

Tuesday, 7th March, 1939

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THE  
**COUNCIL OF STATE DEBATES**

**VOLUME I, 1939**

*(23rd January to 18th April, 1939)*

**FIFTH SESSION**

OF THE

**FOURTH COUNCIL OF STATE, 1939**

~~Unpublished~~ 18-12-73



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

1939.

CONTENTS.

	PAGE.
<b>Monday, 23rd January, 1939—</b>	
Members Sworn . . . . .	1
Questions and Answers . . . . .	1—9
Motion for Adjournment <i>re</i> Railway disaster near Hazaribagh, E. I. R.	9—10
Amendments to Ottawa Trade Agreement Rules, 1932, laid on the table	10—11
Message from His Excellency the Governor General . . . . .	11
Committee on Petitions . . . . .	11—12
Congratulations to recipients of Honours . . . . .	12—13
Governor General's Assent to Bills . . . . .	13
Bills passed by the Legislative Assembly laid on the table . . . . .	13
Messages from the Legislative Assembly . . . . .	13—14
Death of Nawab Sir Muhammad Muzammil-Ullah Khan and Khan Bahadur Hafiz Muhammad Halim . . . . .	14
Motor Vehicles Bill—Motion to consider, adopted . . . . .	15—37
Statement of Business . . . . .	37—38
<b>Thursday, 26th January, 1939—</b>	
Questions and Answers . . . . .	39—46
Motion for Adjournment <i>re</i> Constitution of the Indian Sandhurst Committee—Disallowed . . . . .	46—48
Statement laid on the table <i>re</i> Draft Conventions and Recommendations adopted by the 21st (Maritime) Session of the International Labour Conference . . . . .	48—50
Governing Body of the Indian Research Fund Association . . . . .	50
Indian Tariff (Amendment) Bill—Considered and passed . . . . .	50—55
Indian Income-tax (Amendment) Bill—Motion to consider— <i>not concluded</i> . . . . .	55—90
<b>Friday, 27th January, 1939—</b>	
Indian Income-tax (Amendment) Bill—Motion to consider, adopted; consideration of clauses— <i>not concluded</i> . . . . .	91—129
Motion for Adjournment <i>re</i> Railway disaster near Hazaribagh, E. I. R.—Withdrawn . . . . .	129—139
<b>Saturday, 28th January, 1939—</b>	
Member Sworn . . . . .	141
Indian Income-tax (Amendment) Bill—Considered and passed, as amended . . . . .	141—189
Statement of Business . . . . .	189—190
<b>Monday, 30th January, 1939—</b>	
Member Sworn . . . . .	191
Questions and Answers . . . . .	191—194
Messages from His Excellency the Governor General . . . . .	194
Governing Body of the Indian Research Fund Association . . . . .	195
Ajmer-Merwara Municipalities Regulation (Amendment) Bill—Considered and passed . . . . .	195—196
Indian Cotton Cess (Amendment) Bill—Considered and passed, as amended . . . . .	196—197

	PAGES.
<b>Monday, 30th January, 1939—contd.</b>	
Destructive Insects and Pests (Amendment) Bill—Considered and passed . . . . .	197—198
Motor Vehicles Bill—Considered and passed, as amended . . . . .	198—236
Statement of Business . . . . .	236
<b>Monday, 13th February, 1939—</b>	
Members Sworn . . . . .	237
Questions and Answers . . . . .	237—246
Message from His Excellency the Governor General . . . . .	246
Bill passed by the Legislative Assembly laid on the table . . . . .	247
Messages from the Legislative Assembly . . . . .	247
Presentation of the Railway Budget for 1939-40 . . . . .	247—253
Statement of Business . . . . .	253
<b>Wednesday, 15th February, 1939—</b>	
Information promised in reply to questions laid on the table . . . . .	255
Messages from His Excellency the Governor General . . . . .	256
Indian Naval Reserve Forces (Discipline) Bill laid on the table . . . . .	256—257
Bills passed by the Legislative Assembly laid on the table . . . . .	257
Message from the Legislative Assembly . . . . .	257
Indian Income-tax (Amendment) Bill—Consideration and adoption of amendments made by the Legislative Assembly . . . . .	257—258
Indian Merchant Shipping (Amendment) Bill—Considered and passed . . . . .	259—260
<b>Saturday, 18th February, 1939—</b>	
Member Sworn . . . . .	261
Questions and Answers . . . . .	261—268
General Discussion of the Railway Budget for 1939-40 . . . . .	268—320
<b>Monday, 20th February, 1939—</b>	
Questions and Answers . . . . .	321—328
Ruling—That the question whether a Bill is <i>ultra vires</i> of the Constitution should be decided by the House . . . . .	328—333
Resolution <i>re</i> Excluded and partially excluded areas—Negatived . . . . .	333—360
Hindu Polygamous Marriage Restraint Bill—Withdrawn . . . . .	360—364
Indian Succession (Amendment) Bill—Introduced . . . . .	364—365
Resolution <i>re</i> Inland water communication, irrigation and prevention of floods—Negatived . . . . .	365—367
Statement of Business . . . . .	367
<b>Thursday, 23rd February, 1939—</b>	
Death of His Excellency Lord Brabourne, Governor of Bengal . . . . .	369
<b>Monday, 27th February, 1939—</b>	
Questions and Answers . . . . .	371—376
Resolution <i>re</i> Purchase of stationery, etc., of Indian make—Adopted . . . . .	376—388
Resolution <i>re</i> Appointment of a Committee for undertaking legislation in regard to Hindu marriages—Negatived . . . . .	388—409
Civil Procedure Amendment Bill—Motion to circulate, negatived . . . . .	409—411
Parsi Marriage and Divorce (Amendment) Bill—Introduced . . . . .	411
Shebaity Bill—Withdrawn . . . . .	411—413
Indian Succession (Amendment) Bill—Motion to refer to Select Committee, adopted . . . . .	413
Statement of Business . . . . .	413

**Tuesday, 28th February, 1939—**

Bills passed by the Legislative Assembly laid on the table . . . . .	415
Presentation of the General Budget for 1939-40 . . . . .	415—421

**Tuesday, 7th March, 1939—**

Questions and Answers . . . . .	423—435
Information promised in reply to questions laid on the table . . . . .	435—475
Standing Committee for the Labour Department . . . . .	475
Standing Committee for the Department of Commerce . . . . .	475
Standing Committee on Emigration . . . . .	475
Indian Naval Reserve Forces (Discipline) Bill—Considered and passed	475—510
Employment of Children (Amendment) Bill—Considered and passed, as amended . . . . .	510—514

**Thursday, 9th March, 1939—**

Bills passed by the Legislative Assembly laid on the table . . . . .	515
General Discussion of the General Budget for 1939-40 . . . . .	515—566

**Monday, 13th March, 1939—**

Questions and Answers . . . . .	567—576
Indian Succession (Amendment) Bill—Presentation of the Report of the Select Committee . . . . .	576
Resolution <i>re</i> Prohibition of the sale of alcoholic liquors in railway refreshment rooms—Negatived . . . . .	576—590
Resolution <i>re</i> Submission by employers of protected industries of annual wage bills—Withdrawn . . . . .	590—594
Dissolution of Muslim Marriages Bill—Considered and passed . . . . .	594—613
Delhi Masjid Bill—Introduced . . . . .	613—614
Parsi Marriage and Divorce (Amendment) Bill—Motion to circulate, adopted . . . . .	614—615
Dividends and Interest Returns Bill—Motion to circulate, negatived . . . . .	615—619

**Thursday, 16th March, 1939—**

Members Sworn . . . . .	621
Questions and Answers . . . . .	621—627
Standing Committee for Roads, 1939-40 . . . . .	627
Standing Committee for the Labour Department . . . . .	627—628
Standing Committee for the Department of Commerce . . . . .	628
Standing Committee on Emigration . . . . .	628
Resolution <i>re</i> Kenya (Highlands) Order-in-Council—Adopted . . . . .	628—644
Resolution <i>re</i> Revision of pay of Indian commissioned officers—With- drawn . . . . .	644—655
Delhi Masjid Bill—Motion to circulate, adopted . . . . .	655—656
Resolution <i>re</i> Constitution of the Legislatures in India on a uni-cameral and entirely elected basis—Withdrawn . . . . .	656—662
Statement of Business . . . . .	662

**Monday, 20th March, 1939—**

Questions and Answers . . . . .	663—668
Standing Committee for the Labour Department . . . . .	669
Resolution <i>re</i> Contribution of railways to general revenues—Negatived . . . . .	669—684
Resolution <i>re</i> Replacement of the Royal Air Force by an Indian Air Force—Negatived . . . . .	684—707
Standing Committee on Emigration . . . . .	693

	PAGES.
<b>Wednesday, 22nd March, 1939—</b>	
Central Advisory Council for Railways . . . . .	709
Standing Committee for Roads, 1939-40 . . . . .	709
Standards of Weight Bill—Considered and passed . . . . .	709—710
Indian Merchant Shipping (Second Amendment) Bill—Considered and passed . . . . .	710—711
Insurance (Amendment) Bill—Considered and passed . . . . .	712
Indian Patents and Designs (Amendment) Bill—Considered and passed . . . . .	712—713
Workmen's Compensation (Amendment) Bill—Considered and passed . . . . .	714
Cotton Ginning and Pressing Factories (Amendment) Bill—Considered and passed . . . . .	714—715
<b>Thursday, 23rd March, 1939—</b>	
Question and Answer . . . . .	717—718
Resolution <i>re</i> Increase in recruitment of Indians of pure descent to senior subordinate services on railways—Negatived . . . . .	719—735
Central Advisory Council for Railways . . . . .	735—736
Resolution <i>re</i> Expansion and protection of the Indian Mercantile Marine—Adopted . . . . .	736—754
Resolution <i>re</i> Censoring or stopping of telegrams—Withdrawn . . . . .	754—108
Indian Succession (Amendment) Bill—Considered and passed, as amended . . . . .	758—762
Statement of Business . . . . .	762—763
<b>Saturday, 25th March, 1939—</b>	
Messages from His Excellency the Governor General . . . . .	765
Indian Finance Bill, 1939, laid on the table . . . . .	765—766
<b>Tuesday, 28th March, 1939—</b>	
Member Sworn . . . . .	767
Questions and Answers . . . . .	767—770
Death of Khan Bahadur Syed Abdul Hafeez and Sir Ernest Miller . . . . .	770—771
Standing Committee for the Department of Communications . . . . .	771—772
Indian Finance Bill, 1939—Considered and passed . . . . .	772—797
Standing Committee for Roads, 1939-40 . . . . .	797
<b>Thursday, 30th March, 1939—</b>	
Member Sworn . . . . .	799
Questions and Answers . . . . .	799—800
Central Advisory Council for Railways . . . . .	800
Resolution <i>re</i> Indo-British Trade Agreement—Adopted . . . . .	800—86 2
Statement of Business . . . . .	832
<b>Saturday, 1st April, 1939—</b>	
Central Advisory Council for Railways . . . . .	863
Standing Committee for the Department of Communications . . . . .	863
Bill passed by the Legislative Assembly laid on the table . . . . .	863
Message from the Legislative Assembly . . . . .	864
Statement of Business . . . . .	864
<b>Monday, 3rd April, 1939—</b>	
Presentation of a Mace to the Council of State by the Honourable Maharajadhiraja Sir Kameshwar Singh of Darbhanga . . . . .	865—871

	PAGE.
<b>Tuesday, 4th April, 1939—</b>	
Questions and Answers . . . . .	873—888
Registration of Foreigners Bill—Considered and passed . . . . .	889—893
Statement of Business . . . . .	894
<b>Thursday, 6th April, 1939—</b>	
Information promised in reply to questions laid on the table . . . . .	895
Bills passed by the Legislative Assembly laid on the table . . . . .	895
<b>Tuesday, 11th April, 1939—</b>	
Members Sworn . . . . .	897
Questions and Answers . . . . .	897—910
Indian Tariff (Second Amendment) Bill—Considered and passed, as amended . . . . .	910—934
Statement of Business . . . . .	934
<b>Friday, 14th April, 1939—</b>	
Member Sworn . . . . .	935
Message from the Legislative Assembly . . . . .	935
Questions and Answers . . . . .	935—942
Information promised in reply to questions laid on the table . . . . .	942—943
Statement laid on the table <i>re</i> Draft Convention concerning statistics of wages and hours of work, etc., etc., adopted by the Twenty-fourth Session of the International Labour Conference . . . . .	943—949
Coal Mines Safety (Stowing) Bill—Considered and passed . . . . .	949—969
Statement of Business . . . . .	969
<b>Saturday, 15th April, 1939—</b>	
Messages from His Excellency the Governor General . . . . .	971
Indian Tariff (Third Amendment) Bill laid on the table . . . . .	971
Bills passed by the Legislative Assembly laid on the table . . . . .	971—972
Message from the Legislative Assembly . . . . .	972
Statement of Business . . . . .	972
<b>Monday, 17th April, 1939—</b>	
Questions and Answers . . . . .	973—977
Statements laid on the table . . . . .	977—990
Sugar Industry (Protection) Bill—Considered and passed . . . . .	990—1015
Chittagong Port (Amendment) Bill—Considered and passed . . . . .	1015
Criminal Law Amendment Bill—Considered and passed . . . . .	1015—1016
Indian Soft Coke Cess Committee (Reconstitution and Incorporation) Bill—Considered and passed . . . . .	1016—1017
<b>Tuesday, 18th April, 1939—</b>	
Indian Tariff (Third Amendment) Bill—Considered and passed . . . . .	1018—1048

# COUNCIL OF STATE.

*Tuesday, 7th March, 1939.*

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The Council met in the Council Chamber of the Council House at Eleven of the Clock, the Honourable the President in the Chair.

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## QUESTIONS AND ANSWERS.

### REDUCTION OF THE BRITISH ARMY IN INDIA.

130. THE HONOURABLE MR. KUMARSANKAR RAY CHAUDHURY : Will Government state what British battalions, if any, will be reduced according to the statement recently made by Mr. Hore Belisha in the British Parliament ?

HIS EXCELLENCY THE COMMANDER-IN-CHIEF : In accordance with the decision announced simultaneously by the Secretary of State for War in the Imperial Parliament and the Honourable the Finance Member in the Legislative Assembly on the 13th September, 1938, the British garrison in India has been reduced by the following four battalions :

1st Battalion, The Buffs.

1st Battalion, The Bedfordshire and Hertfordshire Regiment.

1st Battalion, The Hampshire Regiment.

2nd Battalion, The Highland Light Infantry.

### APPOINTMENT OF A THIRD SECRETARY IN THE DEFENCE DEPARTMENT.

131. THE HONOURABLE MR. RAMADAS PANTULU (on behalf of the Honourable Mr. B. N. Biyani) : (a) Was the appointment of a third Secretary to the Defence Department made to have direct connection with the Chatfield Committee ?

(b) If so, do Government now propose to abolish the post as the Chatfield Committee has finished its work ?

(c) If not, why was the appointment made ?

HIS EXCELLENCY THE COMMANDER-IN-CHIEF : (a) No.

(b) Does not arise.

(c) The appointment was made to co-ordinate activities of the various departments in relation to defence preparations found necessary in the light of recent experience.

It was terminated with effect from December 31st, 1938.

## INDIANISATION OF THE INDIAN ARMY.

132. THE HONOURABLE SIR A. P. PATRO : Will Government state whether a substantial and progressive scheme of Indianisation of the Indian Army recommended in Appendix II of the Report of the Indian Sandhurst Committee has been put into operation in stages recommended for execution in the said scheme, viz., that by the year 1952 half the total cadre of Indian Army officers would be Indian ?

(b) Will Government state the reasons, if any, if the scheme was not given full effect to ?

(c) Will Government state what proposals they have formulated, if any, to advance the said scheme recommended by the Committee ?

HIS EXCELLENCY THE COMMANDER-IN-CHIEF : With your permission, Sir, I will reply to questions Nos. 132 and 133 together.

I refer the Honourable Member to my predecessor's reply to parts (b) and (c) of the Honourable Rai Bahadur Lala Jagdish Prasad's question No. 63 on the 20th of February, 1933, and to Lord Birdwood's speech in the Legislative Assembly on the 8th March, 1928.

THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS : Has there been any change in the policy of the Government since then ?

HIS EXCELLENCY THE COMMANDER-IN-CHIEF : Practically none, except what my predecessor announced, which all of you know ; that is, the Indianisation of one complete division. I have quoted the references which you can look up.

## INDIANISATION OF THE INDIAN ARMY.

133. THE HONOURABLE SIR A. P. PATRO : Will Government state whether the " Eight Units scheme " as such was abandoned or/and whether the " Eight Units scheme " was only changed in form into about 23 units and battalions ? If so, will Government state reasons for not abolishing it or modifying the scheme of abolition recommended ?

(See reply to question No. 132.)

## REGIMENTAL DUTIES OF CADETS PASSING OUT FROM THE INDIAN MILITARY ACADEMY, DEHRA DUN, AND OF CADETS PASSING OUT FROM SANDHURST.

134. THE HONOURABLE SIR A. P. PATRO : (a) Will Government state whether a cadet from the Indian Sandhurst is placed in command of a platoon in an Indianised unit while a cadet of the same rank from Sandhurst (England) is placed in command of a company consisting of four platoons ?

(b) What are the reasons for this distinction ?

(c) Will Government state the reasons for abolishing the Viceroy's Commissioned officers in the Indianised units and replacing them by Indian King's Commissioned officers ?

(d) Are there Viceroy's Commissioned officers in the non-Indianised units in charge of platoon command ?

**HIS EXCELLENCY THE COMMANDER-IN-CHIEF :** (a) An Indian Commissioned officer on joining an Indianised unit of cavalry or infantry is appointed to command a troop or platoon. A British officer is appointed as a squadron or company officer, not as a company commander, and would not normally reach that appointment before an Indian Commissioned officer.

(b) It is considered unnecessary and undesirable to have two classes of officers where there is no need to do so, and the British Army model has accordingly been followed in the case of Indianised units.

(c) and (d). I refer the Honourable Member to Lieutenant-Colonel Rawson Lumby's speech in the Assembly on the Indian Army (Amendment) Bill on the 14th August, 1934.

**THE HONOURABLE MR. HOSSAIN IMAM :** Is the promotion of an Indian officer slower than that of a British officer in Indianised units ?

**HIS EXCELLENCY THE COMMANDER-IN-CHIEF :** No.

**THE HONOURABLE PANDIT HIRDAY NATH KUNZRU :** Has the attention of Government been drawn to the announcement made by the British War Minister regarding the increased use of non-commissioned officer for commanding platoons ?

**HIS EXCELLENCY THE COMMANDER-IN-CHIEF :** What is the question ?

**THE HONOURABLE PANDIT HIRDAY NATH KUNZRU :** Has the attention of Government been drawn to the change in the policy of the British Government themselves in regard to the command of platoons ?

**HIS EXCELLENCY THE COMMANDER-IN-CHIEF :** Yes, but that applies to the British Army only.

**THE HONOURABLE PANDIT HIRDAY NATH KUNZRU :** If the British Army, being homogeneous, is in a position to have officers drawn from two sources, where is the undesirability of having our officers drawn from two sources as was the case before—

**THE HONOURABLE THE PRESIDENT :** That is an argument. I disallow it.

**THE HONOURABLE PANDIT HIRDAY NATH KUNZRU :** It is not an argument. If this is the policy followed in Great Britain, why should it not be followed—

**THE HONOURABLE THE PRESIDENT :** Put it in another form.

**THE HONOURABLE PANDIT HIRDAY NATH KUNZRU :** Sir, I ended with a note of interrogation. I have never stated anything affirmatively.

**THE HONOURABLE THE PRESIDENT :** You put it as a question—Is it so, etc.?

**THE HONOURABLE PANDIT HIRDAY NATH KUNZRU :** In view of this change of policy in England why is it undesirable to draw our officers from the two classes from which they were previously drawn ?

HIS EXCELLENCY THE COMMANDER-IN-CHIEF: I should like to have notice of that question, please.

POSTING OF INDIAN KING'S COMMISSIONED OFFICERS.

135. THE HONOURABLE SIR A. P. PATRO : (a) Will Government state whether Indian King's Commissioned officers are posted to all and any unit of the Indian Army ?

(b) Did the Indian Sandhurst Committee recommend that the Indian King's Commissioned officers should be eligible to be posted to any Indian unit in the army ? Is this adopted in practice ?

(c) What are the reasons for segregating the Indian King's Commissioned officers to only Indianised units in the Indian Army ?

(d) Has any necessity arisen for forming the " Indianised Unit " or any demand for this discrimination between Indianised and non-Indianised units ?

HIS EXCELLENCY THE COMMANDER-IN-CHIEF : (a) No.

(b) Yes, but the recommendation was not accepted by Government.

(c) and (d). I refer the Honourable Member to the speeches made in the Legislative Assembly by Lord Birdwood during the general discussion of the Budget on the 8th of March, 1928, by Sir G. R. F. Tottenham on the 6th of March, 1937, and by the Defence Secretary on the 2nd September, 1938.

NORMAL STRENGTH OF THE CADRE OF OFFICERS IN THE INDIAN ARMY.

136. THE HONOURABLE SIR A. P. PATRO : (a) Will Government state what is the normal strength of the cadre of officers of the Indian Army (infantry, cavalry and artillery) and what is the annual wastage, if any ?

(b) What is the normal (annual) number of retirements on pension or otherwise in all branches ?

(c) What is the normal annual intake of (i) British cadets for the Indian Army and (ii) Indian cadets for the same, in all branches ?

HIS EXCELLENCY THE COMMANDER-IN-CHIEF : (a) and (b). The authorised as well as the actual strength of the cadre of officers of the Indian Army is given in the Quarterly Strength Return, a copy of which is in the Library of the House. Wastage varies from year to year, but 147 a year may be taken as an average in the combatant ranks of the Indian Army. Of this figure the major portion is on account of retirement on pension.

(c) (i) 120.

(ii) 60.

PRESENT STRENGTH OF INDIAN OFFICERS IN THE RANKS OF LIEUTENANT, CAPTAIN AND MAJOR.

137. THE HONOURABLE SIR A. P. PATRO : What is the present strength of Indian Commissioned officers in the ranks of (i) lieutenant, (ii) captain and (iii) major ?

HIS EXCELLENCY THE COMMANDER-IN-CHIEF : (i) 237.

(ii) and (iii). Nil.

**NORMAL PERIOD TAKEN FOR PROMOTION OF INDIAN OFFICERS FROM THE RANK OF LIEUTENANT TO CAPTAIN, ETC.**

138. THE HONOURABLE SIR A. P. PATRO : (a) Will Government state what is the normal period taken to promote an officer from lieutenant to captain and from captain to major ?

(b) What was the period adopted during the war period ?

HIS EXCELLENCY THE COMMANDER-IN-CHIEF : (a) I refer the Honourable Member to Army Instruction (India) No. 17 of 1939, a copy of which is in the Library of the House.

(b) Promotion during the war depended on circumstances, but the normal periods were :

To Lieutenant—1 year.

To Captain—4 years.

To Major—15 years.

**AGE-LIMIT FOR ENTRY INTO THE INDIAN MILITARY ACADEMY, DEHRA DUN.**

139. THE HONOURABLE SIR A. P. PATRO : Will Government state whether the age-limit for admission into the Indian Sandhurst could be regulated to give the youth fuller opportunities of training as in the case of Officers Training Corps in British Universities ?

HIS EXCELLENCY THE COMMANDER-IN-CHIEF : Government's present opinion is that the advantages which might accrue from altering the age-limits would be too slight to counterbalance the disadvantages.

**WATER-SUPPLY ARRANGEMENTS, ETC. ETC., MADE BY THE E. I. R.**

140. THE HONOURABLE HAJI SYED MUHAMMAD HUSAIN : (a) Will Government state the names of the junction stations in the United Provinces on the E. I. R. where water for domestic purposes or for gardening is supplied by the Railway by means of pipes at the residential quarters of its employees ?

(b) Is water not supplied to railway employees at all the junction stations of the E. I. R. in the United Provinces ? If so, why is this distinction made between employees posted at different stations ?

(c) Is any charge made for the water supplied at the residential quarters of employees by means of pipes ? If so, on what basis is the charge made from the different classes of employees ?

THE HONOURABLE SIR GUTHRIE RUSSELL : With your permission Sir, I propose to reply to questions Nos. 140 to 143 and 145 to 148 together. Information is being collected and a reply will be laid on the table in due course.

**WATER-SUPPLY ARRANGEMENTS, ETC. ETC., MADE BY THE E. I. R.**

141. THE HONOURABLE HAJI SYED MUHAMMAD HUSAIN : (a) Does the E.I.R. include interest charges on capital invested on water-supply

arrangements while fixing rates for the supply of water to railway employees ?

(b) Do the E. I. R. authorities make their own arrangements for the pumping of water or do they take their supply from other sources on the different junction stations in the United Provinces ?

(See reply to question No. 140.)

**WATER-SUPPLY ARRANGEMENTS, ETC., ETC., MADE BY THE E. I. R.**

142. **THE HONOURABLE HAJI SYED MUHAMMAD HUSAIN** : (a) Is it the duty of the Railway to supply water at the residential quarters of its employees or is water supplied at the residences of employees as a matter of convenience and is its cost realised from the employees ?

(b) What are the rates of interest on capital expenditure and depreciation on the value of pumping machinery at which estimates for new installations for the supply of water are based ?

(See reply to question No. 140.)

**WATER-SUPPLY ARRANGEMENTS, ETC., ETC., MADE BY THE E. I. R.**

143. **THE HONOURABLE HAJI SYED MUHAMMAD HUSAIN** : (a) Do the E. I. R. authorities propose to supply water at the residences of employees at junction and other important stations in the United Provinces where it is not supplied at present ?

(b) Are railway employees entitled to ask for the supply of water for domestic purposes at their residences as a matter of right ?

(See reply to question No. 140.)

**RENT CHARGED FOR QUARTERS ALLOTTED BY THE E. I. R. FROM CERTAIN CLASSES OF EMPLOYEES.**

144. **THE HONOURABLE HAJI SYED MUHAMMAD HUSAIN** : Does the E. I. R. charge rent from certain classes of its employees for residential quarters ? If so, what classes of employees pay rent for residential quarters belonging to the Railway ?

**THE HONOURABLE SIE GUTHRIE RUSSELL** : I would refer the Honourable Member to the rules in Chapter XIX—Buildings and Rents in the State Railway Code for the Engineering Department, a copy of which is in the Library of the House. Under rule 1902 of these rules, rent is charged for all quarters except those occupied by inferior staff subject to the exceptions mentioned in rule 1904.

**WATER-SUPPLY ARRANGEMENTS, ETC., ETC., MADE BY THE E. I. R.**

145. **THE HONOURABLE HAJI SYED MUHAMMAD HUSAIN** : Will Government state whether the E. I. R. charges separately for the supply of water at the residential quarters of its employees or whether the rent charged for quarters covers also the charges for the supply of water in all cases ?

(See reply to question No. 140.)

