

THE

31st January 1938

LEGISLATIVE ASSEMBLY DEBATES

(Official Report)

Volume I, 1938

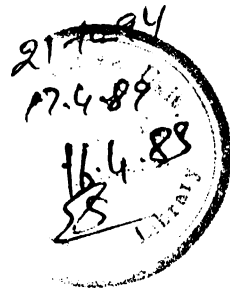
(31st January to 22nd February, 1938)

SEVENTH SESSION

OF THE

FIFTH LEGISLATIVE ASSEMBLY,

1938



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1938

Legislative Assembly.

President :

THE HONOURABLE SIR ABDUR RAHIM, K.C.S.I.

Deputy President :

MR. AKHIL CHANDRA DATTA, M.L.A.

Panel of Chairmen :

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DR. SIR ZIAUDDIN AHMAD, C.I.E., M.L.A.

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

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Assistants of the Secretary :

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RAI BAHADUR D. DUTT.

Marshal :

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

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MR. M. S. ANEY, M.L.A.

MR. M. GHIASUDDIN, M.L.A.

MR. N. M. JOSHI, M.L.A.

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

CONTENTS.

VOLUME I.—31st January to 22nd February, 1938.

	PAGES.		PAGE.
MONDAY, 31ST JANUARY, 1938—		TUESDAY, 1ST FEBRUARY, 1938—<i>contd.</i>	
Members Sworn	1—2	Motion for Adjournment <i>re</i>	
Starred Questions and		Refusal of the Under	
Answers	2—32	Secretary of State to con-	
Unstarred Questions and		sult the Provincial Gov-	
Answers	33—37	ernments <i>re</i> introduction	
Statements laid on the		of the Federation—Not	
Table	38—68	moved	170—71
Motion for Adjournment <i>re</i>		Message from His Excellency	
Mechanisation of the		the Governor General . .	171
British Portion of the		Panel of Chairmen . . .	171
Indian Army—Talked out	69, 111—	Committee on Petitions . .	171
	34.	The Indian Companies	
Governor General's assent		(Amendment) Bill—	
to Bills	69	Passed as amended . . .	172—74
Message from the Council		The Indian Tea Control	
of State	69—79	Bill—Referred to Select	
The Trade Disputes (Amend-		Committee	174—76
ment) Bill—Appointment		The manœuvres, Field	
of certain Members to the		Firing and Artillery	
Select Committee	79	Practice Bill—Passed as	
The Workmen's Compensa-		Amended	176—206
tion (Amendment) Bill—		The Destructive Insects	
Appointment of certain		and Pests (Amendment)	
Members to the Select		Bill—Motion to consider	
Committee	79	adopted	206—13
The Indian Companies		WEDNESDAY, 2ND FEBRUARY, 1938—	
(Amendment) Bill—Dis-		Member Sworn	215
cussion on the considera-		Starred Questions and	
tion of clauses not con-		Answers	215—43
cluded	80—88	Unstarred Questions and	
The Repealing Bill—Passed		Answers	243—46
as amended	88—92	Statements laid on the Table	247
The Indian Tea Control Bill		The Import of Drugs Bill—	
—Discussion on the		Appointment of Sir	
motion to refer to Select		Muhammad Yamin	
Committee not concluded	92—111	Khan to the Select	
TUESDAY, 1ST FEBRUARY, 1938—		Committee	247
Member Sworn	135	The Destructive Insects	
Starred Questions and		and Pests (Amendment)	
Answers	135—70	Bill—Discussion on the	
Unstarred Question and		consideration of clauses	
Answer	170	not concluded	247—49

	PAGES.		PAGES.
THURSDAY, 3RD FEBRUARY, 1938—		FRIDAY, 4TH FEBRUARY, 1938—	
Starred Questions and Answers	251—72	Member Sworn	325
Unstarred Questions and Answers	272—74	Starred Questions and Answers	325—37
Motion for Adjournment <i>re</i> Transfer of certain Villages in Merwara District to the Administrations of Jodhpur and Udaipur States—Disallowed by the Governor General	275, 293—94.	Short Notice Questions and Answers	337—39
The Durgah Khawaja Saheb (Amendment) Bill—Passed as amended	275—81	Unstarred Questions and Answers	339—42
The Code of Criminal Procedure (Amendment) Bill (Amendment of section 386)—Motion to continue adopted	282	Motion for Adjournment <i>re</i> Export of Cotton to Japan contrary to the announcement of the Japanese Government—Disallowed	342—44
The Code of Criminal Procedure (Amendment) Bill (Amendment of section 205)—Motion to continue adopted	282	Resolution <i>re</i> —	
The Code of Criminal Procedure (Amendment) Bill (Amendment of section 103)—Motion to continue adopted	282	Constituent Assembly—Debate adjourned <i>sine die</i>	344—45
The Code of Criminal Procedure (Amendment) Bill (Amendment of section 167)—Motion to continue adopted	283	Employment of Indians and payment of adequate wages to them by aided or subsidised industries—Adopted	345—78
The Child Marriage Restraint (Amendment) Bill—Passed as amended	283—93, 294—318.	Constitution of a Standing Committee for the Indian Army—Discussion not concluded	378—93
The Muslim Dissolution of Marriage Bill—Discussion on the motion to circulate not concluded	318—23	MONDAY, 7TH FEBRUARY, 1938—	
The Indian Tea Control Bill—Appointment of certain Members to Select Committee	323	Starred Questions and Answers	395—412
		Short Notice Questions and Answers	412—17
		Motion for Adjournment <i>re</i> Ban put by the Government of the Punjab on Prof. N. G. Ranga, M.L.A.—Disallowed	418
		Election of Members to the Public Accounts Committee	418—19
		The Control of Coastal Traffic of India Bill—Appointment of certain Members to the Select Committee	419
		The Destructive Insects and Pests (Amendment) Bill—Passed as amended	419—26

	PAGES.		PAGES.
MONDAY, 7TH FEBRUARY, 1938—contd.		THURSDAY, 10TH FEBRUARY, 1938—contd.	
The Commercial Documents Evidence Bill—Referred to Select Committee	426—31	The Indian Tea Control Bill—Presentation of the Report of the Select Committee	558
The Dangerous Drugs (Amendment) Bill—Passed as amended	431—35	MONDAY, 14TH FEBRUARY, 1938—	
The Criminal Law Amendment Bill—Circulated	436	Member Sworn	559
TUESDAY, 8TH FEBRUARY, 1938—		Starred questions and answers	559—85
Starred Questions and Answers	439—44	Message from His Excellency the Governor-General	585
Unstarred Question and Answer	444—45	The Workmen's Compensation (Amendment) Bill—Presentation of the Report of the Select Committee	585
The Insurance Bill—Amendments made by the Council of State agreed to, subject to further amendments	446—66	Presentation of the Railway Budget for 1938-39	585—92
WEDNESDAY, 9TH FEBRUARY, 1938—		Election of the Standing Committee for the Department of Commerce	593—94
Starred Questions and Answers	467—80	Election of the Standing Committee for the Department of Education, Health and Lands	595
Unstarred Question and Answer	480	The Stamp Duties Unification Bill—Introduced	596
Election of Members to the Public Accounts Committee	480	The Indian Oaths (Amendment) Bill—Referred to Select Committee	596—600
The Indian Railways (Amendment) Bill (Insertion of new section 42-B)—Circulated	481—95	TUESDAY, 15TH FEBRUARY, 1938—	
THURSDAY, 10TH FEBRUARY, 1938—		Member Sworn	601
Member Sworn	497	Starred Questions and Answers	601—34
Starred Questions and Answers	497—507	Short notice Question and Answer	634—35
Short Notice Question and Answer	507—08	Unstarred Questions and Answers	635
Statements laid on the table	508	Statements laid on the Table	635—42
The Muslim Dissolution of Marriage Bill—Circulated	509—13	Motion for Adjournment <i>re</i> failure to safeguard the interests of India in the Financial Settlement between India and Burma—Not moved	643—44
The Child Marriage Restraint (Amendment) Bill—Discussion on the motion to refer to Select Committee not concluded	513—58		

	PAGES.		PAGES.
TUESDAY, 15TH FEBRUARY, 1938—<i>contd.</i>		THURSDAY, 17TH FEBRUARY, 1938—<i>contd.</i>	
Resolution re—		Unstarred Question and Answer	789
Constitution of a Standing Committee for the Indian Army—Adopted as amended	644—64	Motion for Adjournment <i>re</i> Dispersal of the crowd in front of the Legislative Assembly Chamber under section 144 by the District Magistrate, Delhi—Disallowed	790—91
Establishment of a University at Peshawar—Discussion not concluded	665—86	The Railway Budget—General Discussion	791—834
Statement of Business	686—87	FRIDAY, 18TH FEBRUARY, 1938—	
WEDNESDAY, 16TH FEBRUARY, 1938—		Member Sworn	835
Starred Questions and Answers	689—715	Starred Questions and Answers	835—53
Unstarred Questions and Answers	716—17	Unstarred Questions and Answers	853
Motion for Adjournment <i>re</i> —		Statements laid on the Table	854
Failure of the Home Member to meet a deputation for protesting against Government's support to the Child Marriage Restraint (Amendment) Bill—Disallowed	718—19	Message from the Council of State	854
Constitutional crisis occasioned by exercise of powers conferred by section 126 of the Government of India Act—Disallowed	719—23	Election of the Standing Committee for the Labour Department	855
The Child Marriage Restraint (Amendment) Bill—Referred to Select Committee	723—42	Election of Members to the Standing Committee on Pilgrimage to the Hedjaz	856
The Code of Criminal Procedure (Amendment) Bill (Amendment of Section 103)—Motion to circulate negatived	742—58	The Stamp Duties Unification Bill—Motion to consider not moved	856
The Code of Criminal Procedure (Amendment) Bill (Amendment of Section 167)—Discussion on the motion to circulate not concluded	758—64	The Indian Tea Control Bill—Motion to consider adopted	856—67
THURSDAY, 17TH FEBRUARY, 1938—		MONDAY, 21ST FEBRUARY, 1938—	
Member Sworn	765	Starred Questions and Answers	869—86
Starred Questions and Answers	765—89	Unstarred Questions and Answers	886—88
		Motion for Adjournment <i>re</i> Arrest of Haji Akbar Ali Khan, a member of the Frontier Legislative Assembly—Ruled out of order	888—89
		Message from the Council of State	889

	PAGES.		PAGES.
MONDAY, 21ST FEBRUARY, 1938—<i>contd.</i>		TUESDAY, 22ND FEBRUARY, 1938—<i>contd.</i>	
The Railway Budget—List of Demands	890—938	The Railway Budget—List of Demands— <i>contd.</i>	950—99
Demand No. 1—Railway Board	891—938	Demand No. 1—Railway Board— <i>contd.</i>	950—95
Provident Fund for low paid employees	892—95	Composition of Staff attached to the Office of the Conciliation Officer—Col. Wagstaff—in Calcutta	950—53
Railwaymen's grievances	895—907	Imposition of undue Demands made by the Railway Board for House Rent of Railway Employees of G. I. P. Railway	955—58
Policy behind increased output of State Railway Collieries	907—28	Salaries of Railway Improvers and Apprentices in service before introduction of pre-co-ordinated Rates of Pay and New Scales of Pay with special reference to E. I. Railway	958—59
Advertising for Drivers and Guards on the G. I. P. and E. I. Railways on terms in Violation of the Railway Board Notification	928—31	Difficulty in obtaining leave legitimately due to Staff owing to reduction in Staff	959—61
Violation of Rules governing the Payment of Wages Act	931—32	Policy of Rates and Freights affecting Commerce and Industry	962—78
Deprivation of Passes to Railway Employees	932—35	Failure of the Railway Board to enforce the Home Department Resolution <i>re</i> 25 per cent. services to Muslims in Railway Services	978—95
Violation by Railway Administrations of Railway Board Rules governing Promotion of Subordinate Staff	935—38	Demand No. 6E—Working Expenses—Expenses of Traffic Department	995—99
Composition of Staff attached to the Office of the Conciliation Officer—Col. Wagstaff—in Calcutta	938	Economy	995—99
TUESDAY, 22ND FEBRUARY, 1938—		Message from the Council of State	999
Starred Questions and Answers	939—50		

THE
LEGISLATIVE ASSEMBLY DEBATES.

(OFFICIAL REPORT OF THE SEVENTH SESSION OF THE FIFTH
LEGISLATIVE ASSEMBLY.)

VOLUME I—1938.

LEGISLATIVE ASSEMBLY.

Monday, 31st January, 1938.

The Assembly met in the Assembly Chamber of the Council House in New Delhi, at Eleven of the Clock, being the First Day of the Seventh Session of the Fifth Legislative Assembly, pursuant to Section 63-D (2) of the Government of India Act, as set out in the Ninth Schedule to the Government of India Act, 1935. Mr. President (The Honourable Sir Abdur Rahim, K.C.S.I.) was in the Chair.

MEMBERS SWORN.

- The Honourable Sir Nripendra Nath Sircar, K.C.S.I. (Law Member);
The Honourable Sir Henry Duffield Craik, Bart., K.C.S.I. (Home Member);
Mr. Manu Subedar, M.L.A. (Indian Merchants' Chamber and Bureau: Indian Commerce);
Mr. C. C. Miller, M.L.A. (Bengal: European);
Rao Sahib Namasivayam Pillai Sivaraj, M.L.A. (Nominated Non-Official);
Sir Herbert Aubrey Francis Metcalfe, K.C.I.E., C.S.I., M.V.O., M.L.A., (Secretary, External Affairs Department);
Mr. Andrew Gourlay Clow, C.S.I., C.I.E., M.L.A. (Labour Secretary);
Mr. Hugh Dow, C.S.I., C.I.E., M.L.A. (Commerce Secretary);
Mr. John Anderson Thorne, C.S.I., C.I.E., M.L.A. (Government of India: Nominated Official);
Mr. Kodikal Sanjiva Row, C.I.E., M.L.A. (Government of India: Nominated Official);
Mr. Eric Conran-Smith, C.I.E., M.L.A. (Government of India: Nominated Official);
Mr. Gurunath Venkatesh Bewoor, C.I.E., M.L.A. (Director General, Posts and Telegraphs);

Mr. Nilakanta Mahadeva Ayyar, M.L.A. (Government of India: Nominated Official);

Mr. John Bartley, C.I.E., M.L.A. (Government of India: Nominated Official);

Mr. Frederick Hale Puckle, C.S.I., C.I.E., M.L.A. (Government of India: Nominated Official);

Mr. Susil Chandra Sen, C.B.E., M.L.A. (Government of India: Nominated Official);

Rai Nepal Chandra Sen Bahadur, M.L.A. (Bengal: Nominated Official); and

Mr. George David Walker, M.B.E., M.L.A. (Assam: Nominated Official).

STARRED QUESTIONS AND ANSWERS.

(a) ORAL ANSWERS.

NEWSPAPER ADVERTISEMENTS FOR POSTS OF TRACERS BY THE NORTH WESTERN RAILWAY.

1. **Mr. M. Asaf Ali:** (a) Will the Honourable the Railway Member please state whether it is a fact that the advertisement for two posts of tracers with a salary of Rs. 30—5—50—5/2—60 has appeared four times in the *Civil and Military Gazette* at the rate of Rs. 90 per insertion?

(b) How much has the North Western Railway paid for each insertion of this advertisement in other newspapers?

(c) How much has the North Western Railway paid altogether for the insertion of this advertisement in different newspapers?

The Honourable Sir Thomas Stewart: (a) It is not a fact that the advertisement for the two posts of Tracers appeared four times in the *Civil and Military Gazette* or that the rate per insertion was Rs. 90.

(b) Rs. 15-10-0, Rs. 17 and Rs. 11-14-0 per insertion in three other newspapers.

(c) Rs. 294-4-0.

Mr. M. Asaf Ali: May I know, Sir, how much exactly was paid to the *Civil and Military Gazette*?

The Honourable Sir Thomas Stewart: Rs. 294-4-0.

Mr. M. Asaf Ali: That is, a little less than a year's salary of the two tracers?

Mr. N. M. Joshi: What else do you expect from the Railway Department?

Mr. Mohan Lal Saksena: May I know for how many insertions so much money was paid to the *Civil and Military Gazette*?

The Honourable Sir Thomas Stewart: I beg the Honourable Member's pardon. Rs. 294-4-0 was the total amount paid to all the papers. The amount paid to the *Civil and Military Gazette* was Rs. 184-8-0.

