here himself stated, the necessary pressure of public opinion.

Sir, this pressure of public opinion is a very nebulous thing. Supposing all the manufacturers in a particular province refused to pay the requisite minimum price, then it is easier for the sugar-cane growers to influence the public opinion of the people and then work it up to such an extent as to oblige the Ministry, whether it is a Congress Ministry or any other Ministry, to take the necessary action. If on the other hand several of these factories do take the necessary action in the interests of the sugar-cane growers but somehow one or two of the manufacturers do not wish to pay the necessary minimum price to the cultivators, then it is obvious that it is not quite so very easy for these people to work up the necessary public opinion and force the Government, whether it is a Congress Government or any other Government, to do its duty by the cultivators and give them the necessary protection. That is why I think in the very beginning the Government had made a mistake in making the duty of having to fix a particular minimum price an optional one instead of making it a compulsory duty.

I do realise the difficulties that are in the way of making this particular duty an obligatory one on the part of these Provincial Governments. My Honourable friend, Sir Girja Shankar Bajpai, has stated them here very lucidly in his own speech—I need not mention them—conditions change from place to place even within the same province, and from province to province; but it should not be considered to be unreasonable

or impossible to expect every Provincial Government to inquire into the local conditions prevailing in the neighbourhood of every factory and then fix the minimum price whatever that may be. It may be that the minimum price fixed for the zone of a particular factory may be different from that fixed for another zone of any other factory; but there must be a minimum price for every area. If there is to be no minimum price at all, because wiseacres on that side may consider it to be unwise, then I do not see any reason why on earth there should be this protective duty at all. After all there are factories and factories; there are factories that are prosperous and factories which are losing; and yet do you distinguish between these two kinds of factories and give protection only for those factories which are making no profits? No. You establish this protective duty in order to give protection to all factories, whether some of them are making profits and others are losing very heavily or not and so on. Similarly, I want this duty to be laid on the shoulders of the Provincial Governments that they should fix a minimum price, whether that minimum price is to be the same over the whole province or is to vary from factory to factory or from town to town.

Secondly, last year when the discussion on the Finance Bill was taking place, we raised the point of incidence of the sugar excise duty and we tried to show that, after all, the additional incidence of the sugar excise duty was going to fall upon the shoulders of cane growers themselves and therefore, the cane growers ought to be protected from these manufacturers. I have already stated in the morning what was the immediate result of the rise in the sugar excise duty that was effected during last year. In those two provinces, the U. P. and Bihar, lakhs of maunds of sugar-cane came to be burnt away merely because the sugar-cane growers did not know what other use they could possibly make and the manufacturers were not prepared to accept their sugar-cane. Is that the prospect that the Government of India want to be repeated year after year and in every province? I hope they are not so bad as all that. If they did not want it, we wanted them to show some consideration to the growers. What did the Government of India say? My Honourable friend, Sir Girja Shankar Bajpai, said on the 18th March, 1937:

"For this purpose, industrialists have to come together and get away from the era of unregulated competition. It is equally necessary that the stimulus which has already been given to the production of cane and which has resulted in its expansion—that this particular activity connected with the production of cane should be regulated. What is indicated by that is that tea, coffee and other industries which, as stated by my friend, Prof. Ranga, yesterday, have organised themselves in order to adjust themselves to modern economic conditions, the sugar industry should also be assisted by Government to organise itself by a co-ordination both of the industrial and agricultural activities. Government have given thought to it and they have come to the conclusion that on the model of the Indian Central Cotton Committee, or the recently created Jute Committee, there should be a sugar committee which will hold the balance even between the various interests concerned, namely, the manufacturer and the agriculturist. And, inasmuch as these organisations function to little purpose unless they have funds at their own disposal, Government have also come to the conclusion that a committee of this kind should be placed in funds to an amount, to begin with at any rate, not exceeding Rs. 5 lakhs per annum in order to devote itself to the study of both the agricultural and technological problems of the sugar industry."

This is what he stated and we took it for granted that this Committee was going to be constituted, that this fund was going to be placed at the rate of five lakhs per annum for a period of five years at least and something was going to be done to help the peasants to market their produce to better purpose than had been possible till then. Recently when I put