**WATER-SUPPLY ARRANGEMENTS, ETC., ETC., MADE BY THE E. I. R.**

146. THE HONOURABLE HAJI SYED MUHAMMAD HUSAIN: Will Government state why the E. I. R. authorities do not make their own arrangements for the pumping of water at certain stations in the United Provinces where they obtain water from other sources at present ?

(See reply to question No. 140.)

**WATER-SUPPLY ARRANGEMENTS, ETC., ETC., MADE BY THE E. I. R.**

147. THE HONOURABLE HAJI SYED MUHAMMAD HUSAIN: Is the E. I. R. required to take water from the Municipal Water Works for the domestic use of its employees in places where the quarters are situated within municipal limits ?

(See reply to question No. 140.)

**WATER-SUPPLY ARRANGEMENTS, ETC., ETC., MADE BY THE E. I. R.**

148. THE HONOURABLE HAJI SYED MUHAMMAD HUSAIN: Do the E. I. R. authorities get water from Municipal Water Works in certain towns in the United Provinces at concessional rates? If so, what are the names of these towns and the rates charged for the supply of water in all such places ?

(See reply to question No. 140.)

**LETTING OF QUARTERS OF THE E. I. R. TO PRIVATE PERSONS.**

149. THE HONOURABLE HAJI SYED MUHAMMAD HUSAIN: Are residential quarters belonging to the E. I. R. in large towns in the United Provinces also let out to private persons at times ?

THE HONOURABLE SIR GUTHRIE RUSSELL: Government have no information but our rules provide for letting vacant railway quarters to outsiders at the discretion of the Railway Administration at a proper economic rent.

**ALLEGED ALLIANCE BETWEEN CONGRESS AND THE BRITISH GOVERNMENT ON CERTAIN QUESTIONS.**

150. THE HONOURABLE HAJI SYED MUHAMMAD HUSAIN: (a) Has the attention of Government been drawn to the statement of Mr. Gandhi in connection with Rajkot agitation published in *Harijan* and reproduced in other newspapers, for instance *Pioneer*, dated 5th February, 1939, that an alliance exists today between the Congress and the British Government ?

(b) Are Government aware of the following facts :

- (i) that the creed of the Congress is complete independence and severance of all connections with the British Government,
- (ii) that the Congress proclaims that it is out to wreck the constitution,
- (iii) that the Congress will fight against the introduction of federation under the Government of India Act of 1935,

- (iv) that the All-India Congress Committee passed a resolution at Delhi in September, 1938, refusing to help the British Government in case of war in Europe, and
- (v) that only a few days before the statement abovementioned, Mr. Gandhi had said, as published in papers, that the real fight was with the British Government and not with the States ?
- (c) Has there been any agreement or understanding between the Government and Congress or between responsible British officials and Congress leaders on any of the above questions ?
- (d) Is the statement of Mr. Gandhi about alliance above referred to true in point of fact or not or partly true and partly false ?
- (e) If the answer to part (c) of the question is in the affirmative, were the minorities consulted and will Government lay on the table of the House the terms of the agreement or understanding arrived at ?

THE HONOURABLE KUNWAR SIR JAGDISH PRASAD : (a) I have read the article.

(b) The terms of the various pronouncements to which the Honourable Member alludes have been published in the Press.

(c) No.

(d) The statement when read in its context does not appear to bear the interpretation which the Honourable Member places on it.

(e) Does not arise.

#### ACTIVITIES AND STATUS OF INDIAN TRADE COMMISSIONERS ABROAD.

151. THE HONOURABLE MR. RAMADAS PANTULU (on behalf of the Honourable Mr. B. N. Biyani) : (a) Will Government state whether the Trade Commissioners appointed by the Government of India in the different countries of the world have any diplomatic status like Consuls or Consuls-General ?

(b) Are the Trade Commissioners allowed to have free correspondence with the Government of the country in which they work ?

(c) Are the Trade Commissioners responsible for safeguarding the interest of the Indian residents in those countries ?

(d) Will Government lay a statement on the table in regard to the working of these Trade Commissioners in different countries ?

THE HONOURABLE MR. H. DOW : (a) No.

(b) They are not competent to conduct correspondence of a diplomatic or semi-diplomatic nature with a foreign Government.

(c) Only in so far as the interests relate to trade matters.

(d) A full account of the activities of Indian Trade Commissioners abroad is available in their respective annual and quarterly reports. The latter are published in the *Indian Trade Journal*, copies of which and of the annual reports are in the Library.

#### KENYA IMMIGRATION ADVISORY BOARD.

152. THE HONOURABLE MR. RAMADAS PANTULU (on behalf of the Honourable Mr. B. N. Biyani) : (a) Have the Kenya Government

established a Board under the Chairmanship of the Commissioner of Lands and Settlement for the purpose of advising the Commissioner of Police on the matter of emigration into Kenya ?

(b) Is the Board mainly intended to deal with the Jewish settlement and Indian emigration into Kenya ?

(c) If so, have the Government of Kenya appointed any representative of the Kenya Indian community on the Board ?

(d) If not, what steps do Government propose to take for safeguarding Indians' interests in Kenya ?

**THE HONOURABLE KUNWAR SIR JAGDISH PRASAD :** (a) Yes.

(b) The Board has been established for the purpose of advising the Commissioner of Police on such matters as may be referred to it for consideration in connection with immigration into Kenya. The object seems to be to prevent an influx of destitute and undesirable foreigners and the Government of India understand that it is not intended that the Board should consider or advise upon any aspect of Indian immigration into Kenya.

(c) and (d). There is no Indian on the Kenya Immigration Advisory Board and the matter is under correspondence with His Majesty's Government.

**THE HONOURABLE PANDIT HIRDAY NATH KUNZRU :** Is it a fact that this Board will deal with Jewish settlement ?

**THE HONOURABLE KUNWAR SIR JAGDISH PRASAD :** I should like to have notice.

**THE HONOURABLE PANDIT HIRDAY NATH KUNZRU :** But it is there in part (b) of the question. "Is the Board mainly intended to deal with the Jewish settlement and Indian emigration into Kenya ?".

**THE HONOURABLE KUNWAR SIR JAGDISH PRASAD :** And I have given the answer. "The object seems to be to prevent an influx of destitute and undesirable foreigners and the Government of India understand that it is not intended that the Board should consider or advise upon any aspect of Indian immigration into Kenya".

**THE HONOURABLE MR. P. N. SAPRU :** Are Jews regarded as desirable or undesirable ?

**THE HONOURABLE KUNWAR SIR JAGDISH PRASAD :** Sir, I do not propose to answer that question.

#### **PURCHASE OF LAMPS MADE IN HUNGARY FOR STATE RAILWAYS,**

153. **THE HONOURABLE MR. RAMADAS PANTULU** (on behalf of the Honourable Mr. B. N. Biyani) : (a) Do Government import nearly 60,000 lamps for Indian State Railways and other purposes every year from Hungary ?

(b) If so, have Government ever inquired as to what reciprocal advantage can accrue to India by the purchase of these lamps ?

(c) If not, why not ?

(d) Do Government now propose to do so ?

THE HONOURABLE MR. H. DOW : (a) No.

(b) to (d). Do not arise.

NUMBER OF INDIANS IN ABYSSINIA BEFORE AND AFTER ITS OCCUPATION  
BY ITALY.

154. THE HONOURABLE MR. RAMADAS PANTULU (on behalf of the Honourable Mr. B. N. Biyani) : Will Government state :

(a) How many Indians were there in Abyssinia before its occupation by Italy ?

(b) What is the number of Indians at present ?

(c) Whether it is a fact that the Italian Government in Abyssinia do not allow Indians to live in the European hotels ; to use certain roads and to ride in the same cars on the plea that the Indians are treated in the same way in South Africa by the British Government ?

THE HONOURABLE KUNWAR SIE JAGDISH PRASAD : (a) About 2,000.

(b) About 250.

(c) Restrictions of the kind mentioned are placed on Indians in Abyssinia but Government have no information that they are imposed for the reason given by the Honourable Member.

ALL-INDIA RADIO.

155. THE HONOURABLE MR. RAMADAS PANTULU (on behalf of the Honourable Mr. B. N. Biyani) : (a) Has the attention of Government been drawn to an article published in the *Bombay Chronicle*, dated 28th December, 1938, under the head "Radio and Advertising" by D. F. Karka ?

(b) Are the facts mentioned in the article correct ?

(c) Has All-India Radio published a grey pamphlet entitled "School Broadcast Winter season on 38-39, No. 1" ?

(d) Does this pamphlet contain a three-page advertisement of Phillips and Company ? If so, why was this advertisement printed ?

THE HONOURABLE MR. S. N. ROY : (a) Yes.

(b) The facts are that the school broadcast pamphlets published by All-India Radio contain no advertisements. The grey pamphlet to which reference has been made in the article, was published, I understand, by Messrs. Phillips and Company and All-India Radio were not concerned with it beyond giving them permission to publish the three talks contained in it.

(c) No.

(d) Does not arise.

ALL-INDIA RADIO.

156. THE HONOURABLE MR. RAMADAS PANTULU (on behalf of the Honourable Mr. B. N. Biyani): (a) Has the attention of Government been drawn to a complaint by one Mr. B. R. Joshi published in the *Hitavada* of Nagpur, dated 8th January, 1939, regarding the language used by All-India Radio.

(b) If so, is it a fact that the simple and common words of Hindustani like 'Genhu (wheat)', 'gane ke records', 'shuru ke boal' etc., have been replaced by difficult words 'GUNDUM', 'MUSHRIKI MUSHRIKI KE RECORD' and 'IBTADAI ALFAZ', respectively?

(c) If so, do Government propose to take steps that the language of the radio talks is made as simple as possible to enable the non-Hindusthani knowing people to understand the radio talk?

THE HONOURABLE MR. S. N. ROY: (a) Yes.

(b) No. The difficult words referred to were, I understand, used by one of the stations for a few days but this was rectified as soon as the matter came to notice.

(c) Constant endeavours are made to achieve this end.

WATCH AND WARD DEPARTMENT ON RAILWAYS.

157. THE HONOURABLE MR. RAMADAS PANTULU (on behalf of the Honourable Mr. B. N. Biyani): (a) Will Government state the cost that they generally incur in maintaining the Watch and Ward Department on Indian Railways and whether the Railway Police of the Provincial Government can not discharge the functions of the Watch and Ward Department?

(b) Do Government propose to consider the desirability of securing the service of the Provincial Railway Police for this purpose by paying grants to the Provincial Governments? If not, why not?

THE HONOURABLE SIR GUTHRIE RUSSELL: (a) and (b). The cost of the Watch and Ward Department is about Rs. 43 lakhs per annum. The Provincial Governments have no administrative responsibility for the duties entrusted to this department. Government do not consider it advisable to secure the services of the Provincial Railway Police for this purpose.

INDIA'S CONTRIBUTION TO THE LEAGUE OF NATIONS.

158. THE HONOURABLE MR. N. K. DAS: Will Government state what was the contribution in Rupees made by the Government of India to the League of Nations, year by year, from the year 1932-33 to the year 1938-39.

THE HONOURABLE MR. SHAVAX A. LAL: A statement is laid on the table.

*Statement showing India's contribution in Rupees to the League of Nations from 1932-33 to 1938-39.*

Year.	Amount.
	Rs.
1932-33 . . . . .	13,04,880
1933-34 . . . . .	13,83,640
1934-35 . . . . .	14,37,373
1935-36 . . . . .	14,81,000
1936-37 . . . . .	13,93,000
1937-38 . . . . .	9,88,905
1938-39 (Revised Estimate) . . . . .	9,65,026

#### AIR-CONDITIONED COACHES ON METRE GAUGE RAILWAYS.

159. THE HONOURABLE RAJA YUVERAJ DATTA SINGH : (a) When do Government propose to construct air-conditioned carriages for metre-gauge lines ?

(b) If so, which railway will be taken up first ?

THE HONOURABLE SIR GUTHRIE RUSSELL : No proposals for the construction of air-conditioned coaches for use on metre gauge railways are at present under consideration.

#### ESTABLISHMENT OF ALLAHABAD AS THE CAPITAL OF THE UNITED PROVINCES.

160. THE HONOURABLE RAJA YUVERAJ DATTA SINGH : Will Government state whether the United Provinces Government are in consultation with them in regard to establishing Allahabad as capital of the province, in view of the memorial submitted recently by a large number of citizens of that place ?

THE HONOURABLE MR. F. H. PUCKLE : I refer the Honourable Member to the reply which I gave to his question No. 22 on 23rd January, 1939. No communication has since been received.

#### INTRODUCTION OF ELECTRIC FANS IN THIRD CLASS CARRIAGES.

161. THE HONOURABLE RAJA YUVERAJ DATTA SINGH : (a) Will Government state which State-managed and Company-managed railways supply third class carriages with fans ?

(b) If none, are Government contemplating to introduce [the supply of fans in third class carriages ? If so, when ?

THE HONOURABLE SIR GUTHRIE RUSSELL : (a) No State-managed or Company-managed railway provide electric fans in III class carriages.

(b) I would refer the Honourable Member to the statement made by the Honourable Member for Railways during the course of the debate on the Demands for Grants in the Assembly on the 21st February, 1939.

DEATH DUTIES.

162. THE HONOURABLE RAJA YUVERAJ DATTA SINGH : (a) Will Government state the possibilities of the levy of "Death duties" ?

(b) When is the report expected to be ready in this connection ?

THE HONOURABLE MR. A. J. RAISMAN : (a) and (b). The matter is under investigation by Sir Alan Lloyd whose report is expected shortly.

CONNECTION OF INDIA AND BURMA BY AN OVERLAND ROUTE.

163. THE HONOURABLE RAJA YUVERAJ DATTA SINGH : Will Government state whether they are contemplating to connect India with Burma by a land route ? If so, when ? And what is the estimate ?

THE HONOURABLE MR. S. N. ROY : The Honourable Member is referred to the replies given in the Legislative Assembly by the Honourable Sir Thomas Stewart on the 18th March, 1938 to Mr. Brojendra Narayan Chaudhry's starred question No. 797 and by the Defence Secretary on the 6th February, 1939 to the same Member's starred question No. 103.

RETURN OF MR. MAHENDRA PRATAP TO INDIA.

164. THE HONOURABLE MR. RAMADAS PANTULU (on behalf of the Honourable Mr. B. N. Biyani) : Will Government state :

(a) Whether the Government of the United Provinces have addressed a communication to the Government of India on the subject of permitting Raja Mahendra Pratap Singh, a political exile to return to India ?

(b) Whether Government have received any representation from Raja Mahendra Pratap seeking permission to return to India ?

(c) Whether Raja Mahendra Pratap has given an assurance in his representation that he would conduct his public activities within the bounds of the law of the land ? and

(d) Whether Government have considered his application and arrived at a decision to permit him to come to India ? If the application has been rejected, will Government state their reasons ?

THE HONOURABLE MR. F. H. PUCKLE : (a) A confidential communication on the subject has been received from the United Provinces Government.

(b) and (c). Yes.

(d) The matter is under consideration..

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INFORMATION PROMISED IN REPLY TO QUESTIONS LAID ON THE TABLE.

THE HONOURABLE SIR GUTHRIE RUSSELL (Chief Commissioner for Railways) : Sir, I lay on the table the information promised in reply to (1) question No. 240 asked by the Honourable Mr. Hossain Imam on the 22nd March, 1938, and (2) question No. 290 asked by the Honourable Pandit Hirdāy Nath Kunzru on the 4th April, 1938.

*Information promised in reply to the Honourable Mr. Hossain Imam's question No. 240 on the 22nd March, 1938.*

**QUALIFICATIONS OF IMPORTED EUROPEANS IN SERVICE IN THE MECHANICAL WORKSHOPS OF STATE-MANAGED RAILWAYS.**

(i) A statement is appended giving such information as is available so far as the State-managed railways are concerned.

(ii) A statement is appended showing the minimum qualifications required.

(iii) and (iv).

Railway.	Year of last recruitment.	No. recruited.
E. B. . . . .	1930	1
E. I. . . . .	1928	1
G. I. P. . . . .	1932	1
N. W. . . . .	1930	3

*Statement showing the qualifications both academic and practical of the covenanted subordinates employed on State-managed railways.*

Railway.	Serial No.	Name.	Designation.	Academic and practical qualifications.
E. B. R.	1	C. R. Caton	Offg. Foreman Erector.	Soham Grammar School, Combs, England, Cambridge School Certificate, Ely High School, Combs, England. Passed the Graduateship and Associate Membership Examination of the Institution of Mechanical Engineering, London.  Apprentice, Southern Railway Works, Eastleigh Running Shed, Fitter, Great Western Railway, at Old Oak Common, London.
E. B. R.	2	A. Davies	Foreman, Smithy.	Earlestown-Newton-de-Willows up to X. VII Standard. Apprentice, London and North Western Railway Newton-de-Willows. Workman, Vulcan Foundry, Newton de-Willows, Workman, Ashbury Carriage and Wagon Works, Manchester. Workman, Great Northern Railway, Doncaster.

*Statement showing the qualifications both academic and practical of the covenanted subordinates employed on State-managed railways—contd.*

Railway.	Serial No.	Name.	Designation.	Academic and practical qualifications.
E. B. R.	3	A. C. Horne	Offg. Foreman, Carriage Construction Shop.	<p>Passed through the X.VII Standard at the Eastleigh Elementary School.</p> <p>Passed with honours Carriage Building and Drawing at the Technical School. Served apprenticeship at the L. S. W. R., now the S. Railway Carriage and Wagon Works, Eastleigh. Also worked at the Carriage and Wagon Works, Birmingham, The Brush Electrical Works, Loughborough and the S. Railway Carriage and Wagon Works, Brighton.</p>
E. B. R.	4	A. Hollands	Offg. Foreman, Machine Shop.	<p>West Milling X.VII Standard and Dartford Technical Engineering.</p> <p>Apprentice, Messrs. J. &amp; E. Halls, Dartford, Kent, Workman, Messrs. J. &amp; E. Halls, Dartford, Kent. Demonstrator, Messrs. Electrolup, Ltd., Regent Street, London. Assistant Foreman, E. I. R. Carriage and Wagon Department.</p>
E. B. R.	5	J. Moore	Offg. Foreman, Boiler Shop.	<p>Crewe C. School, Standard VII. Beech School, Crewe, Secondary X.VII.</p> <p>Apprentice, London and North Western Railway, Crewe, Boilermaker, Marine Boiler Construction, Messrs. Kennes Cammel Laird, Birkenhead. Marine Boiler Repairer, Messrs. H. &amp; C. Grayson &amp; Co., Liverpool. Running Shed Boiler Maker, L. &amp; N. W. Railway, Carlisle. Electric Oxo-Welder, British Arc Welding Co., Liverpool. Steam Wagon Boiler Construction and Repairs, Messrs. Fidon &amp; Co., Sandback. Loco. and Wagon Repairs. Irak State Railway, Shaibath, Irak.</p>

*Statement showing the qualifications both academic and practical of the covenanted subordinates employed on State-managed railways— contd.*

Railway.	Serial No.	Name.	Designation.	Academic and practical qualifications.
E. B. R.	6	G. Spark	Foreman, Smithy.	Night school for over two years after leaving school. Full apprenticeship for five years with Messrs W. G. Armstrong, Whitworth & Co., Newcastle-on-Tyne.
E. B. R.	7	O. Tole	Foreman, Paint Shop.	Premium apprenticeship in L. N. W. and L. M. S. Railways Carriage Workshops at Wolverton, Bucks, covering manufacture and mixing of paints, painting gilding, sign writing, french polishing and lacquering, also Upholstering and oxydising. Prior to service in India he was Supervisor in charge of the Paint Section of the Running Repair Department in above workshops.
E. B. R.	8	F. C. West	Foreman Machine (Loco.)	Continued evening school till 18 years. Passed South Kensington Arts Examination for drawing. Scholarship to School of Science of Arts and Crafts, Salisbury. Five years apprenticeship in L. & S. W. Railway Shops, Eastleigh. Worked at the L. B. & S. C. Railway Shops, Brighton. In charge of apprentices, Bay of machining section. Worked at the Straker Square Motor Factory at Fishponds, Bristol, in charge of the Automatic Machine Section.
E. B. R.	9	W. M. Adamson	Offg. Loco. Foreman.	Attended school up to the age of fourteen and a half years. Served apprenticeship as a fitter at the Caledonian Railway (L. M. S.) Workshop at Perth. Attended the Engineering classes at Perth Academy Night School during apprenticeship. On completion of apprenticeship his services were transferred to Motherwell running Shed (L. M. S.) and worked seven years as a Running shed fitter at Motherwell.

*Statement showing the qualifications both academic and practical of the covenanted subordi nates employed on State-managed railways—contd.*

Railway.	Serial No.	Name.	Designation.	Academic and practical qualifications.
E. B. R.	10	J. C. Cowan	Loco. Inspector, Fuel.	6th Standard at Rutherglen, Glasgow, Scotland. Also attended night school for one year. Served as cleaner, fireman, shunter and driver on Caledonian Railway, Glasgow, Scotland.
F. B. R.	11	W. H. Burgess	Driver	Served on English Railways from the age of 14 to 24 as cleaner, fireman and driver. Also served three years in the Royal Engineers as loco. driver from 1917 to 1919.
E. B. R.	12	R. H. C. Eldridge	Block Signal Inspector.	Schools—private—Bathfor-um. Chippenham—Evening course of engineering and drawing. In 1915 joined Great Western Railway and was employed in gang work and later on worked as assistant lineman from 1915 to 1918. In 1918 joined Royal Air Force as cadet. Passed through school of Aeronautics as Observer. In 1919, training in Automatic Train Control and C. B. Switch Boards until 1925. In 1925 appointed as Telegraph Lineman. In July 1925 selected to take special course of training with a view to taking position as combined Signal and Telegraph Inspector. Passed through Signal Shops, Telegraph Shops, Drawing Office and Outside District. Correspondence course taken in telephony, telegraphy and mathematics and diploma gained in 1926. Signalling examination taken on the safe working of Railways and certificate gained in 1928. In 1926 suggestion submitted in regard to contact box adjustment on electrical fouling bars, accepted and gratuity awarded.

*Statement showing the qualifications both academic and practical of the covenanted subordinates employed on State-managed railways—contd.*

Railway.	Serial No	Name.	Designation.	Academic and practical qualifications.
E. B. R.	13	S. D. Stoddart	Mechanical Signal Inspector.	<p>Left the High School, Inverness, Scotland, in October, 1917, having reached the highest class (i.e., Standard 3-A). Continued education at evening continuation classes (Engineering Section) for two years.</p> <p>He entered the service of the Highland Railway Co., Inverness (now L. M. &amp; S. Railway) as apprentice signal fitter on 4th February, 1918, and had the following training on that railway :—</p> <ol style="list-style-type: none"> <li>(1) First year doing clerical work (including all Time Sheet) for Signal Superintendent.</li> <li>(2) Second years Assistant to Signal Store Keeper.</li> <li>(3) Third year onwards with outdoor maintenance and construction work with promotion to assistant line-man and installer. Remained in the service until selected in 1930 by consulting Engineers Committee in London for the post of Mechanical Signal Inspector on the E. B. R.</li> </ol>
E. I. R.	1	H. Lawrence	Transportation Inspector, Stock.	<p>Elementary school education.</p> <p>Workshop experience and in-charge of an English train examining station. Passed out by the Consulting Engineer, Westminster, London.</p>

*Statement showing the qualifications both academic and practical of the covenanted subordinates employed on State-managed railways—contd.*

Railway.	Serial No.	Name.	Designation.	Academic and practical qualifications.
E. I. R.	2	J. W. Smith	Driver	Employed in the Caledonian Railway as under :—  (i) As cleaner and various grades of shed duties for two years.  (ii) As fireman on shunting goods, slow and express passenger engines for 8 years.  (iii) One year passed driver.
E. I. R.	3	H. Edger	Section Boiler Maker.	Worked as an apprentice with the North British Railway, Glasgow, for a period of seven years before being covenanted to the E. I. R. in May, 1912, as a Boiler Maker Chargeman. Resigned his post in 1916 due to sickness. Again worked as a ship plater with Barclay Curl & Co., Ship Builders, Glasgow, from 1917 to 1919 and was again covenanted to the E. I. R. in May, 1919, as a Boiler-maker Chargeman.
E. I. R.	4	W. Asling	Transportation Inspector, Power.	Attended the Mechanics Institute attached to the Great Eastern Railway, Stratford, London, in night class for technical training.  Joined the Great Eastern Railway in 1909 as an apprentice driver at Stratford and worked up to 1913. Passed through the fitting, the erecting shop and the running shed which embraced all branches of running maintenance work. Passed Messrs. Rendel Palmer & Tritton (the Consulting Engineer to the E. I. R.) for a driver's post and was covenanted to the E. I. R. in 1913 as a driver.

*Statement showing the qualifications both academic and practical of the covenanted subordinates employed on State-managed railways—contd.*

Railway.	Serial No.	Name.	Designation.	Academic and practical qualification.
E. I. R.	5	J. W. Carruthers	Mail driver	Left school with certificate of merit. Started as Boiler in 1900 on Caledonian Railway. Worked all grades as fireman including four years fast train non-stop service up to 1912. Covenanted to the E. I. R. in 1912.
E. I. R.	6	W. W. Currie	Mail driver	Joined L. M. S. Railway, Glasgow, Scotland, as engine cleaner in 1908. Promoted to fireman in 1911 and to driver in 1917. Passed test by Works Manager, North British Loco. Works, Glasgow, and employed by E. I. R. company as a covenanted loco driver in 1921.
E. I. R.	7	A. A. Abbot	Mail driver	Joined L.S.W.R. as cleaner in 1901. Worked as fireman from 1906 to 1912.
E. I. R.	8	R. R. Reynolds	Mail driver	Joined L. M. S. Railway, Lancashire as engine cleaner in 1909. Promoted to fireman in 1915. Promoted to driver in 1917 by Loco. Superintendent, L. M. S. Railway. Passed test by the Resident Inspector at Manchester for Rendel, Palmer & Tritton, Consulting Engineers.
E. I. R.	9	G. R. Lundberg	Mail driver	Schooling done at St. Thomas, Portman Square, London.  Joined G. N. R. (now L.N.E. R.) King's Cross, as a cleaner in 1902 and served for three years and then eight years as a fireman. Joined E. I. R. as a driver in 1914.