Mr. Badri Dutt Pande: Are tenders called for before inserting these advertisements or are they given to favourite newspapers and presses?

The Honourable Sir Thomas Stewart: No, Sir, the Railways follow very much the same practice as you and I do.

Mr. Mohan Lal Saksena: For how many insertions was so much money paid?

The Honourable Sir Thomas Stewart: Three insertions.

INDIANISATION OF THE CYPHER BUREAU.

2. ***Mr. T. S. Avinashilingam Chettiar:** (a) Will the Secretary for External Affairs state how many Indians there are in the Cypher Department?

(b) Is there any proposal to Indianise the department?

(c) If so, what is the programme in this matter?

Sir Aubrey Metcalfe: (a) One.

(b) and (c). The Bureau is open to Indians, and more will be employed as vacancies occur.

Mr. T. S. Avinashilingam Chettiar: May I know one out of how many?

Sir Aubrey Metcalfe: The total number excluding the Superintendent and a short-hand writer, is nine Assistants and five clerks.

Mr. T. S. Avinashilingam Chettiar: May I know whether there are any other Indians undergoing training in the department so that they may be appointed in the near future?

Sir Aubrey Metcalfe: It is impossible to give cypher training except in the Cypher Bureau itself. You cannot train for cypher work in the other Branches of the office.

Mr. T. S. Avinashilingam Chettiar: Are there any Indians undergoing training in Cypher Bureau itself so that they may be appointed to higher posts in the near future?

Sir Aubrey Metcalfe: No one is actually being trained now. There is expected to be another vacancy, probably in July of this year, and I hope that we shall find a suitable Indian to fill it.

Beth Govind Das: According to this speed, how long will it take to Indianise the whole Department?

Mr. N. M. Joshi: May I know whether the Indian employed is an Assistant or a clerk? The Honourable Member said that Indians are appointed in two capacities.

Sir Aubrey Metcalfe: I could not tell you for certain, but he is probably a clerk, which is the lowest grade he has to start on, but he does cypher work in addition to clerical work.

Mr. Sri Peakas: Is this Department called Cypher Department because the number of Indians is cypher there?

RAILWAY EARNINGS.

3. ***Mr. T. S. Avinashilingam Chettiar:** (a) Will the Honourable the Railway Member state the latest available figures of Railway income as compared to last year?

(b) What is the expected amount of net profit for this year?

The Honourable Sir Thomas Stewart: (a) For the period 1st April, 1937, to 20th January, 1938, the approximate gross earnings exceeded the actuals for the corresponding period of 1936-37 by about Rs. 2.92 crores.

(b) I would request the Honourable Member kindly to await my speech introducing the Railway Budget on the 14th February.

Mr. T. S. Avinashilingam Chettiar: May I know, Sir, whether there has been any fall in railway revenues in recent months?

The Honourable Sir Thomas Stewart: As compared with the actuals last year, yes.

Mr. T. S. Avinashilingam Chettiar: Why is it so? May I know whether the Government have gone into the reasons as to why there has been this fall?

Mr. President (The Honourable Sir Abdur Rahim): That cannot be discussed now.

Mr. M. Ananthasayanam Ayyangar: Is it a fact, Sir, that in respect of the South Indian Railway there has been no similar fall?

The Honourable Sir Thomas Stewart: I am afraid I do not have the detailed figures regarding the South Indian Railway.

Mr. T. S. Avinashilingam Chettiar: May I know in what kind of revenue there has been this fall?

The Honourable Sir Thomas Stewart: In railway freight earnings on goods traffic.

PENSIONERS AND OFFICERS SERVING IN INDIAN STATES.

4. ***Mr. Sham Lal:** Will the Secretary for External Affairs be pleased to state:

(a) the number of British Government pensioners and Indian officers (Europeans and Indians) serving respectively on the 31st March, 1937 in different Indian States on salaries of more than rupees two hundred per mensem; and

- (b) if the number of such men is fairly large, whether Government propose to take any action in reducing the number?

Sir Aubrey Metcalfe: This is a question which should have been addressed to the Honourable the Leader of the House.

The Honourable Sir Nripendra Sircar: I merely give an answer which is an *interim* answer. The information required is being collected and will be supplied in due course.

PROVISION OF COMPLAINT BOOKS ON RAILWAY STATIONS.

5. ***Mr. Sham Lal:** Will the Honourable Member for Railways and Communications be pleased to state:

- (a) whether there are any proposals for providing Complaint-Books at different classes of Railway stations of different Indian Railways to improve the behaviour of lower members of the Railway staff towards the public; and
(b) if so, when they are likely to be carried into effect?

The Honourable Sir Thomas Stewart: (a) There is no proposal at present under consideration, but I would refer the Honourable Member to the reply given by the Honourable Sir Guthrie Russell to the Honourable Raja Yuveraj Datto Singh's question No. 299 in the Council of State on the 15th November, 1937.

(b) Does not arise

Mr. Sham Lal: Will the Honourable Member please read the reply which was given in the Council of State?

The Honourable Sir Thomas Stewart: The reply was this:

"I would refer the Honourable Member to the reply given in the Legislative Assembly to Professor N. G. Ranga's question No. 318 on the 12th September, 1935".

Mr. Sham Lal: Will the Honourable Member please read that reply?

Mr. Mohan Lal Saksena: May I know, Sir, if these complaints which are entered in the complaint book are immediately forwarded to the authorities concerned?

The Honourable Sir Thomas Stewart: If there are in existence complaint books, I presume entries therein are brought to the notice of the authorities concerned.

Mr. Mohan Lal Saksena: When are they sent, monthly, weekly or fortnightly?

The Honourable Sir Thomas Stewart: I am not in possession of information as to the periodical submission of those complaints.

Mr. N. V. Gadgil: What is the precise procedure followed by the Railway authorities when a complaint is made?

The Honourable Sir Thomas Stewart: The authority concerned considers the complaints and decides what action should be taken to remove them.

Prof. N. G. Ranga: Are these complaints brought to the notice of all the Railways in India?

The Honourable Sir Thomas Stewart: I would refer the Honourable Member to the reply I have already given.

Mr. Mohan Lal Saksena: Will the Honourable Member inquire if these complaints are immediately forwarded to the authorities concerned or not?

The Honourable Sir Thomas Stewart: I am prepared to draw the attention of the Agents concerned to the desirability of giving due attention to such complaints.

Mr. Sham Lal: As this question stands in my name, I do not propose to put it.

Mr. President (The Honourable Sir Abdur Rahim): You can only leave out the last one.

Mr. Sham Lal: Very well, then I ask No. 6.

CONSIDERATION OF SUGGESTIONS FOR IMPROVEMENT OF RAILWAY FINANCES.

6. ***Mr. Sham Lal:** Will the Honourable Member for Railways and Communications be pleased to state:

- (a) whether suggestions towards the improvement of Railway finances emanating from laymen unconnected with railway administration are duly examined by the Railway Board;
- (b) if so, whether any of these suggestions were found to be practicable during the last three years; and
- (c) if so, which of them have already been carried out to any extent in any parts of India?

The Honourable Sir Thomas Stewart: (a), (b) and (c). Any suggestion of the nature alluded to that is *prima facie* worth scrutiny is examined either by the Board or by the Railway Administration to which it relates. Experience shows however that suggestions which appear original to those advancing them have usually been considered at some previous date by the Railway Department concerned on its own initiative, and no remunerative measure of any significance based on a suggestion from the source indicated can readily be traced.

FEES CHARGED FROM RAILWAY EMPLOYEES BY RAILWAY DOCTORS.

7. ***Mr. Sham Lal:** (a) Will the Honourable Member for Railways and Communications be pleased to state whether Railway doctors are authorised to charge:

- (i) fees from Railway servants falling ill in their Railway quarters;
- (ii) fees for issuing medical certificates to Railway servants seeking leave in connection with their health; and
- (iii) fees for issuing certificates of fitness to Railway servants on resumption of their duties?

(b) If not, will the Honourable Member please state the number of cases of corruption amongst Railway doctors detected through the Criminal Investigation Department or otherwise during the last financial year on different Indian Railways respectively?

The Honourable Sir Thomas Stewart: (a), (i), (ii) and (iii). So far as the State-managed Railways are concerned, the reply is in the negative.

(b) Government have no information of any such cases.

BOOK-STALLS AT RAILWAY STATIONS RUN BY MESSRS. WHEELER AND COMPANY.

8. ***Mr. Sham Lal:** (a) Will the Honourable Member for Railways and Communications be pleased to state the period for which Messrs. Wheeler and Company have been running book-stalls at different Railway stations for the sale of books, newspapers and magazines?

(b) If this period has been more than two decades, do Government propose to call for tenders and give chances to others?

The Honourable Sir Thomas Stewart: (a) The information is not readily available, and its compilation by the various Railways concerned would involve an amount of labour incommensurate with any use to which the particulars could be put.

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

Mr. Badri Dutt Pande: Is it not a fact that the books, newspapers and furniture of the Wheelers are carted free all over India, and, if so, why?

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

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

†9. ***Mr. Sham Lal:** (a) Will the Honourable Member for Railways and Communications be pleased to state whether it is a fact that there is no gate at the Railway crossing towards the south of Satrod village in Hissar District and near gang No. 28 on the Bombay, Baroda and Central India Railway?

(b) Are Government aware that the absence of the Railway gate is causing great inconvenience to the public and there is always a danger to human life?

(c) Is it a fact that the inhabitants of Satrod in Hissar District applied for a gate at the Railway crossing but their application was rejected by the Railway authorities?

(d) Are the authorities prepared to reconsider the decision and have a gate at the above crossing?

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

† Answer to this question laid on the table, the questioner having exhausted his quota.

REPORTS OF SPECIAL OFFICERS re SIND GUJARAT RAILWAY CONNECTION AND CERTAIN INFORMATION ABOUT SANCTIONED RAILWAY PROJECTS.

†10. ***Mr. Leichand Navalsrai** (a) Will the Honourable Member for Railways and Communications be pleased to lay on the table the reports of the Special Officers deputed to give their opinion in respect of Sind-Gujarat Railway connection?

(b) If not, will the Honourable Member make a full statement in connection therewith?

(c) Will the Honourable Member state the names of the Railway projects sanctioned since 1910 which were estimated to cost over rupees one crore in each case, their estimated capital cost and the actual capital cost and also the percentage of yield in each of the projects so sanctioned?

(d) What was the rate of interest current at the time the sanction was accorded to each of the projects referred to above?

(e) What was the percentage of yearly yield which accrued in the case of each of the projects referred to above since the time they commenced to operate?

The Honourable Sir Thomas Stewart: (a) These reports are departmental documents, intended for the use of officials only, and it is not usual to lay them on the table. I will, however, arrange with the Railway Board that they shall be made available in the Board's office for the Honourable Member's perusal, if he wishes to see them.

(b), (c), (d) and (e). Eight surveys, including traffic and engineering, have been made of this project. As conditions change, these surveys become out of date, and the conclusions arrived at are of little practical value. According to the last survey report, the project could not be expected to earn a return of more than 2·2 per cent. on the estimated capital cost of construction. Government do not consider that any useful purpose will be served by undertaking the heavy task of collecting the details of projects for the last 28 years, as, in their opinion, the consideration of the circumstances, that led to the sanctioning projects at different times in the past, cannot affect their present policy.

RAILWAY TRAIN ROBBERIES.

†11. ***Mr. Leichand Navalsrai:** (a) Will the Honourable Member for Railways and Communications be pleased to state if he is aware of a daring train robbery which occurred on the night of the 22nd October, 1937, on the Bengal and North Western Railway between Ahsamanpur and Madhusingh Railway stations, in which a robber boarded a running train, removed 27 goldmohar necklace and other ornaments from the person of a lady and threw her from the train with a baby in her lap?

(b) Will the Honourable Member state how many such daring train robberies have taken place on the Railways in India during the last two years?

(c) What steps have Railway Administration taken against the recurrence of such dastardly and dangerous occurrences?

(d) Are Government aware that such robberies usually take place in the female compartments of trains and the robbers are able to board the trains when they are in motion?

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

(e) Have Government considered any measures against such intrusions? If so, which of them have been adopted or are proposed to be adopted by the Railways?

The Honourable Sir Thomas Stewart: (a) No. I am, however, calling for a report.

(b) and (d). The information is not available, but I will see if it is possible to get it without undue labour.

(c) and (e). I would refer the Honourable Member to the reply given to Mr. C. N. Muthuranga Mudaliar's starred question No. 25 on the 25th January, 1937.

REDUCTION OF POSTAGE RATES BETWEEN BURMA AND INDIA.

12. ***Mr. T. S. Avinashilingam Chettiar:** (a) Will the Honourable Member for Communications lay on the table the latest statistics regarding the postal traffic between India and Burma as compared with last year?

(b) What has been the result of the enhancement of the postal rates?

(c) Are Government prepared to consider the advisability of reducing the rates?

The Honourable Sir Thomas Stewart: (a) and (b). I regret that there are no statistics available with regard to the postal traffic exchanged between India and Burma in the year 1936-37. No such statistics were kept as Burma was then part of the Indian administration. Certain special statistics were collected during August, 1937, and estimates based on these statistics when compared with certain statistics obtained for special purposes in the year 1935 indicate that there has been very little change in the total volume of the letter traffic while the volume of traffic in postcards, packets and newspapers has fallen considerably.

(c) The matter is under consideration in consultation with the Government of Burma.

Mr. T. S. Avinashilingam Chettiar: May I know whether the amount of money income has been the same, or the amount of articles going to and fro is the same?

The Honourable Sir Thomas Stewart: I was referring to the actual volume of traffic exchanged, not to the receipts. The number of letters has increased a little, but the number of postcards, packets and newspapers has decreased.

Mr. T. S. Avinashilingam Chettiar: May I know if, taken by money, the income has increased or decreased?

The Honourable Sir Thomas Stewart: The financial results are better this year than they were in the last.

Mr. K. Santhanam: May I know when the Government will be in a position to announce their decision?

The Honourable Sir Thomas Stewart: That is a matter on which I cannot give an opinion since it is dependent on the views and actions of another Government with whom we are in correspondence.

Mr. K. Santhanam: May I know if it will be before the Budget?

The Honourable Sir Thomas Stewart: I can give no idea.

Mr. Manu Subedar: If you could carry the traffic on the old rates without any loss, where was the necessity for increasing the rates?

Mr. President (The Honourable Sir Abdur Rahim): That is an argument. Next question.

OPENING OF RURAL TELEGRAPH OFFICES.

13. ***Mr. T. S. Avinashilingam Chettiar:** (a) Will the Honourable Member for Communications state the amount allotted for the opening of rural telegraph offices during this financial year?

(b) How many rural telegraph offices have been opened in the course of the year?

(c) How do Government select the places in which telegraph offices are to be opened?

The Honourable Sir Thomas Stewart: (a) No separate allotment is made for the opening of telegraph offices in rural areas. The funds required for that purpose are found from the general allotment for new establishment.

(b) Thirteen.

(c) After assessing the demand for telegraph facilities in particular localities. Where, however, the anticipated receipts are not adequate to cover the additional cost, telegraph offices may be opened on the guarantee of interested parties that the loss in working of such offices will be made good.

Mr. T. S. Avinashilingam Chettiar: May I know whether it is the policy of Government to open some rural telegraph offices every year?

The Honourable Sir Thomas Stewart: The policy of Government is to expand postal and telegraph facilities as rapidly as possible, but as far as possible on a commercially paying basis.

DETENTION OF AN AFGHAN SIRDAR IN KODAIKANAL.

†14. ***Mr. George Joseph:** Will the Secretary for External Affairs state:

(a) whether there is detained in Kodaikanal, in the district of Madurai, an Afghan Sirdar and his family under the orders of the Government of India;

(b) what are the reasons for his detention?

(c) from what date the detention has lasted, and how long Government propose that the detention should continue;

(d) whether Government grant any allowance to the persons concerned, and if so, how much; and

(e) the number of members in the family of the detenus?

Sir Aubrey Metcalfe: (a) An Afghan named Sarfar Ghausuddin Khan and his family are detained in Kodaikanal under Regulation III of 1818.

(b) Fulfilment of reciprocal obligations with a neighbouring State.

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

(c) Since 1930. Government are unable to answer the latter part of the question.

(d) Rs. 500 per mensem, inclusive of house rent of Rs. 100.