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a question I was given the answer that the Committee has not yet been constituted and we do not know what is going to happen to this Committee. What has happened to the last year's grant of five lakhs we do not know, whether the Government propose to constitute this Committee at all, and if so, on what lines, to discharge what duties, and for how long, and whether they are going to place this amount of Rs. five lakhs for the first five years at least, we do not know. Unless our sugar-cane growers are helped to develop better marketing facilities and are helped not only to grow more sugar-cane on their lands but also grow sugar-cane of better sucrose content, it is no good trying to say that this protection is intended to benefit the whole of the sugar industry. I want the Government to give us an assurance that this Committee has been constituted or is going to be constituted, and when it is constituted, all interests, particularly the peasants, are going to be adequately represented on it—not only the peasants of one or two provinces but of all the provinces which are interested in sugar-cane growing. I also want another assurance that Government will take the earliest possible steps to establish the necessary crop planning so that there will not be unnecessary over-production of sugar-cane to the detriment of sugar-cane growers, that sugar-cane growers would be helped to grow only that much of sugar-cane as can be profitably marketed in this country. Unless Government take us into their confidence and give us adequate assurances in regard to these, it is difficult for us to believe that Government really is having in this regard the interests of the agriculturists at heart. So, I hope the Government will place all the facts before the House.

Mr. Suryya Kumar Som (Dacca Division: Non-Muhammadan Rural): I desire to make a few observations so that the Government may take them into consideration when they consider the report of the Tariff Board. The cotton industry and the sugar industry are the two industries which really benefit the cultivators to a very great extent. If there is an improvement in these industries the lot of the peasants improves and if the industry goes down, there is also a decline in the condition of the peasants. Under the circumstances, it is very desirable that every help should be given by the Government for the development of the sugar industry. It was only in 1982 that protection was given to the industry and it is a very strange phenomenon—I think there has been no such phenomenon in the rest of the world—that within five years India has become not only self-sufficient to produce its own sugar, but it is expected that within a year or two it will have a sufficient margin for export. It is a tremendous development and we know how the cultivators have been benefited who supply the raw materials of this industry. Therefore, this industry deserves every help from the Government, but it is a pity that in the year 1984, that is, within two years of the imposition of the protective duty, the Government began to levy an excise duty, that is, they took away with the left hand what they gave with their right hand. No reason was given for this except financial necessity on the part of the Government, because the whole amount comes to Rs. three or five crores. This excise duty is a great handicap on the industry. And whom does it affect? Not the capitalists like our friend, Seth Haji Sir Abdoola Haroon, or the Birlas. It really affects the poor cultivators. When the sugar mills give Rs. 5,000 or Rs. 10,000 as excise duty, they do so by reducing the price of the sugar-cane payable to the cane growers for whom my Honourable friend, Prof. Ranga, is trying

so hard. So, it is really taking some money out of the pocket of the cultivators and it is a very iniquitous tax and his excise duty should be abolished and I appeal to the Government, when they will consider the Tariff Board's report, also to consider whether the excise duty should be withdrawn.

Then comes the question that my friend, Mr. Manu Subedar raised. He said that complaints have been made from some quarters that there is or is going to be over-production in the country. His suggestion seems to be that there must be an Act prohibiting the establishment of new mills in the country. Of course, when the question of over-production comes in the question of internal competition also does come in. It is true, but the real solution is not this. The real solution is not to stop the development of the industry by prohibiting the establishment of new mills, but the real remedy is to allow them to export this excess production to foreign countries. A most iniquitous Convention was gone into by the Government without consulting this Assembly, debarring India from exporting its sugar to any other country except Ceylon and Burma. That was most iniquitous and in view of the fact that the Government found that the industry has developed to such an extent in five years that it has almost overgrown, they could very well see that in a very short time India will produce much more sugar and that they must give facilities for its export. But what do we find? The Government have behind our back entered into this Convention with other sugar producing countries that India should not export her sugar. I have a shrewd suspicion about the motive underlying that Convention. We know that the British people are not very much concerned with the sugar production business. So, why of all countries England has come to an agreement like this I cannot understand. My shrewd suspicion is that the British Government wants to be friends with the Dutch Government which is a great producer of sugar.

Mr. H. Dow: That is a suspicion but not a shrewd one.

Mr. Suryya Kumar Som: I think the British Government was very eager to be friends with the Dutch Government in order to protect the Singapore base. I suspect you wanted to be friendly with the Dutch Government, so that Japan may not get a footing near about Singapore. The real remedy for the over-production is to do away with that iniquitous international Convention, as you call it, and I appeal to the Government to consider all these questions when they come to a final decision on the report of the Tariff Board.

Now, my Honourable friend, Mr. Manu Subedar, is not probably aware of another fact. In the United Provinces and Bihar, the sugar-cane contains only 13 or 14 per cent. sucrose, whereas in Bengal sugar-cane contains 18½ per cent. which is 2 per cent. more than what Java cane could give even by scientific cultivation during the last 25 years. It is a strange phenomenon and it has been examined by the Bengal Government and it has been found that the Bengal sugar-cane contains 18½ per cent. of sucrose—in East Bengal, Nadia, Rajshahi and Rungpur. I had an idea of starting a mill myself and I examined all these questions. There is a Government publication where you will get all this. I have spoken from the point of view of quality. From the point of view of quantity, in Bihar and U. P. they produce 600 maunds of sugar-cane per acre whereas in Bengal even without any scientific manuring they can produce 800 to

[Mr. Suryya Kumar Som.]

