

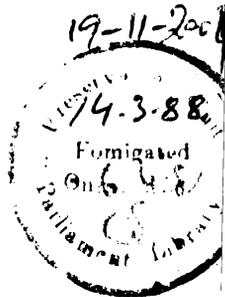
THE  
COUNCIL OF STATE DEBATES

VOLUME I, 1937

*(16th February to 8th April, 1937)*

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FIRST SESSION  
OF THE  
FOURTH COUNCIL OF STATE, 1937



PUBLISHED BY THE MANAGER OF PUBLICATIONS, DELHI  
PRINTED BY THE MANAGER, GOVERNMENT OF INDIA PRESS, NEW DELHI

1937.

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# COUNCIL OF STATE.

*Saturday, 27th February, 1937.*

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The Council met in the Council Chamber of the Council House at Half Past Five of the Clock, the Honourable the President in the Chair.

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## MEMBERS SWORN.

The Honourable Raja Yuveraj Datta Singh (United Provinces Central : Non-Muhammadan).

The Honourable Mr. Narayandas Girdhardas. (Madras : Non-Muhammadan).

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## PRESENTATION OF THE GENERAL BUDGET FOR 1937-38.

THE HONOURABLE MR. J. C. NIXON (Finance Secretary) : Sir, in presenting the annual financial statement of the Governor General in Council for the year 1937-38 I am less fortunate than some of my immediate predecessors. For I have to say at the outset that the year 1936-37 has not from the point of view of the public revenues of the Government of India come up to expectations.

I naturally cannot present a Budget without figures but I shall refer only to the most significant of them in the hope that my printed explanatory Memorandum will enable Honourable Members to complete the picture for themselves.

I shall as usual first deal briefly with the events of last year, 1935-36. The revised estimates of that year, as the House may recollect, indicated a surplus of 197 lakhs which it was intended to devote to helping to bridge the expected deficit in the central budget in the first year of provincial autonomy. Incidentally, I may remind Honourable Members, this device serves the finances of only one year and does not solve the position in regard to subsequent years.

In the event, the final surplus has turned out to be 13 lakhs less, and to amount to 184 lakhs. The Income-tax returns of the year were 27 lakhs better than had been expected. But Salt Revenue produced that same amount less than the estimates, owing to the postponement of clearances, no doubt in the vain anticipation that a reduction of the duty might possibly be conceded. There were increases of receipts under other heads amounting to 19 lakhs. But the main deteriorating factor in the situation was the final Customs Revenue figure which was 61 lakhs below that adopted in the revised estimates, with a conspicuous drop of 36 lakhs under Sugar Import Duty.

Mr. Raisman last year described some of the uncertainties about imported sugar as a source of revenue, and indeed before the budget session was ended the Honourable the Finance Member explained in the other House

[Mr. J. C. Nixon.]

how the latest figures just then available indicated that the revenue under this head had been framed on too optimistic a basis. The last months of the year 1935-36 saw also a reduction of customs revenue under other heads partly as a result of the Italian sanctions and partly representing a fall-off and a diversion in the general import trade of India which, as I shall have to describe in more detail later, continued into the current year.

The original budget estimates for the present year, 1936-37, led to an anticipated surplus of 6 lakhs. The latest revised estimate unfortunately turns this into a deficit of 197 lakhs. On balance our present expectations for the year which is about to come to an end are just over 2 crores below the estimates which we made 12 months ago. The expenditure of the year is likely to be 25 lakhs above the budget figure and the revenue 178 lakhs less.

The main features in the fall of revenue are 216 lakhs under Customs, 37 lakhs under Income-tax and 28 lakhs under Currency. In the other direction are improvements of 41 lakhs under Central Excises, 10 lakhs under Salt and 37 lakhs under Miscellaneous.

The increase under Miscellaneous is practically accounted for by 24 lakhs on account of an accumulation of unclaimed Post Office Cash Certificates (an item which will not be repeated on this scale), and 10 lakhs representing gain on exchange.

The improvement under Central Excises is mainly in the form of sugar excise, but this improvement is in fact more than counter-balanced by a fall in the duty collected on imported sugar.