(e) Five (wife, one son and three daughters).

INDIANS IN PALESTINE.

†15. ***Mr. George Joseph:** Will the Secretary for External Affairs state:

(a) how many Indians there are in Palestine;

(b) whether in the present troubles in their country Indians domiciled there are subjected to any special hardships, and what steps have been taken by Government to save them from hardships (if any); and

(c) what the attitude of Indians (especially Muslims) in Palestine is towards the proposals of His Majesty's Government tending towards the partition of Palestine between Jews and Arabs?

Sir Aubrey Metcalfe: (a) There are 50 or 60 Indians domiciled in Palestine, the majority of whom live at Jerusalem.

(b) They are not subjected to any disabilities; nor have any complaints been received from them by the High Commissioner, Palestine. The latter part of the question does not, therefore, arise.

(c) Government have no information.

ACCIDENTS TO AIR LINERS OF THE IMPERIAL AIRWAYS, LIMITED.

†16. ***Mr. George Joseph:** Will the Member for Railways and Communications state:

(a) the number of accidents to air liners belonging to the Imperial Airways, Limited, running between India and England since the 1st October, 1937 and the casualties (how many killed and how many injured);

(b) whether Government have inquired or propose to inquire into the causes of such a near succession of accidents; and

(c) whether Government propose to take or have taken steps to ensure an adequate measure of safety for passengers and mails carried by the Imperial Airways, Limited?

The Honourable Sir Thomas Stewart: (a) So far as the Government of India are aware, there have been two such accidents, *viz.*,

(i) Accident to Empire flying boat "Courtier" which crashed at Phaleron Bay, Athens, on the 1st October, 1937. Three passengers were killed and four slightly hurt;

(ii) Accident to Empire flying boat "Cygnus" which crashed in Brindisi harbour on the 5th December, 1937. Two occupants of the aircraft lost their lives and the remaining eleven received various injuries.

(b) Enquiries are held by administrations in whose territories accidents occur or by whom the aircraft are registered, but the Government of India are in communication with His Majesty's Government on this subject.

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

(c) The Honourable Member may rest assured that both His Majesty's Government in the United Kingdom and the Government of India are fully alive to the necessity of taking all measures humanly possible to ensure the safety of passengers and mails.

RAILWAY COLLISION AT MIRPUR MATHELO STATION.

17. ***Mr. Badri Dutt Pande:** (a) Will the Honourable Member for Railways and Communications be pleased to state if a serious collision between a mail train and a goods train did happen at Mirpur Mathelo station some 50 miles from Rohri Junction?

(b) What was the cause of the collision?

(c) How many passengers and railway staff were injured?

(d) Has any enquiry been held? If so, with what results?

The Honourable Sir Thomas Stewart: (a) No. 7-Up Karachi-Lahore Mail collided with a goods train at Mirpur Mathelo station on the 10th December, 1937.

(b) and (d). An enquiry was held by the Senior Government Inspector of Railways whose view is that the driver of the Mail train passed the outer signal of the station, when it was in the position indicating "stop dead".

(c) No passengers were injured. The driver of the train and two firemen were seriously injured: one of the latter subsequently succumbed to his injuries.

RECOMMENDATIONS OF THE WEDGWOOD COMMITTEE.

18. ***Mr. Badri Dutt Pande:** Will the Honourable Member for Railways and Commerce be pleased to state if the recommendations of the Wedgwood Committee Report have been considered by the Railway?

(b) If so, when?

(c) Have any recommendations of the Wedgwood Committee been carried out into effect?

(d) If so, which?

The Honourable Sir Thomas Stewart: (a) to (d). The recommendations of the Indian Railway Enquiry Committee have been receiving the consideration and attention of the Railway Board since the publication of the Report, and a statement is being compiled describing the action taken or proposed on the various recommendations, which statement will be printed and will be placed in the Library of the House, as soon as possible.

Mr. Mohan Lal Saksena: Are the Government going to allot a day for finishing the discussion on the Wedgwood Committee's Report before the Railway Board comes to any definite conclusion?

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

Mr. Mohan Lal Sukarn: I want to suggest that before the Railway Board comes to any decision this House should be given an opportunity to express its views.

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

TOPICS DISCUSSED AT THE MEETING OF THE TRANSPORT ADVISORY COUNCIL.

19. *Mr. Badri Dutt Pande: (a) Will the Honourable Member for Railways and Communications be pleased to state what were the main topics discussed, besides the rail and road transport at the recent conference with the Provincial Ministers?

(b) Was the question of improvement of rural roads also discussed?

(c) If so, will any allotments for these be made out of the central revenues?

The Honourable Sir Thomas Stewart: (a) The Honourable Member apparently refers to the meeting of the Transport Advisory Council held in December, 1937. The main business before that body was the consideration of a rough draft of a Bill to amend the Indian Motor Vehicles Act of 1914. Copies of the summary of the conclusions reached by the Council have been placed in the Library.

(b) No.

(c) Does not arise.

Mr. Badri Dutt Pande: Am I to understand that the road problem was not discussed in that meeting?

The Honourable Sir Thomas Stewart: Certainly not. The whole agenda of the meeting was concerned with road problems.

INDIANS VICTIMIZED IN THE WAR BETWEEN JAPAN AND CHINA.

20. *Mr. Badri Dutt Pande: Will the Foreign Secretary be pleased to state if any Indian has been injured, captured or ejected from any of the countries, or suffered any loss from war between Japan and China?

Sir Aubrey Metcalfe: 1. The only casualties reported to have been sustained by the Indian community as a result of the Sino-Japanese conflict are as follows:

- (i) Killed. 3.
- (ii) Wounded. 14.
- (iii) Missing, believed killed. 5.

2. No case of the capture or ejection of an Indian subject has so far been reported.

Mr. E. Santhanam: May I know where these casualties occurred?

Sir Aubrey Metcalfe: They occurred almost entirely I believe in Shanghai.

Sardar Mangal Singh: When was the last enquiry made?

Sir Aubrey Metcalfe: Within the last few days. I had a telegram only three days ago from the Consul-General, Shanghai.

Prof. N. G. Ranga: What country is reported to have been directly or indirectly responsible for these casualties?

Sir Aubrey Metcalfe: There is no report on that point, and the matter cannot be cleared up at the moment.

Prof. N. G. Ranga: May I know the number of casualties of other British subjects?

Sir Aubrey Metcalfe: I have no information on that point, nor does it appear to arise out of the question.

Mr. Badri Dutt Pande: How did these casualties occur? Did they occur by bombs, bullets, or what?

Sir Aubrey Metcalfe: That again is a point of detail which I cannot undertake to answer.

Mr. Badri Dutt Pande: Has any compensation been paid to the families of those who were injured or who have suffered losses?

Mr. President (The Honourable Sir Abdur Rahim): That does not arise. Next question.

DESTITUTE BRITISH INDIAN SUBJECTS REPATRIATED FROM ETHIOPIA.

21. ***Sardar Mangal Singh:** Will the Foreign Secretary please state:

- (a) the number of destitute Indian British subjects who were repatriated from Ethiopia during 1936 and 1937; and
- (b) the total amount of expenses incurred in this connection?

Sir Aubrey Metcalfe: (a) Seventeen.

(b) Rs. 2,257-5-6.

EJECTION OF THE MEMBERS OF THE HOCKEY TEAM OF THE LAHORE MEDICAL COLLEGE FROM A COMPARTMENT BY BRITISH SOLDIERS AT CHARBAGH STATION ON THE EAST INDIAN RAILWAY.

22. ***Sardar Mangal Singh:** (a) Will the Honourable Member for Railways and Communications please state whether Government are aware that members of the hockey team of the Lahore Medical College students were forcibly ejected from the railway compartment by British soldiers at Charbagh Railway station, East Indian Railway, on the night of the 24th/25th December, 1937?

(b) Why were the British soldiers allowed to take the law in their own hands, and why did the railway authorities not interfere while the soldiers were throwing out the students?

(c) Has the Honourable Member made any enquiries on this matter and with what results?

(d) What punishment has been awarded to the British soldiers, and what steps have been taken to prevent a repetition of a similar happening?

The Honourable Sir Thomas Stewart: This question should have been addressed to the Defence Secretary.

OVERCROWDING IN RAILWAY COMPARTMENTS.

28. *Sardar Mangal Singh: (a) Will the Honourable Member for Railways and Communications please state whether he is aware that there is a great overcrowding in the railways, particularly in the intermediate compartments during the Christmas holidays and that the passengers are put to great inconvenience and trouble?

(b) Is the Railway Department prepared to provide more accommodation during the Christmas holidays?

The Honourable Sir Thomas Stewart: (a) I am aware that there is occasionally a certain amount of overcrowding and it may perhaps be that the pressure on intermediate class accommodation is at times greater than in other classes.

(b) Railway Administrations take special steps, particularly during holiday periods, to add to the normal accommodation on trains to the extent to which this is practicable, having regard to the maximum load which can be hauled by the engine.

Seth Govind Das: What are those steps which are taken by the Railway Department in this regard, to which you have just alluded?

The Honourable Sir Thomas Stewart: The Railway Administrations themselves, as I have said, take special steps by way of providing additional accommodation.

Seth Govind Das: Is it not a fact that the Railway Department generally fails to provide special accommodation when the trains are overcrowded?

The Honourable Sir Thomas Stewart: No.

Prof. N. G. Ranga: Is it not a fact that no special accommodation is being provided on such occasions for intermediate class passengers?

The Honourable Sir Thomas Stewart: The Railway administrations provide additional accommodation of all classes when they have reason to believe that there will be a demand for it.

Seth Govind Das: Have not Government received various complaints that the Railway administration has failed in providing this accommodation?

Mr. President (The Honourable Sir Abdur Rahim): That is an argument.

Mr. K. Santhanam: Is it not a fact that part of this overcrowding is due to free pass holders?

Mr. President (The Honourable Sir Abdur Rahim): That does not arise. There is nothing here about pass holders.

Mr. K. Santhanam: This is relevant in connection with overcrowding.

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

PROMOTIONS TO GRADE V ASSISTANT STATION MASTERS' POSTS ON THE NORTH WESTERN RAILWAY.

†24. ***Mr. Lalchand Navalrai**: (a) Will the Honourable Member for Railways be pleased to state the present policy on the North Western Railway in regard to making promotions to grade V Assistant Station Masters' posts?

(b) Are any other categories of staff eligible for promotion to posts referred to in part (a) above, excepting Assistant Station Masters and Station Masters in the lower grades? If so, will the Honourable Member please name them?

(c) What is the justification for importation of staff from categories other than Assistant and Station Masters to grade V—Assistant Station Masters' Posts?

(d) Are the Assistant and Station Masters eligible for transfer on promotion to other categories of staff? If so, to which and under what conditions? If not, why not?

(e) If the reply to the last portion of part (d) above be in the affirmative, will the Honourable Member please lay on the table a statement for the last two years showing these particulars?

(f) Will the Honourable Member please lay on the table a statement showing the promotions made to grade V Assistant Station Masters' posts, from 1st January, 1935, to 31st December, 1937, and the categories of staff from which such promoted persons were drawn and also the number belonging to each category?

The Honourable Sir Thomas Stewart: With your permission, Sir, I propose to reply starred questions Nos. 24 and 25 together.

I am obtaining information and will lay the reply on the table of the House in due course.

SENIORITY OF STAFF PROMOTED AS GRADE V ASSISTANT STATION MASTERS ON THE NORTH WESTERN RAILWAY.

†25. ***Mr. Lalchand Navalrai**: (a) Will the Honourable Member for Railways be pleased to state how the seniority of staff promoted as Assistant Station Masters grade V, on the North Western Railway is reckoned, if such persons belong to different categories, such as Assistant Station Masters, Guards, Enquiry clerks, etc.?

(b) Is it a fact that there is no uniform system of reckoning seniority on the North Western Railway in the matter of making promotions?

(c) Is it a fact that in certain cases seniority is reckoned on the (i) date of confirmation in the grade; (ii) on substantive pay; (iii) order of merit of examination results and (iv) on officiating service? If so, what is the reason for these different methods of reckoning seniority?

†Answer to this question laid on the table, the question being starred.
 ‡For answer to this question, see answer to question No. 24.

(d) Is it a fact that the seniority of guards for promotion to Assistant Station Master, grade V posts is reckoned on their pay *plus* 75 per cent. pay as mileage allowance?

(e) If the reply to part (d) above be in the affirmative, how does the Honourable Member reconcile this with the letter of the Financial Commissioner of Railways addressed to me in 1933, in reply to my letter dated the 27th February, 1933, referring to part (e) of my starred question No. 1127, which read as follows:

"As regards seniority it is determined on the substantive pay of a guard and a Station Master and not on the pay *plus* mileage of the guard as against the substantive pay alone of the Station Master"?

(f) Is it a fact that under the chart of promotions prepared by the North Western Railway administration for promotion to senior subordinate service, Yard Foremen and Supervisors were also made eligible for promotion as Assistant Station Masters, grade V?

(g) Is it a fact that now these classes, namely Yard Foreman and Supervisors have been declared as ineligible for promotion to grade V, Assistant Station Masters' posts, on the ground that they had no joint seniority with the Station Masters group?

(h) If the reply to part (g) above be in the affirmative, will the Honourable Member be pleased to state why (i) Guards, (ii) Enquiry Clerks, (iii) Special Ticket Examiners, (iv) Platform Inspectors and (v) Ticket Collectors and other members of commercial staff, whose seniority is not joint with the Station Masters' group have been made eligible for promotion as grade V Assistant Station Masters?

(i) Is the Honourable Member prepared to issue instructions to reconcile the different policies? If not, why not?

EXAMINATION FOR RECRUITMENT OF SUBORDINATE POSTAL STAFF IN THE MADRAS PRESIDENCY.

26. ***Mr. M. Ananthasayanam Ayyangar:** (a) Will the Honourable Member for Communications be pleased to state how many applications were received from candidates for the examination for recruitment to subordinate posts in the Posts and Telegraphs Department during the year 1937 in the Madras Presidency?

(b) How many of those candidates were selected for sitting at the examination?

(c) How many candidates were declared eligible, and what was the number of posts for which the new hands were wanted?

(d) What was the amount of fee collected from the applicants and what was the expenditure incurred on holding the examination and making the selections?

(e) Was the conduct of the examination left entirely into the hands of the Educational Department and is there a proposal to revise the marks so as to allow a larger number of passes?

(f) Is a minimum educational qualification prescribed for a candidate and what is the need for a separate examination?

(g) Are Government prepared to consider the desirability of abolishing the said examinations and, in any case, of refunding the entrance and examination fees of candidates who were not admitted or who were not selected?

The Honourable Sir Thomas Stewart: (a) 2,168.

(b) 1,072 who fulfilled the requisite conditions were admitted.

(c) 203 reached the qualifying standard. The number of vacancies was 526.

(d) Rupees 14,951-2-0 and Rs. 7,028-11-0, respectively.

(e) The answer to the first part is in the negative. As regards the last part, Government have permitted the lowering of the percentage of marks required to reach the qualifying standard.

(f) The reply to the first part is in the affirmative. As regards the last part, the examination is necessary in order to enable the department to select the best candidates from among the applicants who possess the prescribed minimum educational qualifications.

(g) The reply to the first part is in the negative. The entrance fee of Rs. 10 which includes the examination fee is refunded to the candidates who are not admitted to the examination. Government are not prepared to consider the question of refunding this fee to the unsuccessful candidates who are admitted to the examination.

Mr. M. Ananthasayanam Ayyangar: May I know if there are any special tests, or courses, in the examination with respect of which they have not already qualified or with which they were not already familiar?

The Honourable Sir Thomas Stewart: The tests which are applied are of the nature of general knowledge questions which the more intelligent persons possessing the minimum qualifications might well be expected to answer.

Prof. N. G. Ranga: Is this a competitive examination?

The Honourable Sir Thomas Stewart: Yes, Sir. It is a competitive examination subject to the achievement of a minimum qualifying standard.

Mr. N. M. Joshi: What is the object of charging fees to the candidates?

The Honourable Sir Thomas Stewart: In order to cover the cost of the examination.

Mr. N. M. Joshi: If Government get more money, what do they do?

The Honourable Sir Thomas Stewart: In the present case, this being the first examination, the actual results have shown that the receipts from fees did exceed the actual cost of the examination. As a result of that, in future examinations, the entrance fee will be reduced.