*Statement showing the qualifications both academic and practical of the covenanted subordinates employed on State-managed railways—contd.*

Railway	Serial No.	Name.	Designation.	Academic and practical qualifications.
E. I. R.	10	H. Bonas	Foreman, Pattern.	Educated at Council School, County School Technical School. Pupilage 5½ years at James Watt Sons Foundry, Birmingham. 18 months Gibbons & Co., Birmingham (Pattern Maker). Two years J. Wheeler Langley, Leading hand, Birmingham. Four years artificer pattern maker, Royal Navy.
E. I. R.	11	F. C. Barrett	Foreman, Rolling Mill.	Educated at Barrow Technical School. Passed certificate examination.  Six years' apprenticeship with Barrow Steel Co. Roll turning and designing. Further experience with Leeds Steel & Co., Cargo Fleet. Assistant Roll Turning Manager and Mill Manager, New Russia Co., South Russia, and Government Inspector, Woolwich Arsenal.
E. I. R.	12	S. P. Bollins	Mechanical Tool Reconditioning Specialist.	Secondary Technical School education up to Matriculation Standard before entering business Engineering Course taken with additional subjects of special mathematics, English and French. Throughout apprenticeship period of business training continuation day courses in (a) applied subjects, including machine drawing at Birmingham Central Technical College, (b) Commercial practice at Birmingham School of Commerce and (c) Commercial French and General knowledge subjects of English literature, English History, Industrial Psychology, etc. at Birmingham and Midland Educational Institute all under the direction and approval of employers. After apprenticeship period—two session continuation courses in general

*Statement showing the qualifications both academic and practical of the covenanted subordinates employed on State-managed railways—contd.*

Railway.	Serial No.	Name.	Designation.	Academic and practical qualifications.
E. I. R.	12	S. P. Bollins— <i>contd.</i>	Mechanical Tool Reconditioning specialist— <i>contd.</i>	<p>knowledge subjects mentioned above. On 11th August, 1918, entered indentured apprenticeship in the manufacture of machine tools with Messrs. James Archdale &amp; Co., Ltd., Birmingham. Practical training consisted of service in all fitting shops on all types of machines then manufactured, machine shops for machining operations and tool room for tools, jig and fixture fitting and machining, etc. Apprenticeship concluded on 17th June, 1923. Further training decided upon and carried out as follows :—</p> <p>1st year after apprenticeship—general inspection of machining work from all shops.</p> <p>2nd year after apprenticeship—production deptt. all sections. From thence for 2½ years test bay and show room for final inspection and demonstration for sales, of finished machines, tools and installation and demonstration of machines in customer's works first two years as Assistant to Chief Inspector and Demonstrator, last six months assumed control. Service with Company terminated on 21st January, 1928 in consequence of recruitment to Indian State Railways.</p>
E. I. R.	13	H. Gardiner	Foreman Blacksmith.	Elementary County Technical School. Five years apprenticeship with G. W. R. In their employ until 1927 ; from that date with the E. I. R.

*Statement showing the qualifications both academic and practical of the (a) tenanted subordinates employed on State-managed railways—contd.*

Railway.	Serial No.	Name.	Designation.	Academic and practical qualifications.
E. I. R.	14	G. E. Morgan	Offg. Asstt. Foreman, B. W. Foundry.	Educated at Spottlands Preparatory Evening School, Cardiff. Cardiff Technical College, Cathays Park, Cardiff. Messrs. Guest Keen & Nettlefolds, Ltd., Dowlais Works, Cardiff, Taff Vale Railway. G. W. R. Mechanical Deptt. Cathays Yard, Cardiff. Hamilton's Iron and Steel Foundries, Metropolitan Road, Cardiff. Messrs. Mountford and Phillips, Colliery Engineers, Llantrissant, Glamorgan, South Wales. The Gart Steel Industries, Taffs, Well, Glamorgan, South Wales.
E. I. R.	15	R. F. Marks	Heat Treatment Specialist.	Leaving certificate, Wishaw Academy, Scotland. Prize won, continuation classes, Wishaw Technical School, Scotland. Three years Metallurgical for B.Sc. (4th year interrupted owing to enlistment in Imperial Forces during Great War) at Drexel Engineering College, Philadelphia, U. S. A. Member of American Society of Metals. Six years including apprenticeship in steel manufacture and heat treatment, in Wishaw, Scotland, prior to 1911. Five years including a 3 year special apprentice training in Philadelphia (Midvall Steel Co.) Last post held, prior to enlistment, Assistant Shop Superintendent. Four and a half years Rolling Mill Foreman and Stock-taker Wishaw, Scotland. 5 years Supervisor in charge, Heat Treatment in Ayr, Scotland. One year Assistant Metallurgist, 1½ years Assistant Works Manager (Manufacturing).

*Statement showing the qualifications both academic and practical of the covenanted subordinates employed on State-managed railways—contd.*

Railway.	Serial No.	Name.	Designation.	Academic and practical qualifications.
E. I. R.	16	D. M. Stewart	Foreman. Manufacturing.	<p>Ordinary degree in the B.Sc. Mechanical Engineering group, Glasgow University. Certificate of proficiency in Engineering Science, Glasgow University. Associate Member of the Institute of Mechanical Engineers. Full first class Technological certificate in Iron and Steel Manufacture of the City and Guilds of London Institute. Trained in the Chemical and Physical Laboratories with subsequent general workshop experience with Messrs. Lanarkshire Steel Co., Ltd., Motherwell, Scotland.</p> <p>He qualified as (1) Steel Foundry Foreman, (2) Brick Shop Foreman, (3) Inspector of Brass and Cast Iron Castings and Steel Forgings, and (4) Assistant Manager of Manufacturing shops.</p>
E. I. R.	17	R. Watson	Foreman. Wheel.	<p>Continuation classes attended.</p> <p>Served 5 years apprenticeship with the Caledonian Railway in St. Rollax Works, Glasgow, from 1903 to 1908 and also as a Journeyman Fitter until March, 1911. Worked in Balecock and Wilcox, Renfrew, from March, 1911 till November, 1911. Covenanted to E. I. R. in November, 1911.</p>
E. I. R.	18	A. Hamilton	Transportation Inspector (Power).	<p>Received school training up to 6th Standard in a Glasgow Council School, Scotland. Worked in all grades of locomotive work on the Caledonian Railway from cleaner to main line express fireman from March, 1906 to 31st August, 1912. Passed examination by the</p>

*Statement showing the qualifications both academic and practical of the covenanted subordinates employed on State-managed railways—contd.*

Railway.	Serial No.	Name.	Designation.	Academic and practical qualifications.
E. I. R.	18	A. Hamilton— <i>contd.</i>	Transportation Inspector (Power)— <i>contd.</i>	E. I. R. representative at Hyde Park Loco. Works before appointment to the E. I. R. as mail fireman on 31st August, 1912.
E. I. R.	19	W. Makin	Transportation Inspector (Power).	Received school teaching up to 7th Standard in Park Hill School, Liverpool. Started work in July, 1899 on the Great Central Railway, Liverpool, as callboy. Promoted to fire bar layer in 1900 and joined the Midland Railway in 1901 as cleaner. Passed as fireman in 1904 and worked in all classes of engines and trains up to 1912. Joined E. I. R. as a fireman in 1912, having been selected by the Consulting Engineers in London.
E. I. R.	20	R. G. S. Wilmot	Signal Inspector.	Educated at Council School. Served at the Signal Shops of the Great Western Railway. He was subsequently transferred to the Open Line on Construction and worked there from 1907 to 1924. Associate Member of the Institute, of Railway Signal Engineers.
E. I. R.	21	W. Ramsey	Electrical Superintendent.	Manchester Grammar School, Manchester College of Technology and passed Electrical Engineering course. Full period of apprenticeship with recognised firm of Electrical Engineers in Manchester, England.
E. I. R.	22	F. Murphy	Foreman, Machine Shop.	Studied in Glasgow High School, Standard VIII. Technical education in Technical School, Glasgow. Five years apprenticeship in North British Railway Workshops. Worked as foreman in the Armstrong

*Statement showing the qualifications both academic and practical of the covenanted subordinates employed on State-managed railways—contd.*

Railway.	Serial No.	Name.	Designation.	Academic and practical qualifications.
E. I. R.	22	F. Murphy— <i>contd.</i>	Foreman, Machine Shop— <i>contd.</i>	Main. Worked as Foreman, Machine Shop for five years with Fullerton Hadgart and Barclay & Co., Paisley, Glasgow, Scotland. Covenanted foreman, Loco. Machine Shop, from 4th December, 1921.
E. I. R.	23	G. H. Taylor	Chargeman.	Studied for six years in Leamington Spa Council School and for 2 years in Leamington Borough College as Engineering Student. Served for seven years as Bound Apprentice with Alfred Herbert, Ltd., Coventry. Covenanted as Chargeman, Machine Shop, from 30th August, 1924 at Jamalpur.
E. I. R.	24	H. Bullivant	Offg. Electrical foreman.	Educated up to Matriculation Standard at Derby Municipal Secondary School, England. Technical training in Electrical Engineering at Derby Technical College and the International Correspondence Schools. Apprenticeship served with Messrs. Newton Bros., Electrical Engineers, Derby. Followed by seven years practical work in Electrical Engineering Workshops including 2½ years as Assistant Foreman and Foreman.
E. I. R.	25	C. F. Dunne	Offg. Electrical Superintendent.	The London Polytechnic, 1913. Central Electric Power Supply Stanhope Lines from 1914 to 1917. Joined the Royal Flying Corps in 1917. Demobilised in January, 1919. Rejoined Central Electrical Supply in January, 1919 to October, 1924, Joined E. I. R. in October, 1924.

*Statement showing the qualifications both academic and practical of the covenanted subordinate employed on State-managed railways—contd.*

Railway.	Serial No.	Name.	Designation.	Academic and practical qualifications.
E. I. R.	26	F. G. Adams	Train Lighting Foreman.	Attended Technical Classes from 1902 to 1906. Served with L. & N. W. R. from April, 1901 to 1908. L. B. & S. C. Railway from April, 1909 to May, 1910, the Vauxhall Motor Works from June, 1910 to April, 1911 and L. & S. W. R. from May, 1911 to November, 1912. Covenanted to E. B. R. during 1913 and resigned during 1920. Returned to England and came out covenanted to E. I. R. as Foreman in 1921.
E. I. R.	27	T. F. Alderson	Foreman, Carriage Body Construction Shop.	Attended Technical School from 1916 to 1923 Served with L. M. S. R., Wolverhampton, from February, 1916 to February, 1923, London General Omnibus Co., Ltd., Chiswick Works, from February, 1923 to May, 1924, Brush Co., Loughboro, from May, 1924 to January, 1925 and Southern Railway, Lancing, Brighton, from January, 1925 to January, 1926. Covenanted to G. I. P. R. in January, 1926 and transferred to the E. I. R. on 1st September, 1928 as an Assistant Foreman.
E. I. R.	28	W. T. Gay	Offg. Foreman, Wagon Repair Shop.	Attended Technical Classes. Served with the Gloucester Railway, C. & W. Co., Ltd., from 1913 to 1920 & Messrs. Cammell Laird & Co., C. & W. Builders, for six months. He was transferred to the Midland C. & W. Works, Birmingham, and worked there for six months. Appointed as a mechanic to the E. I. R. in 1921.
E. I. R.	29	H. J. Lines	Tool Room Chergeman.	Attended Technical Classes for 4 years. Served with L. N. W. R. Works from July, 1914 to May, 1918. Attached to the Royal

*Statement showing the qualifications both academic and practical of the covenanted subordinates employed on State-managed railways—contd*

Railway.	Serial No.	Name.	Designation.	Academic and practical qualifications.
E. I. R.	29	H. J. Lines— <i>contd.</i>	Tool Room Chargeman— <i>contd.</i>	Air Force as engine fitter from May, 1918 to February, 1919. Returned to L. N. W. R. and worked with them from February, 1919 to March, 1922. Covenanted to E. I. R. as Chargeman in 1922.
E. I. R.	30	E. Massingham	Foreman	Attended technical classes. Served apprenticeship in Carriage and Wagon Workshops, L. M. S. Railway, Derby, from 1907 to 1914. Served 4½ years with the Royal Engineers Railway Construction Co., France. Served from 1919 to 1921 with Carriage and Wagon Workshops, L. M. S. Railway, Derby. Covenanted to O. and R. R. in February, 1921 as Carriage Builder Foreman.
E. I. R.	31	G. R. Maxwell	Foreman	Attended technical classes. Apprentice from 1915 to 1922 in Ajmer Shops, B. B. & C. I. R. (including 17 months war service in East Africa). Proceeded to England in 1923 and served with L. M. S. R. at their Loco. Works, Horwich, till June, 1925. Attended technical classes and completed a course of metallurgy. Served with Leyland Motors from June to September, 1925. Covenanted to B. B. & C. I. R. as Charge-man in October, 1925. Transferred to the E. I. R. in May, 1928.
E. I. R.	32	W. Roberts	Mail driver	Educated at the Stockwell National School, Lingham Street, London, and received good general education. Left school at the age of fourteen and entered service at the London and North Western Railway as engine cleaner

Statement showing the qualifications both academic and practical of the covenanted subordinates employed on State-managed railways—contd.

Railway.	Serial No.	Name.	Designation.	Academic and practical qualifications.
E. I. R.	32	W. Roberts— <i>contd.</i>	Mail driver— <i>contd.</i>	in August, 1900. Promoted to fireman in January, 1905. Resigned in October, 1913 and was appointed as fireman on the B. N. R. Resigned in 1914 and joined the E. I. R. as a driver in May, 1915.
E. I. R.	33	W. T. Ball	Mail Driver	Joined the Great Western Railway at Crewe, England, as engine cleaner at the age of fifteen. Joined the Lancashire and Yorkshire Railway, Newton Heath, Manchester. Commenced learning there and passed fireman's examination. Booked as a driver in October, 1921. Appointed as a driver on the E. I. R. in April, 1922.
E. I. R.	34	C. G. Dodd	Foreman, Forge Shop.	Attended Elementary School. Five years apprenticeship served in England as Blacksmith on the Great Western Railway.
E. I. R.	35	H. Wade	Assistant Foreman, Brass Foundry.	Secondary School education. Brass Founder Apprentice with Vickers, Ltd., England. Fifteen years experience in England.
E. I. R.	36	S. H. Wren	Electrical Inspector.	Received general education at various schools in different parts of England, completing at the Medway Schools in Leicester. Completed mechanical and electrical engineering course at Leicester Technical Schools. Served five years apprenticeship in mechanical and electrical engineering at a recognised firm of Engineers in Leicester, England. Qualified as a Mechanical, Electrical and Internal Combustion Engineer and had experience in the manufacture and maintenance of different kinds of

*Statement showing the qualifications both academic and practical of the covenanted subordinate employed on State-managed railways—contd.*

Railway.	Serial No.	Name.	Designation.	Academic and practical qualifications.
E. I. R.	36	S. H. Wren— <i>contd.</i>	Electrical Inspector— <i>contd.</i>	machinery in England. Been Mechanical and Electrical Engineer in charge of collieries in England. Had experience in His Majesty's Ships during and after the War as a Salvage Engineer. Had experience as a deep sea diver in connection with salvage work.
E. I. R.	37	H. Williams	Driver	Passed the necessary examination in London in 1911 and the usual driver's test examination. Served as a cleaner for 2 years and as a fireman for five years and five months on the Great Western Railway, London. Joined the E. I. R. in September, 1911.
E. I. R.	38	H. C. Murdoch.	Running Shed Foreman.	Studied up to Standard 7X in St. Merry School, Alsogar (Cheshire). Joined the North Staffordshire Railway, Stoke, as a cleaner in 1900. Worked as a cleaner for 2 years, spare fireman for 3 years and fireman for 5 years, joined the E. I. R. as a fireman in December, 1910.
E. I. R.	39	J. Mc. Q. Holland.	Running Shed Foreman.	Public school education up to the VII Standard. Joined the North British Railway, Edinburgh, Scotland, as an engine cleaner in 1904. Promoted to fireman in 1905. Passed test by the Works Manager, North British Loco. Works, Glasgow. Joined E. I. R. as a fireman in 1911.
E. I. R.	40	W. H. Phillips	Driver	Passed VI Standard from St. Stephen's, School, Barbourne City of Worcester. Joined Great Western Railway at Worcester as a cleaner in 1900.

*Statement showing the qualifications both academic and practical of the covenanted subordinates employed on State-managed railways—contd.*

Railway.	Serial No.	Name.	Designation.	Academic and practical qualifications.
E. I. R.	40	W. H. Phillips— <i>contd.</i>	Driver— <i>contd.</i>	Promoted to goods fireman in 1903. Passed the Mechanical Inspector, Swinobn Works and promoted to long distance express fireman in 1912 and promoted to driver in 1916. Joined the E. I. R. as a driver in 1921.
E. I. R.	41	M. D. Sargent .	Driver . . .	Passed VII Standard in Halifax, Nova Scotia, Canada, in 1901. Joined as a cleaner on the Caledonian Railway, St. Rollex, Glasgow, in 1903. Promoted to fireman in 1904. Promoted to driver in 1912. Joined the E. I. R. as a driver in 1914.
E. I. R.	42	A. H. Robert- son.	Driver . . .	Passed VI Standard in Calashiels, Scotland, in 1902. Joined the North British Railway as engine cleaner in 1904. Promoted to fireman in 1906. Employed by the late E. I. R. Company as fireman on the 21st January, 1911. Passed 2nd class goods driver on the 6th June, 1911. Promoted to shunter on the 26th June, 1911. Promoted to 2nd class goods driver on the 10th April, 1912. Resigned on the 23rd January, 1915. Engaged by Crown Agents for Colonies for British West Africa from May, 1915 till October, 1919. Transferred to Federated Malay State Railway in January, 1920. Retrenched due to reduction of staff in April, 1922. Re-engaged in the late E. I. R. Company as driver on the 15th September, 1922.

*Statement showing the qualifications both academic and practical of the covenanted subordinates employed on State-managed railways—contd.*

Railway:	Serial No.	Name.	Designation.	Academic and practical qualifications.
E. I. R.	43	W. McAndrew	Driver	Board School till November, 1899. Joined "Empress" training ship after leaving school. Employed as deck hand in G. and J. Burn's Steamers from April, 1904 to July, 1905. Joined the Caledonian Railway as cleaner from 24th July, 1905 to 20th May, 1906. Promoted to fireman on 29th May, 1906. Joined the E. I. R. as driver in October, 1914.
E. I. R.	44	W. C. Irving	Driver	Passed VI Standard in Strathavon Academy in 1912. Joined the Caledonian Railway as a cleaner in 1912. Promoted to fireman in 1915 and worked on the Caledonian Railway till March, 1922. Joined the E. I. R. as driver in April 1922.
E. I. R.	45	E. C. Siret	Signal Inspector.	Passed Senior Cambridge Examination in 1908 from La Martiniere College, Calcutta. Appointed Apprentice Block Signal Inspector at Howrah in February, 1909 and served apprenticeship from 1909 to 1911. Worked as Assistant Block Signal Inspector from 1911 to 1919 when resigned and proceeded to England for further training. Joined City and Guilds Technical College, Finsbury, 1919 to 1922 and completed course of civil and mechanical engineering. Passed with distinction. Passed Associated Membership Examination of Institutes of Mechanical Engineering, London, in October, 1922. Joined the E. I. R. as Signal Inspector in July, 1924.

Statement showing the qualifications both academic and practical of the overhauled subordinates employed on State-managed railways—contd.

Railway.	Serial No.	Name.	Designation.	Academic and practical qualifications.
E. I. R.	46	W. A. Turnell	Foreman	Educated at Doncaster Grammar School for four years. Doncaster Technical School for two years. Premium apprentice engineer for 7 years, Doncaster Works, G. N. R., Engineer, Chief Inspector, Heavy Gun Deptt. Vickers Ltd., Sheffield.
G. I. P. R.	1	F. L. Round	Planner and Rate Fixer.]	Earlsdon School, Coventry. Bablake Secondary School, Coventry. Technical Institute. Engineering course in day classes for 3 years and night classes for one year. Six months private lessons in mathematics. Messrs. A. Herbert, Ltd., Coventry, Junior Draughtsman, Jigs, gauges and special tools. Messrs. A. Herbert, Ltd., Coventry, apprenticed as tool maker. Experience in turning, universal milling and fitting, including marking out, drilling, planing, shaping and grinding. Tool room at Messrs. A. Herbert, Ltd., Coventry. In Works Drawing of same firm. Experience on jigs, gauges and special tools, layouts of tools for automatic turning machines and combination lathes and layouts of plants.
G. I. P. R.	2	H. B. Face	Assistant Foreman.	Thrupp Council School, Stroud, Glasgow. Malting Endowed School, Stroud, Glasgow. Brimscombe Polytechnic. Evening classes. Certificate obtained for machine drawing, geometry and applied mechanics. Apprenticeship, General Engineering, Messrs. George Waller and Sons, Ltd., Stroud, Glasgow. Drawing Office. Gas Engine Shop, Turning and Erecting Shops.

*Statement showing the qualifications both academic and practical of the covenanted subordinates employed on State-managed railways—contd.*

Railway.	Serial No.	Name.	Designation.	Academic and practical qualifications.
G. I. P. R. .	2	K. B. Face— <i>contd.</i>	Assistant Fore- man— <i>contd.</i>	<p>Operator and Setter-up on Cleveland Automatics and No. 4 Herbert Capstans, Messrs. R. A. Lister &amp; Co., Ltd., Dursley, Glasgow.</p> <p>Chargehand Motor Cycle erecting, The Zenith Motors, Ltd., Hampton Court, Middlesex.</p> <p>Setter-up on Herbert &amp; Ward Capstans, Messrs. Gordon Watney &amp; Co., Ltd., Weybridge, Surrey.</p> <p>Tool Room Milling and Grinding machines. Messrs. Sopwith, Ltd., Kingston, Surrey.</p> <p>Chief Viewer, Machine Shop, Messrs. Gillett Stephens, Ltd., Bookham, Surrey.</p> <p>Special experience in connection with the following classes of work :—</p> <p>(1) Tool Setting for Turret &amp; Capstan Lathes and other Modern Machine Tools.</p> <p>Had charge of a new plant of 34 Cleveland Automatics ranging from <math>\frac{1}{4}</math>" up to <math>2\frac{1}{2}</math>".</p> <p>The Gun and Shell Factory, Cossipore, Calcutta.</p> <p>(2) Up-to-date Machine Tool Production methods.</p> <p>He had considerable experience in mass production and had designed his own circular form tools, compound sets, self-opening dies, etc. for the manufacture of hexagon bolts, railway axle bolts and male jigs and fixtures for vacuum brake ball valves.</p> <p>(3) Brass Finishing Work.</p> <p>80 Mk. VII time and percussion fuses, top and bottom rings 1st Operation on 2" Clevelands, at the rate of 300 per day and the remaining operations on ward capstans. 106 percussion fuse</p>

*Statement showing the qualifications both academic and practical of the covenanted subordinates employed on State-managed railways—contd.*

Railway.	Serial No.	Name.	Designation.	Academic and practical qualifications.
G. I. P. R. .	2	K. B. Face— <i>concl'd.</i>	Assistant Fore- man— <i>concl'd.</i>	magazines. Outside dia. thread screwed on 1 7/8" Cleveland to stand upto an effective screw gauge.
G. I. P. R. .	3	H. B. Viner .	Jig and Tool Draftsman.	Apprentice with Messrs. Chance Bros. & Co., Lighthouse Engineers and Glassmakers, Birmingham, England, serving in the Pattern, Fitting and Machine Shops and Drawing Offices being engaged on work of a general nature including works plant. With Messrs. Chance Bros. as a Draughtsman and Toolmaker on shell production. Jig and Tool Draughtsman with Messrs. The Lanchester Motor Co., Birmingham, England, rising to section leader on the production of aero engines, paravanes, and motor cars. Jig and Tool Designer with Messrs. A. Harper Sons and Bean, Ltd., Dudley, England, on the mass production of motor cars. With Messrs. The British Thompson Houston Co., Ltd., Rugby, England, on the design and layout of special machine tools and manufacturing plant. Jig and tool designer with Messrs. The Bristol Aero plane Co., Ltd., Bristol, England, on aero engine production.
G. I. P. R. .	4	H. C. L. Baggs	Foreman .	Council Elementary School. Municipal Higher Grade School. Swindon and North Wilts and Secondary School Technical Institution. Evening classes course in Rail Carriage Construction and Science. Certificated Apprenticeship at Great Western Railway Works, Swindon. Qualified Coach Trimmer in all classes of work.