The reduction in Currency receipts represents almost entirely a decrease in the share of the profits of the Reserve Bank payable to Government, and is a result of the relatively poor yield on the sort of security in which the Bank by the terms of the Reserve Bank Act is permitted to invest.

The fall in receipts under Taxes on Income must be ascribed in the main to two causes. In the first place, as is widely recognised, price cutting among some of the weaker companies in the indigenous sugar business has been so persistent as to amount to a distinct danger to the stability of the industry. This has led to a reduction of profits which is reflected in the Income-tax returns. Secondly, the various pieces of provincial legislation designed to deal with rural indebtedness have naturally resulted in a reduction in the profits earned by money lenders and such like, with also a fall in their volume of business. This again has meant a drop in the Income-tax collections.

However, the largest single feature which has affected the estimates of the current year is a net fall of 216 lakhs under Customs Duties. I say a net fall because the duty on silk piecegoods is expected to be 55 lakhs above the budget figure while that on imported silver seems likely to produce as much as 153 lakhs more than our expectations a year ago.

But in the other direction, customs duty on sugar will produce about 145 lakhs less than our anticipated figure, British piecegoods 75 lakhs less, non-ferrous metals 40 lakhs less, while there are likely to be small shortfalls over a large number of other items of the schedule amounting in all to nearly 1½ crores.

We were fully conscious of the precariousness of the 2 crores of duty on imported sugar entered in the estimate for 1936-37 of which we expect now to collect only 55 lakhs. This element alone, especially in the light of events

which have since happened, amply justifies the cautious attitude of Government in the last year or two in the matter of remissions of taxation.

Despite the gloomy prognostications expressed by some persons at the time, the acceptance by Government of the recommendations of the last Tariff Board on cotton piecegoods has not resulted in an immediate large increase of imports from Lancashire into India. In fact, as I have said, the duty collected on that item is likely to fall 75 lakhs short of our estimated figure.

The decrease in India's imports of non-ferrous metals follows to some extent automatically from the world demands for armament purposes and from the consequential rise of prices and difficulties of delivery. These same causes no doubt account in part for the reduction of India's imports of manufactured goods over a large part of the tariff schedule.

Other influences which were at work during 1936-37 in reducing imports into India, below those expected when the estimates for that year were framed, must be—

- (a) the sanctions against Italy,
- (b) the effects of the measures taken in the provinces to reduce rural indebtedness which in various ways, at any rate for the moment, have reduced the purchasing power of the agriculturalist, and
- (c) the diversion of some of the available external purchasing power of India from ordinary manufactured goods to silver—from the point of view of the public exchequer a much less remunerative line.

The revised expenditure estimates for 1936-37 are, as I have said, likely to exceed the budget figure by 25 lakhs. Heavy discharges of Post Office Cash Certificates account for an increase of 46 lakhs under Interest. In the other direction there is a saving of about 20 lakhs of which the principal cause is a throw forward of certain expenditure on Delhi schemes.

The Defence Department estimates for the current year provided for a net expenditure of 44 crores 85 lakhs *plus* 60 lakhs on Quetta. There are naturally variations in the details of the revised estimate but none of any relative magnitude. The absence of certain troops from India accounts for a drop of expenditure under certain heads by 9 lakhs. Another reduction of 12 lakhs is accounted for by the fact that the effects of the War Block scheme have been more rapid than was expected. In the other direction, an unanticipated sum of 11½ lakhs is expected to have been spent on the Waziristan operations. In the event, the following approximate sums will fall into the Defence Reserve Fund—

- (a) 5½ lakhs representing accidental net underspendings,
- (b) 33 lakhs of regular contributions to equalisation funds, and
- (c) 45 lakhs to cover postponed liabilities, including 10 lakhs on account of Quetta.

The Posts and Telegraphs Department now expects to complete the year 1936-37 with a surplus of 8 lakhs against a surplus of one lakh anticipated a year ago. Although receipts are likely to be 6 lakhs down, working expenses are expected to produce a saving of 12 lakhs while interest charges will be a lakh below the budget figure.

[Mr. J. C. Nixon.]