Mr. M. Ananthasayanam Ayyangar: Is it not a fact that only ten per cent. of the persons were selected for pass?

The Honourable Sir Thomas Stewart: The figures I have given show that 20 per cent. is the figure.

Mr. M. Ananthasayanam Ayyangar: Ten per cent. of those that applied?

The Honourable Sir Thomas Stewart: It is ten per cent. of those who applied. It is 20 per cent. of those who were admitted.

Mr. M. Ananthasayanam Ayyangar: What is the proposal with respect to the lowering of marks.

The Honourable Sir Thomas Stewart: The action that has been already taken is that a reduction of the qualifying standard from 45 to 35 per cent. has been made.

Mr. M. Ananthasayanam Ayyangar: Why was such a stiff percentage fixed?

The Honourable Sir Thomas Stewart: It is a matter of opinion whether 45 per cent. is a stiff percentage.

Mr. N. M. Joshi: May I know if the Government of India follow the policy of charging fees in the case of other examinations, such as the I. C. S., I want to know whether the expenses of the I. C. S. examination are met out of the fees paid by the candidates?

The Honourable Sir Thomas Stewart: That is a question which should not be addressed to me.

SCHEMES FOR ECONOMISING EXPENDITURE IN THE TELEGRAPH AND RADIO DEPARTMENTS.

27. ***Mr. M. Ananthasayanam Ayyangar:** (a) Will the Honourable Member for Communications please state whether Government have undertaken any schemes for economising the expenditure in the Telegraph and Radio Departments of the Postal administration during the year 1937?

(b) If so what are they and what is the amount of saving effected during the year?

(c) Are there Telegraph Inspectors and Telegraph Superintendents in addition to Postal Inspectors and Postal Superintendents in the various provinces?

(d) Have Government considered the possibility of giving training to Postal Superintendents and Inspectors in telegraphy and telegraphic engineering and thus effect retrenchment by having one single service? If not, why not?

(e) Have Government considered the desirability of having a single engineering service or department for telegraphs, telephone and radio services and thus effect savings in expenditure? If so, what are they and, if not, why not?

(f) Have any of the Departmental Telegraph Offices been combined into Post and Telegraph Offices during the year 1937? If so, how many? If not, why not?

The Honourable Sir Thomas Stewart: (a) No

(b) Does not arise.

(c) There are no Telegraph Inspectors, but there are Superintendents in charge of Telegraph Offices. Officers of the Postal Branch are not concerned with Telegraph Offices.

(d) The technical knowledge required for telegraph, telephone and radio engineering services involves long and specialised training, and Government do not consider that the suggestion made by the Honourable Member is feasible.

(e) The branches referred to are already under the control of a single Chief Engineer who is the head of the Telegraph Engineering Department.

(f) No. Owing to the existence of surplus telegraphists in 1937, the conversion of any departmental Telegraph Office into a Combined Post and Telegraph Office would have resulted in increased expenditure.

Prof. N. G. Ranga: Are we to understand that Government have no scheme for economising their expenditure on the telegraph in the Railway Department? Is there any action in contemplation at present?

The Honourable Sir Thomas Stewart: No. We have no scheme under contemplation at the present moment. We have a general policy of reducing our expenditure consistently with the maintenance of the efficiency of the service.

Prof. N. G. Ranga: Are Government satisfied that the expenditure that they are making is absolutely the minimum?

The Honourable Sir Thomas Stewart: I am satisfied that everything that is possible is being done to effect economy.

Mr. M. Ananthasayanam Ayyangar: Have Government considered the desirability of appointing Telegraph Engineers as Postal Superintendents also, in order to avoid duplication of officers?

The Honourable Sir Thomas Stewart: The officers that we have in our Telegraph administration are already doing a full day's work and would be unable to undertake further work of the nature suggested by the Honourable Member.

INCREASE IN EXPENDITURE SINCE 1919 AND RETRENCHMENT AFTER SEPARATION OF BURMA ON THE SUPERIOR ESTABLISHMENT IN THE POSTS AND TELEGRAPHS DEPARTMENT.

28. ***Mr. M. Ananthasayanam Ayyangar:** (a) Will the Honourable Member for Communications be pleased to lay on the table a list of superior posts and the salaries attached to them created in the Posts and Telegraphs Departments since the inauguration of the Montagu-Chelmsford Reforms and the total increase in the total expenditure in 1937 over the expenditure in 1919 for the superior establishment?

(b) Will Government be pleased to state if any retrenchment has been effected in the salary of the Director General of Posts and Telegraphs and other superior officers after the separation of Burma and consequent upon the same? If not, why not?

The Honourable Sir Thomas Stewart: (a) A statement giving particulars of superior posts created since the inauguration of the Montagu-Chelmsford Reforms, and existing on the 1st January, 1938, is laid on the table. The expenditure on superior establishment in 1936-37 before Burma separated exceeded that of 1919-20 by about a lakh.

(b) No, because there has been hardly any reduction in the work and responsibilities of the Director General and other superior officers.

Statement showing additional superior posts created in the Indian Posts and Telegraphs Department since the 1st January, 1920 (the date of inauguration of the Montagu-Chelmsford Reforms) and existing on 1st January, 1938.

(1) Deputy Director General, Finance, on (i) old rate Rs. 1,500-60-1,800 (plus addition to pay Rs. 300 or £30 overseas pay if personally eligible) plus special pay Rs. 250.

(ii) New rate—Not yet fixed.

(2) One Director of Telegraphs on (i) old rate Rs. 1,750-100-2,150 plus overseas pay £13-6-8, if personally eligible,

(ii) New rate Rs. 1,300.

(3) Assistant Controller of Telegraph Stores on (i) old rate Rs. 375-50-525-525-50-625-625-50-975 plus overseas pay Rs. 150 to Rs. 300 or £15 to £30 if personally eligible.

(ii) New rate Rs. 350-25-450/2-500.

(4) Two Assistant Superintendents, Telegraph Workshops on rates of pay as in item (3) above.

(5) Two Divisional Engineers, wireless, on—

(i) old rate Rs. 625-625-50-725-725-50-1,025-1,025-50-1,275-1,275-1,325-1,325-1,375 plus overseas pay Rs. 150 to Rs. 300 or £15 to £30 if personally eligible.

(ii) New rate Rs. 750, Rs. 850 or Rs. 950.

(6) Four Assistant Divisional Engineers, Telegraphs on rates of pay as in item (3) above.

(7) 1 Assistant Divisional Engineer, Wireless on rates of pay as in item (3) above.

Mr. M. Ananthasayanam Ayyangar: Even after the separation of Burma, the work of the Director General of Posts and Telegraphs has not gone down by that of a whole province?

The Honourable Sir Thomas Stewart: That circumstance arises from the nature of the work that is done by the controlling administrative officers. The separation of a province does not make any very considerable difference to the control that is exercised in the directorate of Posts and Telegraphs.

Mr. K. Santhanam: Is any special pay attached to the posts mentioned in part (b) of the question? Has it been reduced?

The Honourable Sir Thomas Stewart: The special pay has not been reduced because it does not exist.

Mr. M. Ananthasayanam Ayyangar: Has any retrenchment been effected in the office of the Director General, Posts and Telegraphs, as a consequence of the separation of Burma?

The Honourable Sir Thomas Stewart: No, Sir.

Mr. M. Ananthasayanam Ayyangar: Why not, Sir?

The Honourable Sir Thomas Stewart: For the reason I have already given, Sir, that the diminution of work in the directorate is infinitesimal by reason of the separation of Burma.

Mr. Mohan Lal Saksena: May I know if the question was examined by some officer?

The Honourable Sir Thomas Stewart: Yes, Sir.

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

INCREASE IN POSTAL AND TELEGRAPHIC RATES BETWEEN INDIA AND BURMA.

29. *Mr. M. Ananthasayanam Ayyangar: (a) Will the Honourable Member for Communications please state whether the attention of Government has been drawn to a resolution passed at the second session of the All-Burma Indian Conference held at Rangoon on the 29th December, 1937, protesting against the heavy increase in postal and telegraphic rates between Burma and India?

(b) Is such increase a violation of the Indo-Burma Agreement?

(c) Have Government taken any action in pursuance of the resolution? If not, why not?

The Honourable Sir Thomas Stewart: (a) Yes.

(b) No.

(c) The question of postal and telegraph rates between India and Burma is under correspondence with the Burma Government.

Mr. M. Ananthasayanam Ayyangar: May I ask what is the average increase in rates which is complained of?

The Honourable Sir Thomas Stewart: I have not the figures available, but I am prepared to give them to the Honourable Member at some convenient time.

Mr. Manu Subedar: Was the initiative taken by the Government of India or by the Government of Burma?

The Honourable Sir Thomas Stewart: The initiative was taken by the Government of Burma.

Mr. Mohan Lal Saksena: Will the Government of India press upon the Government of Burma to send a reply before the Budget is presented to this House?

The Honourable Sir Thomas Stewart: We have already asked the Government of Burma to give their views on this subject as early as possible. It is hardly possible for us to do any more.

Seth Govind Das: In case the reply from the Government of Burma is received after the Budget and if they recommend a reduction in the rates, will it be given effect to before the next Budget is presented?

The Honourable Sir Thomas Stewart: That question is entirely hypothetical in nature, Sir.

INDIAN PILOTS POSSESSING LONDON AIR MINISTRY CERTIFICATES.

80. *Mr. Abdal Qayum: Will the Honourable Member for Railways and Communications please state:

- (a) how much it costs to obtain a commercial pilot's licence at:
 - (i) one of the private schools in England,
 - (ii) one of the many subsidised flying clubs in Great Britain,
 - (iii) at a Government subsidised flying club in India;
- (b) how many hours' flying is considered necessary for award of a commercial pilot's licence in:
 - (i) England,
 - (ii) Germany,
 - (iii) France, and
 - (iv) India;
- (c) whether it is a fact that the Indian authorities have refused to recognise the certificate issued by the Air Ministry, London, to Indian pilots; if so, what the reasons for such a step are; and
- (d) whether it is a fact that such Indian pilots with London Air Ministry Certificates were subjected to another examination in India and that many of them failed?

The Honourable Sir Thomas Stewart: (a) (i) A well known school in England quotes a figure of approximately Rs. 15,000 for a course for a commercial pilot, which gives a fair idea of the cost of a course which is considered adequate for a commercial pilot in responsible employment.

(ii) So far as Government are aware, few of the subsidised flying clubs in England undertake the training of commercial pilots. No quotations comparable with (i) are available. The bare cost of the minimum flying required for a British licence would be approximately Rs. 2,400*.

(iii) For an Indian limited commercial pilot's licence, the bare minimum flying requirements would cost approximately Rs. 3,600†. For a full Indian commercial pilot's licence, the bare minimum flying requirements would cost approximately Rs. 6,600†.

(b) (i) 100 hours.

(ii) and (iii). Government have no information.

*20 hours dual
100 hours solo
<hr/> 120 hours @ Rs. 20.
+20 hours dual
100 hours solo
<hr/> 120 hours @ Rs. 30.
220 hours dual
200 hours solo
<hr/> 220 hours @ Rs. 30.

(iv) Limited commercial licence (A1) 100 hours.

Full commercial licence (B) 200 hours.

(c) and (d). The Government of India require that candidates possessing Air Ministry 'B' licences must have completed the flying experience required under the Indian Aircraft Rules, 1937, before they apply for an Indian 'B' licence. Such of the candidates as have not allowed their British 'B' licences to lapse for a period exceeding two years preceding the date of their application for an Indian licence are, however, not required to take the Indian technical examination, except the examination in Indian Aircraft Rules and Notices to Airmen, knowledge of which is essential to applicants for the Indian 'B' licence. There is no record of any pilot possessing a British 'B' licence failing to qualify for the Indian 'B' licence.

Mr. Abdul Qaiyum: With reference to part (a) of my question, may I know if the figure quoted is for a private school?

The Honourable Sir Thomas Stewart: It is a private school, not a Government school?

Mr. Abdul Qaiyum: With reference to part (b) of the question, may I know if it is a fact that some subsidies are granted to flying clubs in England?

The Honourable Sir Thomas Stewart: The information given in my answer suggests that there are subsidies to private clubs.

Mr. Abdul Qaiyum: May I know what is the cost of training at such subsidised clubs?

The Honourable Sir Thomas Stewart: I have already said that no quotations are available to us.

Mr. Abdul Qaiyum: May I know what is the cost of training at the New Delhi Training Centre?

The Honourable Sir Thomas Stewart: I require notice of that question. The information is not with me.

Mr. Abdul Qaiyum: May I know how many hours flying is considered necessary for a full licence in England?

The Honourable Sir Thomas Stewart: I have already answered that question: 100 hours.

Mr. Abdul Qaiyum: May I know why the standard is higher in India, viz., 200 hours?

The Honourable Sir Thomas Stewart: For the reason that we think it necessary that commercial pilots for India and in Indian conditions should have that minimum of flying experience.

Seth Govind Das: Is there any difference between the conditions in England and those in India?

The Honourable Sir Thomas Stewart: I shall have to give the Honourable Member a lecture in geography if I have to answer that question.

Prof. N. G. Ranga: Are we to understand that a pilot who has put in 100 hours' flying in England and obtained a license there is obliged to undergo another one hundred hours' flying in India before he is allowed to fly in India?

The Honourable Sir Thomas Stewart: He must do an extra one hundred hours' flying before he is permitted to apply for a "B" license, that is to say, the minimum qualification for a commercial pilot. I may mention that any pilot with 200 hours' flying experience only has no hope of being employed by Imperial Airways or by any other commercial concern.

Sir Cowasji Jehangir: May I know how many subsidised clubs there are in India?

The Honourable Sir Thomas Stewart: There are subsidised clubs at Delhi, in the United Provinces, in Bombay, Karachi, Madras and Bengal; that, I think, is the complete list.

Sir Cowasji Jehangir: On what basis is this subsidy given?

The Honourable Sir Thomas Stewart: The subsidy is given out of a certain sum accruing from the petrol fund?

Sir Cowasji Jehangir: Will Government be prepared to encourage training in flying not only by flying clubs in India but by training centres?

The Honourable Sir Thomas Stewart: That is a question of which I must require notice; question of a policy of very considerable importance is involved.

Mr. N. M. Joshi: What is the future for the Indian who undergoes the longer training?

Mr. Abdul Qayyum: May I know why the Government have fixed a higher number of hours?

The Honourable Sir Thomas Stewart: I have already answered that question.

PERSONS KIDNAPPED, KILLED OR WOUNDED IN THE SETTLED DISTRICTS OF THE NORTH-WEST FRONTIER PROVINCE.

31. ***Mr. Abdul Qayyum:** (a) Will the Foreign Secretary please state the number of persons kidnapped, killed or wounded by raiders from across the border from the Settled Districts of North-West Frontier Province?

(b) When did the last raid or kidnapping take place?

(c) Has any compensation been paid to those who had to pay a ransom to effect their release or to the dependents of the killed or wounded persons? If not, why not?

Sir Aubrey Metcalfe: (a) The figures for 1937 are as follows:

70 kidnapped,

5 killed, and

8 wounded.

(b) On the night of September 27/28, 1937.

(c) The Provincial Government were informed in September, 1937, that the Government of India were willing to sanction payments to sufferers from the fines realised from the tribes on the basis of recommendations made by the Provincial Government. No such recommendations have yet been received.

Mr. Abdul Qaiyum: May I know why the Central Government do not make payments directly to the people who have suffered? Where is the necessity of writing to the Provincial Government concerned?

Sir Aubrey Metcalfe: Because the fines from the tribes from which the compensation is to be paid are realised by the Provincial Government and not by the Central Government.

Prof. N. G. Ranga: Is it not a fact that the Provincial Government realise these fines on behalf of the Central Government?

Sir Aubrey Metcalfe: Yes, that is true.

Prof. N. G. Ranga: Why is it that the Government of India wish to wait until the Provincial Government make some proposals for paying this compensation to the people who have been injured or kidnapped or had to pay a ransom for a release?

Sir Aubrey Metcalfe: Surely it must be plain to the Honourable Member that the Central Government are not in a position to know what fines are realised until this is reported to them by the Provincial Government.

Mr. Abdul Qaiyum: May I know when the Provincial Government were last addressed on the subject?

Sir Aubrey Metcalfe: Of that question I must have notice; I have not got the full correspondence with me.