*Statement showing the qualifications both academic and practical of the covenanted subordinates employed on State-managed railways—contd.*

Railway.	Serial No.	Name.	Designation.	Academic and practical qualifications.
G. I. P. R.	5	F. A. C. Russell	Driver	<p>Qualified fireman on British Railways.</p> <p>Engaged by the Home Board of the late G. I. P. R. Company.</p>
G. I. P. R.	6	F. C. Booker	Driver	<p>Attended Gorse Hill Council School, Swindon, Wiltshire. Attended the Higher Grade School, Euclid Street, Swindon, Science and Engineering, etc. Attended evening classes at the Technical School of Engineering, Swindon.</p> <p>From 1912 to 1920 was employed in G. W. R. Running Shed, Swindon, as engine cleaner and fireman. Selected by the Home Board of the late G. I. P. R. Company as a driver.</p>
G. I. P. R.	7	F. C. Sparks	Acting Loco-Inspector.	<p>Attended Cottage Grove Board School, Southsea, Portsmouth, Hants, for 5 years. T. C. C. Board School, Woolwich, London. Passed 7th.</p> <p>Worked as a cleaner in Hades Green Loco. Depot and passed out to fireman from 1902 to 1916. Attended Corps Mutual Improvement classes. Registered as driver under National Registration Act, 1916. Selected by Home Board of the late G. I. P. R. Company as a driver.</p>
G. I. P. R.	8	F. B. Barter	Ghaut Driver	<p>He worked on the Southern Railway at Eastleigh, Hants, England, for a period of 9 years as a Boilermaker and Fitters Assistant in the shops before he was made fireman in which post he served for 6 years.</p>

*Statement showing the qualifications both academic and practical of the covenanted subordinates employed on State-managed railways—contd.*

Railway.	Serial No.	Name.	Designation.	Academic and practical qualifications.
G. I. P. R.	9	F. K. Carr	Chief Foreman	<p>He was educated at Bede College, Durham City. Apprenticed to R. &amp; W. Hawthorne, Leslie &amp; Co. of Newcastle from 1900 to 1905. During apprenticeship attended Durham College of Science. At sea from 1906 to 1910. Obtained a First Class B. O. T. certificate.</p> <p>Repairs and Maintenance Engineer to the Lancashire Electric Power Co. until 1929 when he joined the G. I. P. R.</p>
G. I. P. R.	10	G. Ahrens	Superintending Foreman.	<p>Technical education was obtained through evening classes, one session at Northampton Institute, Clerkenwell, London, and 4 years at the Paddington Technical Institute, London, between the year 1907 and 1911.</p> <p>Practical training was obtained with the London Underground Railways now merged in the London Passenger Transport Board.</p> <p>Initial training was with the Central London Railway in the Line Engineers Department.</p> <p>Contract work. The most important employers were Marylebone Electric Light Supply Company, Bayer Street, London, for 3 to 4 months.</p> <p>Messrs. White City Exhibition for about 5 months. A. W. Hyde &amp; Co., Grimsby, for about 10 months, and the Mansfield Engineering Company, Mansfield, Notts., for about 18 months. The last two named firms gave him charge of factory installations, village lighting and overhead transmission.</p>

*Statement showing the qualifications both academic and practical of the covenanted subordinates employed on State-managed railways—contd.*

Railway.	Serial No.	Name.	Designation.	Academic and practical qualifications.
G. I. P. R.	10	G. Ahrens— <i>contd.</i>	Superintending Foreman— <i>contd.</i>	He rejoined the underground in March or April, 1914 as an electrical fitter at the Ealing Works where a batch of new coaches were being equipped. On the completion of work he was retained for maintenance work. From 1914 to September, 1926 he was continuously employed. During 1918-19 he was assistant foreman at the London Road Depot. In 1919 he was transferred to Lillie Bridge Depot where work in connection with "air operated doors" was commenced. He was responsible for electrically equipping the first set of stock equipped with automatic doors and was required for this class of work at depots where this class of work was done, up to the date he was appointed to the G. I. P. R.
G. I. P. R.	11	W. T. Cooper	O. H. E. Foreman.	Elementary School at Nottingham (London Trust School). Secondary education, Nottingham (High Pavement School).  At College in Port Arthur, Ontario, Canada (Port Arthur Collegiate Institute.)  Joined Canadian Expeditionary Forces (52nd Batta., C. E. F.) returned to Canada demobilized as Lieutenant, Acting Captain.  Granted Pupilage Training under the Canadian Government Vocational Training Scheme for war serving officers with the Ontario Hydro-Electric Commission. Training consisted of General Electrical Engineering with specialized training

*Statement showing the qualifications both academic and practical of the covenanted subordinates employed on State-managed railways.*

Railway.	Serial No.	Name.	Designation.	Academic and practical qualifications.
G. I. P. R.	11	W. T. Cooper— <i>contd.</i>	O. H. E. Foreman— <i>contd.</i>	<p>for Transmission and Distribution work and such Civil Engineering as appertained to the work such as surveying, reinforced concreting foundations, etc.</p> <p>Specialised training in manufacture and installation of all types of power and telephone cables joining, etc.</p> <p>3 months commercial training with Public Utilities Commission (Electricity Department).</p> <p>Telephone (Control and General) and Telegraph erection on Canadian National Railways (Midwest Division). Engaged on layout, erection and installation of telephone and telegraph system for train despatching. Status, foreman.</p> <p>High Voltage Railway Traction with the New York Central Lines (Milwaukee &amp; St. Paul) Section. Engaged on maintenance, erection, substations work. Administration of sections. Status, Engineer Foreman.</p> <p>Cable installations EHT, HT &amp; LT networks, rings etc., Ac/DC change over. Substations maintenance with North Metropolitan Electric Supply Co., New Southgate, London. Status, Foreman.</p> <p>Maintenance of high speed electric lines for Urban and Radial Traffic Power Cables Track extensions with Toronto Radial and Inter Urban Railway, Toronto, Canada. Status, Engineer Fireman.</p>

*Statement showing the qualifications, both academic and practical of the covenanted subordinates employed on State-managed railways—contd.*

Railway.	Serial No.	Name.	Designation.	Academic and practical qualifications.
G. I. P. R.	11	W. T. Cooper— <i>contd.</i>	O. H. E. Fore- man— <i>contd.</i>	High tension and low voltage overhead lines on rural development, outdoor switchgear and transformer stations, house wiring testing etc., with the County of London Electric Supply Co., Ramford District, Essex, England. Status, Foreman. 132 K. V. Steel tower transmission lines on supervisory conductor running and sagging. Inspection with consulting engineers. Status, Foreman.
G. I. P. R.	12	F. F. Mawar	Chargeman	Sheffield Board School, with two years additional at the Sheffield High School. Apprenticeship served for seven years at Robert Hadfield and Edgar Allen. Partner in Sawson and Mawer Brass Founders for two and half years.
G. I. P. R.	13	H. A. Manning	Chargeman	Secondary education of the Trades Section of Centaur Road School, Coventry. Four years part time at the Technical College, Coventry, followed by two years night classes up to the National Certificate Standard. 6½ years apprenticeship at Alfred Herberts (Coventry) 1½ years as a journeyman.
G. I. P. R.	14	J. H. Parvin	Chargeman	Elementary Schooling up to Standard VII. Served apprenticeship with Bayley's general smiths of 5.6 years. During this time he did war service which kept him at his trade. 2. years with S. P. Austin Shipbuilders, Sunderland. 1½ years with Parsons Wallsend as a smith. 1 year with Armstrong Whitworth, Glasgow, as a smith, 3 years with L. N. E. R., Gateshead, as a smith.

*Statement showing the qualifications both academic and practical of the reverented subordinates employed on State-managed railways—contd.*

Railway.	Serial No.	Name.	Designation.	Academic and practical qualifications.
G. I. P. R.	15	N. G. Jardine	Chargeman	<p>Educated at Longtown High School, Cumberland.</p> <p>Attended Technical (Evening Classes), Tollyhouse, Carlisle.</p> <p>Apprenticeship at Natherby Saw Mills, Longtown.</p> <p>Active Service, British Navy. Timber Operators, Head Office, 11-12 Pall Mall, London.</p> <p>Timber conversion, Saw doctoring, Cutter grinding. Demonstrator on all types of wood-working machines including jig designing. <i>Midland Railway, Derby.</i> Timber conversion. General wood-working machinist.</p>
G. I. P. R.	16	G. E. Townsend	Chargeman	<p>Attended schools in Ireland (Fermoy Buttevant) England (Aldershot). Standard 6.</p> <p>Kent Grammar School, Gravesend, 6th Form.</p> <p>Ordnance College, Woolwich.</p> <p>Attended theoretical classes in :—</p> <p>Range Finders and Instruments.</p> <p>Electrical Equipment (Military) Automobiles.</p> <p>Steam Traction (Road).</p> <p>Stationary Boilers, Lighting, etc.</p> <p>Nottingham University. (Evening Classes.)</p> <p>2 years smithy shops, 1 year Fitting shop, and 1 year Machine shop—Ordnance College Workshops.</p> <p>1 year Garage—</p> <p>Automobiles (Cars and Lorries) Tractors Steam.</p> <p>Maintenance of Stationary Boilers, etc.</p> <p>Ordnance College Workshops.</p> <p>6 months Drawing Office—Gun Carriage Branch, Royal Arsenal, Woolwich.</p>

*Statement showing the qualifications both academic and practical of the covenanted subordinates employed on State-managed railways—contd.*

Railway.	Serial No.	Name.	Designation.	Academic and practical qualifications.
G. I. P. R. .	16	G. E. Townsend— <i>contd.</i>	Chargeman— <i>contd.</i>	6 months experimental work (Gun Carriages) School of Experiments, Shoeburyness. C. & W. Department—M. Railway Co., Derby, England. Cammell Laird & Co., Engineers, Nottingham.
G. I. P. R. .	17	J. Toner .	Chargeman .	Educated at St. Mary's Hamilton and Hamilton Academy, Lanarkshire, Scotland. Apprentice Coach Painter with Hurst Nelson & Co., Motherwell, Scotland. R. Y. Pickering & Co., Wishaw, Scotland. Belsig Motors, Ltd., Manchester.  War period—In service with Scottish Rifles, the H. L. I., France, Mesopotamia, India. Worked as Master Painter, Hurst Nelson & Co., Motherwell, Lanarkshire Tramway Co., as Foreman, John Stewart & Co., Coach Builders, Wishaw, Lanarkshire, Scotland.
G. I. P. R. .	18	L. C. Holmes .	Jig and Tool Draftsman.	2 years course at Layton Technical Institute. 1 year continuation course (evening classes) at West Ham Technical Institute. Associated Equipment Co., Ltd. All branches of tool making (machine work, hand work and design). Also worked for a period as Progress Assistant. 6 months Leyland Motors, Ltd., Junior Tool Designer. Unic Motors, Tool Designer. Bristol Tramways and Carriage Co., Ltd., Tool Designer. Tilling Stenvens Motor, Ltd., Leading Tool Designer. Bristol Aeroplane Co., Ltd., Tool Designer.

*Statement showing the qualifications both academic and practical of the covenanted subordinates employed on State-managed railways—contd.*

Railway.	Serial No.	Name.	Designation.	Academic and practical qualifications.
G. I. P. R.	19	A. Slack	Jig and Tool Draftsman.	<p>Openshaw School of Technology (Evening).                      Manchester School of Technology (Day).                      Apprenticeship in General Engineering with B. &amp; S. Massey Co., Ltd., Openshaw, Manchester.                      Served with Colours, Mechanical Branch in France.                      National Gauge Factory, Woolwich, in charge of Heat Treatment Department.                      Jig and Tool Designer, L. N. E. R., Dukinfield, Cheshire.</p>
G. I. P. R.	20	F. Rose	Chargeman	<p>He was educated up to the seventh standard and during his apprenticeship, he attended the Fenton Technical School, Stoke-on-Trent, in the evenings for the period of 3½ years.                      He was an apprentice blacksmith at Messrs. Kerr Stuarts &amp; Co., Locomotive Engineers, Stoke-on-Trent, from 1914 to 1921. During this time he was given an all round experience in all classes of loco. and wagon work including drop stamping. On the completion of his apprenticeship he was retained as a journeyman smith. He worked for six years as a journeyman from 1921 to 1927 and had experience in all kinds of loco. forgings including reversing shafts, slide rods, coupling rods, eccentric rods, motion work, brake gear, boiler work, etc. During the six years as a journeyman he was employed by the following firms :—                      Messrs. Kerr, Stuarts &amp; Co., Locomotive Engineers, Stoke-on-Trent, 4 years.                      Messrs. Robert Heath &amp; Lowmoor, Black Bull Iron Works, Stoke-on-Trent, 1 year.</p>

*Statement showing the qualifications both academic and practical of the covenanted subordinates employed on State-managed railways—contd.*

Railway.	Serial No.	Name.	Designation.	Academic and practical qualifications.
G. I. P. R.	20	F. Rose— <i>contd.</i>	Chargeman— <i>contd.</i>	Messrs. W. G. Bagnall, Locomotive Engineers, Stafford—1 year.
G. I. P. R.	21	D. Welch	Loco. Foreman	St. Paul's School, Stratford, London, passed X7 two years London City and Guilds passed Mathematics, Machine Construction and Drawing, Geometry and English stage 2. 7 years complete apprenticeship in fitting and turning G. E. Railway Running Shed, Stratford, London. 2 years Associated Equipment Co., Walthamstow, London, as final motor erector. Working on G. E. Railway Running Shed, Stratford, when appointed as Running Shed Fitter Chargeman, G. I. P. R., on October 21st, 1921.
G. I. P. R.	22	A. Howse	Foreman, Smith Shop.	Elementary schooling up to Standard VII. Served apprenticeship as Engine Smith in the Great Western Railway and with the exception of the War period worked there till the time he was covenanted to India.
G. I. P. R.	23	R. Lawther	Blacksmith Chargeman.	Served in North British Locomotive Works, Darlington Forge and the Firm of Messrs. Robert Stephenson. Thorough knowledge of locomotive and carriage and wagon manufacture, steam and power hammers, drop stamps, machine forging, spring fitting and all the latest methods of modern manufacture.
G. I. P. R.	24	..	Permanent Way Inspector.	He was trained as Permanent Way Inspector on British Railways.
G. I. P. R.	25	..	Permanent Way Inspector.	He was trained as Permanent Way Inspector on British Railways.

*Statement showing the qualifications both academic and practical of the covenanted subordinates employed on State-managed railways—contd.*

Railway.	Serial No.	Name.	Designation.	Academic and practical qualifications.
N. W. R.	1	W. S. Goode	Chargeman-Toolmaker.	7th Standard. 7 years Railway Mechanics Institute, Stratford, during apprenticeship, and 8 years at Technical Institute, Shoreditch, during subsequent employment. 7 years apprenticeship as a Toolmaker on L. N. E. R., Stratford. 8 years as Toolmaker on L. and N. E. R.
N. W. R.	2	I. Patchett	Chargeman-Machinist.	7th Standard. 2 years at Technical Institute, Huddersfield. 6 years apprenticeship at Vickers, Ltd., as a mechanic. Worked as a mechanic for one year with Vickers and two years with Hoe and Co. 6 years with Vickers as a mechanic and demonstrator.
N. W. R.	3	C. J. Rooch	Boilermaker	Educated at the Somerset Place Elementary School, Plymouth, Devon, England, and studied up to seventh standard. Served a six-year premium apprenticeship with Messrs. Willoughby Bros., General and Locomotive Engineers and Boilermakers, Plymouth. For six years served with the London, Midland and Scottish Railways at their Workshops in Crewe and Rugby.
N. W. R.	4	W. R. Edgas	Boilermaker	7th Standard. 7 years in Railway Technical Institute during apprenticeship. 7 years apprenticeship as a boilermaker with L. and S. W. Railway. Served for 3½ years as a boilermaker on L. and M. S. R.

*Statement showing the qualifications both academic and practical of the covenanted subordinates employed on State-managed railways—contd.*

Railway.	Serial No.	Name.	Designation.	Academic and practical qualifications.
N. W. R.	5	A. E. Wellby	Boilermaker	8th Standard. 7 years Railway Technical Institute and Hartley College of Engineering, Southampton, during apprenticeship, and 2 years correspondence course with Bennet College after apprenticeship. 7 years as apprentice boilermaker on Southern Railway. 1 year with Dorman Long on construction. 1 year with Harland and Wolffs, Ship Builders. ½ year as an Engine Room Artificer in Mercantile Marine.
N. W. R.	6	G. H. D. Ellis	Boilermaker	7th Standard. 2 years Higher Elementary School, Crewe. 7 years Railway Technical Institute. Passed City and Guilds Examination, Class B. 7 years apprenticeship as a boilermaker with L. and N. E. R. 3½ years as boilermaker and piece rate checker on L. and M. S. R.
N. W. R.	7	A. Hogg	Charge man- Erector.	8th Standard. Technical School, Falkirk, during apprenticeship. 5 years apprenticeship as a mechanic in Imperial Chemicals. Served for 7 years as a Fitter and Assistant Foreman with Beardmore and Co. Served as Foreman Millwright for 7 years with Auchentoshon Distillery Co.
N. W. R.	8	R. L. Hill	Fitting Shop Chargeman.	Educated at Thetford Grammer School, Norfolk, from 1910 to 1914. Passed Junior Cambridge. Attended Peterbore Technical School, and Dudley Technical School, studying Mechanical Engineering subjects during the

*Statement showing the qualifications both academic and practical of the covenanted subordinates employed on State-managed railways—contd.*

Railway.	Serial No.	Name.	Designation.	Academic and practical qualifications.
N. W. R.	8	R. L. Hill— <i>contd.</i>	Fitting Shop Chargeman— <i>contd.</i>	apprenticeship period from 1914 to 1918. Joined the Ministry of Munition at Harper Sons in the National Projectile Factory, Dudley, in the Royal Air Force as a cadet and later as a Pilot Officer from 1918 to 1919 during which period he passed the oral and written examination at the Reading School of Aeronautics in (a) Engines, (b) Rigging, and (c) Aerial Navigation. During 1919 and 1920 he was in charge of a small factory at Todmorden where he was engaged to complete an order for sheet metal ammunition cases and serial bombs. From 1920 to 1924 employed at Clayton and Shuttleworths and Clayton Wagons of Lincoln.
N. W. R.	9	A. F. Carter	Boilermaker	Passed 7th Standard from Clarence Street Higher Grade School, Swindon, Wiltshire, England. Served as an apprentice for 6½ years with the Great Western Railway Swindon Works, England. After that employed as a journeyman in England and Canada.
N. W. R.	10	W. C. Maidlow.	Fitter and Erector.	Attended Standard Road Council School, Brighton, from 1900 to 1908 a period of 7½ years having reached Standard VI. Then attended the Secondary School at Brighton for about 1½ years having reached Standard Ex. VII and left in 1909. Apprenticeship on the London Brighton and South Coast Railway, now amalgamated in the Southern Railway from 1909 to September, 1914, when mobilised with His Majesty's Forces and did

*Statement showing the qualifications both academic and practical of the covenanted subordinates employed on State-managed railways—contd.*

Railway.	Serial No.	Name.	Designation.	Academic and practical qualifications.
N. W. R.	10	W. C. Maddlow— <i>contd.</i>	Fitter and Erector— <i>contd.</i>	technical training in the Technical Training School at Brighton. After being discharged on medical grounds from His Majesty Forces in January, 1918, again returned to these works as a journeyman and continued working there till 1922 when applied to the Consulting Engineers to the Government of India in answer to their advertisement for suitable staff to be recruited to the Indian State Railways and appeared before them and passed a competitive practical and theoretical examination.
N. W. R.	11	G. Moody	Boilermaker	Studied up to 8th Standard. Educated in London County Council School No. 44, Triory Grave Lark Hall Lane, Clapham, London, S. W. and No. 12 Derby Road, Castleigh, Hampshire. 7 years' apprenticeship in London and South Western Railway.
N. W. R.	12	H. Roberts	Electric Train Lighting Chargeman.	Firs (private) and Abbey Secondary School for 11½ years. Derby Technical College for 8 years. 5 years apprenticeship with Midland Railway at Derby. Journeyman Electrician for one year on Midland Railway. Royal Engineers—Electrician Telegraphist (War Volunteer) for two years. Instructor for one year in the Government Experimental School of Light and Sound. Electrician Instructor for one year with London Electrical Engineers. In charge of Electric Road Transport Vehicles (maintenance and repair) for 3 years on the London Midland and Scottish Railway

*Statement showing the qualifications both academic and practical of the covenanted subordinates employed on State-managed railways—contd.*

Railway.	Serial No.	Name.	Designation.	Academic and practical qualifications.
N. W. R.	12	H. Roberts— <i>contd.</i>	Electric Train Lighting Charge- man— <i>contd.</i>	Train Lighting Chergeman for 3 years on London-Midland and Scottish Railway.
N. W. R.	13	F. J. G. Waite .	Foreman Arma- ture Winder.	Associate of the Institute of Electrical Engineers, London, England.  Chartered Electrical Engineer, under Royal Charter of the Institute Electrical England, London.  Bristol Tramway Constructional Works.  Electrical traction and general mechanical works, approximate 7 years.  R. A. S. C. M. T. During the Great War. General mechanical and electrical work, approximate 3½ years. Acme Electrical Traction Company, Ltd. Contractors to London County Council Electrical repairs, Tube Railways and Tramway Traction, approximate 3½ years, as Works Manager.
N. W. R.	14	E. C. Legg .	Painter Chergeman.	8 years in the Tatworth Secondary School, Chord, Somersetshire. 3 years in the Technical Section of the above School at evening classes. Employed from 1910 to 1914 with A. Walden and Sons, Painters and Decorators, Tatworth. 1914-19 in Army Service. Worked as a Painter from 1920 to 1929 on the London Midland and Scottish Railway, Derby.
N. W. R.	15	T. J. Dunn	Blacksmith Chergeman.	6th Standard, Clarence Street Boys' School, Swindon. Served for 5 ¾ years as a Blacksmith apprentice on Great Western Works, Swindon.

*Statement showing the qualifications both academic and practical of the covenanted subordinates employed on State-managed railways—conold.*

Railway.	Serial No.	Name.	Designation.	Academic and practical qualifications.
N. W. R.	15	T. T. Dunn— <i>contd.</i>	Blacksmith Chargeman— <i>contd.</i>	Served in the War from August, 1914 to March, 1919. Completed apprenticeship on 27th April, 1920 under the Government Interrupted Apprenticeship Scheme. Continued as a Journeyman Blacksmith in the Swindon Works up to October, 1921. Served the Garrard Engineering Company, Swindon, as a general engineer for 1½ years up to March, 1923. Rejoined the Great Western Railway in April, 1923 and served as a Blacksmith until appointed to the Indian State Railways.
N. W. R.	16	H. Llewellyn	Assistant Saw Mill Foreman.	Municipal education. Y. A. Standard. 2 years' technical evening classes under Municipal Educational Authorities. 5 years' apprenticeship with Great Western Railway. Active service from 1914 to 1918. Served as Charge-man on the Great Western Railway from 1918 to 1925.
N. W. R.	17	R. Stanbury	Boilermaker	7th Standard Board School. 4 years technical evening classes on Southampton University. Prize winner from Worshipful Society of Ship Wrights 1917. Apprentice and (1st class) Chargeman Boilermaker on Southern Railway, England, from 1914 to 1924.

*Statement showing the qualifications and experience required of the staff to be recruited for each of the following posts.*

*Foreman Carriage Builder, Grade III :* The applicant should be between 30 and 35 years of age and have served a full apprenticeship (theoretical and practical) in the trade in a modern firm of Railway Coach Builders, or in a recognised Carriage Workshop. He should have at least 10 years' subsequent experience in the maintenance, reconditioning and building of modern coaching stock, with experience of saw-milling, wood machining and timber marking. He should also possess a good theoretical and technical education,

*Foreman Blacksmith/Grade III:* The candidates should not be less than 30 or more than 35 years of age and should have at least 3 years' experience in charge of the Blacksmith Shop in a modern works. Preference should be given to those who have had training in a Workshop of one of the larger railways with experience of drop stamps, forging machine and the manufacture and repair of laminated springs. A good technical and general education is required.

*Foreman Millwright/Grade III:* The candidate should be between the ages of 30 and 35 years and have served a full time apprenticeship (both theoretical and practical) in the trade in a modern engineering works. He should have had at least ten years' subsequent experience in the maintenance and reconditioning of machinery, plant and equipment. He should also possess a good theoretical and technical education.

*Foreman Painter/Grade II:* The candidate should be between 25 and 30 years of age and have served a full apprenticeship with a firm of reliable Coach Builders, or in a recognised Carriage Workshop. At least six months of this training should have been spent in the Laboratory and in the handling, testing and mixing of paints and their various components. His knowledge of painting should also embrace the application of enamels and paints (synthetic and ordinary), wood polishing, spray painting and letter writing. After completion of apprenticeship he must have spent at least 5 years in a supervising capacity in the painting of coaches or coaching stock. He should also have a good general education.

*Foreman Jig and Tool Designer/Grade I:* The candidate should not be less than 25 years of age and have served a full time apprenticeship in a modern manufacturing workshop and he should have specialised in the manufacture of tools, Jigs and fixtures. He should have at least three years' subsequent experience in the design of Jigs and fixtures and possess a sound general and technical education.

*Foreman Welder/Grade I:* The candidate should be between the ages of 25 and 30 years and have served a full time apprenticeship in the trade and have sufficient experience as an operator of both D. C. and A. C. plants. Acknowledge of care on arc, as separate from metallic electrodes, is necessary, and he should have experience of oxy-acetylene welding. He must have at least 5 years' experience as a welder working on railway rolling stock and like material in the works of a reputable firm of railway rolling stock builders.

*Foreman Machinist/Grade II:* The candidate should not be less than 25 or more than 35 years of age and should have general knowledge of Machine shop work in a modern Machine shop and be acquainted with the use of jigs, tools and fixtures. He should have knowledge of the operation of gridley automatics, Capstans, turrets, lathes, milling and planing machines, and should have at least three years' experience as in charge in a modern workshop. Preference should be given to those who have had experience in a workshop of one of the larger railways. Knowledge of wheel shop work will be an advantage. He should have a good technical and general education.

*Chief Rate Fixer/Grade II:* The candidate should not be less than 25 or more than 35 years of age and should have a good general knowledge and technical qualifications and have experience in the design and use of jigs and fixtures with knowledge of machine tools and have been a rate fixer in one of the modern works engaged on production work.

*Assistant Foreman Tool Shop/Grade II:* The candidate should not be less than 25 or more than 35 years of age. Must have knowledge of die sinking and the repair of pneumatic tools as well as experience in the heat treatment and manufacture of general lathe tools, as well as dies for forging machines. He should have a good general and technical education.

*Feed and Speed Checker/Grade III:* The candidate should not be less than 30 or more than 40 years of age and should have experience of Rate fixing and Production Office methods and knowledge of machines and Machine Shop practice as applied in a modern Works engaged on production. He should have had Drawing Office experience in the design of jigs and fixtures.

*Information promised in reply to the Honourable Pandit Hirday Nath Kunzru's question No. 290 on the 4th April, 1938.*

LETTER DELIVERY CLERKS IN THE ALLAHABAD DIVISION, E. I. R.

(a) The posts of letter delivery clerks in grade Rs. 26—2—40 on the Allahabad Division were abolished in March, 1935 (not 1936), and those of sorters on Rs. 18—1—27 created instead. There were then ten letter delivery clerks: three of these, who could not be absorbed in other subordinate posts, were reduced as sorters as an alternative to being discharged. Two of them had rendered about 23 years service and the third over 25 years

(b) The reply to the first part is in the affirmative. As regards the second part, letter delivery clerks were treated differently as their posts were abolished.

(c) It has been decided that, with effect from the 1st October, 1938, those sorters who were adversely affected by the changes in 1935 should be restored to their former grade *viz.*, Rs. 26—2—40.

**THE HONOURABLE MR. S. N. ROY (Communications Secretary):** Sir, I lay on the table the information promised in reply to question No. 28 asked by the Honourable Mr. Kumarsankar Ray Chaudhury on the 26th January, 1939.

#### NAVIGATION IN THE RIVER HOOGHLY.

(a) The cost during the ten years 1928-29 to 1937-38 of maintaining the river Hooghly in a navigable condition up to Calcutta was as follows :—

Year.	Total cost. Rs.
1928-29 . . . . .	26,58,085
1929-30 . . . . .	26,34,459
1930-31 . . . . .	26,80,813
1931-32 . . . . .	23,74,808
1932-33 . . . . .	21,99,053
1933-34 . . . . .	21,63,051
1934-35 . . . . .	21,35,864
1935-36 . . . . .	22,37,175
1936-37 . . . . .	23,26,496
1937-38 . . . . .	24,60,410

(b) It is presumed that the Honourable Member refers to the Sundarbans Steamer Route from Calcutta to Barisal and its eastern approach to the Padma river. The statement below shows the cost incurred by the Government of Bengal during the last ten years in constructing and maintaining this route :—

Year.	Total cost. Rs.
1928-29 . . . . .	2,45,754
1929-30 . . . . .	1,01,868
1930-31 . . . . .	4,29,215
1931-32 . . . . .	1,80,610
1932-33 . . . . .	1,02,176
1933-34 . . . . .	82,905
1934-35 . . . . .	54,000
1935-36 . . . . .	47,188
1936-37 . . . . .	56,772
1937-38 . . . . .	64,704

(c) Government understand that the natural depth of the river in the locality referred to would not permit of vessels drawing more than 12 to 15 feet using it. This part of the river would not therefore appear to be navigable for larger sea going vessels.

**THE HONOURABLE KUNWAR SIB JAGDISH PRASAD (Education, Health and Lands Member):** Sir, I lay on the table the information promised in reply to question No. 55 asked by the Honourable Mr. B. N. Deyani on the 30th January, 1939.

MISSIONARIES IN THE TRIBAL AREAS OF ASSAM.

- (a) There are no Mission Schools in the Tribal areas in Assam.
- (b) No.
- (c) Does not arise.
- (d) No grants are made by the Central Government.
- (e) This is a question which concerns the Provincial Government.
- (f) Does not arise in view of (d) above.

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STANDING COMMITTEE FOR THE LABOUR DEPARTMENT.

THE HONOURABLE MR. M. S. A. HYDARI (Labour Secretary) : Sir, I move :

“ That this Council do proceed to elect, in such manner as the Honourable the President may direct, two non-official Members to serve on the Standing Committee to advise on subjects with which the Labour Department is concerned.”

The Motion was adopted.