1,000 maunds per acre. Now, I think, that my friend, Mr. Manu Subedar, was not aware of these facts. His suggestion will stop Bengal from starting any new mills. I am sorry to say that Bengal has not set up more than two or three mills as yet. Those mills are very small. They have a capacity of 150 to 250 tons. One mill only has a capacity of 500 to 600 tons. So, the remedy does not lie there. The remedy lies in doing away with that iniquitous Convention. I make all these suggestions so that Government may take them into consideration when they are considering the report of the Tariff Board. With these remarks, I resume my seat.

Mr. H. Dow: I do not think it necessary, because the Honourable Member opposite, Prof. Ranga, considered it necessary to repeat on the third reading a good deal of what he had said on the second, to repeat that part of my speech, which was in answer to him. He did, however, go on to make one other point which I think I ought to answer, and that is the delay of Government in setting up a Sugar Committee. What has happened is that as long ago as last July we addressed those Local Governments who are primarily concerned about the formation of this Sugar Committee, and that up to the present we have not received a reply from the most important of these Governments, namely, the United Provinces Government. I dare say that the delay is very largely due to the fact that the United Provinces, and also Bihar, have been very busily occupied with legislation dealing both with the manufacturing and the cultivating side of the industry. But I think Prof. Ranga will agree that until we do get a reply from the United Provinces Government, it is impossible for us to go on with the consideration of the formation of the Committee and still less to decide how we should dispose of the funds which have been promised to that Committee. That, I think, is all I need say.

I rather gathered from Mr. Som's speech that he did not expect me to reply to the various points that he raised, at this stage, but he wished them to be taken into consideration while the Tariff Board's report is under consideration. That I can certainly promise, will be done.

Mr. Deputy President (Mr. Akhil Chandra Datta): The question is:

"That the Bill be passed."

The motion was adopted.

THE WORKMEN'S COMPENSATION (AMENDMENT) BILL.

Mr. A. G. Olow (Labour Secretary): Sir, I move:

"That the amendments made by the Council of State in the Bill further to amend the Workmen's Compensation Act, 1923, for certain purposes, be taken into consideration."

Sir, these amendments are of a purely grammatical character. They were rendered necessary by the acceptance of certain amendments that were moved here on the floor of the House which did not fit in grammatically with the clauses as they stood, and no change of substance is involved.

Mr. Sri Prakasa (Aliahabad and Jhansi Divisions: Non-Muhammadan Rural): Who is responsible for the grammatical mistakes?

Mr. A. G. Olow: Honourable Members opposite moved the amendments and I did not notice that they were not entirely grammatical.

Mr. Deputy President (Mr. Akhil Chandra Datta): The question is:

"That the amendments made by the Council of State in the Bill further to amend the Workmen's Compensation Act, 1923, for certain purposes, be taken into consideration."

The motion was adopted.

Mr. Deputy President (Mr. Akhil Chandra Datta): The amendments made by the Council of State in clause 2 are as follows:

- "(i) in sub-clause (a), the word 'and' at the end was omitted;
- (ii) to sub-clause (b), the word 'and' was added; and
- (iii) in sub-clause (c), for the words 'be inserted' the words 'shall be inserted' were substituted."

Mr. Sri Prakasa: I hope some one has made sure of the grammar, because the knowledge of grammar of the elders is not such on which we can rely.

Mr. Deputy President (Mr. Akhil Chandra Datta): The question is:

"That the amendments to clause 2 as made by the Council of State be agreed to."

The motion was adopted.

Mr. Deputy President (Mr. Akhil Chandra Datta): The amendments made by the Council of State in clause 8 are as follows:

- "(i) in sub-clause (a), the word 'and' at the end was omitted;
- (ii) to sub-clause (b), the word 'and' was added; and
- (iii) in sub-clause (c), for the words 'be added' the words 'shall be added' were substituted."

The question is:

"That the amendments to clause 3 as made by the Council of State be agreed to."

The motion was adopted.

THE SIND SALT LAW AMENDMENT BILL.

Mr. A. H. Lloyd (Government of India: Nominated Official): Sir, I move:

"That the Bill to amend the law relating to salt as at present in force in Sind, as reported by the Select Committee, be taken into consideration."