Mr. Mohan Lal Saksena: Has the attention of Government been drawn to the statement appearing in the letter from the Faqir of Ipi to Pandit Jawaharlal Nehru to the effect that these raids and kidnappings are manœuvred by the Government of India?

Sir Aubrey Metcalfe: I submit that that does not arise out of this question.

Sardar Mangal Singh: May I ask if any kidnapping has taken place after the establishment of the Congress Ministry there?

Sir Aubrey Metcalfe: The Honourable Member knows when the Congress Ministry was established, and I have given him the date of the last raid. If he puts the two together, he can get the answer to his question.

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

PERSONS AND OFFICERS KILLED OR WOUNDED AND EXPENDITURE INCURRED IN THE WAZIRISTAN CAMPAIGN.

82. ***Mr. Abdul Qaiyum:** (a) Will the Foreign Secretary please state the total number of killed and wounded among the troops in the latest Waziristan campaign?

(b) How many British officers and other ranks were killed or wounded in the above campaign?

(c) When did the last Waziristan campaign begin and when did it officially end?

(d) What is the total expenditure incurred by Government in connection with this campaign? Will the Foreign Secretary please state the latest available figures?

Sir Aubrey Metcalfe: This is a question which should have been addressed to the Defence Secretary.

PROTECTED AREA IN WAZIRISTAN.

83. ***Mr. Abdul Qaiyum:** (a) Will the Foreign Secretary please state the total area of Waziristan?

(b) What was the extent of the protected area in Waziristan before this campaign? Will the Honourable Member please name the parts which were then protected and state their area in square miles?

(c) Have any additions to the above protected area been made as a result of the last campaign? If so, will the Honourable Member please describe the new protected zone and state its area in square miles?

Sir Aubrey Metcalfe: (a) 5,218 square miles.

(b) Daur country in the Tochi Valley, the Ahmadzai Wazir territories of the Wana and Spin Plains and a portion of the Jandola area. The total area is approximately 125 square miles.

(c) Yes. The areas are described below:

- (i) The vicinity of Government roads and posts throughout Waziristan.
- (ii) All Wazir and Mahsud territories in the Razmak area, the water of which drains eventually into the Shoran, Spinkamar and Tauda China Algads.
- (iii) All Wazir territory, the water of which drains eventually into the Khaisora Algad.
- (iv) All Wazir country, from Drewasta to the District boundary, the water of which drains eventually into the Tochi from the South.
- (v) All Gurbaz, Bakka Khel and Jani Khel country in Bannu tribal territory, South of the Bannu-Razmak road.
- (vi) Jandola area comprising all Bhitanni country, South of the Shuza.

The total area is approximately 615 square miles.

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

84. ***Mr. Abdul Qayyum:** (a) Will the Foreign Secretary please state what was the total amount spent by Government on education, medical relief, irrigation and sanitation, as regards the indigenous population in the agency tracts in North-West Frontier Province during the last two years?

(b) What was the total amount paid in cash as 'Mawajib' to the Maliks, etc., in the above areas during the same period?

Sir Aubrey Metcalfe: The information is being collected and will be laid on the table in due course.

COLLISION OF THE HOWRAH EXPRESS WITH A GOODS TRAIN AT BAMRAULI.

85. ***Mr. Badri Dutt Pande:** (a) Will the Honourable Member for Railways please state the cause of the Howrah Up express disaster, which train collided with 212 goods train at Bamrauli station on the 17th January, 1938?

(b) What is the number of casualties?

(c) What was the nature of medical aid rendered to the injured?

(d) Have names and addresses of the deceased been found out?

(e) Is it the intention of Government to hold an enquiry into this train disaster?

The Honourable Sir Thomas Stewart: (a) I regret I am not in a position to make any statement as regards the cause of the accident till the full report of the Senior Government Inspector of Railways, who has held an enquiry, has been received.

(b) The Chief Medical Officer of the East Indian Railway reported on the 17th instant that three passengers and four railway employees were killed and eleven passengers and six railway employees were injured.

(c) I am placing on the table an extract from the report of the Railway's Chief Medical Officer.

(d) Yes.

(e) I would refer the Honourable Member to the reply I have given to part (a) of his question.

Extract from the Report of the Railway Chief Medical Officer, dated the 17th January, 1938, to the Agent, East Indian Railway.

BAMRAULI ACCIDENT.

Intimation was received by the Divisional Medical Officer, Allahabad, at 6 A.M., and he left with the Relief Train at 6.40. First Aid had not been administered before his arrival as all the train crew, who were qualified to render first aid, had themselves been more or less severely injured. The Divisional Medical Officer decided to evacuate all cases by Motor Ambulance and Ambulances were accordingly obtained from the British Military Hospital, the Civil Hospital, the Bamrauli Aerodrome and the Allahabad Municipality. All cases were evacuated by 9.15. Three cases elected to remain until the undamaged bogies were returned to Allahabad. These three cases all decided to be treated outside, and the Divisional Medical Officer had, of course, no alternative but to permit this.

Altogether 14 cases were admitted in the Railway Hospital, of whom, one Driver Thomas (the driver of 212 Down) died shortly after admission; one case left for Calcutta that night—leaving at the present moment 12 cases in hospital—two, who are suffering from minor injuries, have elected to leave hospital to-day, to be treated by their own doctors; one case (an Indian) suffering from multiple fractures has been transferred to the Civil Hospital, where full X-Ray facilities exist. This will leave us 9 cases in hospital by this evening. I have satisfied myself that all cases have been skilfully dealt with and everything possible is being done for their comfort.

Mr. Badri Dutt Pande: May I ask if all the addresses of the dead persons have been found out and their relatives informed?

The Honourable Sir Thomas Stewart: That is my information.

Mr. Badri Dutt Pande: May I know if a judicial inquiry will also be held in this case as has been done in the case of the Bihta disaster?

The Honourable Sir Thomas Stewart: I am unable to answer that question until I have the elementary facts of the Inspector's report before me.

Mr. Badri Dutt Pande: Do Government know that the collisions are becoming numerous and they are frightening the passenger traffic?

(No answer.)

POLITICAL PENSIONS PAID TO FOREIGN REFUGEES.

35A. ***Sardar Mangal Singh:** Will the Foreign Secretary please state:-

- (a) the total amount of political pensions annually paid to foreign refugees; and
- (b) the total number of such refugees and their names?

Sir Aubrey Metcalfe: (a) About two lakhs of rupees.

(b) 128, whose names are given in the statement which I lay on the table.

Names of Afghan Refugees in receipt of Allowances from Government.

Serial No.	Name.	Serial No.	Name.
1.	Mohd. Umar Khan.	20.	Babu Khan.
2.	Hafiz Ullah Khan.	21.	Barat Ali.
3.	Abdul Rahman Khan.	22.	Ghulam Mohd.
4.	Sohrab Khan.	23.	Ghulam Naghsbad.
5.	Ghulam Rasul.	24.	Ghulam Raza Khan.
6.	Miran Shah.	25.	Ghulam Sarwar Khan.
7.	S. Mohd. Yusuf Khan.	26.	Gul Mohd.
8.	Mohd. Hyder.	27.	Khair Muhd.
9.	Abdul Azin Khan.	28.	Khushdil Khan.
10.	Abdul Hamid Khan.	29.	Mohd. Azam.
11.	Abdur Rauf.	30.	Muhd. Hussain.
12.	Ghulam Haidar.	31.	Mohd. Sharif.
13.	Ghulam Nabi Jan.	32.	Shamsher Khan.
14.	Abdul Habib.	33.	Sher. Ali Khan.
15.	Abdul Hamid.	34.	Sher Muhd.
16.	Abdul Qadir Khan.	35.	Yar Mohd. Khan.
17.	Abdul Qayum.	36.	Abdul Abad Khan.
18.	Ali Ahmad.	37.	Fateh Muhd.
19.	Ata Mohd.	38.	Nazar Muhd. Khan.

Names of Afghan Refugees in receipt of Allowances from Government—contd.

Serial No.	Name.	Serial No.	Name.
39.	Usman Khan.	84.	S. Mohd. Musa Khan.
40.	Yahya Khan Mir.	85.	S. Mohd. Abdul Qadir Khan Effendi.
41.	Abdul Halim.	86.	S. Abdus Samad Khan.
42.	Haji Abdur Rahman.	87.	S. Abdur Rahman Khan Effendi.
43.	Abdullah Shah.	88.	S. Abdur Rahman Khan.
44.	Ahmad Khan.	89.	S. Ghausuddin Khan.
45.	Ali Ahmad Khan.	90.	S. Abdul Hakim Khan.
46.	Dad Mohd. Khan.	91.	S. Amir Jan.
47.	Faiz Muhd. Khan.	92.	Khan Baba.
48.	Inayat Ullah.	93.	Mohd. Ibrahim.
49.	Muhd. Ibrahim.	94.	Mohd. Hassan.
50.	Muhd. Hassan Khan.	95.	Ali Ahmad.
51.	Muhd. Usman Khan.	96.	Mohd. Ismail.
52.	Shah Nawaz Khan.	97.	Taj Mohd.
53.	Abdul Qadir.	98.	S. Abdullah Khan.
54.	Muhd. Ali Khan.	99.	S. Abdul Hamid Khan.
55.	Ali Ahmad Khan.	100.	S. Abdul Qayum Khan.
56.	Muhd. Rahim Khan.	101.	Khawaja Abdul Kawam.
57.	Abdul Aziz Khan.	102.	Mohd. Nasir.
58.	Muhd. Azim Khan.	103.	Abdur Rahman Jan.
59.	Muhd. Karim Khan.	104.	Ata Mohd.
60.	Dost Muhd. Khan.	105.	S. Abdul Aziz Khan.
61.	Muhd. Ali Khan.	106.	S. Mohd. Azam Khan.
62.	Ghulam Qadir Khan.	107.	S. Mohd. Akram Khan.
63.	Mohd. Mohsin Khan.	108.	S. Mohd. Afzal Khan.
64.	Muhd. Hamdam.	109.	S. Sultan Ahmad Khan.
65.	Muhd. Zafar.	110.	S. Sher Ahmad Khan.
66.	Saulat Jung.	111.	S. Mohd. Sarwar Khan.
67.	Sultan Ali.	112.	S. Nur Ahmad Khan.
68.	Zafar-ud-Din Muhammad.	113.	S. Abdur Rashid Khan.
69.	Abdul Ahad.	114.	S. Mohd. Hassan Khan.
70.	Fazal Haq.	115.	S. Abdur Rahman Khan.
71.	Zia-ud Din.	116.	S. Mohd. Omar Khan.
72.	Ahmad Ali Khan.	117.	S. Gul Mohd. Khan.
73.	Hussain Ali Khan.	118.	S. Abdul Ali Khan.
74.	Ghulam Muhd. Khan.	119.	S. Abdur Rahim Khan.
75.	Sultan Muhd. Khan.	120.	S. Mohd. Azim Khan.
76.	Taj Muhd. Khan.	121.	S. Mohd. Mohsin Khan.
77.	Gul Dad.	122.	Ghulam Nabi.
78.	Mir Abdullah.	123.	Mohd. Din.
79.	Barat Khan.	124.	Mohd. Siddiq.
80.	Baz Muhd.	125.	Abdul Hakim.
81.	Safar Khan.	126.	Abdul Majid.
82.	Gul Hassan.	127.	Mohd. Jan.
83.	Nas Eullah.	128.	Abdur Wahab Khan.

PERSONS DETAINED IN INDIA FOR REASONS OF STATE.

85B. *Sardar Mangal Singh: Will the Foreign Secretary please state:

- the number of those persons who are at present being detained in India for reasons of State; and
- the names of such persons and the amount of monthly allowance paid to them?

Sir Aubrey Metcalfe: On the assumption that the Honourable Member is referring to persons detained under Regulation III of 1918 by the orders of the Government of India, the reply is as follows:

(a) 45.

(b) The names of the persons and the allowances paid to them are shown in the statement which I lay on the table.

Statement showing the Names of Afghan Refugees detained in India under Regulation III of 1918 and the Allowances paid to them.

Presidency or Province.	Serial No.	Name.	Allowance.			Remarks.
			Rs.	A.	P.	
			Per mensem.			
Madras Presidency .	1	S. Abdur Rahman Khan	600	0	0	
	2	S. Ghausuddin Khan	500	0	0	
	3	S. Abdul Hakim Khan	150	0	0	
	4	S. Amin Jan.	250	0	0	
Bombay Presidency	5	Khan Baba .	60	0	0	Allowance Rs. 30 and Rs. 1 daily diet allowance.
	6	Mohd. Ibrahim	73	4	0	Allowance Rs. 32 and Rs. 1-6-0 daily diet allowance.
	7	Mohd. Hassan . . .	73	4	0	Ditto.
	8	Ali Ahmed . . .	73	4	0	Ditto.
Central Provinces .	9	Mohd. Ismail . . .	60	0	0	
	10	Taj Mohd.	60	0	0	
	11	S. Abdullah Khan .	600	0	0	
	12	S. Abdul Hamid Khan .	500	0	0	
	13	S. Abdul Qayum Khan .	450	0	0	
	14	Khawaja Abdul Karim (plus 50 for 5 dependants.)	86	4	0	Allowance Rs. 45. Rs. 1-6-0 as daily diet allowance.
	15	Mohd. Nasir . . .	86	4	0	Ditto.
	16	Abdur Rahman Jan .	86	4	0	Ditto.
	17	Ata Mohd.	60	0	0	
	18	S. Abdul Aziz Khan .	250	0	0	
Bengal	19	S. Mohd. Azam Khan .	300	0	0	
United Provinces .	20	S. Mohd. Akram Khan .	400	0	0	
	21	S. Mohd. Afzal Khan .	100	0	0	
	22	S. Sultan Ahmed Khan .	300	0	0	
	23	S. Sher Ahmed Khan .	250	0	0	
	24	S. Mohd. Sarwar Khan .	250	0	0	
	25	S. Nur Ahmad Khan .	250	0	0	
	26	S. Abdur Rashid Khan .	150	0	0	
	27	S. Mohd. Hassan Khan .	200	0	0	
	28	S. Abdur Rahman Khan .	250	0	0	
	29	S. Mohd. Umar Khan .	100	0	0	
	30	S. Gul Mohd. Khan .	160	0	0	
	31	S. Abdul Ali Khan .	350	0	0	
	32	S. Abdur Rahim Khan .	250	0	0	
	33	S. Mohd. Azim Khan .	100	0	0	
	34	S. Mohd. Mohsin Khan .	100	0	0	
	35	Ghulam Nabi . . .	48	12	0	Allowance Rs. 30 and annas 10 as daily allowance.
	36	Mohd. Din . . .	48	12	0	Ditto.
	37	Mohd. Siddiq . . .	48	12	0	Ditto.

Statement showing the Names of Afghan Refugees detained in India under Regulation III of 1818 and the Allowance paid to them—contd.

Presidency or Province.	Serial No.	Name.	Allowance.			Remarks.
			Rs.	A.	P.	
United Provinces— <i>contd.</i>	38	Abdul Hakim	68	12	0	Allowance Rs. 50 and annas 10 as daily allowance.
	39	Abdul Majid	68	12	0	Ditto.
	40	Mohd. Jan	60	0	0	
	41	Bhawani Sahai	25	0	0	Plus annas 12 as diet allowance per diem.
	42	V. R. Vaishampayan	36	0	0	Plus Rs. 1-12-0 as diet allowance.
	43	Jawala Pershad	30	0	0	Plus Rs. 1-2-0 per diem.
Madras Presidency	44	Rippudaman (alias Sardar Guru Charan Singh ex-Maharaja of Nabha).	10,000	0	0	Paid by the Nabha Darbar.
Bombay Presidency	45	Hassein-Yavar Khanji, ex-Talukdar of Sardargadh.	500	0	0	Paid by the Sardar gadh Taluka.

Sardar Sant Singh: May I know the longest period for which persons have been detained up till now?

Sir Aubrey Metcalfe: Not, I am afraid, without notice.

Sardar Mangal Singh: Are the cases of such persons reviewed every year?

Sir Aubrey Metcalfe: Yes, they are reviewed every year by the Government of India.

PROGRESS IN LITERACY AND BUILDING OF HOSPITALS IN WAZIRISTAN.

†35C. ***Mr. Abdul Qaiyum:** (a) Will the Foreign Secretary please state what was the state of literacy in Waziristan when Government first occupied that area?

(b) What is the state of literacy in Waziristan now? How many primary, middle or high schools have been set up by Government and are in existence in that territory?