I turn now to the budget estimates for the year 1937-38 immediately ahead of us. Three factors will, I fear, render a study by Honourable Members of the budget figures for the next year more difficult than usual.

In the first place there are certain changes in the nomenclature and content of some of the heads. These are mostly necessitated by the new constitution or have been introduced in order to give an eventually clearer picture of this. I shall not go into the details but I shall be happy to give any personal help I can to Honourable Members in this matter. So as to make comparisons easier, the figures for 1935-36 and for 1936-37 have, as far as possible, been recast correspondingly.

The other two special events affecting the figures under most of the heads of the budget for 1937-38 are the Separation of Burma and the various adjustments with the provinces arising out of the Niemeyer Report. A special table has been printed in my explanatory Memorandum to show how much of the difference between the figures for 1936-37 and 1937-38 under each head is the result of these events.

The exact amounts due from Burma by reason of her liabilities to India will not be known until the accounts for the year 1936-37 are finally closed. We have taken credit in our 1937-38 budget for the payment of any annuity of 229 lakhs a year for 45 years on account of Burma's debt to India. We have also taken credit for an initial sum of 94 lakhs on account of pensions, which liability is to be liquidated over 20 years by regularly decreasing contributions. After taking these two credits into account, and also a net improvement of 13 lakhs in the Posts and Telegraphs Department arising from the same cause, the separation of Burma is expected to result in a deterioration of 233 lakhs in the budget position of the Government of India for 1937-38. But I must not fail to add that there are so many uncertain features in the position that no undue reliance can be placed on these figures at this stage.

The adjustments with provinces are calculated to mean in 1937-38 a reduction of 51 lakhs on the revenue side of our budget and an increase of 134 lakhs on the expenditure side; that is to say, they will cost the Government of India 185 lakhs. This is of course additional to the 50 per cent. Jute Duty amounting to nearly 2 crores previously assigned to the provinces and a total sum of 258 lakhs provided in 1936-37 by way of regular subventions to the N. W. F. P., Sind and Orissa.

In the matter of the future relationship of provinces with the Centre, I would take this opportunity of explaining briefly the position in regard to borrowings. In the past most of the provinces have obtained their capital requirements from the Government of India through what has been known as the Provincial Loans Fund. Various defects in this arrangement had already become patent, while it is clear that it will be quite inappropriate to circumstances in the future. It has accordingly been decided to wind up the Provincial Loans Fund and to consolidate (after making certain of the Niemeyer adjustments) most of the debts due by the provinces to the Government of India in 45-year annuities. Incidentally, the capital element in these annuities will in effect be used for the avoidance or reduction of debt. The provinces in the future, as seems most compatible with financial autonomy, will obtain their capital requirements from the market through the agency of the Reserve Bank. The Government of India do not exclude the possibility of their lending money to a province in exceptional circumstances, but the terms for any such loan would be fixed separately on each occasion in accordance with conditions at the time.

In dealing, as I propose now to do, with the budget for the ensuing year 1937-38 I shall, as far as possible, make comparisons with the *corresponding* figures of the revised estimate for the current year, *i.e.*, after eliminating the consequences of the separation of Burma and of adjustments with provinces.

The Customs revenue for the year 1937-38 is estimated to amount to 44 crores 66 lakhs, or 219 lakhs above the current year's corresponding revised estimate figure. The increases are spread over a large number of items.

Taxes on Income are expected to yield 14 crores 30 lakhs, or 40 lakhs more than we expect to collect correspondingly in 1936-37. About a half of the improvement is ascribable to the Income-tax measure which this House recently accepted.

Including an anticipated contribution of 15 lakhs from Railways, the total revenue for the year 1937-38 is put at 79 crores 99 lakhs, that is to say, 239 lakhs above the corresponding revised estimate figure for this year.

The expenditure side of the budget comes to 83 crores 41 lakhs which is 34 lakhs *below* the comparable revised figure for 1936-37.

The provision under Civil Works is 25 lakhs higher than in the current year, the increase partly representing heavier transfers to the Road Fund and partly provisions for various office schemes. The Calcutta Customs House has to be rebuilt, while a building to house most of the Central Offices at present in hired buildings in Bombay is in progress. The last is a distinctly profitable undertaking. There is an increase also under the cost of Civil Administration partly representing the throw forward of certain Delhi schemes to which I referred in speaking of the figures of the current year.