In making this motion I have not much to say because the Select Committee has gone in detail into the provisions of the Bill. In that Committee we have made certain changes which I gladly acknowledge improve the Bill and I express my gratitude to my colleagues on the Committee for the trouble that they took in going into the matter, especially in view of the great difficulty with which they were faced owing to the shortage of the copies of the actual law as at present in force in Sind which were available. There are only two things which I should mention, but they do not arise out of the Select Committee's report.

[Mr. A. H. Lloyd.]

The first is regarding the expression "official gazette" which occurs in one or two places in the law which is being amended. The proposal, as I have explained before is, when this Bill has gone through if it is passed, that all the powers which are at present conferred on the Government of Sind will be conferred upon the Central Government, but the intention is that as soon as that happens they will be entrusted, by an order under section 124 of the Government of India Act, to the Government of Sind. Some of the functions which will be so entrusted are accompanied by a provision in the law enjoining that the action taken in exercise of that function shall be published in the official gazette. The question was raised as to which official gazette was meant. We in the Government of India at least feel no doubt whatever that if and when the functions of the Central Government are entrusted to the Provincial Government, then the consequential publication of the action taken in exercise of those functions in the official gazette will have to be done in the official gazette of the province. We base this view upon the clear wording of clause 87 (a) of section 3 of the General Clauses Act, which defines the official gazette as meaning the official gazette of India or, as the case may be, the official gazette of a province. It seems to be perfectly clear that when a function has been entrusted to the Government of a province, then the official gazette concerned is the gazette of that province. It was, however, suggested that it might happen that some of these functions would not be entrusted to the Government of the province and in that case the official gazette would, of course, be that of the Government of India and it was considered desirable that the people of the province also should have the advantage of seeing the announcements in their own gazette. In that connection I wish to say that I cannot imagine that there is the slightest possibility of any of the functions which we are now formally resuming to the Central Government and proposing to entrust to the Provincial Government being not so entrusted but being retained by the Central Government unless the stage is reached when the amendments made in 1925 are applied to the law as in force in Sind, in which case the Act as amended by this Bill will cease to exist, and the point will not arise. That is all I need say about the official gazette.

There is one other point I would like to mention in connection with a subject which is very present in the minds of Honourable Members opposite and that is to make it perfectly clear that whether this Bill is passed or whether this Bill is rejected, it will not make the slightest difference to the position in regard to the working of the Delhi Pact, with regard to certain salt concessions as in force in Sind. Sir, I move.

Mr. Deputy President (Mr. Akhil Chandra Datta): Motion moved:

"That the Bill to amend the law relating to salt as at present in force in Sind, as reported by the Select Committee, be taken into consideration."

Mr. M. Ananthasayanam Ayyangar (Madras ceded Districts and Chittoor: Non-Muhammadan Rural): Sir, I have no objection to the Bill being passed into law, but I have only one remark to make with regard to the jurisdiction of this Assembly to pass this Bill. There is an existing Act of the Bombay Legislature, Act II of 1890, which covers the entire subject as in Bombay. The present Bill seeks to enact certain provisions of the Bombay Act also. My only doubt is if it is open to this Legislature to pass a certain law to repeal or to alter certain of the provisions

of that Act. That Act was not passed by this Legislature. Therefore, if a substantive Act has to be passed superseding that Act, or if all the provisions in the existing Act II of 1890 covering this matter have to be embodied in this Act, so that this Act as a whole may have jurisdiction over salt manufacture in the whole of Sind, the position becomes this. In that way, if a consolidated Act is passed by this Legislature, the Provincial Act will become *ipso facto* void. But if we seek to amend only certain provisions of this Act and that Act having not been passed by us, I feel a doubt as to whether this Legislature has jurisdiction to enact such an Act. I, myself, and my Honourable friend, Mr. Sri Prakasa, have, therefore, appended a minute of dissent stating the reasons for this objection to the passing of this Bill by this Legislature. If the House finds that this House has jurisdiction to pass this Act, I have absolutely nothing to say. Anyhow, I thought it my duty to bring to the notice of the House that we have no jurisdiction to pass an Act in the form in which it is brought, amending only certain sections here and there of an Act which is not passed by this Legislature.