(c) Have any hospitals been built for the Wazir population? If so, what is their number?

Sir Aubrey Metcalfe: (a) Literacy was practically nil when Government first established posts in Waziristan.

(b) There is now a considerable number of literate persons in Waziristan, but it is impossible to give figures as no Census has ever been held. In South Waziristan there are two Lower Middle and seven Primary Schools. In North Waziristan there are one Middle and nine Primary Schools. In Bhitanni country there is one Primary School at Jandola. A number of Mahsuds and Wazirs have also been educated at Government expense in the settled districts, and thirty-five scholarships are at present being paid to students from Waziristan for higher studies in those districts.

(c) Yes. There are seven hospitals or dispensaries in Waziristan including Bhitanni country. In addition tribesmen are treated in ten Scouts hospitals at different posts.

†Answer to this question laid on the table, the questioner having exhausted his quota.

UNSTARRED QUESTIONS AND ANSWERS.

CLEANING OF LATRINES IN TRAINS OF THE MADRAS AND SOUTHERN MAHRATTA RAILWAY.

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

- (a) if he is aware that despite his assurances that strict instructions for cleaning the latrines had been issued, not enough care is taken even at such big junctions as Bezwada, Waltair, Guntakal and Gudur on the Madras and Southern Mahratta Railway either to clean the latrines after a night's journey or even before the train starts on its journey;
- (b) if he is aware that when a passenger takes care to ask for a sweeper to clean a compartment or a latrine, sweepers are not found available on the platforms; and
- (c) whether Government are prepared to issue a reminder to the Railway Company concerned to keep the third class carriages clean, and to make arrangements for the employment of sufficient number of sweepers to clean the carriages once before the train starts on its journey, once after the train has completed a whole night's journey and once in the afternoon?

The Honourable Sir Thomas Stewart: (a) and (b). Government are not aware what, if any, cases of the nature referred to have been brought to the notice of the responsible controlling authorities.

(c) I will convey the Honourable Member's suggestion to the Agents of the Bengal Nagpur and Madras and Southern Mahratta Railways for consideration.

PROVISION OF MORE BOOKING WINDOWS AT THE THIRD CLASS BOOKING OFFICE AT HOWRAH.

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

- (a) if he is aware that there is too much congestion near the third class booking offices in the Howrah station, due to the inadequate number of windows for issuing tickets; and
- (b) whether he is prepared to consider the advisability of providing more booking windows at the said station to relieve the third class passengers from great inconvenience and worry?

The Honourable Sir Thomas Stewart: (a) No.

(b) The Agent, East Indian Railway, states that the twenty-five windows provided in the third class booking office are adequate.

REDUCTION IN THE RAILWAY FREIGHTS ON COTTON.

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

- (a) if he has received any representations from commercial bodies in the country asking for a reduction in railway freights for cotton in order to help our cotton-growers to fight to some extent the slump in the cotton prices being experienced during the last few months;

- (b) if so, what has been the response from Government to those representations; and
 (c) whether he is prepared to grant any such special reductions in cotton freight rates?

The Honourable Sir Thomas Stewart: (a) Yes.

(b) and (c). I am placing on the table a copy of the Railway Board's letter No. 1505-T., dated the 24th December, 1937, to the Secretary, East India Cotton Association, which explains why the request for a general reduction in the freight rates for cotton could not be acceded to.

Copy of Railway Board's Letter No. 1505-T., dated New Delhi, the 24th December, 1937, to the Secretary, East India Cotton Association, Limited, Taj Building, Hornby Road, Bombay.

FREIGHT RATES FOR COTTON.

With reference to your letter No. 981/G./411 of the 5th November, 1937, I am directed to state that the question of a reduction in the freight rates on cotton was examined by the Government of India in considerable detail on the representation made in 1931 by your Association and other trade organisations interested in cotton, and the conclusion then arrived at was that there was no justification for the general reduction suggested.

2. It is observed that your Association's present representation urges a substantial reduction now, as a temporary measure, with reference to the following considerations:

- (i) the present low prices ruling for Indian cotton;
- (ii) the present policy in the United States of America which tends to accentuate competition with Indian cotton in the export market;
- (iii) the fact that railway freight rates on cotton are from 50 to 100 per cent. above the pre-war level;
- (iv) the necessity for counteracting the tendency for cotton to be carried by road instead of by railway; and
- (v) the possibility that a part of this season's cotton crop may not be picked and that therefore cotton cultivation may be restricted during the next season.

These points are dealt with *seriatim* in the following paragraphs.

3. In regard to the first two points, I am to say that while the Government of India have watched with no small concern the collapse in the price of cotton, they are unable to agree that the manipulation of the railway freight rate is a suitable method of relief to the cotton producer. Nor is it considered to be sound policy to alter freight rates from time to time to meet trade fluctuations. Such a policy if it were to put into effect generally—and a precedent of this nature once created would inevitably lead to insistent demands for its extension—would mean that in a period of falling prices, which also generally coincides with a period of trade depression resulting in a falling off in the volume of traffic, Railways would be sacrificing revenue when they could least afford to do so. Moreover, the adoption of such a policy would also introduce a serious element of uncertainty in the calculations of the trader which would react unfavourably on trade conditions generally.

4. The third point which has reference to the allegation that railway freight rates on cotton are substantially higher now than in the pre-war period is so frequently repeated that it appears to be necessary to state the position in some detail. Prior to the war, the rates over the principal railways concerned with the cotton traffic were as follows:

	Pie per maund per mile.
Great Indian Peninsula Railway: over G. I. P. section (which carries the bulk of the traffic)	0.80
Great Indian Peninsula Railway: over other sections	9.50
Bombay, Baroda and Central India Railway	0.50
North Western Railway	0.33

Apart from these rates which applied generally over the respective systems, special rates were quoted :

- (i) by the Bombay, Baroda and Central India Railway to Bombay, from stations in the competitive zone, i.e., Delhi, Bhatinda, Hissar and other neighbouring stations, based on the North Western Railway rates; and
- (ii) by the North Western Railway to Karachi from stations in the competitive zone as above, based on the rates obtainable by the shorter metre gauge route, and also from other internal stations.

The North Western Railway's specially low rates to Karachi were determined not by the requirements of the trade, but by the stress of competition with the Bombay, Baroda and Central India Railway in the endeavour to obtain for Karachi as large a share of the export traffic as was possible.

The practice of having, for traffic to the ports, lower rates than those generally applicable was peculiarly subject to adverse criticism in so far as it was interpreted to indicate a tendency to discriminate against the internal trade of the country. Therefore, when in 1916 it was felt that the time was opportune for a change to be made in the rates in force at the time, the North Western Railway cancelled their special rates to Karachi and applied the 0.33 pie rate for all movements (i.e., both for internal traffic and traffic for Karachi). Certain special rates, however, were still quoted from stations in the competitive zone based on the rates obtainable by the metre route.

While the 1916 change in the North Western Railway rates removed the grounds for criticism against that Railway's practice, it did nothing to correct the anomalous position in which a lower scale of rates applied on this railway than on the other two railways, viz., the Great Indian Peninsula and Bombay, Baroda and Central India whose experience had shown that cotton could stand a higher basis of charge. Moreover, the lower scale of rates over the North Western Railway forced the Great Indian Peninsula and Bombay, Baroda and Central India Railways to quote to Bombay, from stations in the competitive zone, rates based on those applicable by the North Western Railway's route to Karachi, as against the higher scale of rates applicable from all other stations on their respective systems to Bombay. To remove this anomaly, which admittedly savoured of preferential treatment from the viewpoint of producers in Central India, the North Western Railway agreed in 1919 to bring their general rate into line with that applying on Indian Railways generally, i.e., 0.50 pie per maund per mile. Compared with the rates in force after the 1919 enhancement, the present rates over the North Western Railway are only about 25 per cent. higher. This increase of 25 per cent. followed the general enhancement made on all Indian Railways in 1922 to obtain increased revenue to meet the post-war increase in the working expenses of Railways. The Bombay, Baroda and Central India and Great Indian Peninsula Railways cotton rates are, therefore, also now generally 25 per cent. higher than the pre-war rates.

5. The Government of India are aware of the serious effect which road competition is having on railway revenues and they are satisfied that, so far as it lies within the powers of individual railway administrations, suitable action continues to be taken to meet the conditions that have been created. Further steps to secure the proper co-ordination of all forms of transport and the elimination of uneconomic competition are engaging their urgent attention, but it would, in the opinion of Government, be unwise for Railways to reduce their freight rates all round merely to meet competition. The more practicable course—and the one that has been generally adopted by Railways—is to improve their existing services and to reduce their rates from and to those points where competition is more or less intensive.

6. In regard to your Association's fifth point, that is, the effect of the present low prices on the grower, I am to say that while the Government of India do not desire to minimise the possibilities which your Association apprehend, they consider that no feasible reduction in railway freight rates would have any appreciable influence on the position. On the other hand, they have calculated that the grant of the desired concession would involve a reduction in railway revenues of approximately one and half crores. In deprecating such a loss they have in view not only their own interests but those of the provinces, any amount available for distribution to which, under the Niemeyer Award, would suffer a consequential reduction.

7. In view of the considerations detailed above, and also because any reduction in the freight rates for cotton based on other than purely railway tariff considerations would be practically indistinguishable from a subsidy from railway revenues to support the cotton market, the Government of India regret their inability to accede to your Association's request.

ENQUIRY INTO THE CONDITIONS OF SERVICE OF WORKERS EMPLOYED ON STATE RAILWAYS.

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

- (a) if he has seen the resolution passed by the All-India Trade Union Congress, in its Delhi Session, 1938, asking for a Government enquiry to be conducted into the conditions of service of all workers employed on State Railways; and
- (b) if so, whether he is prepared to examine the present condition of Railway labour, and to order such an enquiry by an Enquiry Committee with a non-official majority?

The Honourable Sir Thomas Stewart: (a) No.

(b) Does not arise.

DENIAL OF FACILITIES TO MR. K. NARASIMHAM, M. L. A., TO ATTEND THE SITTINGS OF THE MADRAS LEGISLATIVE ASSEMBLY.

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

- (a) if he has received any representations from the Members of the Madras Assembly, or from Members of this House, or from the Madras Government, in regard to the refusal of leave, on loss of pay, to Mr. K. Narasimham, Member, Legislative Assembly, to attend the session of the Madras Assembly, by the authorities of the Madras and Southern Mahratta Railway;
- (b) if so, whether he has tried to find the reasons for such an attitude of the Madras and Southern Mahratta Railway authorities;
- (c) whether he has pressed upon them the advisability of granting to Mr. Narasimham the required leave to attend the Madras Assembly Session;
- (d) if so, what has been the result of his representations to the said Railway authorities;
- (e) whether he is aware of the fact that Mr. Narasimham is employed in the Bezvada Workshop, and is a member of the Madras and Southern Mahratta Railway Union, which is a registered trade union;
- (f) whether it is not a fact that he has been dismissed from his employment; if so, why; and

- (g) whether Government propose to consider the advisability of taking necessary legislative and administrative steps to reinstate him in his former appointment, and further to enable him and other employees in railways, who are elected to the Provincial or Central Legislative bodies, to discharge their legislative duties without prejudice to their permanent employment on railways?

The Honourable Sir Thomas Stewart: (a) Government have received an official communication from the Government of Madras in the matter.

(b) to (d), (f) and (g). I would refer the Honourable Member to the information laid on the table of the House today in reply to parts (c) and (d) of starred question No. 901, asked by Mr. Muthuranga Mudaliar in this House on the 29th September, 1937.

(e) Government have no information.

STATEMENTS LAID ON THE TABLE.

Information promised in reply to part (a) of starred question No. 651 asked by Mr. Mohan Lal Saxena on the 13th March, 1937.

RATES OF ALLOWANCES GIVEN TO SOLDIERS.

Serial No.	Allowance.	British soldier.	Indian soldier.	Authority.	Remarks.
1	2	3	4	5	6
1	<i>Marriage Allowance—</i> (i) For a wife (ii) For each child up to 3 children. (iii) For each additional child.	30 0 0 per month. 10 0 0 per month. 5 0 0 per month.	<i>Nil</i>	Pay and Allowance Regulations, Part II, paragraph 313.	
2	<i>Ration Allowance—</i> (i) When permitted to draw allowance in lieu of rations in kind. (ii) When rations in kind are not issued in the interests of the State. (iii) When it is not convenient to issue rations in kind. (iv) When granted leave or furlough (including casual leave in India).	0 5 3 per day. 0 12 0 per day. <i>Nil</i> 1 8 0 per day.	<i>Nil</i> <i>Nil</i> <i>Nil</i> 0 5 0* per day. <i>Nil</i>	<i>Nil</i> <i>Nil</i> <i>Nil</i> Pay and Allowance Regulations, Part II, paragraph 296 (c) (iv) and (e). Pay and Allowance Regulations, Part II, paragraph 296 (D). Army Instruction (India) No. 168 of 1937.	*Inclusive of messing allowance.
3	<i>Messing Allowance</i>	0 6 0†	0 10 0 per month.	Army Instruction (India) No. 168 of 1937. Pay and Allowance Regulations, Part II, paragraph 289.	†In the case of individuals and small messes, 6½

4 *Furniture Allowance*—

Admissible to married personnel only. It is apportioned on the relative cost of the extra furniture and equipment, i.e., the difference in the old and the existing scales, as follows:—

(a) Furniture and equipment	10 0 0	6 0 0
(b) Furniture	4 4 0	2 8 0
(c) Equipment	5 12 0	3 8 0

Presi-
den-
cy
sta-
tions.
Per
month.
Per
month.
Per
month.
Per
month.

Rs. A. P. Rs. A. P.

Gets a free supply of furniture and a charpoy allowance at 6 pies per head per month.

Army Instruction (India)
No. 161 of 1936.

Mounted.	Dis- mounted.	Mounted.	Dis- mounted.
Rs. A. P. Rs. A. P.	Rs. A. P. Rs. A. P.	Rs. A. P. Rs. A. P.	Rs. A. P. Rs. A. P.
7 4 0	7 0 0	2 9 0	2 7 0

5 *Kit and clothing Allowance*
(monthly rates).

Army Instruction (India)
No. 22 of 1933 as amended by Army Instruction (India) No. 34 of 1935.

6 *Educational Training Grant*

NOTE.—British soldiers are also entitled to free education of their children and a special grant on a "per capita" basis of Rs. 18 per child per annum is provided for the maintenance of British Army Children's Schools. Those attending civil schools are allowed refund of tuition fees.

1 8 0
per annum.

0 10 0*
per annum.

Pay and Allowance Regulations, Part II, paragraph 173.
*12 annas in the case of smaller units.

NOTE.—Indian soldiers as a class are not entitled to free education of their children, but there are three King George's Royal Indian Military Schools maintained from the Defence Services Estimates and these Schools cater for the education of Indian soldiers' children who desire to enter the Indian Army.

Serial No.	Allowance.	British soldier.	Indian soldier.	Authority.	Remarks.
1	2	3	4	5	6
7 Separation Allowance—					
	Warrant Officers and Staff Serjeants.	3 annas per head per day.	Nil	Army Instruction (India) No. 240 of 1937.	During separation due to residence in non-family stations and during operations conducted under the Special Procedure Pamphlet.
	Serjeants	3 annas per head per day.	Nil	<div style="display: flex; align-items: center;"> <div style="margin-right: 10px;"> <p>Army Instruction (India) No. 117 of 1937.</p> </div> <div style="font-size: 3em; margin: 0 10px;">}</div> <div> <p>(i) moves of families to the hills ;</p> <p>(ii) residence in non-family stations and during operations conducted under the Special Procedure Pamphlet ; and</p> <p>(iii) absence of instructors from Schools of Instruction at Camps, Concentrations, etc.</p> </div> </div>	(i) moves of families to the hills ;
	Corporals and Lance Serjeants.	4½ annas per head per day.	Nil		(ii) residence in non-family stations and during operations conducted under the Special Procedure Pamphlet ; and
	Privates and Lance Corporals.	6 annas per head per day.	Nil		(iii) absence of instructors from Schools of Instruction at Camps, Concentrations, etc.

Information promised in reply to unstarred questions Nos. 2 and 6 asked by Mr. Mohan Lal Saksena on the 24th August, 1937.

PRISONERS CONVICTED UNDER CERTAIN ACTS IN THE CENTRALLY ADMINISTERED AREAS.

Unstarred question No. 2.