But against these increases of expenditure there is a welcome fall of 87 lakhs under Interest payments owing partly to a drop in the aggregate amount payable as bonus on Post Office Cash Certificates and partly to the paying off of the 5½ per cent. sterling loan of nearly 17 million pounds.

The separation of Aden saves India 20 lakhs a year. This however affects the figures of the Defence Budget. The Defence estimates for the current year, apart from the provision for Quetta, amount to 44 crores 85 lakhs. Excluding the 20 lakhs saving on account of the separation of Aden and 104 lakhs due to the separation of Burma, the figure for present comparison purposes is 43 crores 61 lakhs. The corresponding figure in the budget for next year is 43 crores 87 lakhs, an increase of 26 lakhs. There is however a special provision of 6 lakhs towards the cost of sending a contingent of the Army in India to the Coronation ceremony. Consequently the real net increase in ordinary expenditure is 20 lakhs. As the Defence estimates for 1937-38 provide for an increase of 25 lakhs under Ordnance services, a rise of 14 lakhs under grain purchases, an extra 3 lakhs representing the withdrawal of a former railway concession, an increase of 7 lakhs under the pay of British soldiers and miscellaneous small inevitable increases aggregating about 11 lakhs under other heads, a net increase of 20 lakhs in the total means in fact that there has been a reduction among the other items of the Defence Budget of about 40 lakhs. His Excellency the Commander-in-Chief has agreed with considerable misgivings to co-operate to this extent in the relief of our difficulties in this first year of provincial autonomy. He has however pointed out that some at any rate of the reductions can only be regarded as postponements of expenditure, and I know that he has serious doubts whether the proper precautions for the defence of India can be fully supplied from the present resources placed at his disposal.

[Mr. J. C. Nixon.]

To complete my account of the Defence estimates I need only state that 75 lakhs are being provided for the reconstruction of Quetta (making with the 10 lakhs carry forward from the current year a total of 85 lakhs) against 60 lakhs for the year 1936-37.

After allowing for the separation of Aden and Burma (the latter of which at any rate has been a net burden on India) the Posts and Telegraphs budget for 1937-38 is expected to show a small surplus of 4 lakhs. The budget provides 5 lakhs for additional postal facilities in rural and urban areas and 8 lakhs net for the Empire Air Mail scheme.

The Posts and Telegraphs budget also allows for two small changes in rates. The present book packet rate is  $\frac{2}{3}$  of an anna for the first five tolas and  $\frac{1}{2}$  an anna for each additional five tolas. It is proposed to reduce the rate to  $\frac{1}{2}$  an anna for the first  $2\frac{1}{2}$  tolas and a  $\frac{1}{4}$  of an anna for each additional  $2\frac{1}{2}$  tolas. This concession is expected to cost about 8 lakhs. The second change is to remove an anomaly in the parcel rates. At present at certain weights it pays to send a letter by parcel post rather than by letter post, while at other stages the parcel rate is cheaper than the book rate. The anomaly will be corrected by applying the 4 annas rate in place of the present 2-anna rate for parcels weighing not more than 20 tolas. This is expected to yield about 8 lakhs and to pay for the other concession.

I can now summarise the budget estimates for the year 1937-38. As I have already said, the total revenue is 79 crores 99 lakhs and the total expenditure 83 crores 41 lakhs. After shouldering the burdens of 233 lakhs on account of the separation of Burma and of an additional 185 lakhs relief to the provinces, *i.e.*, of 418 lakhs in all, the budget of the Government of India for 1937-38 will show a deficit of 342 lakhs. Against this there is the 184 lakhs fortunately set aside in 1935-36, leaving an unfilled gap of 158 lakhs.

I will turn aside here to put before the House the main figures in what we call our Ways and Means forecast. The sterling requirements of the Government of India for 1937-38 are estimated at £35 millions including £6 millions provided for transfer to Commissioners for certain family pension funds and £2 millions for what is really railway capital redemption. According to the new arrangements with the provinces, we shall have to transfer to them on the 1st April 1937 sums aggregating about 860 lakhs. We have also to provide 2 crores as an opening cash balance for Burma which we shall recover through the debt settlement.