The Honourable Sir Nripendra Sircar (Law Member): Sir, although I do not agree that there is any reason for the fear which has been expressed by my Honourable friend, Mr. Anthasayanam Ayyangar, I rather welcome his short speech because that gives me an opportunity of expressing the reasons for holding that there is no question of *ultra vires* on the present occasion. I would like to make a statement explaining why we feel that this point is free from difficulty. We think that the Minute of Dissent proceeds on rather a misconception of the constitutional position. A legislation could not be *ultra vires* of the Central Legislature merely because it seeks to amend an Act passed by a Provincial Legislature before the coming into force of the new Constitution. Central legislation will be *ultra vires* only if the Provincial Act, which it seeks to amend, relates to a subject on which the Central Legislature is not competent to legislate. That is obviously not the case here and the Bombay Salt Act of 1890, being Act II of 1890, which is the only provincial Act with which the Bill is concerned, the other being an Act of the Governor General in Council, relates exclusively to the Central subject of salt as per Entry No. 47 in List I, and it has been treated on that footing in the course of adaptation. The dictum of the Privy Council in the Canadian liquor licence case, reported in 1896 Appeal Cases, at page 349, that Dominion enactment, when competent, can over-ride but cannot directly repeal provincial legislation, proceeds on the ground that "neither the Parliament of Canada nor the Provincial Legislatures have authority to repeal Statutes which they could not directly enact". I draw the particular attention of Honourable Members to these words "which they could not directly enact". It follows, therefore, that the dictum has no application where the Central Legislature is competent directly to enact the legislation which it seeks to amend or repeal, as is the case here. The position, therefore, is that far from the Central Legislature being incompetent to legislate in terms of the Bill, it is the only Legislature which is competent to do so, and the Provincial Legislature of Sind has no power whatever to enact legislation on the subject in question, namely, salt. Indeed, the adoption of the view implicit in the Minute of Dissent would lead to the curious result that neither the Central nor the Provincial Legislature would be competent to enact the legislation in question, which is an obvious *reductio ad absurdum*.

Mr. Deputy President (Mr. Akhil Chandra Datta): As I understood the Honourable Member from Madras, I take it that he has not raised a point of order.

The Honourable Sir Nripendra Sircar: I do not think he has asked for a ruling.

Mr. Deputy President (Mr. Akhil Chandra Datta): That is what I am stating. If I understood him correctly, he simply expressed his apprehension, but did not seriously and formally raise any point of order. Therefore, I now put the motion to the House.

The question is:

"That the Bill to amend the law relating to salt as at present in force in Sind, as reported by the Select Committee, be taken into consideration."

The motion was adopted.

Clauses 2 and 3 were added to the Bill.

The Schedule was added to the Bill.

Clause 1 was added to the Bill.

The Title and the Preamble were added to the Bill.

Mr. A. H. Lloyd: Sir, I move:

"That the Bill, as amended by the Select Committee, be passed."

Mr. Deputy President (Mr. Akhil Chandra Datta): Motion moved:

"That the Bill, as amended by the Select Committee, be passed."

Mr. Sri Prakasa (Allahabad and Jhansi Divisions: Non-Muhammadan Rural): Sir, I only express my regret that we did not know the statement as read out by the Honourable the Law Member beforehand, because I gather that this matter is something about which, if examined further, neither this Legislature nor the Sind Legislature has any right to legislate. That is exactly what we wanted about salt. We have been wanting that there should be no legislation about salt at all in this country. We want free salt. If we had only known it in time, we might have pressed our suggestion and got a favourable ruling from you. But, as things stand now, we are helpless and we must allow this Bill to be passed into law.

Mr. Deputy President (Mr. Akhil Chandra Datta): The question is:

"That the Bill, as amended by the Select Committee, be passed."

The motion was adopted.

THE INDIAN COFFEE CESS (AMENDMENT) BILL.

Mr. H. Dow (Commerce Secretary): Sir, I beg to move:

"That the Bill to amend the Indian Coffee Cess Act, 1935, for a certain purpose, be taken into consideration."

Sir, it is a somewhat rare pleasure for the Commerce Secretary to savour twice in one day the luxury of piloting a non-contentious measure

through this House. The constitution of the Indian Coffee Cess Committee is laid down in section 4 of the Indian Coffee Cess Act. It consists of 20 members. Of these, three persons are to be nominated by the Coffee Growers' Association. The Coffee Growers' Association has now gone into liquidation and it is proposed that its three Members on the Indian Coffee Cess Committee should be distributed one to each of the following Associations:

- (i) The Coorg Planters' Association,
- (ii) The Mysore Planters' Association,
- (iii) The Indian Planters' Association, Mysore.

This proposal, I should say, had the support of the Coffee Growers' Association which has now been dissolved, and it is also supported unanimously by the Indian Coffee Cess Committee itself. That Committee, at present, happens to consist of, I believe, 12 Indian members and eight European members, and I think the Secretary and the whole of the staff of this Committee are also Indian. So, bearing in mind the unanimous nature of this recommendation, and the desirability that the Committee should not be reduced in numbers by certain interests remaining unrepresented, I hope that the House will agree to pass this Bill. The present Committee will, under the rules, hold office until November next, and the object of clause 1 (2) of the present Bill is to enable the three bodies which I have mentioned to select their representatives in time for them to be appointed by the time the present Committee goes out of office. With these words, I commend my Bill to the House.