Name of Prisoner and Province.	Date of conviction	Section under which convicted.	Sentence.	Class.
<i>Delhi.</i>				
1. B. K. Dutt	14-5-29	307 I. P. C. Section 4 of Explosive Substances Act, 1908.	Transportation for life.	C
2. Dhanwantri	28-4-1933	307 I. P. C. 19 (f) of Indian Arms Act, 1878.	7 years R. I. under section 307 I. P. C. 3 years under the Arms Act. Sentences to run consecutively.	C
3. Harabandu Samajdar.	26-1-1933	394, 120-B & 109 of I. P. C.	7 years R. I. reduced to 5 years by High Court.	B
	13-2-1933	19 (f) of Indian Arms Act, 1878.	3 years R. I.	
4. Shiv Shankar	15-10-1936	4 of Explosive Substances Act, 1908.	4 years R. I.	C
5. Jai Ram Sharma.	14-8-1936	124-A of I. P. C.	2 years R. I.	C
<i>Ajmer-Merwara.</i>				
6. Ram Chandra Bapat.	23-5-1932	307 of I. P. C. 19 (f) of Indian Arms Act, 1878.	7 years R. I. 3 years R. I. Sentences to run consecutively.	C
	22-11-1933	19 (f) of Indian Arms Act, 1878.	3 years R. I.	C
7. Jagan Nath	7-2-1936	46/52 of Prisons Act, 1894.	4 months R. I.	C
	22-5-1936	232 of I. P. C.	2 years R. I.	
8. Ram Singh	27-11-1935	307 of I. P. C.	7 years R. I.	C
<i>Coorg</i>	<i>Nil</i>			
<i>Baluchistan</i>	<i>Nil</i>			

DETENUS IN THE DEOLI DETENTION CAMP.

Unstarred question No. 6.—I* lay a statement on the table. I* am not prepared to give the names of detenus.

Statement regarding the position on the 16th October, 1937.

(a) (i) Number of detenus qualified as—	
Matriculates	25,
Intermediates	34,
Graduates	79,
M.As. and M.Sc.s.	30,
Pre-Law	5,
Inter-Law	5,
Final-Law	17,
Mukhtarship	2,
Homeo M. B.	4,
Homeo M. D.	1,
Works Managers Course	1 and
Advanced Book Keeping	1.
Without special qualifications.	104.

* The Honourable Sir Henry Craik.

(ii) *Number of detenus interned at Deoli since—*

1932	50,
1933	180,
1934	24,
1935	11,
1936	32 and
1937	11.

(iii) *Number of detenus between*

20—24 years	16,
25—29 "	86,
30—34 "	114,
35—39 "	62,
40—44 "	14,
45—49 "	9, and
50 years and above	7.

(iv) *Allowances drawn by detenus.*—Every detenu in the Deoli Detention Jail draws Rs. 10 a month as a Monthly Allowance, 15 annas a day as Dietary Allowance, and Rs. 35 as Winter Clothing Allowance. A sum of Rs. 5 a month is granted to those who prosecute studies and prepare themselves for a University Examination. A proportion of examination fees is also paid by Government.

(b) and (c). *Interviews during the last 12 months.*—Fourteen detenus had interviews at Deoli with their relatives during the last twelve months and seventy-one were granted home leave during the same period. Two hundred and ninety-six detenus have not had any interviews since their arrival in the Deoli Detention Jail. Interviews are arranged by the Government of Bengal and the Government of India are not aware of the circumstances in which interviews are granted or refused.

Information promised in reply to parts (b), (c) and (d) of starred question No. 187 asked by Mr. M. Asaf Ali on the 30th August, 1937.

REPRESENTATION OF THE OLD BOYS OF THE ANGLO-ARABIC COLLEGE AND SCHOOLS, DELHI.

—(b)—Yes—

(c) and (d). The Chief Commissioner of Delhi has placed before the present Managing Committee a memorandum proposing *inter alia*—

- (i) that a Society (to include both subscribers and representatives of various interests) be formed for the improvement of the Anglo-Arabic Institutions;
- (ii) that this Society elect annually 16 members (8 Sunnis and 8 Shias) to a Managing or Governing Body of 19, the remaining three members being representatives of the Jama Masjid, the Fatehpuri Masjid, and the Itmad-ud-Dowla Trust;
- (iii) that the Managing or Governing Body elect its own President; and
- (iv) that the Chief Commissioner and Deputy Commissioner cease to concern themselves with the management of the Anglo-Arabic Institutions, except in so far as the former is bound to act as Trustee of the original Trust Fund which now yields an income of Rs. 6,650 per annum.

This memorandum is intended only as a basis for discussion and the Chief Commissioner is calling a meeting of influential Muslims (numbering about 150) on the 18th September, 1937, to consider the position further.

Information promised in reply to part (b) of starred question No. 279 asked by Mr. Lalchand Navalrai on the 2nd September, 1937.

OPENING OF COMBINED POST AND TELEGRAPH OFFICES IN SIND.

(b) There are combined offices at the Headquarters of all the Talukas in Sind, except at the following places :—

- (1) Ubaro.
- (2) Jati.
- (3) Moro.
- (4) Samaro.
- (5) Warah.
- (6) Khipro.
- (7) Garhi-Khairo.
- (8) Ghorabari.
- (9) Thano, Bulakhan.
- (10) Ket-i-Bandar.

As regards the last part of the question the Honourable Member is referred to the reply already given to part (f) of his question.

Information promised in reply to parts (a) and (b) of unstarred question No. 52 asked by Mr. N. M. Joshi on the 7th September, 1937.

PENSIONERS APPOINTED AS POST MASTERS AND SUB-POST MASTERS.

(a) Number of pensioners appointed as extra departmental sub and branch postmasters during—

1934-35	258
1935-36	238
1936-37	257

(b) Total number of pensioners employed at present* as extra departmental sub and branch postmaster=881.

*N.B.—The figures are monthly for October, 1937.

Information promised in reply to parts (b), (c) and (d) of starred question No. 360 asked by Mr. Sri Prakasa on the 8th September, 1937.

CONTRACT FOR PARKING OF EKKAS OUTSIDE THE BENARES CANTONMENT RAILWAY STATION.

(b) Ekkas may be parked on railway land outside the Benares Cantonment Station on payment of three pias per day. No charge was made prior to 1933.

(c) From June 1933 : Rs. 240 per annum.

(d) Rs. 624.

Information promised in reply to starred question No. 385 asked by Seth Govind Das on the 8th September, 1937.

REDUCTION IN THE PRICE OF THE INDIAN RICE.

(a) No information is available regarding the freight rate for rice from Rangoon to Bombay in the year 1919. The rate in the year 1920 was in the neighbourhood of Rs. 18 per ton.

(b) The freight rate in September, 1937, was Rs. 9-12-0 per ton net.

(c) It is understood from the Scindia Steam Navigation Company that there is no rate competition between that Company and any other shipping company in respect of rice.

(d), (e) and (f). In view of the position stated under part (c) above, no action on the part of Government is called for.

Information promised in reply to part (d) of starred question No. 400 asked by Mr. Lalchand Navalrai on the 8th September, 1937.

RECRUITMENT OF SINDHIS ON THE NORTH WESTERN RAILWAY.

Statement showing the Number of Candidates belonging to the Sindh Province selected for Employment as Commercial Group and Station Master Group Students and posted to Karachi Division during 1935 and 1936.

Name of Division.	Commercial Group Students.				Station Master Group Students.			
	Selection Board held on 15th February, 1935.	Selection Board held on 13th September, 1935.	Selection Board held on 12th February, 1936.	Selection Board held on 14th September, 1936.	Selection Board held on 16th May, 1935.	Selection Board held on 13th September, 1935.	Selection Board held on 13th February, 1936.	Selection Board held on 15th September, 1936.
Karachi	1	1	2		2	1	2	

Information promised in reply to starred question No. 440 asked by Mr. Badri Dutt Pande on the 10th September, 1937.

INDIANS IN BRITISH GUIANA.

(a) A petition on this subject was received by the Secretary of State for the Colonies from one Seemongal Maraj, who claimed to represent some 6,000 Indians of the Colony.

(b) It is not possible to gather this information about each of the 6,000 persons said to have been represented.

(c) The Government of India have no such information.

(d) The Government of India understand that the answer to the first part is in the negative. The second part does not arise.

Information promised in reply to starred question No. 461 asked by Mr. T. S. Avinashilingam Chettiar on the 10th September, 1937.

COST OF ADDITIONAL PERSONNEL IN THE GOVERNMENT OF INDIA DEPARTMENTS.

(a) Yes.

(b) and (c). The attached statement gives the required information.

Statement showing the Secretariat Departments of the Government of India in which Additional Personnel has been sanctioned since the 1st April, 1937, the Reasons for the Entertaining of the Extra Personnel and the Cost thereof during 1937-38. (Sanctions accorded before the 10th September, 1937).

Name of Department.	Reasons.	Total cost during 1937-38. (Approximate).	Remarks.
		Rs.	
1. Legislative Assembly Department.	Sanctioned on the recommendation of the President of the Legislative Assembly in order to meet increased pressure of work.	16,080	
2. External Affairs Department.	For work connected with, the Quetta Earthquake, Afghan Refugees, Afghan Precip and revision of Aitchison's Treaties, Passport Manual, revision of Consular Procedure Book and general increase of work.	17,600	
3. Department of Commerce.	For work connected with the Indo-British Trade negotiations, investigation into the question of assistance needed by minor industries in India against foreign competition, examination of proposals for legislation connected with the Registration of Trade Marks, meetings of the Select Committee on the Insurance Bill and general increase of work in the Department of Commerce.	26,480	
4. Military Finance Department.	Creation of a temporary post of Additional Financial Adviser for about 2½ months in order to meet administrative convenience.	7,340	
5. Imperial Council of Agricultural Research Department.	Increase in work	38,500	
6. Finance Department (Ordinary Branch).	Increase of work in the Department	67,270	
7. Department of Education, Health and Lands.	Increase of work	13,000	
8. Home Department	To deal with the question of recruitment of officers for the other Departments of the Central Government and for work connected with the introduction of constitutional reforms.	62,620	
9. Department of Industries and Labour.	1. Increase in the work of the Consulting Engineer to the Government of India (Roads) and for the work of the Indian Roads Congress. 2. General increase of other work.	9,110	
	Total	2,58,000	

Information promised in reply to parts (c), (d), (e) and (g) of starred question No. 492 asked by Mr. Ram Narayan Singh on the 13th September, 1937.

RAILWAY ACCIDENT AT BIHTA ON THE EAST INDIAN RAILWAY.

(c) There were nine women, one child and two railway servants amongst those who died as a result of the Bihta Accident. There were no European amongst the dead.

(d) With the exception of three dead persons, viz., (1) Lalji Sahay, (2) Alidad Khan, Travelling Ticket Examiner, and (3) Sheo Sakal Tewary, a Constable of G. B. P., Dinapore, who were identified at the site of accident, and of 14 out of a total of 16 persons who died subsequently in Hospitals, the remainder of the dead were not identified before their bodies were disposed of. Photographs, however, were taken of all the dead for purposes of identification, and the Government Railway Police are taking every step calculated to establish their identities. Photographs of those not identified have been sent to all the Provinces and to the Congress Association for the purpose of identification.

(e) On discharge from Hospital, the injured persons were provided with free passes to their destinations as well as travelling expenses according to their status.

(g) All property recovered at the site of the accident was taken charge of by the Police and a special Magistrate was deputed to arrange its disposal. No reports have been received to indicate that any looting or theft took place.

Information promised in reply to unstarred questions Nos. 79, 80, and 81, parts (a) and (b), asked by Mr. Ram Narayan Singh on the 13th September, 1937.

RACIAL DISCRIMINATION IN FACILITIES OFFERED TO DINING CAR CONTRACTORS ON THE NORTH WESTERN RAILWAY.

Unstarred question No. 79.—The Agent, North Western Railway, states that the Indian refreshment cars are more profitable than the dining cars for first and second class passengers, and that, therefore, there is no necessity for subsidising the former by paying for cleaners and contributing towards the supply and maintenance of utensils and table equipment. This method of subsidising will be withdrawn as soon as the Administration is satisfied that it is no longer necessary.

There is no discrimination as between European and Indian contractors; the contract for first and second class dining cars now held by an European firm was previously held by an Indian firm who received, in addition to what the European firm now gets a subsidy of Rs. 100 per dining car per mensem.

RACIAL DISCRIMINATION IN THE GRANT OF PASSES TO VENDORS AND CATERING CONTRACTORS ON STATE RAILWAYS.

Unstarred question No. 80.—*East Indian Railway.*—Passes are issued to all catering contractors and vendors, the number varying according to the extent of the area within which the contractor operates. There is no racial discrimination or differential treatment.

Eastern Bengal Railway.—Passes are issued to contractors as considered necessary to enable them to conduct their business, e.g., they are not given to station vendors where the foodstuffs they vend are available locally, but they are given to contractors who have to obtain their supplies from other stations.

There are no European catering contractors, and the question of racial discrimination does not, therefore, arise.

Great Indian Peninsula Railway.—Passes are not issued to vending contractors, licensed to supply meals or light refreshments at food or tea stalls, but are given to refreshment room contractors holding licenses at more than one station, and to restaurant and/or buffet car contractors to enable them to exercise adequate supervision.

There is no racial or other discrimination.

North Western Railway.—Passes are not issued to vending contractors. As regards other catering contractors, the Honourable Member is referred to the reply given to Pandit Nihakantha Das' question No. 360 on the 3rd February, 1937.

There is no racial discrimination or differential treatment.

RACIAL DISCRIMINATION IN THE GRANT OF PASSES TO CATERING CONTRACTORS ON THE NORTH WESTERN RAILWAY.

Unstarred question No. 81.—(a) and (b) The statements required by the Honourable Member are appended.

STATEMENT A.

Statement showing Passes granted and subsequently withdrawn from Catering Contractors.

Names of the Contractors.	Stations at which the Contractor is running the Refreshment Rooms.	Particulars of the passes granted prior to 1st February, 1937 and since withdrawn.	Reasons for withdrawal.
1. Messrs. Bishan Singh & Bros., Hindu Refreshment Room Contractor.	Ambala Cantt. & Saharanpur.	One II class available between Lahore and Saharanpur. One Inter class available between Lahore and Saharanpur.	Different members of the same family are working the Refreshment Rooms. In such cases there is, therefore, not the same necessity for supervision and inspection by an agency from an outstation as in the case of refreshment rooms managed by servants. Besides this, these Refreshment Rooms are considered sufficiently remunerative to pay for any such little checking or supervision that may appear necessary.
2. Messrs. Sant Singh & Son, Hindu Refreshment Room Contractors.	Kalka, Barog and Wazirabad.	One II class available between Barog and Wazirabad. One Inter class available between Barog and Wazirabad.	Ditto.
3. Mr. Rahim Bux, Mohammdan Refreshment Room Contractor.	Ambala Cantt. & Saharanpur.	One Inter class available between Ambala Cantt. & Saharanpur.	Ditto.
4. Mr. Imam Din, Refreshment Room Contractor.	Jakhal and Sampla.	One Inter class available between Jakhal and Sampla.	Ditto.
5. Mr. Mazar Mohd., Mohammdan Refreshment Room Contractor.	Barog and Jullundur.	One Inter class available between Barog and Jullundur.	Ditto.
6. Messrs. Mohd. Khan & Sons, Mohammdan Refreshment Room Contractors.	Wazirabad, Rohri and Khanpur.	One II class available between Wazirabad and Rohri. One Inter class available between Wazirabad and Rohri.	Ditto.
7. Messrs. Gurdit Singh & Sons, Hindu Refreshment Room Contractors.	Lal m u s a, Malakwal & Khanewal.	One II class available between Khanewal, Malakwal and Lal m u s a. One Inter class available between Khanewal, Malakwal and Lal m u s a.	Ditto.

Names of the Contractors.	Stations at which the Contractor is running the Refreshment Rooms.	Particulars of the passes granted prior to 1st February, 1937 and since withdrawn.	Reasons for withdrawal.
8. Messrs. Wadhoo Mall & Sons, Hindu Refreshment Room Contractors.	Hyderabad, Rhori and Khanpur.	One II class available between Hyderabad and Khanpur.	Different members of the same family are working the Refreshment Rooms. In such cases there is, therefore, not the same necessity for supervision and inspection by an agency from an outstation as in the case of refreshment rooms managed by servants. Besides this, these Refreshment Rooms are considered sufficiently remunerative to pay for any such little checking or supervision that may appear necessary.