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STANDING COMMITTEE FOR THE DEPARTMENT OF COMMERCE.

THE HONOURABLE MR. H. DOW (Commerce Secretary) : Sir, I move :

“ That this Council do proceed to elect, in such manner as the Honourable the President may direct, two non-official Members to serve on the Standing Committee to advise on subjects in the Department of Commerce.”

The Motion was adopted.

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STANDING COMMITTEE ON EMIGRATION.

THE HONOURABLE KUNWAR SIR JAGDISH PRASAD (Education, Health and Lands Member) : Sir, I move :

“ That this Council do proceed to elect, in such manner as the Honourable the President may direct, four non-official Members to serve on the Standing Committee on Emigration.”

The Motion was adopted.

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THE HONOURABLE THE PRESIDENT : With reference to the three Motions which have just been adopted by the Council, I have to announce that nominations to each of the three Committees will be received by the Secretary up to 11 A.M. on Monday, the 13th March, 1939, and the dates of election, if necessary, will be announced later.

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INDIAN NAVAL RESERVE FORCES (DISCIPLINE) BILL.

HIS EXCELLENCY THE COMMANDER-IN-CHIEF : Sir, I move :

“ That the Bill to provide for the discipline of members of the Indian Naval Reserve Forces raised in British India on behalf of His Majesty, in the form recommended by the Governor General, be taken into consideration.”

[His Excellency the Commander-in-Chief.]

The Bill is a short and simple one and its purpose is explained in the Statement of Objects and Reasons. In brief it is designed to enable the Naval Reserve Forces, when they are formed, to be brought under naval discipline. It is, in fact, an extension of the provisions of the Indian Naval Discipline Act of 1934 to these reserves. Government has already the power to raise reserves under the provisions of the Government of India Act of 1935, but it must take power to bring them under naval discipline and this is all that is now required. At present, though we can raise all the reserves we want, we could not compel them to appear for training or to obey a summons when called up for actual service. The reserves which will be raised will be four in number and the House might be interested to know exactly what they are.

The first is the Royal Indian Fleet Reserve which will be a regular reserve consisting of ratings who have completed a period of engagement in the Royal Indian Navy. It corresponds exactly with the Regular Army Reserve. The ultimate strength aimed at is 500 but as comparatively few men complete their term of service annually, it is not expected to reach this figure for 11 or 12 years.

The second is the Royal Indian Naval Reserve which will consist of both officers and ratings and will be drawn from those who follow the sea as a profession. It corresponds to the Royal Naval Reserve in the United Kingdom and will be mainly drawn from those serving in ships on the Indian register.

The third is the Royal Indian Naval Volunteer Reserve which will consist of officers only and will be drawn from the ranks of amateur enthusiasts. It corresponds to the Army in India Reserve of Officers and will be open to gentlemen who prefer volunteer service at sea to service ashore.

The fourth and last is the Royal Indian Communications Reserve which will consist of wireless operators and technicians, both officers and men, and will include both professionals who possess knowledge of wireless telegraphy and amateurs who have little or no previous experience. Its purpose will be to maintain communications in war between His Majesty's ships and merchant ships at sea and the naval authorities ashore.

The full strength of these reserves will probably not be reached in less than 11 or 12 years and will most likely not exceed 1,500 or 1,600 officers and men. All the ratings will be Indian, and it is hoped that it will be possible to secure a substantial Indian majority in the officer ranks.

I now turn to the Bill itself. It corresponds fairly equally with the Indian Reserve Forces Act which deals with Army Reserves. The first three clauses of the Bill correspond *mutatis mutandis* with the first four clauses of the Indian Reserve Forces Act and deal with title, commencement and composition and provide the rule-making power. Clause 4 of the Bill, which subjects members of the Naval Reserves to the Naval Discipline Act, is slightly different from the corresponding clause of the Indian Reserve Forces Act. Members of Army Reserves are constantly subject to military law while, in this case, it has been thought sufficient to subject the reserves to the Naval Discipline Act only when they are undergoing training or called into actual service. Clause 5 of the Bill, which is the penal section, corresponds to section 6 of the Indian Reserve Forces Act, but, whereas in the case of the Army Reserves no distinction is drawn between failure to attend for training and failure to attend on mobilisation, in this Bill a distinction has been made on the lines of the United Kingdom legislation in regard to Naval Reserves. Failure t

attend for training is punishable by fine only whereas, in the case of the army, it is punishable with imprisonment equally with failure to attend when called up for actual service. Clause 6 of the Bill corresponds with section 6 (2) of the Indian Reserve Forces Act. Similar exceptions to the ordinary rules of evidence have been incorporated in other Acts, for example, section 163 of the Army Act and section 91A of the Indian Army Act. The provision is necessary to avoid grave inconvenience and excessive expenditure of time and money. If the section were omitted, the officer who signs the documents in question would have to appear in Court to prove them by oral evidence. This would, in time of war, be completely impracticable. An analogy is to be found in the acceptance by Courts as evidence of certificates issued by the Chemical Examiner. The remaining sections of the Bill deal with consequential amendments in the Indian Naval Discipline Act and call for no comment.

Sir, I move.

**THE HONOURABLE MR. RAMADAS PANTULU** (Madras : Non-Muhamadan) : Sir, I rise to oppose this Motion. I do so on three different grounds. First of all, I wish to oppose it because it comes to us with a certificate that it be passed in the form annexed to the certificate. Sir, this procedure is adopted under section 67B of the Government of India Act which now finds a place in the Ninth Schedule to the Act. Sir, it may be asked if in any case a certified Bill will become an Act why oppose it, why adopt a futile procedure ? Sir, it is not a futile procedure in my opinion, because section 67B differentiates between Bills to which both Chambers have assented, Bills to which only one Chamber has assented and Bills to which neither Chamber has assented. Sir, this comes to us after the Bill has been rejected twice, both at the introduction stage and at the certified stage by the Legislative Assembly. It comes to us after one Chamber has rejected it. Therefore, we come under clause (b) of section 67B of the Government of India Act. That clause says :

“ If the Bill has not already been so passed (by one Chamber), the Bill shall be laid before the other Chamber, and, if consented to by that Chamber in the form recommended by the Governor General, shall be come an Act as aforesaid on the signification of the Governor General's assent, or, if not so consented to, shall on the signature by the Governor General, become an Act as aforesaid ”.

So there is a distinction between this Chamber assenting to this Bill and this Chamber not assenting to the Bill. If this Chamber does not assent to the Bill, then it becomes an Act on the signature of the Governor General. If this House can command a majority to reject this Bill, then the Bill will become an Act only on the signature of the Governor General. I want to take up the attitude that in matters of legislation when the Lower House has rejected it and if we consider on the merits that we also ought to reject it, then the proper thing for the Governor General to do is to take full responsibility for the enactment of this measure. Therefore, I wish to oppose this measure and request all the elected Members at least of this House to vote against this certified measure. It is a humiliation to us and I hope we shall show our resentment at least by our vote if we cannot carry the House with us. That is the first reason why I oppose it, because this is a certified measure and it ought not to be assented to by this House and we ought to leave it to the Governor General.

Sir, the second reason for which I oppose this Motion is the general defence policy of the Government, which has a great bearing upon this measure. If

[Mr. Ramadas Pantulu.]

an Indian Navy is created with the consent of the Indian Legislature, if we can regulate or influence the policy of the Government in regard to Indian defence, army, navy or air force, and if there is a Royal Indian Navy created with the consent of the people of this country and their representatives in the Legislature, then certainly any measure for enforcing discipline on the naval forces will be welcome and we shall be the first to vote for any such measure. But having regard to the course that the Government of India is following in regard to defence policy, an absolute dissociation of the people of this country and their representatives in the Legislature in regard to all matters vitally concerning the defence of this country, we have no alternative but to reject this measure and again throw the whole responsibility for it on the Government itself. Sir, my friends in this House have moved some very modest Resolutions asking Government to appoint advisory committees and endeavour at least to ascertain the views of the Members of the Legislature before they give effect to their policies; very modest Resolutions asking for officials and non-officials to be formed into committees to advise Government on their defence policy have been opposed by the Government and rejected by this House. Sir, in regard to the committee appointed to review the progress of Indianisation in accordance with the recommendations of the Skeen Committee, the Assembly passed a Resolution asking the Government to appoint a committee consisting largely of elected Members of the Legislature. That Resolution too was not given effect to. The Government is thus consistently pursuing a wholly irresponsible policy in regard to their defence policy. Therefore, Sir, to come to the Legislature with measures of this sort ill-accords with the policy they are pursuing in regard to Indian defence. Therefore, I think no elected Member of this House should vote in favour of a Bill like this so long as the policy of the Government of India remains as it is in regard to defence matters.

Sir, the third ground on which I oppose this Bill relates to the Bill itself. Sir, the Indian Naval Discipline Act, IV of 1934, to which His Excellency the Commander-in-Chief has referred, is itself the outcome of section 66 of the Government of India Act, 1919, which was amended by the British Parliament in 1927 by an Act called the Government of India (Indian Navy Act), 1927. Sir, when that Act was being piloted through the House of Commons, I must acknowledge with gratitude that many Members of the British Parliament objected to the Bill on grounds which the Indian Legislature itself would have urged if it had been brought before it. They pleaded the cause of India and said that the creation of a navy for India without any control of Indians in the manner of its constitution or expenditure over it was wholly unjustified. So even the Britishers thought that that Act was an unjust Act. Sir, there was, no doubt, the Royal Indian Marine which was already reorganised as a combatant force, but the British Act was necessary to invest it with the full status of a navy and therefore it was that the Act of 1927 was passed by the British Parliament. Sir, section 105 of the present Government of India Act practically reproduces section 66 of the Government of India Act, 1919, and that gives the power to create a navy for India that the Government and the Legislature will have when federation comes into force if it ever comes. Then, in pursuance of the powers vested in the Indian Legislature in 1934 the Government of India got the Naval Discipline Act, IV of 1934, passed by the very unrepresentative Assembly of the time. Whether representative or unrepresentative, that Act is there today. That related, Sir, to only one of the reserves now sought to be created by this Bill and that is

the Indian Naval Volunteer Reserve. This Act purports to create three more reserves and subject them to discipline. Sir, the Bill, though it looks very inoffensive, is a Bill of very far-reaching character. Like the Act of 1934, it is called an Indian Naval Discipline (Amendment) Act, but it is really an Act to create a navy as I have already said under the provisions of the Parliamentary Act of 1927. The usual procedure, Sir, is to draft a Bill in such a way as to make the Statement of Objects and Reasons accord with the title of the Bill or the Preamble. Sir, the Preamble of this Bill before us says :

“Whereas it is expedient to provide for the discipline of members of the Indian Naval Reserve Forces raised in British India on behalf of His Majesty, and in furtherance of that purpose to amend the First Schedule to the Indian Navy (Discipline) Act, 1934 ”.

That is the Preamble. Sir, the Preamble says that the only purpose of this Act is merely to provide for the discipline of the members of the Indian Naval Forces. It would lead one to believe that there are forces of the character mentioned in the Preamble, namely, Indian Naval Reserve Forces. But when we come to the Statement of Objects and Reasons, we see this :

“In order to provide the additional personnel required for purposes of local naval defence, it is proposed to create the following Naval Reserve forces in India :—

- (i) Royal Indian Fleet Reserve.
- (ii) Royal Indian Naval Reserve.
- (iii) Royal Indian Naval Volunteer Reserve.
- (iv) Royal Indian Naval Communications Reserve ”.

Therefore, four reserves are sought to be created. With regard to one of these four reserves, the Act of 1934 will apply when created, but with regard to the other three when created, that Act will not apply. Therefore, it is intended to extend the Act to the other three which are to be created. Sir, the entire idea of this Bill is to create four different kinds of Indian Naval Reserves. If that is so, a straightforward legislative measure for the formation of an Indian Naval Reserve Force should have been brought in which case the Legislature would have had its say in regard to the method of formation of the reserve forces, their composition, their expenditure and various things like that. But by a side-wind as it were, this measure is introduced in the name of discipline to create new naval forces in India. I submit it is not the straightforward measure that it looks to be. Therefore, Sir, an indirect legislation of this kind having little to do with what is stated in the Preamble and intended to do what is revealed only in the Statement of Objects and Reasons is very objectionable. Therefore, this Bill is not a piece of legislation which ought to have been brought before us.

Then, Sir, secondly this Statement of Objects and Reasons says that this is not merely of a question of discipline among people who are already enlisted in certain circumstances but also it is intended to impose even volunteers who come in only for training on a legal liability to serve in the Royal Indian Navy, or to join any ship, or to perform any service whenever and wherever called into actual service. Though this Bill says that it extends to the whole of British India and applies to members of the Indian Naval Reserve Forces, still its extra-territorial jurisdiction is very clearly laid down in the Statement of Objects and Reasons. I am not contending that it is *ultra vires* of this Legislature or that it is an invalid provision in the Bill. I am aware of the provisions of section 99 of the Government of India Act which do give powers to the Indian Legislature to enact such measures and vests in the Indian

[Mr. Ramadas Pantulu.]

Legislature that extra-territorial jurisdiction. Clause (e) of sub-section (2) of section 99 empowers the Central Legislature to make laws and make them valid :

“ in the case of a law for the regulation or discipline of any naval, military or air force raised in British India, to members of, and persons attached to, employed with or following, that force *whenever* they may be ”.

If these Indian Naval Reserve Forces are sent for service elsewhere, they will all be governed both by the British Act of 1922 and by this Act, according to circumstances. Sir, I object to this very seriously because the employment of the Indian Navy outside India is a matter which ought to rest with the people of India and not with His Majesty's Government. As at present constituted, the British Admiralty may commandeer Indian Naval Reserves for purposes of Imperial defence against our wishes. So, I am led to believe that this measure is more intended at this juncture to help Imperial defence than the defence of India. If it is to protect the Indian coasts, why was it not passed all these years? Where was the new danger to India? I think there are two underlying motives for this Bill. One is the impending danger to the British Empire in which the naval forces of India may be requisitioned for Empire defence and the second is to hold out to the world that Britain commands large Naval Reserves in India. It is at least a camouflage to impress Britain's enemies. We are being told frequently that Britain is prepared for a war and has inexhaustible resources at its back. The Indian Naval Reserves which are to be treated as part of those resources, on which Britain can draw in times of danger. In view of Gibraltar being threatened, in view of the safety of the Suez Canal, I suppose they want to have some naval bases in India which could be used for the purpose of Imperial defence. But the cost of it all is to be borne by India. Who is to create this force? The Government of India. Who is to vote the expenditure for it? The Government of India. Who is to regulate them? It is the Government of India. Representatives of the people of India, who are to pay for them, are thoroughly deprived of any voice in the matter.

Sir, coming to the clauses of this Bill, I will say a few words. Clause 3 says :

“ The Central Government may make rules for the government, discipline and regulation of the Indian Naval Reserve Forces ”.

The subsequent clauses create legal liabilities and penalise their breach on the basis of these rules. For instance, clause 4 says :

“ Every member of the Indian Naval Reserve Forces, while undergoing training on board any vessel or otherwise in pursuance of rules made under section 3, or when called into actual service in the Royal Indian Navy, on board any vessel or otherwise, in pursuance of the said rules, shall be subject to the Naval Discipline Act ”, etc.

What these rules are, we do not know. What the regulations are, we do not know. Without knowing anything about them, we are asked to accede to clauses which penalise their breach. I know that the rule-making power is exercised in this country. But it is very unusual to have a skeleton Bill like this, without absolutely no indication of the kind of rules and regulations that will be framed and penalising their breach in this manner. I have seen many Bills in which the rule-making power is given, but so bald a Bill, with so undefined a power of rule-making, I have rarely come across. Every clause refers to breach of the rules to be made and some indication must have been given of the kind of rules that are to be made. We know the Naval Discipline Act of 1922 is printed as a Schedule to the Act of 1934. We know that these

rules are there. In what manner they are to be modified or revised, we do not know. Therefore, Sir, I, with the conscience of a legislator, cannot vote for a measure which merely says that the executive Government of India will make rules a breach of which will be punishable under this Act. We cannot give such a blank cheque. The Lord Chief Justice of England has been putting up a strenuous fight against legislation by the executive. He has often drawn the attention of the British public that such legislation is an encroachment on the rights of Legislatures. I think this Bill surpasses anything that the Lord Chief Justice of England has cited as an instance of the encroachment of the executive on the Legislature's functions. On that ground also I oppose this Bill. It is a blank cheque with regard to the rule-making power. I also think that clause 6, which lays down a rule of evidence, is not a sound clause. It says that any certificate by a naval officer that a particular man has committed a breach of these rules and has not turned up for training or did not, when called for actual service, join the forces, shall be evidence without any further proof. It does not say that it is conclusive evidence, but still, it will be very difficult to disprove a certificate like that. In practice, it means that it is conclusive evidence, because a certificate, without calling the officer who issues it, without giving an opportunity to the accused to put questions to him and eliciting from him facts which would disprove the charge, will virtually amount to conclusive evidence. I think this is a very unsound rule of evidence which ought not to have been put in here. Taking everything together, what it comes to is this. Under the guise of this apparently and seemingly innocent Bill the Government of India want to create four different kinds of naval reserves and regulate them by rules to be made hereafter, and with regard to the expenditure over the scheme we have no inkling. It may run to crores. And we are to give to the Government of India the power to create these reserves, to regulate them and to vote the money for that without any concern of the Indian Legislature. The Bill also is badly drafted. On these three grounds, namely, certification of the Bill, the defence policy of the Government of India, and on the merits of the Bill, I oppose this Motion and I appeal to all the elected representatives to vote against it.

**THE HONOURABLE PANDIT HIRDAY NATH KUNZRU** (United Provinces Northern: Non-Muhammadan): Sir, this Bill is associated in my mind with another Bill, the Indian Navy Discipline Bill, which was rejected by the Legislative Assembly in 1928. The rejection of that Bill made it impossible to convert the Royal Indian Marine into a combatant force. If there was any occasion for certifying any measure relating to the Indian Navy, it was in 1927, when the rejection of that Bill made the creation of an Indian Navy impossible. Government however did not take the step and did not at that time insist on putting that measure through by the extraordinary powers vested in the Governor General. The present Bill relates only to the extension of the Naval Discipline Act to the new reserve forces that are sought to be created. The Indian Navy exists. Government, it is agreed, can raise forces of any kind under the present Government of India Act; only they cannot bring them under the Naval Discipline Act. Now, I ask, is that an adequate reason for the certification of a measure which has been rejected by the Legislative Assembly? This Bill is a much smaller measure than the one that was rejected by the Assembly in 1927, and if it was then thought unnecessary to certify that Bill, what justification can there be for taking this step in connection with this smaller Bill?

It may be said, Sir, the times have changed greatly since 1928; the world is not as peaceful today as it was then and that it is necessary for us to take

[Pandit Hirday Nath Kunzru.]

adequate steps for our protection. Let us consider then what is the extent of the action that Government now propose to take. What will be the net effect of the Bill before us if it passes into law? Now it is plain from the figures given by His Excellency the Commander-in-Chief here and the Army Secretary in another place that the reserves in none of the three new categories which we are dealing with will be large in number. Take the Royal Indian Naval Volunteer Reserve, which will correspond to the Army in India Reserve of Officers. It will consist entirely of officers and it is proposed to raise only 20 of these officers. Then take the Royal Indian Naval Reserve, which will consist of both officers and men. Now, the Defence Secretary stated in another place that they would be selected from ships on the Indian register, but as their number is small, deplorably small, the number of professional seamen available is not large. Even if the men of the requisite qualifications were available the reserve would amount only to several hundred men and a proportionate number of officers. It will, however, take, as the Defence Secretary said in the Legislative Assembly on the 7th February, years and years to build up such a reserve. Now, take the Royal Indian Communications Reserve. It will consist, as His Excellency has told us, of wireless operators and technicians. The Defence Secretary said in the Legislative Assembly that this reserve would in no case amount to more than, say, 100 or 150 men and a few officers so far as could be foreseen at present, and that it would take several years to have reserves even to this extent. Now, the total number of all reservists, including I suppose 600 reservists in the Royal Fleet Reserve, would amount to about fifteen or sixteen hundred in the course of 11 or 12 years. Now, is the provision of fifteen or sixteen hundred men in 10 or 12 years really so vitally necessary that Government must certify the Bill before us after its rejection by the Legislative Assembly? The decision of the Assembly might have been wrong. The Assembly might even have been unreasonable. But even then, is there any sufficient ground for the certification of this measure? I have taken the figures placed before the House by His Excellency the Commander-in-Chief and it does not appear to me that the acceptance by us would make any material change so far as the naval defence of India is concerned. I cannot therefore see how the passage of this Bill is essential for the interests of British India. Of course the Governor General is the sole authority to decide what constitutes the essential interests of British India, but a plain man would find it impossible to agree with the view that the safety of India depends on the acceptance of this measure and that it is consequently necessary for Government to insist on its being passed immediately.

I pass on, Sir, to another point, the use to which the Indian Navy might be put. Now, according to the Act passed by Parliament in June, 1927, it would be competent for the Governor General in Council when a state of emergency has been declared by the Governor General to place the Indian Naval Forces and vessels at the disposal of the British Admiralty. Government are undoubtedly aware of the strong feeling that has been aroused in India when Indian forces have been despatched to other parts of the world. This point was discussed during the sessions of the Round Table Conference. A speech of Sir Samuel Hoare, I believe, in 1932, created the impression that some means would be found of consulting the Indian Legislature when Indian forces had to be used for other than Indian purposes. We understand now that that was not what was intended and that the Legislature cannot be allowed to have any say in the matter. All that can be done is that the Governor General may find some means of consulting the Federal Ministers when the situation to which I have referred arises.

12 Noon.

We object, Sir, as strongly to the Indian Navy being used for non-Indian purposes as to the employment of the Indian Army for the same purposes. I am under no illusion with regard to the strength of the Indian Navy. The Indian naval vessels can hardly be said to constitute a navy. Our navy practically consists of paper boats only.

**THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS :** The Indian Navy as at present is a toy navy being far from being an effective unit.

**THE HONOURABLE PANDIT HIRDAY NATH KUNZRU :** But whatever it be we must insist that we should exercise proper control over it and that our vessels should not be used for non-Indian purposes without our consent. That is a principle that we have been insisting on for years in the case of the Indian Army and we insist on that principle with greater force in the case of the Indian Navy which is a much more recent creation.

Sir, a great deal of stress has been laid both by His Excellency the Commander-in-Chief and the Defence Secretary on the need for having a proper system of local naval defence. Now, I remember, that when the Indian Navy Discipline Bill was considered in another place it was pointed out that the development of local naval defence would depend to a considerable extent on the development of the Indian Mercantile Marine. Last year when my Honourable friend Mr. Kalikar moved a Resolution asking for an increase in the pace of the Indianisation of the Navy His Excellency the Commander-in-Chief referring to this said that this would be possible when efforts were made to provide India with a proper local naval defence, for which other countries rely substantially on their mercantile marine. Now, this being so, what are the steps that Government, who are so anxious for our naval defence, have taken for the development of the mercantile marine, on which every country in the world relies for the performance of those duties which are to no small extent entrusted to the little Indian Navy? The absence of any encouragement given by Government to the development of the Indian Mercantile Marine shows how keen they are to enable India to make proper provision for her local naval defence under her own control?

Another point, Sir, which has come repeatedly under consideration is the need for increasing the rate of Indianisation in the Indian Navy. This was indeed, Sir, one of the main grounds on which the Assembly threw out the Indian Navy Discipline Bill in 1928. That question has been repeatedly considered both in the Legislative Assembly and here, and yet what is the position? The proportion of Indian to British officers is still what it was when the Indian Navy was sought to be created in 1928 or when it was actually created in 1934. Now, we have been told that Government are finding it extraordinarily difficult to get men even for the limited places offered to Indians at the present time. The Defence Secretary stated in another place that only 14 candidates recently presented themselves for four vacancies and that none of them was found fit. My Honourable friend Mr. Kalikar dealt with this question last year. It was also referred to by other Members. When the Indian Navy Discipline Bill was passed, the Army Secretary at the time, Col. Rawson Lumby, or perhaps the Army Secretary in 1928, Sir George Tottenham, stated that Government would naturally look to the Cadet Training Ship "Dufferin" in future to supply it with Indian naval cadets. Now, what efforts have Government made to avail themselves of the material provided by this Training Ship? It may be said that open competitive examinations are held in which the "Dufferin" cadets can take part

[Pandit Hirday Nath Kunzru.]

along with other candidates. That is perfectly true, but if Government were in earnest could they not take special steps to attract suitable cadets, "Dufferin cadets," to the Indian Navy? Even if the worst came to the worst, could they not, following the example of the British Government themselves, take steps to nominate suitable cadets trained on the "Dufferin"? But the want of any vigorous measures taken by them in this connection shows to my mind that their object is not so much to provide us with a real navy under our control as to enlarge it and to continue the present state of things. Surely this is not what we can agree to and if Indian opinion opposes a measure of this kind on these grounds, I do not think any fair-minded man can blame us for the unfavourable view that we take of it.

These things, Sir, have been brought to the notice of the Government repeatedly. But two things have happened during the course of the last year which have further altered the attitude of non-official Members towards Government. Till a year ago, Sir, the Assembly was allowed to vote the budget relating to the Department of the Defence Secretary. It was allowed to express its opinion directly on army policy and measures by having it in its power to throw out the expenditure relating to this Department. It was deprived even of that small liberty last year. We were told that it was no longer possible for Government under the Government of India Act, 1935, to continue the old procedure.

The other thing that I have in mind is the Chatfield Committee. No Indian was associated with it and when the Defence Secretary was asked in another place whether its recommendations would be put before the Indian Legislature, his answer was in the negative. I will grant for a moment, Sir, that the recommendations of the Chatfield Committee may result in reducing military expenditure or in securing a larger subvention than we receive at present from His Majesty's Government, but is that any reason for declining to place them before the Legislature previous to their acceptance by His Majesty's Government? The Chatfield Committee was appointed at the request of the Government of India, yet I understand that it has reported to His Majesty's Government. The Government of India will no doubt be consulted but I should have thought that the Report would be presented in the first instance to the Government of India. In any case, the Government of India should have considered it their duty to ask that the Legislature should be allowed to express its opinion on its recommendations before action was taken on them. Yet, not only have the Government of India taken no such step but they have absolutely declined to allow the Legislature an opportunity of discussing the recommendations of this Committee before giving it their consideration. Government, Sir, notwithstanding the change that has come over the country have failed to recognise the signs of the times. In essential matters they are no more willing to carry the Legislature with them than they were 10 or 15 years ago. It is no wonder, Sir, then that this Bill has excited so much feeling. It is, however, not merely on the ground of sentiment that I propose to vote against it. I think I have given solid reasons for leading Honourable Members to the conclusion that this Bill, whatever its merits or demerits, is not essential for the safety or interests of India and that consequently there is not the slightest justification for its acceptance in the circumstances in which it has come to us.

THE HONOURABLE SIE A. P. PATRO (Nominated Non-Official): Sir, I have three very solid reasons for supporting the measure before the House.