Mr. Deputy President (Mr. Akhil Chandra Datta): Motion moved:

"That the Bill to amend the Indian Coffee Cess Act, 1935, for a certain purpose, be taken into consideration."

Mr. K. Santhanam (Tanjore *cum* Trichinopoly; Non-Muhammadian Rural): Sir, I have no objection to the Bill. At the same time, I would also like to draw the attention of the House to a point of jurisdiction which arises in connection with this Bill. I wish to refer to sections 99 and 101 of the Government of India Act, 1935. Section 99 lays down the territory and the persons about which this Legislature may deal. It says specifically that this Legislature is competent to deal with matters relating to:

- "(a) British subjects and servants of the Crown in any part of India; or
- (b) British subjects who are domiciled in any part of India wherever they may be, or
- (c) persons on, ships or aircraft registered in British India or any Federated State wherever they may be, etc."

Therefore, the jurisdiction extends to British subjects in India and persons in British India. We cannot legislate for areas outside British India unless that legislation refers to British Indian subjects. Section 101 lays down that:

"Nothing in this Act shall be construed as empowering a federal legislature to make laws for a Federated State otherwise than in accordance with Instrument of Accession of that State and any limitation of the powers therein."

This Bill refers to plantations and to planters in the States of Mysore, etc. I do not see how this Legislature is competent to deal with them. Of course, it may be said that the original Act gives representation to the

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States of Mysore, Travancore and Cochin. I do not know how this Legislature enacted these provisions, whether it was competent to do so under the old Government of India Act. But we are now under the Government of India Act, 1935, and it lays down specifically the limitations of these legislative powers. I am afraid this Bill transgresses these limitations. I do not want to raise it as a point of order. If the House feels that the law is not likely to be questioned, we may go on legislating in spite of the limitations imposed by the Government of India Act, if we care to do so. I am quite certain that every one of us wants to make this legislature a sovereign body in spite of the Government of India Act. But I want to draw attention to the fact so that we may do so consciously. It is only for this purpose I have drawn the attention of the House to this point.

The Honourable Sir Nripendra Sircar (Law Member): Sir, as a matter of fact what is happening now has happened before in connection with the legislation on tea. But I do not want to rely on that. We are not legislating for Mysore, we are not legislating for any State outside British India. We are forming a British Indian Committee and there is nothing to prevent us from allowing somebody outside British India to come in as a member. For instance, if we had gone outside India and we had proposed to form a Committee one member of which should be nominated by somebody in England—by the Chamber of Commerce or somebody else—that would not be legislating for England. As my Honourable friend has not raised this as a point of order, I do not want to take further time of the House.

Mr. Deputy President (Mr. Akhil Chandra Datta): As in the previous case, no point of order has been raised. The chair is not, therefore, called upon to give any ruling.

Mr. M. S. Aney (Berar: Non-Muhammadan): Sir, in addition to what the Honourable the Leader of the House has stated, I also wish to bring to the notice of my Honourable friend a precedent in this matter. In the case of the Durgah Khawaja Saheb Bill, which we passed last year, we have made provision there for having on the Committee representatives of His Exalted Highness. So, in one instance at any rate this House did not think that the provisions of the Government of India Act came in the way of our having members on a Committee appointed by this House, persons outside British India. This is not considered, at any rate, as legislating for anything outside British India. That is the precedent I wish to bring to the notice of the Government as well as my Honourable friend, Mr. Santhanam.

Mr. M. Ananthasayanam Ayyangar (Madras ceded Districts and Chittoor: Non-Muhammadan Rural): Sir, I should like to know really if the subject with respect to which the Committee is expected to deal does not belong to the Mysore State or in addition to its being situate in British territory is not also part of the Mysore State or the Cochin State or the State of Travancore. It is because there are parts in Mysore, Travancore and Cochin where coffee is grown, where associations have been formed, and where the coffee growers in one State or the other have representations, that this provision is sought to be made in this Bill, and therefore you

collect cess through them also. Whatever is exported, the maximum rate of cess can be prescribed by the Governor General. Now, Sir, on whatever coffee is grown in Mysore State and is exported this cess is collected. Therefore, there is no objection to entering into an agreement with that State. It is open to the Government of India to enter into international agreement with all other important countries like Holland, etc. It is between the States and British India that an agreement is sought to be entered into. So far as that is concerned we can implement that by an Act which restricts its operation and scope of that portion of its operations as appertaining only to British India. Now, we intend to have a composite committee, some representative will be nominated by the Government of Mysore, some by the Government of Cochin and some by the Government of Travancore. It may be said, as the Honourable the Leader of the House has said, that in case the Government of Mysore or Travancore or Cochin fails to nominate, it is open under this section for the Governor General in Council to nominate one person in each of those States. That difficulty is no doubt got over. It might be as stated by the Honourable the Leader of the House that a person resident in London might be asked to sit on this Committee. If he does not do so, it is open to the Governor General to fill up that lacuna by appointing another man. If an expert is to be brought from another place another expert may be found, but in this case certain persons who are coffee