No loans fall due for repayment during 1937-38 and, so far as can be seen at present, there will be no occasion for Government to issue a regular loan. Owing to the reduction of yield in Post Office Cash Certificates we anticipate a net discharge of  $1\frac{1}{4}$  crores of them next year. The outstanding balance of treasury bills is estimated to increase by 4 crores during the next year which is more than accounted for by 5 crores which will become due to the Reserve Bank under the Act in redemption of surplus silver rupees.

Before I describe the proposals of Government for meeting the 158 lakh gap of 1937-38, I propose to devote a few minutes to a resurvey of the situation arising out of the acceptance of the report of Sir Otto Niemeyer. In May 1936 the Government of India stated publicly but with some measure of caution that they hoped and had fair reason to believe that Sir Otto's programme of relief to the provinces at the expense of the Centre was a feasible one. At the time of presenting last year's budget it was the belief of Government that by putting aside then a reserve of about 2 crores, we should

be able to see our way through the admittedly difficult year 1937-38. The reserve has turned out to be somewhat smaller than was anticipated, but more important than this is the fact that, as I have already explained, there has been a serious falling off of revenue. We find ourselves between 1½ and 1¾ crores short of our expectations, and, unless the growth of revenue ahead proves to be much greater and faster than past experience indicates, a shortage of this order will occur again in the 1938-39 budget. In the circumstances, a question will naturally arise in the minds of Honourable Members as to the soundness or otherwise of the basis on which the Government of India concluded that they would be able to finance the successive stages of the new constitution. It is a hazardous undertaking these days to attempt to look too closely into the future, but I believe that I shall be able to satisfy the House that such pointers as there are give reasonably clear indications of the intrinsic soundness of India's financial position and of India's ability to meet the situation ahead.

On the one hand it is true that the measures taken to reduce rural indebtedness have for the time being reduced purchasing power and adversely affected the public revenues. But if these measures succeed in their professed objects, the result must eventually be to improve circumstances in rural India which is after all the ultimate source of India's wealth. So this present cause of depression should be a temporary one and turn in due course into a bull point.

Imports of silver on the scale of the present year, in place of imports which *add* more to the customs revenue, are not on the whole likely to be a permanent feature of the situation.

The eventual decline of the customs revenue from imports of protected goods has all along been taken into account in our forecasts. The fact that in certain lines the lower levels are being reached sooner than we had anticipated has a somewhat embarrassing effect on the time table but little on the ultimate position.

However there are some encouraging signs of a more positive nature. The large increase in railway goods receipts is a clear indication of better business. The undoubted and continuing rise in the price of primary products is a sure and welcome sign of recovery. The remarkable increase in India's exports of merchandise in the current year means in due course an extension of purchasing power.

While there is likely to be some lag in these improving features reflecting themselves in the public revenues, the pointers are significant enough—so long as the situation remains unclouded by war or serious internal trouble—to warrant the continued belief in the ultimate ability of the Government of India to stand the strain of meeting the relief to provinces visualised in the Niemeyer Report. And with a comparatively modest addition to their present resources the Government of India will be able to adhere to Sir Otto Niemeyer's time programme and meet the initial strain in 1937-38 and in the immediately succeeding years. The required addition we would place at the 1½ to 1¾ crores by which the budget of the year 1937-38 remains unbridged.

The recently published Income-tax Enquiry Report indicates that there is further public revenue to tap in the direction of improving both the Income-tax law and the machinery of its administration. Steps are also being taken to improve the customs machinery so as to reduce leakages of revenue. We are considering the possibility of improved administration in the growingly important field of Central Excises. The Honourable Finance Member with his recent experience in England lost little time in spotting some of the

[Mr. J. C. Nixon.]

loopholes in our revenue system, and he can be trusted to deal adequately with them. But these measures will not produce immediate large results and cannot be counted upon to solve the problem of bridging the budget gap in the next two or three years. That problem is to increase revenue by  $1\frac{1}{2}$  to  $1\frac{3}{4}$  crores in 1937-38 and Government make two proposals for this purpose.