(*An Honourable Member* : "Nomination"!) I have been a Nominated Non-Official Member and as such my independence of judgment is not deprived nor taken away by being a Nominated Member. Secondly, I wish to say most emphatically to those who arrogate to themselves the monopoly of patriotism, good sense and good thought, that patriotism is not the monopoly of this body or that body or this individual or that individual, but is the inalienable birth-right of every Indian as such. Therefore, it is extremely foolish for us to think that those who are elected under certain circumstances in this country have the sole monopoly of patriotism, good sense and good judgment. With these remarks, Sir, my first point is that this Bill is a simple and necessary one. There is already statutory power vested under the Naval Discipline Act of 1934, by which the Viceroy and Governor General could raise forces and reserves, but what is the good of raising naval reserves without the power of disciplining them? That is the real essence of this Bill and all other questions are quite beside the point and not relevant to the principle on which this Bill is based. If you raise a reserve and have no power of discipline whatever, what is the good of that power and what is the good of raising the reserve? The reserve also must know beforehand what are the conditions under which they have to serve. On these principles, Sir, this Bill is absolutely necessary. The power of raising the reserve having been already vested in the Governor General, it cannot now be questioned that the Act of 1934 or the rejection of the Bill of 1928 cannot be taken into consideration.

The second point on which I rely for supporting this Bill, is that it is required also for local defence purposes. That is to say, it is essential, this Naval Reserve Discipline Bill, to protect and guard the ports and harbours and approaches in regard to mines and other mischievous nautical dangers. Therefore, the force being required for local defence purposes mainly, I say the Bill is necessary.

Thirdly, I say it is necessary because most of the force, as has been described by His Excellency the Commander-in-Chief in his speech and the Defence Secretary in the other House, most of it will consist of Indian officers and Indian men. For these three reasons, I support this Bill, and I do it with all responsibility of a public worker, not as a Nominated Non-Official nor merely for the *tamasha*.

Then, Sir, it has been said that the certification is not proper and is not given under proper circumstances. Sir, certification is a statutory right. It is vested in the Governor General to exercise it in extraordinary circumstances. Those who have read the speeches opposing this Bill in the other House and the reasons given for opposing this Bill would certainly be convinced that it is not on the merits of the Bill or the principle upon which the Bill is based that there was any criticism or opposition but for other reasons. As most of those arguments have been repeated here in this House also, it can be seen easily that the arguments do not at all justify the opposition. When a House unreasonably exercises its power of rejecting a Bill without considering the principle upon which it is based and the necessity for it, then there is sufficient justification for the authority to certify that Bill. Secondly, it is said that this Bill, if passed, could commit us for Imperial defence purposes. Sir, what is meant by promoting Imperialism here in India? Here, you have got the danger along the coast line. The Indian coast line requires protection not only from the Royal Indian Navy but the Navy of Great Britain and the Empire. Why should there be any suspicion that this is intended only for the purpose of enhancing the prestige of the British Navy and the British Empire? The House has heard His Excellency the Commander-in-Chief and has also read the speech of the Defence Secretary in the other House. The Defence Secretary stated that unless a certain emergency arose and it was necessary to collect from the

[ Sir A. P. Patro. ]

highways and by-ways any one who could possibly be available, under the present scheme, in 10 or 12 years, we may get 1,500 or 1,600. If in 10 years or 12 years we are going to get 1,500 or 1,600 by this means, and if they are to protect the whole of the British Empire—that passes my understanding. The British Empire must be a very poor Empire, the naval defence of the British Empire must be so wretched and so weak if you think that 1,500 or 1,600 raised in India would save the prestige and the strength of the British Empire. This passes my understanding.

It is said that Indianisation has not proceeded rapidly and that Indians are not consulted or taken into confidence in the matter of movements of the army, and that we have no control over the army expenditure. It is said that this is sufficient justification for us to throw out this Bill. This is to cut the nose to spite the face. What has that logic to do with the provisions of this Bill? I quite agree that there is a justifiable complaint that even in ordinary defence matters, Members of the Legislature, even the Leaders of Parties, are not, sometimes, taken into consultation, which would easily avoid difficulties. If it is so, it is a justifiable complaint. In matters of strategy or manœuvres it is not possible for the Defence Department to take the leaders into confidence, but in other matters, the leaders in whom there may be some confidence could be taken into consultation in regard to the administration of the Defence Department. There is the policy already laid down by His Majesty's Government that in defence matters, the defence of India must to an increasing extent be the common concern of the Indian people. This being the policy, has any practical effect been given to it? That is the question that is asked by Indians. That is, as I said, a justifiable complaint. It is quite possible to devise some practical means whereby you could give the leaders or such other persons as may be approved some information which has no reference to strategy or manœuvres, so that the representatives of the people may share in the responsibility for defence. This is what has actually influenced the judgment of the Honourable Members in this House and in the other House to oppose this Bill. But, as I submit, this is altogether not relevant to the principle that is now before us. It has also been said that because the Lower House rejected this Bill, therefore it is not at all desirable that the elected Members here should vote for it. Because some people have exercised a wrong judgment elsewhere is it justifiable that we should exercise the same judgment without considering the main principles of the Bill? If we have the right and the power of raising reserves, what is the use of raising these reserves without the necessary power to exercise discipline over it? It is very simple. You have got your army and you must exercise discipline over it. Take, for instance, our land forces. There you have got the Indian Army Reserve Force Act which applies both to the regular reserves and the supplementary reserves. Whoever comes under that Act must necessarily submit himself to the discipline of that Act. The reserve force is liable to the same extent as the regular force. Such being the case, if reserves are raised in the navy, discipline must be exercised over them.

It is unnecessary for me to take up the time of the House in answering the small objections that have been raised. The constitutional point has been raised that because it is a certified Bill, we should not accept it. My reason for accepting the certificate is that there was no proper exercise of judgment in considering this Bill. Matters outside it have influenced the judgment of the Lower House. Therefore, it is perfectly justified that it should be certified and that it should be left to the wisdom of the Second Chamber to decide the matter. This House exists not merely to confirm or support what has been passed in

the other House. The function of this House is to go into the matter and review it and exercise its own independent judgment. Therefore, it is no reason that because the other House rejected it, we should also reject it.

Then, Sir, it has been said that there has not been Indianisation of the navy as rapidly as we expected that it should be. But, then, a start has been made and we have got young men trained in the "Dufferin." Reports on the "Dufferin" go to show that young men who have been trained there—some of them have not continued in service; others have gone into the Mercantile Marine. After all, the space is limited, and unless you create another "Dufferin", at great expense, there will not be a sufficient number of qualified men to take up the responsibilities. Therefore, that is no ground, that the Indianisation of the Navy has made slow progress. As our men are qualified, if they are not appointed, then there would be a grievance. As it is, people are taken into the service. When trained they receive work elsewhere in the Indian Navy. Therefore, that is no ground for rejecting this Bill. On the whole, as I said, on the three grounds I submit that it is necessary that we should support the Bill before us.

\*THE HONOURABLE MR. HOSSAIN IMAM (Bihar and Orissa : Muham-madan) : Mr. President, I rise to oppose the Bill for three reasons; one is constitutional, the second is political and the third is on the merits.

My constitutional objection to this Bill is that this House is being punished for no fault of its own. By certification you deprive the House of the power to make amendments in the Act. You had some sort of right to deprive the Assembly of its right because in the first place it refused permission to introduce the Bill. But what has this House done that it should be deprived of its inherent power? Mr. President, it is really a vicarious punishment for the fault of others. We are being punished when we did nothing.

THE HONOURABLE THE PRESIDENT : This is hardly necessary. The powers have been given under the Act to the Governor General. He has the sole authority to decide those questions and when he sends a recommended Bill to this House nobody has any right or power to question his authority.

THE HONOURABLE MR. HOSSAIN IMAM : I am not questioning his authority. I am giving reasons why it is not possible to endorse action which punishes me without any fault on my part. I am giving my reasons for dissociating myself from this measure and one of the main reasons is that I am deprived of the power to amend this measure. That is a constitutional objection which I am raising, because the power of the Governor General is not restricted in this matter. It is not essential for him to certify the Bill. When a Bill is rejected in one House, he can re-introduce the same Bill in the other House. That is a procedure open to him and that would have been the proper course to adopt in the case of this measure. However that is past. They have adopted this practice because it is the easiest and because this House has not been sufficiently assertive. Some of its Members are prone to give too much latitude to the Government.

Now, Sir, I come to the political reason. I ask, is it consistent with the self-respect of any person to be told that he is given the privilege of punishing his fellow-countrymen but has no power to make the law under which they will be punished? What this Bill imposes is the punishment of a man, the

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\*Not corrected by the Honourable Member.

[ Mr. Hossain Imam. ]

power to send him to jail or to fine him, but as to the actual rules and regulations governing that punishment we have no say. As was pointed out by the Leader of the Congress Party, the Lord Chief Justice of England objected to the procedure adopted in the British Parliament of giving rule-making power to the executive. But in the English Parliament there is a safeguarding provision which does not exist in India. Under the English practice all rules made under any Act are laid on the table of the House of Commons for 15 days and if an objection is taken to those rules they can be discussed, whereas in this Indian Legislature no such power exists. (*An Honourable Member* : " Provincial Governments have got enactments under which they can make rules ".) We are not discussing Provincial Governments. We are discussing the Government of India Act and this Navy Bill, and my complaint is that it means arming the executive with the powers of the Legislature and thereby it means an abdication of our powers. Put shortly, it means that the Legislature must abdicate in favour of the executive. And if we are to abdicate I would rather that you take the whole responsibility and do not ask us to shoulder any part of it.

By thrusting a certified Bill upon us we are also debarred from having any say on the merits of the Bill.

**THE HONOURABLE THE PRESIDENT** : You are not precluded from discussing the merits of the Bill. I have allowed three Honourable Members to discuss the merits.

**THE HONOURABLE MR. HOSSAIN IMAM** : We are precluded from making any amendment, and I am saying that we are reduced to the position in which the Indian Legislature was before the introduction of the Montford scheme. Under the Morley-Minto Reforms the character of—

**THE HONOURABLE THE PRESIDENT** : What has all that to do with this ? Please stick to the Bill.

**THE HONOURABLE MR. HOSSAIN IMAM** : In this particular Bill our position has been reduced to what it was under the Morley-Minto Reforms. We have only the power to criticise the measure and no power to reject or amend it.

**THE HONOURABLE THE PRESIDENT** : It is too late for you to take those objections here at this stage.

**THE HONOURABLE MR. HOSSAIN IMAM** : Now, Sir, I come to the particular complaints which have been cited, that the British Government of India is still living in an old world. His Excellency the Commander-in-Chief just now in reply to a question said that the position as it was in 1933 has not changed as far as Indianisation of the Indian Army is concerned. But the question is whether there has not been a change in the constitution of the country, particularly having regard to the passage to which even Sir A. P. Patro referred, that Indians will be associated more and more with the defence of India. Has that promise been implemented ? Now, if you live or sleep like Rip van Winkle, is it right and proper that we should also do the same and make no effort to safeguard our rights and interests ? Look at the Indian Sandhurst Committee, which has recently been appointed in absolute defiance of Indian public opinion. The Members of the other House who were invited

to serve on it refused to do so, but three of my colleagues in this House have consented to join that body. (*An Honourable Member* : " All of whom are elected Members ") I regret their decision because they will not have any majority. But even when there is such a majority Government always find occasion to reject the recommendations. Is that the way, Sir, to implement that promise of greater association in defence matters, that you should have a committee which does not enjoy the confidence of the majority of elected Members ? Then, Sir, there was the demand made in both the Houses that there should be an Advisory Committee for defence matters. Even that has been rejected. All these actions show that Government is non-co-operating and is taking a lead from Mahatma Gandhi. Is it right that they should taunt us with non-co-operating with them and with not helping them to pass necessary measures ?

**THE HONOURABLE SIE. A. P. PATRO** : You are not a non-co-operator.

**THE HONOURABLE MR. HOSSAIN IMAM** : That is my complaint, that I am not but the Government is non-co-operating with me. And about this Chatfield Committee Report, what was the harm, even if that Report was not laid before the Legislature, if it was made available to the Leaders of the Opposition for their private information ? As was done by this Government itself in the case of the Garran Tribunal Report ; that Report was not published but permission was given by His Excellency the Commander-in-Chief's predecessor, Sir Philip Chetwode, to make it available to Members of the two Houses who wanted to read it. That shows that even the little association which was allowed for some years—

**THE HONOURABLE THE PRESIDENT** : May I point out to you that day after tomorrow is your license day. You will be able to discuss all these matters to your heart's content. Will you please speak on the Motion today ?

**THE HONOURABLE MR. HOSSAIN IMAM** : So far as this Bill is concerned, Sir, we have no particulars before us as to the rules and regulations to be made thereunder ; neither do we know the position of the particular reserves that are to be raised. What is wanted from us is that we should give a blank cheque in which the amount and the name of the bank and everything would be filled in by the executive and we are only given the honour of signing the cheque, so that it might be shown to the public " Here is the cheque from the Indian Legislature, at least of the Upper Chamber ". If the Government had really been anxious about the association of this House, they would have taken different measures. Sir A. P. Patro was correct in stating that these 1,500 men who are going to be raised, are not the whole and sole authorities or the men or power which would save the British Empire. The real intention behind this Bill is to our mind to introduce the thin end of the wedge. In the beginning there might be a small amount of personnel but it will be increased as and when necessary. That there is some ground for this apprehension would be apparent when I point out that the expenses on the Indian Navy in the last year for which accounts are available were Rs. 63 lakhs. I am giving the figure of the last year. For the current year the expenses have already mounted up to Rs. 78 lakhs, although we have been saved the expense of Rs. 13 lakhs of the contribution which we used to pay to His Majesty's Government. With a saving of Rs. 13 lakhs in expenses, our disbursement has gone up by Rs. 15 lakhs ; if you add up the saving it has really gone up by Rs. 28 lakhs. That shows how this measure is going to affect the finances of the Indian exchequer in future. In a single year our expenses have risen by so much.

[ Mr. Hossain Imam. ]

That is the first fruit that we have had of His Majesty's magnificent sacrifice in giving up the contribution from the Indian exchequer.

**THE HONOURABLE THE PRESIDENT :** His Majesty's Government, please.

**THE HONOURABLE MR. HOSSAIN IMAM :** I did not intend to say anything about His Majesty. We will never bring in his august name. It is always His Majesty's Government which is our target.

If they were really desirous of having the association or help of the Indian Legislature, they ought to have taken at least four steps. The first step which they ought to have taken was to form a committee on the lines recommended by the Legislative Assembly last year for the more rapid Indianisation of the Indian Navy and a fuller association of Indians in an advisory capacity as was asked for the army ; in the same manner a committee should have been formed for the navy. Secondly, they should have provided in this measure that rules and regulations made under the Act would be laid on the table of the House. This is no new innovation as you will remember in the Insurance Act and in one or two other Acts provisions to this effect have been made already in this Legislature. The third measure which we would demand as a condition precedent to our support would be stabilisation of the Indian Navy expenses at the figure of last year, 1937-38 ; at the figure of Rs. 63 lakhs, and an assurance that any increase in the expenditure of the Indian Navy would be made up by subventions from His Majesty's Government. Fourthly, they should have taken practical steps to implement the pledge to which Sir A. P. Patro referred, that is, greater association of Indians in the matter of the naval defence of the country. I admit, Sir, that the question of the army stands on a different footing from that of the navy. The Indian Army is a wide and a very strong force and its commitments are very great, but the Indian Navy, as was said by one of my Honourable colleagues, exists merely on paper and no harm would have been done if Indians had been more closely associated, because we would have taken it as a hand of goodwill, we would have taken it that we shall be able to prove whether we would contribute anything to the defence by association of non-officials or not.

**THE HONOURABLE THE PRESIDENT :** Are you discussing the Budget today ?

**THE HONOURABLE MR. HOSSAIN IMAM :** No, Sir. I am not discussing the Budget. I am saying that I have no say in this Naval Bill. What will be the composition, what kind of vessels will be brought, we have no knowledge ; we do not know what is the amount of money which is standing at the credit of the naval defence replacement fund ; even that is not given.

**THE HONOURABLE THE PRESIDENT :** Could you not discuss all these matters on the 9th ?

**THE HONOURABLE MR. HOSSAIN IMAM :** We will discuss all these matters on the 9th, but as the Bill is before our House we want to know what practical steps Government have taken to associate Indians in the naval defence of the country. It is a very small and a minor force, which even in a small war would be practically useless, except for port defence, and port defences can be undertaken even by the army—

**THE HONOURABLE SIR DAVID DEVADOSS :** No, certainly not. What about the " Emden " raid ?

**THE HONOURABLE MR. HOSSAIN IMAM :** Well, Sir, we are not discussing war as it was fought in the past, but war as it will be fought in the future. As I said, to have this mighty honour of punishing our own fellow-countrymen, we are not prepared to join hands with the Government when they do not care to take us into their confidence.

**THE HONOURABLE MR. P. N. SAPRU (United Provinces Southern : Non-Muhammadian) :** Sir, perhaps you will allow me to indicate my dissent from the Bill which is before the House. Sir, so far as the Bill itself is concerned, it has a history behind it. The Indian Navy was created by an Act of Parliament in 1927 and at the time it was created by Parliament there was objection to its creation by some Members of Parliament. One of those Members was Mr. Lansbury who was at one time Leader of the Opposition and a Member of His Majesty's Government. Therefore he cannot be described as an irresponsible agitator. I know he belongs to the Labour ranks, but Labour has held office and he was Leader of the Opposition at one time. Sir, I find that he said :

" Whatever results from this Bill, the people of India will pay for it and we shall have the management of it. It will be under our control ".

Therefore, Sir, after this Bill was passed by Parliament we were presented in 1928 by the Government with a Bill of Discipline. The Bill was rejected by the Assembly and that Assembly was a very unrepresentative one.

**THE HONOURABLE THE PRESIDENT :** Mr. Kunzru has already referred to all that.

**THE HONOURABLE MR. P. N. SAPRU :** Well, Sir, in that case I might as well not talk. I am developing my arguments and after all there is bound to be some repetition of the arguments that have gone before. There are certain extraneous considerations which determine our attitude to the Bill. The Bill might be a good one or might be a bad one. We are not prepared to consider the Bill on its merits. There are certain extraneous considerations which determine our attitude to the Bill and I am therefore justified in referring to these extraneous considerations. Now, Sir, the Bill was rejected in 1928. Then we had another Bill in 1934 and so far as this part of the House is concerned, I find, Sir, that one of our Members, the Honourable Mr. Mehrotra, opposed this Bill on our behalf in this House. Therefore, Sir, so far as we are concerned, we have never been parties to this Bill at any time at all. So the Legislature was not consulted in regard to the establishment of this Navy. I see no reason why we should share the responsibility for the creation of a navy in the creation of which we had no part or share. The control, administration and everything which matters so far as the navy is concerned will rest with the Admiralty and the British Government. We cannot possibly approve of that position. You want us to share responsibility for a discipline measure when we cannot vote supplies for the army and the navy, when we have been deprived of whatever little voice we had over army expenditure. We used to vote a certain portion of the army supplies before. We do not vote that portion under the Government of India Act now. Why should we therefore share responsibility for a discipline measure with you ? We cannot, Sir, discuss foreign policy in this House and it is foreign policy which

[ Mr. P. N. Sapru. ]

determines naval and army expenditure. We cannot have our say on questions which affect millions of our people, questions of life and death for nations in this House. We cannot discuss the foreign policy of Britain. We cannot discuss the Palestine question, in which our Muslim friends are interested. The Muslims of other countries can be represented at the Palestine Conference but the Muslims of this country cannot be represented at the Palestine Conference. These are the broad facts that stare us in the face. You refuse to co-operate with us and therefore we must refuse to co-operate with you. That is the plain truth. I find, Sir, that the attitude of the Defence Department so far as Indian opinion is concerned has been very very unresponsive. In the last Simla session I brought a very modest Resolution for greater association of the Legislature with the formulation of defence policy. That Resolution was strongly opposed by the Defence Department. It was a Resolution which had the support of the Simon Commission. It was a Resolution which had the support of the Joint Select Committee, but still it was opposed by the Government of India and the Defence Department. My good friend, Mr. Williams, had to oppose it on behalf of His Excellency the Commander-in-Chief. Well, now, that is the measure of co-operation that we get from the Defence Department. Then we are presented with a certified Bill and we are asked to vote for that certified Bill. Well, I think we are after all human beings and we will just treat you as you treat us, and I do not see any reason why we should share responsibility for certified measures here.

Then, I think, Sir, so far as certification is concerned, the position was very exhaustively explained by the Honourable Mr. Kunzru, and I am inclined to agree with my friend the Honourable Mr. Hossain Imam that it was possible for Government to adopt a different course. Instead of having the measure certified, it was possible for them, if they thought this measure was an essential measure, to introduce it in the Council of State. A step like that would not have deprived us of moving any amendments which we consider necessary to the Bill. Well, as it is, the position is that we have got either to accept the Bill or to reject it. It cannot be amended by us at all and therefore, as the Governor General has certified the measure, he must bear the responsibility for it. We should not share the responsibility with the Governor General for a measure which he certifies. I do not understand how this measure was considered to be essential for the safety, tranquillity or interests of India. I know that the wording of the Statute is very wide. But it was not considered essential to certify the Naval Discipline Bill in 1927; why then should it be necessary to certify a discipline Bill for raising a reserve force? (*An Honourable Member*: "The international situation".) So far, therefore, I do not think, Sir, that any case has been made out for certification at all. So far as the Indian Navy is concerned, our attitude has always been this, that the Indian Navy ought to be a navy primarily for the defence of India and we have always stood for the principle that our troops should not be employed abroad and without our consent. Now, so far as that is concerned, there is no guarantee that this navy will not be so employed. We have got no voice so far as the sending of troops abroad is concerned.

Then, I think the Honourable Mr. Hossain Imam pointed out that we have just been presented with a small Bill and the rules and regulations which are going to be framed under this Bill have not been placed before us. Well, we are really asked in effect to give a blank cheque to whom? To the Defence Department, the Department of which we have the profoundest distrust. Well, is it humanly possible for us to give a blank cheque to a Department of

which, I repeat again, we have the profoundest distrust ? These are considerations which weigh with us. There is also the question of Indianisation. I think Indianisation has proceeded at a very slow pace. The ratio at

1 P.M. present is 1 to 2. It will take, I do not know, how many years for the Indian Navy to be Indianised. The fact of the matter is that the real control over the Indian Navy rests in the War Office and such is the measure of confidence that the Defence Department has in us that it won't even show us the Chatfield Committee's Report. I do not say that the Chatfield Committee's Report should be put on the table of the House, but I see no reason why Leaders of the Opposition Parties should not be shown copies of the Chatfield Committee's Report. After all, if it is a vital question, in England Mr. Chamberlain does not hesitate to confer with Mr. Atlee or Sir Archibald Sinclair. Mr. Atlee and Sir Archibald Sinclair go to Downing Street and they have conferences in regard to foreign and defence matters. They may come to a different conclusion. That is a different thing altogether. They do not use the knowledge they obtain in the conversations they have with the Prime Minister on the floor of the House. But the Prime Minister shows them the courtesy of taking them into consultation in regard to foreign and defence matters. That courtesy has never been shown to us. I see no reason why, if that courtesy is not shown to me, I should come to your aid and support a measure which you certify as essential for what, I do not know, because you do not tell me what the international situation is. I only read of the international situation in the newspapers and in other books. You want me on those terms to support this Bill. All I say is that I am a human being. I cannot go out of my way to oblige you in this particular matter. I think, therefore, that there is a good case against the Bill so far as we are concerned. No definite scheme of what these forces are intended to be or what these forces are intended for has been placed before us. The rules and regulations that are in the contemplation of the Government of India have not been placed before us. These are all the objections that strike one against the Bill. His Majesty's Government and the Admiralty will be able to use this navy in any part of the world and for any purpose provided they can get a vote for that purpose in Parliament. There is no assurance that we shall ever be consulted in regard to the use that is going to be made of this navy. For these reasons, Sir, I regret that I am unable to give my support to the measure before the House.

The Council then adjourned for Lunch till a Quarter to Three of the Clock.

The Council re-assembled after Lunch at a Quarter to Three of the Clock, the Honourable the President in the Chair.

THE HONOURABLE RAI BAHADUR SRI NARAIN MAHTHA (Bihar : Non-Muhammadan) : Mr. President, it is with some trepidation of feeling that I rise to address you on this Bill. It is rather awkward to have to find oneself in a position in which one finds that it is his duty to oppose a Bill which relates to the building up of the Naval Reserve or for the matter of that of the Indian Navy. It is not only the opinion but the wish of us all that India should have a strong naval force, but that it must be under the control of Indian opinion. The present Bill adopts a hole and corner method. It is not a straightforward measure. I admit that it is certainly only an extension of the Act of 1934, but unfortunately we are, in a legislation of this kind, merely made the instrument of passing into law an Act of Parliament giving to ourselves the opportunity merely in name. Government have clearly adopted an indirect method of creating an independent navy without giving us any voice or choice in its

[Rai Bahadur Sri Narain Mahtha.]

composition or expenditure or the use that may be made of it. This is our main objection to this Bill.

Then, Sir, the provisions of the Bill are too wide. One can understand a regular member of the naval forces being under strict penal discipline, but not the manner and extent to which this Bill seeks to fetter the reservists. The rule-making powers, so innocent in appearance, in fact give Government legislative authority which constitutionally belongs to the Indian Legislature.

The Indian Navy was created in 1927 by an Act of Parliament and since then the Indian Legislature has merely been the dumb instrument of passing its expenditure and such legislation as may be forced on it. It has had no voice, no control, either over the raising or the using of the Indian Navy. This is a circumstance which no self-respecting people can put up with. But Government have been adamant. It is to signify and record our protest against this attitude of Government that we are opposing this Bill.

We have urged upon Government on several occasions that the Indian forces should be Indianised and that their control and direction should pass into Indian hands. We have urged Government to retrench expenditure which is incurred on India's defence by replacing the British by Indian soldiers and by not dragging India into imperialistic wars against her will. If we could save money by means of the above changes and restrictions we could certainly create not only a full-fledged navy but also a full-fledged air force.

Last but not the least, Sir, our objection lies against certification, which has added to the Bill the odium of autocracy, that of flouting the opinion of the representatives of the people who want the whole question to be dealt with from a different standpoint, a different orientation.

It is for these reasons, Sir, that we oppose this Bill and we want our vote to be clearly interpreted.