4 P.M. growers in the territory of Mysore are sought to be given representation on this Committee, so that the quantity of their coffee for export also may be regulated by this Act, subject to the imposition of cess for further propaganda to be carried on in relation to the sale of coffee. How will this come within the general jurisdiction of His Excellency the Governor General in Council and how can legislation for British India be extended to the Mysore State? We are by this legislation legislating for a portion of the coffee estate which is in Mysore, a portion which is in Travancore and which is in Cochin also. We cannot, by any stretch of the language of the Government of India Act, 1935, extend the jurisdiction of this Legislature over that portion. That is my point and that is the point which has been made by my Honourable friend, Mr. Santhanam.

Prof. N. G. Ranga (Guntur cum Nellore: Non-Muhammadan Rural): Sir, when the Coffee Cess Bill was introduced in this House the Honourable Sir Muhammad Zafrullah Khan tried to give an idea to the House as to how the membership of this Committee would be distributed as between Indian and European interests. He went in considerable detail into all these various sub-clauses of this section 4 of the Indian Coffee Cess Act. And then in regard to these three people who had been nominated till now by the Coffee Growers' Association, he said:

"I think I am right in anticipating that two of these will be Europeans and one will be an Indian."

[At this stage, Mr. President (The Honourable Sir Abdur Rahim) resumed the Chair.]

If we were to accept the amendment proposed in this Bill, I do not know whether all the three of them are going to be Indians or Englishmen or two of them are going to be Englishmen and one Indian. So I do not know in what other way these three are going to be distributed as between Indians and Englishmen. It is a very relevant thing, because the

[Prof. N. G. Ranga.]

Honourable Sir Muhammad Zafrullah Khan made great play of the point that according to his calculations Indians are expected to get at the worst 11 and at best 14 places on this committee of 20. And he expected that normally there would be at least 12 Indians as against 8 Europeans. He also said this:

"So far as the number of coffee planters is concerned, and I believe also so far as the area under cultivation is concerned, both the number and area on the Indian side is larger than on the European side."

Therefore, it is most essential that we should try to see that Indian representation is not unduly cut down by any such amendment. We have not been told how this amendment is going to affect the Indian element in this Committee. We should like to have information in regard to that. Anyhow I want an assurance on behalf of Government that the proportion of Indians and Englishmen on this Committee will not be so affected as to be adverse to Indian interests, that anyhow there is going to be at least one Indian out of these three people who are going to be nominated by these three organisations. Then, if Government wishes to give that assurance I do not know how they are going to implement that. There are three organisations here. Over one organisation anyhow they have very little control and it is situated in Mysore. Then if they have got any control, how are they going to see that one of these three members to be nominated by these three organisations is sure to be an Indian and two of them will be Englishmen and not more, and so on? But anyhow I want Government to consider ways and means by which they can see that at least one out of these three is going to be an Indian and if possible more of them will be Indians themselves. Therefore, I hope Government will find it possible to give that assurance.

Dr. F. X. DeSouza (Nominated Non-Official): Sir, I think I can give the Honourable Member who has just sat down an assurance on the point that he has raised.

Mr. N. M. Joshi (Nominated Non-Official): You are not Government.

Dr. F. X. DeSouza: I am not Government but I can give certain information which will probably be found to be useful. The balance as between Indian and European members on the Coffee Cess Committee is not going to be disturbed by this amendment. On the contrary there is a possibility of the balance being disturbed in favour of Indians rather than in favour of Europeans. As Sir Muhammad Zafrullah said, when he introduced the Bill, ordinarily the Coffee Growers' Association would nominate three members, two Europeans and one Indian. The nominees under the proposed amendment will consist of one member nominated by the Mysore Coffee Planters' Association, the other by the Coorg Planters' Association and the third by the Indian Planters' Association. Now, the Indian Planters' Association is a purely Indian body and, therefore, the member to be nominated by that Association is bound to be an Indian. As regards the other two, the Coorg Planters' Association consists partly of Europeans and partly of Indian members and so does the Mysore Planters' Association. So, although the majority in both these Associations are Europeans, there is just a possibility that these bodies may nominate Indian members. So that Prof. Ranga may be sure that so far as the balance is concerned there is no possibility of its being disturbed in favour of Europeans; it may even be disturbed in favour of Indians.