The first is to increase the sugar excise from one rupee five annas to two rupees a hundredweight. In 1930-31 sugar in the form of an import duty contributed  $10\frac{3}{4}$  crores to the public exchequer. That source of income has now to all intents and purposes dried up. The sugar excise produces something under  $2\frac{1}{2}$  crores. A rapid loss over a few years of 7 or 8 crores in respect of a single commodity—a significant fraction of our total revenues—has naturally imposed a very severe strain on the public finances of India. This measure is expected to produce 115 lakhs.

An additional burden of 11 annas a hundredweight will not increase the price of sugar to the consumer beyond what he has been used to paying up till quite recently.

If this measure has the effect of discouraging the less efficient producer, the present danger to the indigenous sugar industry, to which I alluded in speaking of its reduced profits this year, may possibly be checked. In any case, this is likely to tend to arrest any further deterioration in the position pending the forthcoming inquiry by the Tariff Board.

For similar reasons the effect on the cultivator should be to the good. It is evident that the precarious producer provides no guarantee to the cultivator of a minimum price for the cane which he may grow.

The change in the Excise duty involves a change in the import duty. These are somewhat complicatedly related at the moment. India's sugar is being sold at a price so far below that of imported sugar that there is no longer either necessity or justification for maintaining a preference beyond the seven rupees four annas a hundredweight originally recommended by the Tariff Board. The import duty per hundredweight will therefore be fixed at seven rupees four annas *plus* the excise duty for the time being in force.

In order to minimise the dislocation of the market, these changes will take place forthwith, and a declaration under the Provisional Collection of Taxes Act has been attached to the relevant clauses of the Finance Bill. Steps are also being taken to bring the sugar-producing Indian States into line.

The second proposal for helping to fill the budget gap is to raise the import duty on silver from two annas to three annas an ounce. This small increase is not likely to result in a recrudescence of the smuggling which took place when the duty was at five annas or over. The additional duty from this source is estimated at 50 lakhs and the change will take effect at once.

These two measures will, it is hoped, produce 165 lakhs and convert the net deficit of 158 lakhs for 1937-38 into a small surplus of 7 lakhs.

If it be remembered that 7 or 8 crores of income from sugar have disappeared in the last six years (a period when the public revenues have suffered in other ways from the effects of the world depression), that the budget of 1937-38 will have borne the burden of a loss of  $2\frac{1}{2}$  crores by reason of the separation of Burma, and that it will be furnishing no less than  $6\frac{1}{2}$  crores of assistance to the provinces of India, it is in a way gratifying to observe that the stability of India, as represented by a balanced budget, can be purchased at such small extra cost. (Applause.)

## STATEMENT OF BUSINESS.

**THE HONOURABLE KUNWAR SIE JAGDISH PRASAD** (Leader of the House) : Sir, there is no occasion for the Council to sit on any day between now and the 4th March when the general discussion on the Budget will take place. But in order to give some idea of the meetings thereafter I may say that there is at present for disposal the following business before the House. Firstly, motions for election to 5 Committees and bodies, namely,—

- (1) Standing Committee for Roads for the remainder of the current financial year ;
- (2) Central Advisory Board of Education ;
- (3) Central Advisory Board of Health ;
- (4) Standing Committee for the Indian Posts and Telegraphs Department.
- (5) Imperial Council of Agricultural Research.

Secondly, motions for the consideration and passing of the Contempt of Courts (Amendment) Bill which was laid on the table on the 16th February. Lastly, there is the Government Resolution regarding the Road Fund. In order to dispose of this business I suggest, Sir, that you may be pleased to direct the Council to sit on Friday, the 5th March. On that date it will also be possible to lay on the table of this House any Bills passed by the other House. Thereafter I would suggest, Sir, that the Council should sit on Tuesday the 9th March, and if necessary on Wednesday the 10th also, for the disposal of any business which may remain outstanding on the 5th March, for the consideration and passing of any Bills laid on the table on the 5th March and for the election to the Committees and bodies which I have mentioned, if that proves necessary.

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The Council then adjourned till Eleven of the Clock on Thursday, the 4th March, 1937.