\*THE HONOURABLE MR. V. V. KALIKAR (Central Provinces : General) : Sir, when the Navy Bill was discussed in 1927 in the House of Commons the Members of the Labour Party raised three objections to the Bill, and I find to the misfortune of India that those objections have proved to be quite correct. Their first objection was that the Navy Bill, which was before them, should have been brought to the Indian Legislature and should have been passed with the consent of the Indian Legislature. That, Sir, they did not do. They only presented before the Indian Legislature the Bill as passed practically by the House of Commons with a Schedule, simply with a view to change the Royal Indian Marine into a combatant force, namely, the Royal Indian navy and to regulate the discipline of that Navy. When they presented that Bill in 1928 before the Assembly, it was rejected. Another ground of objection raised in the House of Commons was that the Bill, if passed, would create a navy which would not be controlled by the Indian Legislature. That has also proved to be true. And the third objection was that the Indian Navy would not be manned by Indians. That also has proved to be true. Then, Sir, when in 1934 a Bill was presented to both Houses here and the assent of the Legislature was secured the then authorities, Sir Philip Chetwode and Mr. Tottenham the Army Secretary expressed themselves to the effect that the pace of Indianisation of the officer ranks of the Indian Navy would be expedited. In fact Sir Philip Chetwode went to the extent of saying in this House that there was nothing sacred about the ratio ; the ratio would be changed and more Indian

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\* Not corrected by the Honourable Member.

officers would be taken. Colonel Rawson Lumby, when piloting the Bill in the other House, stated definitely that the promise that he had given was not merely a form of words but that it was a definite pledge. To the utter misfortune of India we find those pledges have been broken. I do not disagree with the principle underlying the Bill. In fact I submit that the present Bill is a necessary corollary to the Navy Bill that was passed in 1934. We object to the Bill on different grounds. But my personal objection to the Bill is on a very small ground and that is about the Indianisation of the officer ranks in the navy. Sir, when I moved a Resolution in 1937 about expediting the pace of Indianisation and about doing away with the present ratio—one Indian to two British officers—it was stated on the floor of the House that as there was no mercantile marine no effect could be given to the recommendations contained in the Resolution. I submit, Sir, who is responsible for not building an efficient mercantile marine in India? Apart from the question that the Indian Navy is not and will not be under our control owing to an Act of Parliament, we submit, Sir, that I for myself would have been even satisfied with small mercies. But then, Sir, pledges have been given which have been definitely broken in the face of the statement made by the various spokesmen on behalf of Government. Then, what is the course left to us? I know, Sir, that if there is a navy—whether a paper boat navy or a big navy—a reserve is wanted; it is the second line of defence. But if I am to pay for that navy, if the Indian taxpayer has to pay for that navy, he can rightly demand that the control and the use of the navy should be under his control. Indian taxpayers could rightly demand that the navy should be manned by Indians and Indians alone. This is an attempt to create four naval reserve forces; in spite of the assurances given by His Excellency the Commander-in-Chief and the statement made by the Defence Secretary in the other House that almost all officers will be Indian, we on this side of the House are not willing to believe the statement because of our past experience.

Sir, an argument was trotted out in the other House, to which a reference was made by my Honourable friend Mr. Kunzru this morning, that for four vacancies only 14 candidates appeared and none was found fit. I submit, Sir, that if you could not find anyone quite fit for the post, you had an opportunity of taking young boys from the "Dufferin". The question is whether you are really desirous of allowing Indian young men to take part in the naval defence of their country. They have not, Sir, used any method up till now to attract our Indian youth to this part of the service and whatever little efforts we have made in this connection have been thwarted by the unsympathetic policy of the British Government. Sir, my friends have attacked the Government of India in this connection. I have nothing to say against the Government of India because after all the Government of India is a subordinate branch of the British Government. I know that the Royal Indian Navy takes orders from the British Admiralty and not from the Government of India. I know, Sir, definitely that the Government of India have to carry out the dictates of Whitehall. So my complaint is against Whitehall. Why do you call it Royal Indian Navy? Simply because we, the Indian taxpayers, pay money for it? I find from the Budget that over Rs. 86 lakhs is going to be spent in 1939-40 for this Royal Indian Navy.

**THE HONOURABLE MR. R. H. PARKER :** Is it not Rs. 68 lakhs?

**THE HONOURABLE MR. V. V. KALIKAR :** Rs. 76 lakhs for the effective services and Rs. 10 lakhs for non-effective services. If I may just cite the page for the information of my Honourable friend, he will find it on page 253 of the

[ Mr. V. V. Kalikar. ]

Budget Estimate of Expenditure on Defence Services and on page 282 ; he will find therein that Rs. 86 lakhs are to be spent over this Navy. The question is whether we contribute a small sum or a big sum, we have to see whether we are able to control the activities and lay down the policy for which the navy is being created. We are debarred from it by the statute of Parliament. Only the small mercy that we expected from them that they would keep up their promises has been denied to us. They say that they do not get Indian youths. If Honourable Members will refer to the debates of the House of Commons in the year 1927 and will care to read some of the speeches made by Members in that House, they will come to the conclusion that the youth of this country were dealt with callously in this matter up till now. They trained Chinese, Siamese, Japanese youths for the Navy but no Indian youth was trained. Sir, my Honourable friend Sir A. P. Patro said, at least I inferred from his statement, that he was satisfied with the pace of Indianisation—

THE HONOURABLE SIR A. P. PATRO : Satisfied ?

THE HONOURABLE MR. V. V. KALIKAR : At least so I inferred.

THE HONOURABLE SIR A. P. PATRO : Your inference was wrong.

THE HONOURABLE MR. V. V. KALIKAR : Then I am very glad that he is not satisfied with the pace of Indianisation in this service. I will just read one sentence from the pamphlet that is supplied to us :

“ Since the reorganisation of this service on a combatant basis in 1928 the ratio of British and Indian personnel recruited as commissioned officers has been fixed at two to one and that of warrant officers fifty fifty. All ratings are Indian. On the first of April, 1938, there were seven Indian officers in the executive branch and six Indian officers in the engineering branch, while there are 13 Indian cadets and midshipmen under training in the United Kingdom ”.

That means that 13 officers only are serving in the Navy and 13 are under training in the United Kingdom. Is that good progress, Sir, for the period 1928 to now ? That clearly shows that they do not want the Indian youth to take an interest in the naval defence of their country. If they had been frank and honest, Sir, they would have done away with the ratio long ago, at least after 1934, when Sir Philip Chetwode made that statement here in this House and they would have recruited more Indian youths in this service.

Sir, much has been said today about certification, about the interests of India, about the public interests, and all those things, and I do not wish to repeat these arguments. But I want to submit, Sir, that—is it in the interests of India that the youths of India should not be attracted to take active part in the naval defence of their country ? I therefore submit, Sir, that if for no other reason, at least the Government should have brought pressure on the British Government to allow them to do away with the ratio and to take more Indian youths into the service. I submit, Sir, that, if the Bill had been laid before us giving us a detailed scheme, and if they had told us that they had determined to give up that ratio and take more Indians into the service, I for my part would have supported the principle of the Bill, however much I may dislike the details of the Bill. I therefore submit, Sir, that it is a painful duty which I have to perform not to give my support to this Bill.

THE HONOURABLE MR. R. H. PARKER (Bombay Chamber of Commerce) : Sir, I am sorry to say that I have listened to this debate with an

increasing sense of disappointment. Time after time, the Opposition objected to the Bill on this ground or on that ground. When they are asked to help in connection with defence matters they refuse to help. When they are not consulted about a navy they are insulted, and I simply cannot understand their attitude in the matter at all. It is a simple position of this kind. (The Honourable Pandit Kunzru attempted to interrupt.) You have had your say, Mr. Kunzru, let me have mine. It is a simple position of this kind. Do you want a navy or don't you? (*Honourable Members*: "We do want a navy".) Then do you want reserves or don't you want reserves? (*Honourable Members*: "We do".) Then must they be disciplined or not be disciplined? If you have answered that, you have answered the whole question with regard to the Bill.

Now then, having dealt with that, I want to deal with one or two other points mentioned. (*An Honourable Member*: "The navy is not under our control".) The navy is not under your control and it is not under the control of the War Office either.

Some reference was made to the soporific effect of a certain speech on a certain Honourable Member of the House this morning and I could not help wondering afterwards whether the Honourable Member who made the suggestion had been sleeping or at any rate closing his eyes since 1927. He suggested, as far as I could understand him, that the international situation had changed so little since 1927 that you might adopt exactly the same attitude to matters of defence now as you did then.

Then it was suggested that rules in connection with this Act or Bill ought to be laid upon the table of the House. Now, I can assure Honourable Members that this is not done in the House of Commons in connection with disciplinary measures relating to the Army or Navy in England and I can also assure them that anybody who has any experience either of the Army or the Navy would know that it would be quite impracticable to do anything of the kind.

I do assure Honourable Members opposite that, if they have any hope or if they have any desire of getting a greater amount of control over either the Navy or the Army, they are not setting about it in the right way by offering the kind of criticism that they offered today, and they are driving anybody who has the power, into a position where they must exercise the power and certification becomes essential.

Then, I deprecate another attitude adopted by one or two other Members, the attitude, namely, that if the Assembly think a thing wrong, we must also think it wrong. Then why are we here? There is no point in that at all.

Then, the Honourable Mr. Kunzru too took a most peculiar line on one occasion. He seems to prefer relying on the emergency powers of the Governor General rather than exercising his own powers. He wants no powers!

Then, there was another suggestion, that the Chatfield Committee's Report ought to be placed before the Legislature. Now, can you imagine a highly confidential report about defence being spread all over the world? To my mind it is utterly impossible.

Then, the Honourable Mr. Hossain Imam was utterly inconsistent, in my opinion,—I am sorry to say so, but it is a fact,—he deprecates Indians serving on the Sandhurst Committee and yet he objected that more Indians had not been asked to serve.

**THE HONOURABLE MR. HOSSAIN IMAM :** The right type of people.

**THE HONOURABLE MR. R. H. PARKER:** You think the three Honourable Members of this House are a wrong type ?

**THE HONOURABLE MR. HOSSAIN IMAM:** Why one House only ?

**THE HONOURABLE MR. R. H. PARKER:** The other House refused.

**THE HONOURABLE MR. HOSSAIN IMAM:** Then abolish the thing.

**THE HONOURABLE MR. R. H. PARKER:** The Honourable Mr. Sapru took much the same line, I think.

There is really only one Honourable Member of the Opposition with whom I am in complete agreement on one point. He said he thought that the opposition he was making was on "very small grounds".

**THE HONOURABLE MR. G. S. MOTILAL (Bombay : Non-Muhammadan) :** I am afraid, Sir, I cannot give my support to this Bill. When we entered the House this morning our minds were filled with deep anxiety and agony. The information which we have received on coming back after the lunch hour has gone a great way in relieving our anxiety. And the amusing speech made by the Honourable Member who preceded me, if it has not made us wiser, has at any rate helped us to wear out that agony. It was amusing to hear how he could not for a moment conceive why we are opposing this Bill. I do not want to inflict a long speech upon this House but I do want to state in a few words the main objections which we have to this Bill. This is one of those occasions—and few occasions like this come to us—when we can express our disapproval of this Department which euphemistically terms itself the Defence Department but which is in fact a Department for keeping the people of India in subjection. I would consider a Department a Defence Department which would perform its duty not only in expelling external aggression but also in allying with the people in winning their liberties and freedom. I am sure the distinguished soldier that the Commander-in-Chief is, will sympathise with this sentiment of mine. But unfortunately this Department is entirely under the control of a power thousands of miles away from this country. The people of this country have absolutely no voice in shaping its policy. Can we not make use of this opportunity for registering our protest against this arrangement ? Not only in the present constitution but also in the scheme for the future which has so far been evolved, the present arrangement is to continue, subject only to this, that the Department of Defence will be increasingly the concern of India, which increasing concern my Honourable friend Sir A. P. Patro has been taking pains to emphasise at every opportunity. This is one of the constitutional methods open to us for bringing pressure to change the system and on this occasion whenever this Department comes to us for getting our assistance we tell them that they cannot have it, because by giving this assistance, we in a way acquiesce with the present scheme of things. We are not prepared to give even this little assistance in providing for discipline of the navy. Whenever there is a talk of an Indian Navy, we ask ourselves where that navy is ? Members on this side of the House have been urging upon Government with all the force at their command that an Indian Navy should be created, and Government's answer has been that there is not sufficient money. We have pointed out how money can be found, and what are the fields in which economy can be effected. For instance, we have said that if the British soldier is replaced by an Indian soldier, there will be money released for developing the Navy. But we have all along been told that His Majesty's Navy will protect us. We are grateful to His Majesty's Navy for their offering

to protect us, but we feel that a situation may arise when His Majesty's Navy would not find it possible to come down to protect India. Such a situation is not inconceivable, and looking to the recent developments that are taking place, it has become all the more probable. The danger is not so distant now. The situation is developing in such a way that the British Navy will be engaged nearer home—somewhere there—rather than be able to come here. Japan has developed her first class navy during the last 50 years, but in India this question has been criminally ignored. My Honourable friend Mr. Parker would say that there is the British Navy to protect us. But he does not realise our view and determination that the British Navy should not all the time bear this burden of protecting us. We want to protect ourselves by our own forces, air, naval or land forces. We want a sufficient and adequate force—

**THE HONOURABLE MR. R. H. PARKER :** That is why you want discipline.

**THE HONOURABLE MR. G. S. MOTILAL :** Yes, discipline of our making and for a navy which is our own in every way. If we had our own navy we would have voted in support of some such Bill or some other measure as might have been required to provide for the discipline of the navy. But the navy is neither ours nor is the discipline ours. We cannot in these circumstances support this Department or its proposals. The mercantile marine serves as a second line of defence for the navy. A great many countries reserve the coastal trade for their own shipping. Here, in spite of the sympathetic attitude of the Government of India, because it is a limb of the Home Government, even this small privilege has been denied to us. If England has got a strong navy today, we all know that it is due to the naval laws which England adopted for over 150 years. It is as a result of that that she has developed her navy. Should it not be open to us to insist that we should have reservation of coastal shipping and thus build up a second line of defence and produce men who will take to a naval career and thus provide us with ready material ?

Sir, during the last two years, several Resolutions have been brought before this House on questions of defence. The Honourable Mr. Kalikar, on the 15th March, 1937, brought forward a Resolution in this very House—I am not referring to any Resolutions in the other House—for the Indianisation of the Royal Indian Navy, and the answer of the Defence Department was certainly very disappointing. Another Resolution was moved by the Honourable Mr. Kunzru with regard to the replacement of British troops by Indian troops and there also the answer of the Defence Department was unresponsive. Again, in 1937, a Resolution was moved by the Honourable Mr. Kunzru for nomination of members of the University Training Corps to the Indian Military Academy at Dehra Dun. How Government dealt with it, we all know. The Government's reply, I admit, was courteous, but in effect it comes to this. They appreciated what we said. Sometimes they complimented the Members who moved the Resolutions. But, beyond that, they said it was not possible for them to go. Another Resolution was moved by the same Member, the Honourable Mr. Kunzru, with regard to the cadet corps in schools with no better response. It has often been said by Government that either the Indian officers who came did not stick—they left the service—or sufficient men of the requisite calibre were not forthcoming. To meet these difficulties, the Honourable Mr. Kunzru, who has made a deep study of these questions and whose opinions are entitled to great weight, put forward a very concrete idea to be taken up by the Defence Department and pressed that military training should be introduced in educational institutions. And

[ Mr. G. S. Motilal. ]

to this the Government's reply was, as usual, a polite but a firm "No". I had also some time back put a question in the House, that since in England they found it difficult to get men for the army whether Indians would be enlisted for the home army, and the answer was a stiff "No". If we in this country want that the defence forces, naval, air, or land, should be increasingly Indian and purely Indian if possible, then they do not understand at all our point of view. Would they not do as they would be done! I find that during the last two years no less than nine resolutions have been brought in this House, and on every one of them the Government's answer has been an obstinate "No". None of those Resolutions have been accepted. What herculean and frantic efforts have been made in England for recruitment we know from the papers. There are conflicting accounts of the results. The other day the *Statesman* said the response was poor and in their last London letter it was stated that the response was very poor and reasons for it were discussed. But yesterday its leading article says the response has not been so poor and they have now got about a million men. And how were these million men obtained? What an amount of propoganda has been carried on? Appeals have been made to their patriotism. Could not the same thing be done in this country? If they want men cannot the Government seek the co-operation of the people? If they did seek to co-operate with the people they would have got support for a measure like this, may be with certain modifications, dictated by the sense of the House. The assistance of the House is only asked when they want it for their own purposes. I am glad that in this House His Excellency has said, I have noted his words, that it would be possible to have a majority of Indians in the Naval Reserves. This is more or less a hope expressed. I hope this assurance will materialise in practice. But it is just possible that the Government may change its mind tomorrow. Is there anything definite and binding anywhere which will not allow Government to change its mind without the consent of the Indian Legislature? If there is not we are not justified in giving, and ought not to give, support to this measure. Various promises have been given, and as we know remain unfulfilled. "Where there is a will, there is a way". If there is no will there is no way. If for some reason or other they do not feel like carrying out this promise or there is nothing to prevent them from changing their mind and we shall have cause to repent if we give our assistance now. This is another ground on which we refuse to give it our support.

On the merits of the Bill also we find that we have objections. Clauses 3 and 4 authorise the Central Government to make rules for the government, discipline and regulation of Indian Naval Reserve Forces, and the rule-making power is so worded as to authorise Government to create offences. Now those rules are not here before the House, nor will they be laid before the House, so that the House may have a chance to say that they shall not be accepted or that they shall be modified. How can this Legislature, representing the people of the country, provide for penal measures without knowing what they are going to be? There must be something before the House. The rules have to be made to carry out the purposes of the Act in the administrative sphere, but in this Bill the offences are also left to be created under rules to be made, and those rules are not before us. This is our objection to the Bill on its merits.

Sir, I oppose the Bill.

THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS (Punjab : Non-Muhammadan) : Sir, I rise to oppose the Bill. I will try to confine

myself to those points which have not yet been touched upon. Sir, this Bill is the result of the change in the mentality of the people and the suspicion of the Government that a sufficient number of recruits are not coming forward. Otherwise there was no necessity of bringing such a Bill. Past experience shows that during the Great War numbers of people offered themselves voluntarily for recruitment and a great number were refused. What has happened since? The Government has failed to tackle the root cause of the trouble. A number of times people have explained the reasons which led to this discontent, which the Government ignores and now forces conscription by the back door. I will try to put in a few words the reasons why the people are not coming forward for recruitment in large numbers as was the case before. In the first place the people believe that the time when the British Government stood for the principle that "Right is might and that might is not right" have passed. The Great War was fought to establish that right is might and might is not right. But from what is happening now we find that the Government is following the new principle that might is right. Nobody can deny that. See the fate of Abyssinia, Spain and China. The British Government is keeping aloof, and I should go so far as to say they are letting these comparatively weak nations be ruined by those who are mighty in power. So much so that even in the case of British warships, cruisers and other naval vessels, being wilfully attacked and damaged by other powers, the British Government ignore such incidents and go on showing their weakness. One of the reasons which has led to this position is the international situation. But, Sir, the international situation is not so bad now as it was during the Great War. (*An Honourable Member*; "Worse".) It is worse in the sense that the people of every nation have realised that the wars are not being fought now for righteousness. It is the duty of various nations, and particularly the British nation, which I always regard as the most powerful nation, to restore and revert to the old principle. It seems that there is something wrong with the people or with the Government and therefore recruits are not forthcoming in good numbers. Sir, the reasons which have led to this discontent by Indians seem to be: The first is that proper treatment is not being given to them in India and overseas. The second is that the pace of Indianisation is at a snail's pace, if not worse. The third is the colour complex and racial discrimination; and the fourth is that the salaries, allowances and other things are discriminatory. Want of confidence is evident by non-selection of any Indian for the Chatfield Committee. The Honourable Mr. Parker said that even in the House of Commons confidential papers were not laid before the House. My point is, why was not an Indian associated with the Chatfield Committee? Attack has been made by my Honourable friend Mr. Hossain Imam on the composition of the Sandhurst Committee. I am one of those who was asked to serve and I willingly accepted, because this House has been always pressing His Excellency the Commander-in-Chief to have more association of Indians in defence matters and when an offer is made in that direction why should we refuse?

**THE HONOURABLE MR. HOSSAIN IMAM:** Provided we get a majority.

**THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS:** Even in case we cannot get a majority, we ought to assert our case before the Committee. When we have asked for more association of Indians in defence matters so persistently, I do not think it is right to refuse co-operation. At least I belong to a Party which does co-operate and which is absolutely in the interest of the Government as well as of the people. Sir, in case these points are properly tackled, there will be no necessity of any such Bill being put before the House.

[Rai Bahadur Lala Ram Saran Das.]

I know, Sir, that the Bill for practical conscription, forcing the people to come and for punishing them if they do not come, was originated from the Punjab Ministry, because it may have realised that their influence was dwindling down and it wanted they must have further power. I even now assert that any number of people will be willing to come forward in case Indians are justly treated, their grievances removed and in case they are taken into confidence.

Sir, I oppose the Bill generally on the grounds on which the Honourable Mr. Pantulu opposed it. I differ from him in one respect. Because a Bill has been certified by His Excellency the Viceroy it should not be opposed. I do not hold that view. We have very great respect for His Excellency, who ought to see that the dignity of this House is kept up. My Honourable friend Mr. Hossain Imam observed that this Bill ought to have come to this House first before it was certified and this House given a chance to have their say. Now the Bill comes to us just like a dictation, that you do this, you cannot make any amendments. We have either to accept it or reject it. My own point is, that for the past century and a half the British Government did take upon themselves the duty of coastal protection and defence. Why should that be given up now? We ought to have our own navy but only when we can afford it. Now, the toy navy which we have at present will not stand for a few minutes in case there is any enemy invasion from the sea. It will take years to develop it. We are passing through a most critical period of international situation. Our defence expenditure has immensely increased after the Great War. It has of course decreased what it was from war days. But what used to be our normal expenditure on defence? I think in pre-war time it was about Rs. 26 lakhs. It rose to Rs. 98 lakhs in war days and now it has come down to Rs. 46 lakhs. It may have been a crore. But, Sir, what I hold is this tinkering will not be of any use. This navy which we now have is practically inefficient being a tiny one and His Excellency the Commander-in-Chief will agree with me that it cannot in case of an enemy attack survive for more than a few minutes.

As far as Indianisation is concerned, I consider from the way in which things have been done in the past that it will take about two centuries to materialise. I am glad that Government have appointed a committee to consider how to attract sufficient recruits. There is no dearth of suitable people; there is no lack of physique. Everything is there, but the reasons which I have given stop these people from coming forward freely. Times have now changed and the self-respect of the people has revived and the intellectual people cannot tolerate any insult that is offered to them.

My Honourable friend Sir A. P. Patro referred to the "Dufferin". The qualified people who come out of the "Dufferin" are not all employed; they want employment. I do not know how Sir A. P. Patro has observed that there are people from the Punjab. Punjab of course is not a coastal province. Very many people have been refused admission and those who are qualified cannot all get employment. It was with great difficulty that the British India Steam Navigation Company agreed to take Indian cadets. The P. & O. Company in particular were very obstinate but on account of the pressure of the Government of India they agreed to take one or two cadets but every second, third or fourth year. Sir, Government must put the basic defects right and the grievances of the people remedied. It is the change of mentality on both sides which forces the Government to be armed with this weapon. I oppose the Bill also on the ground that as the British Government did take upon them

the responsibility of guarding our coast they must continue to do so because India is one of the greatest assets of the British Empire and India is the only country in the British Empire which can find man power in great numbers. I am proud that my province, the Punjab, and the North-West Frontier Province supply most of the good and able recruits.

Then, Sir, I come to the question of rules and regulations made under Acts. Generally speaking, Sir, rules and regulations are the principal things in carrying out any Act which the Legislature passes and generally it is the practice that all these rules and regulations have the consultation and approval of the Legislature concerned. Here, Sir, that practice does not exist. The dignity of the House is slowly being whittled down and I request our Leader of the House to see that this is resisted. No Bill is now introduced in our House because, they say, it is a revising Chamber. It is true it is a revising Chamber but why hitherto the practice has been that on several occasions Bills have been introduced in this House. On all the important Standing Committees or Select Committees, the opinion of the elected representatives of the people is generally ignored.

Sir, I am one of those who always is for conscription. We want to serve the Empire; we want to serve our country. Why not let us do it? Why suspect us? The British people, generally speaking, have no confidence in us Indians. Why not have conscription? Why have this sort of conscription by the back door? In case you take an unwilling recruit, he will be useless in time of war. You can capture a horse, you can punish a horse, but you cannot force him to drink water. You must have willing people as recruits. You can give a man three or four years' jail for not joining the army. But, Sir, as far as the Punjab is concerned, I can say from my personal knowledge that people were pouring in for recruitment in former years and even now my information is that more recruits are coming in than are required.

Sir, with due deference to His Excellency the Viceroy, I think when he sends a Bill to our House he wants the views of the House and particularly the views of the elected Members. Sir, His Excellency says that this Bill is essentially in the interests of India. Sir, during the Great War, when the "Emden" bombarded Madras and wanted to bombard several other places—

**THE HONOURABLE SIR DAVID DEVADOSS:** There was no navy here at the time when the "Emden" visited Madras.

**THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS:** My dear Sir, at that time the coastal defence was the duty of the British Government. And even then the "Emden" was able to sink many ships. When a small cruiser like the "Emden" can do a lot of damage, what cannot be done by some of the big battleships of the foreign powers whose battleships can carry "Emdens" on their decks. Sir, I want the Government to confide in us and remove the grievances of the people. They will have no difficulty in getting their recruitment to the extent that they want. Recruitment by force, recruitment by penal measures, is recruitment which is of no practical use. It will simply waste the money of India and will not effect your purpose. Therefore, Sir, for all these reasons I oppose this Bill, because I consider that there is no necessity for it, and even if you feel the necessity for it, the grievances of the people must be removed. If you remove the root cause of the trouble, you will have no difficulty in getting ample recruitment. Meet the Indian demands and see that they are properly paid and properly treated there will be no necessity for punitive measures.

THE HONOURABLE SAIYED MOHAMED PADSHAH SAHIB BAHADUR (Madras : Muhammadan) : Sir, I rise to oppose the Bill and I do so not only on account of its merits or demerits but also on account of extraneous circumstances which have a very material bearing on the question which we are now considering. Sir, just to make our position quite clear, I would at the outset like to state that my objection to the Bill is not on account of the fact that I do not wish to help the British Government, if it so desires, to give an impression to the world abroad that it has got inexhaustible resources. In fact, Sir, I do not think that by the passing of this Bill such an impression could be created at all. But even if such an impression could be created, I would welcome it. Therefore, my objection to the Bill is on different grounds to those on which some of my friends have opposed it. As I said, Sir, I would very much like that the British Government do create an impression that it has got great resources. And such an impression, Sir, will go a long way in averting the danger which seems to threaten the world at present. It will go a long way in discouraging those powers which have made no secret of their intention to overthrow all democratic institutions in the world. My own impression is that the British power, in spite of its shortcomings, in spite of its most unsympathetic attitude towards our dearly cherished ambitions, in spite of all that, it is one of those great powers in the world which do stand for democratic principles. And again, Sir, for reasons much nearer home, I would not like the British Government to be destroyed. Because I feel that, situated as we now are, the fate of India is bound up intimately with that of Great Britain. This, Sir, just to show that our opposition to this Bill is based on different grounds from those of some others of my Honourable friends here. As I said, Sir, our opposition is based not only on the merits but also on extraneous circumstances. Sir, I won't repeat the arguments which have been stated here *ad nauseam* but I would simply state that our attitude is determined mainly by the course which the military authorities here have pursued in regard to the defence policy. And we would certainly have been only too willing to help the British Government to carry out this measure and also to carry out any similar measures, if only we had been convinced that the Government was on their side, also willing as far as possible to co-operate with us, and to give effect to the wishes of the people. As I stated, Sir, the policy of the Government in the defence administration has been of a kind which has always been against our wishes. The Government have time after time been flouting the wishes of the elected representatives of the people in the Legislature in matters of defence. In spite of insistent demands on the part of the elected representatives, both in this House and the other, Government have not offered any opportunity to the elected representatives to be associated with the defence policy. And this, Sir, in spite of the fact that when the Government of India Act was passed, it was declared that the policy of the Government in respect of defence would be to give occasion for the increasing association of the people of the country in the defence of the country.