As regards the other point raised by Mr. Ayyangar, I submit that this Coffee Cess Bill deals with three points; first, collection of the tax; second, distribution of the tax or cess for the purpose of propaganda; and third, the constitution of the Committee who are empowered to levy this tax. Now, with regard to collection, of course it refers to collection in British ports and there is no difficulty on the point of jurisdiction raised by Mr. Ayyangar. Again, so far as the distribution of the cess for the purpose of propaganda is concerned, that technical point raised by Mr. Ayyangar does not arise. As regards the constitution of the Committee as the Honourable the Leader of the House pointed out, this Bill does not affect any person in an Indian State or otherwise. It merely enables the Governor General in Council to create a Committee, some of whom may be members of Native States and others of British India. Therefore, I venture to submit, Sir, that there is no substance in the technical points raised by my Honourable friend, Mr. Ayyangar. Sir, I support the Bill.

Mr. Muhammad Ashar Ali (Lucknow and Fyzabad Divisions: Muhammadan Rural): Sir, so far as I have been able to read the amending Bill I do not find a single word to which we can take any objection in the way in which objection has been taken by my Honourable friend on that side. In clause (ii) of sub-section (1) of section 4, the word "and" is deleted and I do not see how it affects the question of jurisdiction. Sub-clause (b) of clause 2 of this Bill deals only with the question of nomination by three bodies. Now, nomination by three bodies in any State or in any place will not affect the question of jurisdiction at all. To say that cess will be levied on some people by the members of these Associations, I submit that even if the cess is imposed upon them or if the cess is realised, that will add to the coffers of the British Indian Coffee Cess Committee, and the nomination of those persons will not in any way affect the jurisdiction.

But there is one point which I would like to express on the floor of this House that here in clauses (e) and (f) we find there are two associations in the State of Mysore which have been expressly mentioned—the Mysore Planters' Association and the Mysore Indian Planters' Association. Sir, if there are two associations at one place there is no reason why these two associations should have been given such weightage. Could we not find any other association in British India which can be given representation on the Coffee Cess Committee? This is what I would ask of the Honourable Member who has moved this amendment of the Act.

Now, Sir, as regards my Honourable friend, Mr. Ranga, he does not want an assurance from my friend, Dr. DeSouza, he wants an assurance about the election of these members from the Honourable Member who has moved this amending Bill. With these words, I support the Bill.

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

"That the Bill to amend the Indian Coffee Cess Act, 1935, for a certain purpose, be taken into consideration."

The motion was adopted.

Clause 2 was added to the Bill.

Clause 1 was added to the Bill.

The Title and the Preamble were added to the Bill.

Mr. H. Dow: Sir, I move:

"That the Bill be passed."

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

"That the Bill be passed."

The motion was adopted.

STATEMENT OF BUSINESS.

The Honourable Sir Nripendra Sircar (Leader of the House): With your permission I desire to make a statement. Tomorrow we have no official business which may be put before the House, and judging from the enthusiasm with which this announcement is being received, may I venture to suggest that the House may not sit tomorrow. As regards day after tomorrow we intend to introduce a Government Bill which of course will not take a long time, and we propose to put Mr. B. Das's Bill for being taken up that day. I desire to make it clear that if the Bill is not finished day after tomorrow we do not intend that by reason thereof it should get any precedence on the 31st over the items in the Agenda which appear over Mr. B. Das's Bill. In other words, Mr. Das's Bill will be allowed to be taken up on the 30th, and if not finished, it will be taken up on the 31st, in the order in which it appears on the Agenda, so that those whose matters are ahead of him may have no grievance. That is what I suggest.

Mr. President (The Honourable Sir Abdur Rahim): As regards tomorrow there is no business and I should like to ascertain the wishes of the House whether there should be a sitting tomorrow. If the House is agreeable generally, there will be no sitting tomorrow. I am trying to ascertain the wishes of the House because there are questions put down for answer tomorrow. (After a pause.) Then there will be no sitting tomorrow, and as for Mr. B. Das's Bill, if it is not finished on the 30th, on the 31st it will come after the other business above it, that is, it will take the sixth place as on this Agenda. This is a somewhat out of the way arrangement, but under the circumstances I make no objection to it. The House stands adjourned till day after tomorrow.

The Assembly then adjourned till Eleven of the Clock, on Wednesday, the 30th March, 1938.