Most of the grievances have been ventilated already, and I do not want to say anything about them. All that I would like on this occasion to stress is the treatment that Government has accorded to one of our very important demands—I mean the demand of the Muslim community—that we should also have representation on the Palestine Conference inasmuch as the world Jewry, the Jews from all parts of the world have been given representation. But even this small demand was not conceded.

THE HONOURABLE THE PRESIDENT : That is your additional ground for dissatisfaction.

**THE HONOURABLE MR. HOSSAIN IMAM :** A very material ground, Sir.

**THE HONOURABLE SAIYED MOHAMED PADSHAH SAHIB BAHADUR :** That is one of the many grievances that we have in regard to the policy of the Government in this country.

Now, Sir, just a few words about the merits of the Bill. I would simply state that there is very little in the Bill which can help the Legislature to come to any judgment about its merits, because, after all, what is provided in the Bill is only the provisions regarding the punishments. We feel, Sir, that we cannot at all come to any conclusion on this, inasmuch as we do not know how those offences which are to be punished under these penal provisions will be defined and how those people who would be taken to have committed those offences would make themselves liable to that charge. Therefore, Sir, I am of opinion that instead of merely making these penal provisions, Government should at least as a schedule to this Bill have given us an idea of the rules and regulations that would be made in regard to those offences. With regard to the punishments themselves, I am of opinion that the punishment of imprisonment for two years for failure to respond to a call for active service is much too severe. Therefore, Sir, partly for the provisions that are embodied in the measure and mainly on account of the policy that has been followed by Government in matters of defence we feel that we cannot give our support to this Bill.

**THE HONOURABLE SIR MUHAMMAD YAKUB (Nominated : Non-Official) :** Mr. President, I am surprised that at a time when the clouds of war are gathering thick over the horizon of the whole world and a greater war than the war of 1914 is threatening the whole of the Northern hemisphere, the Legislative Assembly should reject a Bill, like the one which we have before this House, without even going into the merits of the measure. Mr. President, we see that the whole world is now increasing its armaments. Every country in the world is vying with each other to arm itself to the teeth and to increase its armaments. But what do we find in this country? In India, in spite of having a very wide land and sea frontier, our army, our navy and our air force is not certainly as efficient and as large as it ought to have been according to the dimensions and the importance of our country. Mr. President, it has sometimes been said that because the responsibility for defence of our country lies upon the British Government, therefore we need not keep a very big navy, a very big army and a very big air force. But, as an Honourable gentleman has just pointed out, now things have come to such a pass that it is very doubtful whether it would be possible for the British Government to spare any army or navy or air force of theirs to send to India for her defence, and even if it were possible for them to spare, whether it will be possible for the British army or navy to reach India safely through Gibraltar or the Suez Canal. In these circumstances, I thought that any measure which was devised to strengthen the small navy, which we have, would be welcomed by the House. In fact, Sir, the object of the Bill and its necessity has not been denied. In fact, Sir, some Honourable Members in the other House—

**THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS :** The necessity has been denied by me and many other of my colleagues.

**THE HONOURABLE SIR MUHAMMAD YAKUB :** I say the necessity has not been denied by some Members of the Lower House or of this House. Even the Honourable Mr. Motilal, who has just spoken, said that he thought that a measure like this was necessary. He also thought that it was necessary to

[ Sir Muhammad Yakub. ]

have disciplinary measures for the reserves of the navy in India. But the main line of attack has been that because Indians were not taken in confidence as regards important military measures, therefore they were not prepared to accept this Bill. Mr. President, it is very well to say that Indians were not taken in confidence as regards the confidential military measures. But, have not those who call themselves the leaders of the country, the great leaders of the country, announced at the top of their voice that their main object in this country was to wreck the British Empire and to wreck British Imperialism? If that is so, and conditions were so bad last year that the Indian Legislature had to pass a Bill in order to penalise the offence of seducing people not to join the army, would it be possible, would it be discreet, would it be wise for any Government to take such people in confidence and disclose to them the most confidential military measures, when they have declared that they would go to any length to wreck the British Empire? It has been said, Sir, that in England, even the Leaders of the Opposition are taken in confidence by the Prime Minister. But is there any Party in England, is there any section of public opinion in England, which would think or say whose programme would be to wreck the British Empire? Where is then the comparison between our Leaders and the Leaders of the Opposition in England? I would again lay stress, Mr. President, on the fact that the political horizon of the country is very disquieting and very disturbing. In spite of the appeasing and surrendering policy of Mr. Chamberlain, which by a large section of the weighty opinion in England is regarded as having degraded the prestige of the British to the lowest ebb, Mr. Chamberlain has not been able to avert the danger of war. If war comes, and it is generally believed that if it does not come in 1939 it will come in 1940—(An Honourable Member: "Let us hope not.") Let us hope not, but the conditions are such that it is coming, and therefore, Sir, it must be the duty of every patriotic Indian to support any measures which help in the defence of the country.

It has been pointed out by certain Honourable Members that the Indian Army and the Indian Navy should be employed only for the defence of India. Probably they have failed to realise the fact that the defence of India is not confined only to the defence of its frontiers or within the four corners of the country. In order to defend India you have got to defend strategic points between India and neighbouring countries, which, if exposed to enemy assault and taken by them, would endanger the safety of India as well.

Mr. President, I deprecate the remark by the Honourable the Leader of the Congress Party, whose sweet reasonableness is often admired in this House, when he said that the Legislative Assembly of 1934 which passed the Indian Navy Act was not a representative Assembly. I strongly protest against that remark of the Honourable the Leader of the Congress Party. I say, Sir, it is a slur upon the electorate and it is a slur upon those Members who were constitutionally elected to the Assembly to say that they were not representatives of the country. I might as well say that my Honourable friend the Leader of the Congress Party who represents a very small group of two or three Members in this House, that he is not a representative person and his opinion should not command any weight or value in this House.

THE HONOURABLE MR. RAMADAS PANTULU: Eight Members.

THE HONOURABLE SIR MUHAMMAD YAKUB: Eight, out of how many crores?

THE HONOURABLE LT.-COL. SIR HISSAMUDDIN BAHADUR: 36  
crosses.

THE HONOURABLE SIR MUHAMMAD YAKUB: You have exposed your smallness.

Sir, we have been facing in this House since this morning what might really be called a storm in a tea cup. I have found that there has been repetition of the same points and none of the Honourable Members have been able to convince that a measure like this is not needed. And therefore I think that this Honourable House, for the prestige of which my Honourable friend Lala Ram Saran Das is rightly very anxious, will not by its vote show that because they have got some long-standing grievance against the British Government they refuse to support a measure which they themselves consider as necessary and desirable. Mr. President, political progress in India has no doubt been very slow, but it has been very sure. We have had no revolutions, but we are having evolution. Things which 25 years ago were never considered as being within the purview of the people of this country, are now under their control. Let us not be too hasty and let us not follow a policy of a dog in the manger. We should take every measure which comes before the House in its true perspective and vote accordingly.

With these remarks I support the Motion.

THE HONOURABLE SIR RAMUNNI MENON (Nominated Non-Official): Sir, the subject before the Council is simple, plain and of extremely limited scope. Nevertheless it is obvious that several large issues, constitutional issues, issues connected with Government's policy in matters of defence, have been raised round it. I do not feel called upon on this occasion either to minimise or to deny the importance of these issues or to attempt to refute the arguments that have been advanced by Honourable Members in support of their attitude on them. While I cannot say that I am surprised that these issues have been raised, I venture to say that in my opinion their connection with the matter before us is extremely remote. I shall therefore leave them aside and come to the Bill which is before us.

I must recognise at once that Honourable Members who have opposed this Bill have shown some wisdom in opposing it not merely on grounds of general policy or defects in the constitution, but also on the merits, as we may put it, of the Bill. Now, what are the objections which they have raised to the Bill? I do not propose to deal with all those objections, but I should like to refer to two or three which have been specifically mentioned by several speakers. First of all a criticism has been made that these reserve forces will be used for Imperial defence. Now it has been made perfectly clear in the Statement of Objects and Reasons in the Bill that these reserve forces are for local defence. I understand by "local defence" that it is the defence of Indian ports and harbours and the approaches thereto and the coastal batteries and so forth. If that is the case I fail to see how this objection can possibly be raised? Further, it is interesting to note that the speaker who rose immediately after the Honourable the Leader of the Congress Party took up exactly the opposite point of view to his. He complained that the reserve forces would be so inadequate that they will not be sufficient even for Indian defence, let alone their suitability or adequacy for purposes of Imperial defence.

Another argument raised was that this Bill proposes to create these reserves. I am a layman, but I am sure that it does nothing of the sort, and it is not intended to do anything of the sort. If the argument advanced is valid, it can

[ Sir Ramunni Menon.]

be tested very simply. Suppose you pass this Bill and imagine there is no provision in the Government of India Act enabling the Government to raise these reserve forces, will it be possible on the strength of this Bill to raise these reserve forces? The answer to that question is simply that you cannot. Therefore I maintain that that criticism is not valid.

**THE HONOURABLE MR. RAMADAS PANTULU :** Read the Statement of Objects and Reasons.

**THE HONOURABLE SIR RAMUNNI MENON :** The Statement of Objects and Reasons must be understood in connection with the body of the Bill; it is not a statement hanging in the air.

Then, a point has been made with regard to the provision for making rules. I have observed several Bills being passed in this Council with a provision empowering the executive Government to make rules and I do not see anything extraordinary in a similar provision being made in this particular Bill. I have always understood that this rule-making power is only for the purpose of elucidating minor matters of detail or prescribing the forms and procedure to be adopted in giving effect to a major provision of a Bill. If I am right, I do not see what objection can possibly be raised to that provision in this Bill.

I should like now to say why I support this Bill very strongly. As the Honourable Sir Muhammad Yakub has pointed out, anybody who is not blind to the existing international situation will be forced to admit that while all other countries in the world, countries of any size, are piling up their armaments, it would be most foolish on the part of the authorities in this country to neglect Indian defence. I therefore feel that it is absolutely essential—in fact you cannot delay the matter a single minute—it is absolutely essential to place Indian defence forces on an adequate footing, and as a part of these defence forces the Indian naval reserve forces ought to be developed. If that position is granted, the question arises what are the best and the most economical ways of raising these forces to a standard of adequacy. As far as I have been able to gather from a perusal of the proceedings in the other House, I believe that the method of forming trained and disciplined reserves is the most economical way of providing for a body of men who can be grafted to the regular naval forces in times of emergency. If that is so, on the ground of economy and on the ground of general necessity the measure is amply justified. A further reason which impels me to support this measure is that it provides very good scope for Indian recruits. As His Excellency the Commander-in-Chief has pointed out, almost the whole of these reservists will be Indians and we should all be very thankful for a measure which will provide openings for Indians. A further reason is this. Several Members have pointed out the rather anomalous situation created by the Governor General sending us a certified Bill. I quite admit that the position is rather anomalous.

**THE HONOURABLE THE PRESIDENT :** You cannot reflect on the conduct of the Governor General under Standing Order 28.

**THE HONOURABLE SIR RAMUNNI MENON :** No, Sir; I am not reflecting on the conduct of the Governor General. I shall say that the position is unusual.

**THE HONOURABLE SIR DAVID DEVADOSS :** Not unusual; we have had certified Bills on three or four occasions.

**THE HONOURABLE SIR RAMUNNI MENON :** All that I need say is that if we, Members of this Council, exercise our sense of responsibility by supporting this measure, we shall be paving the way for the atrophy, if not the final disappearance in course of time, of these reserve powers of the Governor General.

For these reasons, Sir, I heartily support the Bill.

**THE HONOURABLE SARDAR BUTA SINGH (Punjab : Sikh) :** Sir, I fail to understand the reasons that led the Legislative Assembly to refuse leave for the introduction of this Bill.

**THE HONOURABLE THE PRESIDENT :** No one will ever understand.

**THE HONOURABLE SARDAR BUTA SINGH :** There was no ground at all. How could any one understand, Sir ? I am sure there is no one in the Legislative Assembly or in this House who does not recognise in these days the need of reorganising the defence of the country. Our seacoast is nearly 5,000 miles in length. We have no navy. We do not know if our land forces are strong enough to blow up any navy that approaches our shores. We are all anxious that the youth of our country should be trained, disciplined and fully organised to defend our country. I give my support to this Bill.

**HIS EXCELLENCY THE COMMANDER-IN-CHIEF :** Sir, though I have listened with much interest to the various views expressed by the Honourable Members who are in opposition to this Bill, I have not been able to note a single point which appears, to me at any rate, to be really relevant to the merits or otherwise of this Bill. I can only assure the House that the Bill is in fact necessary for the defence of India, and has no hidden design behind it of any description. I have therefore nothing to add to the reasons which I have given for already adopting it.

Sir, I move.

**THE HONOURABLE THE PRESIDENT :** Motion made :

“That the Bill to provide for the discipline of members of the Indian Naval Reserve Forces raised in British India on behalf of His Majesty, in the form recommended by the Governor General, be taken into consideration.”

The Council divided :

AYES—28.

Ataullah Khan Tarar, Hon. Chaudhri.  
Buta Singh, Hon. Sardar.  
Charanjit Singh, Hon. Raja.  
Commander-in-Chief, His Excellency the.  
Das, Hon. Rai Bahadur Satyendra Kumar.  
Devadoss, Hon. Sir David.  
Dow, Hon. Mr. H.  
Ghosal, Hon. Sir Josna.  
Govindachari, Hon. Rao Bahadur K.  
Hissamuddin Bahadur, Hon. Lt.-Col. Sir.  
Hydari, Hon. Mr. M. S. A.  
Ismaiel Alikhan, Hon. Kunwar Hajeo,  
Khurshid Ali Khan, Hon. Nawabzada.  
Lal, Hon. Mr. Shavax A.

Menon, Hon. Sir Ramunni.  
Muhammad Yakub, Hon. Sir.  
Mukherjee, Hon. Sir Satya Charan.  
Niamatullah, Hon. Chaudhri.  
Nihal Singh, Hon. Sirdar.  
Parker, Hon. Mr. R. H.  
Patro, Hon. Sir A. P.  
Puckle, Hon. Mr. F. H.  
Raisman, Hon. Mr. A. J.  
Roy, Hon. Mr. S. N.  
Russell, Hon. Sir Guthrie.  
Sobha Singh, Hon. Sardar Bahadur.  
Stokes, Hon. Mr. H. G.  
Yeatts, Hon. Mr. M. W. M.

## NOES—11.

Das, Hon. Mr. N. K.  
 Hoossain Imam, Hon. Mr.  
 Kalikar, Hon. Mr. V. V.  
 Kunzru, Hon. Pandit Hirday Nath.  
 Mahtha, Hon. Rai Bahadur Sri Narain.  
 Mitha, Hon. Sir Suleman Cassum Haji.

Motilal, Hon. Mr. G. S.  
 Padshah Sahib Bahadur, Hon. Saiyed  
 Mohamed.  
 Pantulu, Hon. Mr. Ramadas.  
 Ram Saran Das, Hon. Rai Bahadur Lala.  
 Sapru, Hon. Mr. P. N.

The Motion was adopted.

Clauses 2, 3, 4, 5, 6, 7 and 8 were added to the Bill.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

HIS EXCELLENCY THE COMMANDER-IN-CHIEF : Sir, I move :

“ That the Bill, in the form recommended by the Governor General, be passed. ”

The Council divided :

## AYES—28.

Ataullah Khan Tarar, Hon. Chaudhri.  
 Buta Singh, Hon. Sardar.  
 Charanjit Singh, Hon. Raja.  
 Commander-in Chief, His Excellency the.  
 Das, Hon. Rai Bahadur Satyendra Kumar.  
 Devadoss, Hon. Sir David.  
 Dow, Hon. Mr. H.  
 Ghosal, Hon. Sir Josna.  
 Govindachari, Hon. Rao Bahadur K.  
 Hissamuddin Bahadur, Hon. Lt.-Col. Sir.  
 Hydari, Hon. Mr. M. S. A.  
 Imaiel Alikhan, Hon. Kunwar Hajee.  
 Khurshid Ali Khan, Hon. Nawabzada.  
 Lal, Hon. Mr. Shavax A.

Menon, Hon. Sir Ramunni.  
 Muhammad Yakub, Hon. Sir.  
 Mukherjee, Hon. Sir Satya Charan.  
 Niamatullah, Hon. Chaudhri.  
 Nihal Singh, Hon. Sirdar.  
 Parker, Hon. Mr. R. H.  
 Patro, Hon. Sir A. P.  
 Puckle, Hon. Mr. F. H.  
 Raisman, Hon. Mr. A. J.  
 Roy, Hon. Mr. S. N.  
 Russell, Hon. Sir Guthrie.  
 Sobha Singh, Hon. Sardar Bahadur.  
 Stokes, Hon. Mr. H. G.  
 Yeatts, Hon. Mr. M. W. M.

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Motilal, Hon. Mr. G. S.  
 Padshah Sahib Bahadur, Hon. Saiyed  
 Mohamed.  
 Pantulu, Hon. Mr. Ramadas.  
 Ram Saran Das, Hon. Rai Bahadur Lala.  
 Sapru, Hon. Mr. P. N.

The Motion was adopted.

## EMPLOYMENT OF CHILDREN (AMENDMENT) BILL.

THE HONOURABLE MR. M. S. A. HYDARI (Labour Secretary) : Sir, I beg to move :

“ That the Bill to amend the Employment of Children Act, 1938, as passed by the Legislative Assembly, be taken into consideration. ”

Sir, during its August, 1938 session, this House passed a Bill prohibiting the employment of a child under the age of 15 in any occupation connected with the transport of passengers, goods or mails by railway or involving the handling of goods within the limits of any port to which the provisions of the Indian Ports Act, 1908, are applicable.

At that time there was in circulation to Provincial Governments a proposal to prohibit the employment of children under 12 in occupations which are unhealthy or are commonly accompanied by exploitation of child labour. Their replies showed that there was substantial agreement in favour of the proposed legislation and a Bill was accordingly introduced in the Legislative Assembly during the current session which that House passed with certain amendments.

The only amendment of substance was the omission from proposed section 3A of the Employment of Children Act of the power which the Bill sought to vest in Provincial Governments to omit any of the processes in the Schedule. This Schedule is not comprehensive and it is expected that Provincial Governments will add to it from time to time as need arises. They are given the power to do so.

The Bill does not seek to put difficulties in the way of family undertakings or of any school established by, or receiving assistance from, or recognition from, a Provincial Government. Section 3 makes this quite clear.

The duty of implementing its provisions will fall principally on Provincial Governments and there is no reason to doubt that they will put the provisions into effective operation. In this confident hope I commend the Bill to the consideration of this House.

Sir, I move.

\*THE HONOURABLE MR. P. N. SAPRU (United Provinces Southern : Non-Muhammadan) : Sir, I do not wish at this stage to detain the House and make a long speech. I would like to give the Bill my general support. I think it is a useful Bill so far as it goes. But I wish it had gone further. I think, Sir, that the age limit ought to have been higher. It ought to have been 14 as it is in England. Then I think a greater number of industries ought to have been included. For example, the Bill prohibits the employment of children in carpet factories. I see no reason why a child should be allowed to work in hotels. I think hotel life for children is very bad. Then, Sir, I am rather apprehensive about the clause about education. I would not like these young children to be turned into factory workers. In clause 3, for example, it is provided :

" Provided further that nothing in this sub-section shall apply to any school established by, or receiving assistance from, or recognition from, a Provincial Government "

I think, Sir, that Government should see that the children are given proper education.

Then, under clause 4, the Provincial Governments are given power to add to the Schedule. That is good as it is.

These are all the observations that I would like to make on the Bill. To the extent that this Bill goes, I give it my support. Of course it does not deal with some of the major recommendations of the Labour Commission. It would have been better if a more comprehensive measure had been brought forward. I hope that Government will bring forward a more comprehensive measure.

There is just one word I would like to say about labour legislation in general. I think uniformity is desirable in matters of labour legislation. When we have Provincial Governments, it is all the more necessary that there should be an effort at co-ordination in our labour legislation. I hope that this point of view will be kept in mind by the Government of India.

With these words, Sir, I give my support to the Bill.

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\*Not corrected by the Honourable Member.

**THE HONOURABLE MR. RAMADAS PANTULU** (Madras : Non-Muham-  
madan) : Sir, in giving my support to this Bill, I wish to make one or two  
brief observations. First of all, with regard to the Schedule, I am satisfied  
with the power given to the Provincial Government to add to the Schedule  
according to local conditions. But in clause 2, in defining a workshop, there  
are certain words which will prevent the Provincial Government from adding  
certain kinds of occupations to the Schedule. It is said :

“ ‘workshop’ means any premises (including the precincts thereof) wherein any  
industrial process is carried on, not being a factory ”, etc.

My Honourable friend Mr. Sapru drew attention to the fact that child  
labour is very often employed in tea shops, refreshment stalls and hotels. It  
is a very bad form of exploitation. In fact, it is there that I see very young  
children, boys of 9 or 10, being employed for very long hours in the day. But  
the occurrence of the words “ industrial process ” will prevent the Provincial  
Governments from adding employment in hotels to the schedule because em-  
ployment in a hotel is not an industrial process. I think that if the words were  
not there, it will give greater latitude to Provincial Governments.

There is one other clause on which I would like to make a few observations.  
Clause 6 says :

“ Every certificate as to the age of a child which has been granted by a prescribed  
medical authority shall, for the purposes of this Act, be conclusive evidence as to the age  
of the child to whom it relates ”.

If there is a criminal prosecution for having employed a child who has according  
to the certificate not completed 12 years, then that certificate is regarded as  
conclusive evidence. To its being evidence I have no objection. In two spheres  
of public life I have had ample opportunities of testing the validity of these  
certificates by medical men. First of all, as a lawyer, I have had to deal with  
many cases in which the certificate given by a medical man has been tested.  
For instance, with regard to kidnapping, whether a particular girl is above  
16 or under 16, with regard to age of consent, appointment of guardians and so  
on. In the life insurance field also, I have had to deal with many medical  
examination reports on age which did not tally with the actual facts. For  
instance, they may prove by producing the family horoscope or school register  
or other equally absolutely convincing proof, that the boy has completed 12  
years, whereas this clause says : “ No, I shall not look into your horoscope ;  
I shall not look into your school register ; I shall not believe the evidence of  
the parents who are very respectable men and women ; but I will only treat  
this medical certificate as conclusive ”. I think it is hardly right that you  
should lay down such a rule of presumption in providing a penalty for a breach  
of this Act. I think sooner or later it requires amendment. I strongly take  
exception to clause 6. This is not the time for moving amendments. The  
Bill is on the whole a very useful and beneficial measure and therefore I give  
my support to it. Therefore, while I give my support to the Bill, I want  
those words “ industrial process ” included in section 2, and the conclusive  
presumption in clause 6 to be amended as soon as possible.

**THE HONOURABLE THE PRESIDENT** : Even parents have been known  
to give wrong ages inadvertently when they register their children's names  
in schools.

**THE HONOURABLE MR. M. S. A. HYDARI** : In view of the general support  
to the Bill I do not think it is necessary for me to say anything except to give  
an assurance to my Honourable friends opposite that we will take note of the

observations they have made, and when we come to examine the working of the Act after a period of time we will give thought as to whether amendment along the lines desired by them or any other lines is necessary. In all legislation dealing with social amelioration one cannot be dogmatic. I agree that the items in the Schedule could be expanded, but they represent the greatest common measure of agreement we have been able to get, and that is the reason why we have restricted the Schedule to those few items. But we hope that as necessity arises Provincial Governments will add to the list. I hope therefore that my Honourable friends opposite will be satisfied with this explanation and assurance and that the House will agree to the Bill.

**THE HONOURABLE THE PRESIDENT :** The Question is :

“ That the Bill to amend the Employment of Children Act, 1938, as passed by the Legislative Assembly, be taken into consideration. ”

The Motion was adopted.

**THE HONOURABLE THE PRESIDENT :** Clause 2.

**THE HONOURABLE MR. SHAVAX A. LAL (Nominated Official) :** Sir, I move :

“ That in clause 2 of the Bill, in proposed clause (d) for the words and figures ‘ not being a factory to which the Factories Act, 1934, applies or to which the provisions of section 5 of that Act are for the time being applicable ’ the following be substituted, namely :

‘ but does not include any premises to which the provisions of section 50 of the Factories Act, 1934, for the time being apply ’. ”

Sir, the definition of “ workshop ” as now contained in the Bill is the result of amendment made in the other House. This definition is not only roundabout but is likely to lead to considerable difficulty in practice. The only section in the Factories Act which prohibits the employment of children below 12 is section 50. To avoid overlapping between that section and this Bill it would have been quite sufficient if factories to which section 50 of the Factories Act is applicable were excluded from the scope of the definition. But instead of doing this, the present definition seeks to achieve the object in a very roundabout and confusing manner. The present definition would have the curious result that small factories, which employ 10 or more but less than 20 workers will be excluded from the scope of the definition. That certainly, Sir, could not have been the intention. Of course the small factories employing 10 or more but less than 20 persons could be brought within the purview of the Factories Act under section 5, but section 5 permits the application of all or any of the provisions of the Act and there are small factories to which section 9 alone is made applicable. These factories are those to which the Factories Act does not apply but to which the provisions of section 5 are for the time being applicable. So the result would be that these small factories would be excluded from the present Bill. As that could not have been the intention, my amendment seeks to set the matter right.

The Motion was adopted.

Clause 2, as amended, was added to the Bill.

**THE HONOURABLE THE PRESIDENT :** Clause 3.

**THE HONOURABLE MR. SHAVAX A. LAL:** Sir I, move :

"That in clause 3 of the Bill, for the proviso to the proposed sub-section (3) the following be substituted, namely :

' Provided that nothing in this sub-section shall apply to any workshop wherein any process is carried on by the occupier with the aid of his family only and without employing hired labour or to any school established by, or receiving assistance or recognition from, a Provincial Government '."

Sir, this is purely a drafting amendment. It seeks to substitute one proviso for two.

The Motion was adopted.

Clause 3, as amended, was added to the Bill.

Clauses 4, 5, 6, 7 and 8 were added to the Bill.

The Schedule was added to the Bill.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

**THE HONOURABLE MR. M. S. A. HYDARI:** Sir, I move :

"That the Bill, as passed by the Legislative Assembly, and as amended by the Council of State, be passed."

The Motion was adopted.

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The Council then adjourned till Eleven of the Clock on Thursday, the 9th March, 1939.

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