STATEMENT B.

Statement showing Stations where there are Refreshment Rooms and Tea Rooms worked in European Fashion by Indian Contractors known as Khansamahs.

List of Refreshment Rooms.

Serial No.	Stations.	Names of Contractors.
1	Abohar	Nand Lal Farrukh S/o Dhannoo Ram.
2	Bahawalnagar	Abdul Rehman S/o Wazir Mohd.
3	Bostan	Abdul Ghani.
4	Darya Khan	Mohd. Din S/o Kaloo.
5	Daud Khel	M. Nabi Bux S/o Taja Khan.
6	Harnai	M. Abdul Ghani.
7	Havelian	Ahmedji.
8	Hindubagh	M. Abdul Ghani.
9	Hyderabad (Sind)	Jalal Din S/o Mohd. Bux.
10	Jakhal	Imam Din S/o Ali Sher Khan.
11	Jind	Nawab Khan S/o Nadar Ali.
12	Khanewal	Ghulam Rasul.
13	Khushab	Allalok.
14	Kundian	Mohd. Suleman S/o Mian Bux.
15	Laki Marwat	Ghulam Hussain S/o Alla Ditta.
16	Lodhran	Ghulam Hussain.
17	Lyallpur	Mane Khan.
18	Mahmud Kot	Ghulam Sarwar Khan.
19	Malakwal	Qammer Din Nazir-ud-Din.
20	Mandra	Ghulam Rasul S/o Juma Khan.
21	Mari Indus	Nabi Bux S/o Toja Khan.
22	Montgomery	Ghulam Mohd. S/o Qasim Ali.
23	Multan Cantonment	Mancherji.
24	Ruk Jn.	Mohd. Ali S/o Mohd. Amin.
25	Samasta	Qammer Din S/o Qaimuddin.
26	Sangla Hill	Ksura Khan.
27	Sargodha	Messrs. Qammeruddin Nazir-ud-Din and Sons.
28	Shorkot Road	Abdul Majeed.

List of Tea Rooms.

Serial No.	Names of Stations.	Names of Contractors.
1	Gujar Khan	Mohd. Amir Alam.
2	Gujranwala Town	Messrs. Mohd. Khan and Sons.
3	Guler	Messrs. Teja Singh Bhan Singh.
4	Jammu (Tawi)	Messrs. Mohd. Khan and Sons.
5	Jand	Kallan, S/o Mirza Ahmad Beg.
6	Jullundur Cantonment	M. Nazir Mohd. and Bros., S/o H. Lal Mohd.
7	Karnal	Fazal Hussain.
8	Kasur	Alam Shah, S/o Syed Rajan Shah.
9	Meerut Cantonment	Noor Mohd., Tea Room Khansama.
10	Muzaffarnagar	Nazir Ali, S/o Akbar Ali.
11	Palampur (Punjab)	Messrs. Teja Singh Bhan Singh.
12	Panipat	M. Fazal Hussain, S/o Fida Hussain.
13	Sampla	Imam Din (Tea Room Khansama).
14	Sialkot	Messrs. Mohd. Khan and Sons.
15	Sohawa	Mohd. Amir Alam.

Information promised in reply to parts (a) and (b) of starred question No. 550 asked by Mr. Kuladhar Chaliha on the 15th September, 1937.

POST OFFICES OPENED AND CLOSED IN RURAL AREAS.

(a) *Post and Telegraph Offices in rural areas—*

	Opened.	Closed.
1935-36	302	48
1936-37	678	32

(b) *Post Offices opened in the partially excluded and excluded areas in Assam—*

	Excluded areas.	Partially excluded areas.
1935-36	Nil.	Nil.
1936-37	1	Nil.

Information promised in reply to starred questions Nos. 579, parts (b) and (c), and 580 asked by Babu Kailash Behari Lal on the 16th September, 1937.

LICENCES GRANTED TO VENDORS ON RAILWAY STATIONS IN BIHAR.

Starred question No. 579.—(b) The Agent, East Indian Railway, states that the system of granting licences to indigenous vendors of foodstuffs has been in force continuously for many years past, except on the Dinapore Division and partly on the Howrah Division. The position in regard to these Divisions was explained in the reply given to part (a) of the Honourable Member's question. The present arrangements on the Dinapore Division were introduced early in 1934, whilst the area contract on the Howrah Division has been operating since 1932.

The Agent of the Bengal and North Western Railway states that wholesale licences are not given to any one contractor, and that there has been no change in the system during the last few years.

(c) No Punjab firm has been granted a contract for vending at stations in Bihar on the East Indian and Bengal and North Western Railways.

NAMES AND ADDRESSES OF THE PERSONS KILLED IN THE BIHTA TRAIN DISASTER.

Starred Question No. 580 —(a) and (b) The following methods were adopted to determine the names and addresses of the persons that were killed :

- (i) Letters were written to the relations whose addresses were found on the bodies or in their luggage.

- (ii) Congress authorities and the Press were informed of these addresses.
- (iii) Photographs have been sent to all the Provinces.
- (iv) Photographs of the unidentified dead bodies have been kept at the Government Railway Police Station, Patna Junction, and with the Magistrate-in-charge of the properties at Pirbahore, Patna, and also at Congress Headquarters at Sadaqut Ashram, Patna, where they are freely shown to any body who comes to see them.
- (c) Names and addresses of 53 persons who died have so far been ascertained.
- (d) A statement giving names and addresses of the persons killed as far as ascertained is annexed.

Statement showing Names and Addresses, so far as ascertained, of the persons killed in the Bihta Train Disaster on 17th July, 1937.

Serial No.	Names.	Addresses.
1	Probhas Chandra Bhomic . . .	Parmatina Bhomic, M. Sura Koan, Benares. Father of the deceased.
2	Rudreshwari Prasad Verma . . .	} Identified by Pande Narsingh Sahay, P. P., Patna.
3	Jugeshwari Prasad Verma . . .	
4	Gaya Prasad Verma . . .	
5	Ramsahay Ahir . . .	
		Ramsuwaran Ahir of Fatehpur Saraiya, P. S. Kotwali Fyzabad. Brother of the deceased.
6	Badruddin . . .	Md. Ibrahim, T. N. T. Office, B. N. Railway, Tatanagar. Son of the deceased.
7	Must. Taro, w/o Suman Singh . . .	Arjun Singh of Saryali Kalan, P. S. Saryali, Amritsar. Nephew of the deceased.
8	Hazara Singh . . .	Labh Singh of Butala, P. S. Bias, Amritsar. Father of the deceased.
9	Gujjar . . .	Indu of Ghasi-Kaleri, P. S. Batala, Dist. Gurdaspore. Brother of the deceased.
10	Janda Singh . . .	Labh Singh vide Serial No. 8.
11	Ramkisun . . .	Sokhu Dhoi of Motihi, P. S. Ganwar, Dist. Ballia. Brother of the deceased.
12	Ramanand and his . . .	} Sheonandan Koeri of Sahatwar, P. S. Sahatwar, Dist. Ballia. Brother of No. 12.
13	Wife . . .	
14	Santa Kurmi . . .	
		Gupta Kurmi of Sribali Singh, Katnawari, P. S. Dhanepur, Dist. Gonda.
15	Habibullah . . .	Garibullah of Shankerpur, P. S. Lambooa, Dist. Sultanpur.
16	Sahamat . . .	Brother of Mukhmin and cousin of No. 15 (Habibullah).
17	Macdolene Christian . . .	Slyvester of Bettiah, P. S. Bettiah, Dist. Saran. Husband of the deceased.
18	Chamru . . .	Mohammed Ali of Gahmar, P. S. Gahmar, Dist. Ghazipur. Cousin of the deceased.
19	Sarda Prasad Missir . . .	Sarju Prasad Missir of Bharauli, P. S. Shahpur, Dist. Shahabad. Brother of the deceased.
20	Md. Tandel . . .	Ramjan, s/o Rahim Bux of Enauhna, P. S. Sheoratananj, Sultanpur.
21	Sheosakal Tewary, Constable No. 181, G. R. P., Dinapore.	G. R. P. Staff.
22	Mosatt. Sahidan, w/o Dil Mohamed of Khaje-Kallan, Patna.	Yusuf, aged about 11 years, son of the deceased.
23	Abas Ali, s/o Abdul of Suleman, P. S. Patti, Dist. Partabgarh.	Garibullah—brother of his brother-in-law.
24	Most. Bhago, w/o Sardar Bhagat Singh of Khagwara Reasat Kapurthala, Jaunpur.	Butan Singh—son of the deceased.

Statement showing Names and Addresses, so far as ascertained, of the persons killed in the Bihta Train Disaster on 17th July, 1937—contd.

Serial No.	Names.	Addresses.
25	Nemo Christian, w/o Gujjar Singh.	Uddi Christian of Kachkahar, P. S. Wareta, Gurdaspur. Brother of the deceased's husband.
26	Mosst. Mukhimin, w/o Qyum Mian	Shahzadi, w/o Kali Mian of Singhara, U. P.
27	Mr. William Raha, No. 45, Cantonment Road, Lucknow.	Miss Raha, Lady Doctor of Ranchi Hospital. Sister of the deceased.
28	Bithalram Dusadh	Mosst. Laro, Moh-Sultanpur, P. S. Kotwali, Dinapore, Patna.
29	Ganpat Singh	Parma Sanker, s/o the deceased Ganpat Singh, Vill. Dulhapur, P. S. Dhanepur, Gonda.
30	Pandohi Dubey, s/o Ramanand Dubey, deceased was a peon in D. M. O.'s Office, Howrah.	Surju Dubey, s/o Ramanand Dubey, Vill. Phurhun, P. S. Ganri, P. O. Baksundi, Gorakhpur.
31	Mohsin, s/o Habibullah	Habibullah of village Koeripur, P. S. Badla-pur, Dist. Jaunpore. Father of the deceased.
32	Muzafer Khan, s/o Sarai Khan of Kochmuch, P. S. and Dist. Sultanpur.	Bandhu Khan of Vill. Chhatauna, P. S., P. O. and Dist. Sultanpur. Sarhoo of the deceased.
33	Maryam, w/o Mohsin	Habibullah vide No. 32, Father-in-law of the deceased.
34	Nanhu Khan	Most. Piran of Nehalgarh, P. S. Jagdispur, Dist. Sultanpur, wife of the deceased.
35	Idris Khan, s/o Dina	Wali Md., s/o Chamru of Karuni, P. S. Sultanpur Dist. Cousin of the deceased.
36	Durga Pd. Kalwar	Lachminarain of Baghara Sonarpur, P. S. Bhalupur, Dist. Benares, House No. 7/218. Son of the deceased.
37	Satnarain Rajbhar, s/o Lakhon Roy of Vill. Gurasra, P. S. Bhadaura, Dist. Ghajipur.	Pergas, s/o Ram Lakhon of Vill. Gurasra, P. S. Gahmour, P. O. Badhaura, Dist. Ghazipur. Brother of the deceased.
38	Jokhu Kurmi	Jogrup Kurmi of Vill. Barkati, P. S. Dulhapur, Dist. Gonda. Son of the deceased.
39	Md. Hanif, s/o Md. Safi of Vill. Enhauna, P. S. Sheo-Ratanganj, Dist. Sultanpur.	Md. Safi—father of the deceased.
40	Md. Ishaque, s/o Abdul Ghani of Enhauna, P. S. Sheoratanganj, Dist. Sultanpur.	Abdul Ghani—father of the deceased.
41	Chingu Kahar, s/o Pala Kahar of Enhauna, P. S. Sheo-Ratanganj, Dist. Sultanpur.	Mosst. Maharaja Kaharin, mother of the deceased.
42	Aliar Kahar, s/o Gokhul Ram	Moh. Dakhintola, P. S. Dumraon, Shahabad.
43	Murad Singh, s/o Uttam Ram	Vill. Samtaran, Dist. Hussainpur, Punjab.
44	Mosst. Singhara	C/o Manlal Bania, Khosihalganj, P. O. and P. S. Maya, Fyzabad.
45	Alijan, Driver	E. I. Rly. Loco Shed, Moghalserai.
46	Ram Pratap Chhokra aged about 4 years.	Identified by Ram Sumeru Baola s/o Budhu, Fatehpur Sarala, Fyzabad.

Statement showing Names and Addresses, so far as ascertained, of the persons killed in the Bihta Train Disaster on 17th July, 1937—concd.

Serial No.	Names.	Addresses.
47	Kali Prasad Pande, s/o Keshwar Pande.	Bhaluhipur, P. S. Arrah Town, Shahabad.
48	Alidad Khan	T. T. E., E. I. R., Dinapore.
49	Laljee Sahai	Arrah.
50	Makhan Singh	C/o Tej Singh, Vill. and P. O. Batora, P. S. Beas, Dist. Amritsar.
51	Ram Garaj Gour, s/o Pergas Ram, Vill. Garasra, P. S. Gahmar, P. O. Badhaura, Dist. Ghazipur.	Pergas Ram, s/o Bhagallo Ram, Vill. Gurasra, P. S. Gahmar, P. O. Bhadaura, Dist. Ghazipur. Father of the deceased.
52	Abdul Shakoor	Vill. Anaitpur, P. S. Korever, Dist. Sultanpur.
53	Kehar Singh, s/o Nahar Singh	Vill. Badwal, P. S. Ludhiana, Dist. Ludhiana.

Information promised in reply to starred question No. 584 asked by Mr. Ram Narayan Singh on the 16th September, 1937.

LACK OF ARRANGEMENT FOR SUPPLY OF WATER ON STATIONS ON THE PATNA GAYA BRANCH AND SOUTH BIHAR RAILWAY.

Enquiries indicate that the arrangements for the supply of drinking water are adequate. The following statement shows the permanent and temporary staff provided during the hot weather at stations on the Patna-Gaya and South Bihar lines :—

	Permanent.		Temporary.	
	Hindu Waterman.	Bhisty.	Hindu Waterman.	Bhisty.
<i>Patna-Gaya Line.</i>				
Poonpoo	1	..	..	..
Taregna	1	1	..	..
Jehanabad	1	1	1	1
Makhdumpur	1	1	..	..
Bela	1	..	..	..
Chakhand	1	1	..	..
<i>South Bihar Line.</i>				
Luckeesera	1	1	..	..
Sheikhpura	1	1	..	..
Kashichak . . . . .	..	..	1	..
Warisaliganj	1	..	..	..
Nawadah	1	1	1	1
Tilaiya	1	..	..	..
Wazirganj	1	..	..	..

2. It may be added that the proposals for the posting of additional staff during the hot weather months were circulated to the members of the Calcutta Local Advisory Committee at the meeting held on the 30th April, 1937.

Information promised in reply to parts (a) to (d) of unstarred question No. 96 asked by Mr. C. N. Muthuranga Mudaliar on the 16th September, 1937.

FREIGHT ON BETEL LEAVES ON THE SOUTH INDIAN RAILWAY.

(a) Prior to the 31st May, 1917, betel leaves, booked at owner's risk, were charged at half parcels rates and from the 1st June, 1917, at full parcels rates. When the latter rates were enhanced in February, 1921, the 1917—1921 scale was retained for betel leaves. It was reduced by about 15 per cent. with effect from the 1st January, 1929. From the 1st May, 1931, the 1929 scale was enhanced by about 15 per cent. and there has been no change since. The scale now applicable is published on pages 254-255 of the Indian Railway Conference Association Coaching Tariff No. 11, a copy of which is in the Library of the House.

Special rates equivalent to about half parcels rates are quoted between certain points on the South Indian Railway.

(b) Yes.

(c) Government have no information on the point.

(d) Up to the 31st May, 1917, betel leaves were included in the list of commodities, all perishables, charged at half parcels rates. It is now included in another list, also of perishables, charged at rates higher than half parcels, but lower than full parcels.

Information promised in reply to unstarred question No. 103, asked by Mr. Amarendra Nath Chattopadhyaya on the 16th September, 1937.

APPLICATIONS INVITED FOR THE POST OF ASSISTANT INSPECTOR IN THE WATCH AND WARD DEPARTMENT OF THE EAST INDIAN RAILWAY.

Government are informed as follows :

(a) Yes.

(b) After the Selection Committee had sorted the applications and decided who should be called for an interview, letters were despatched to those who were not to be called to advise them that their applications had not met with success. Unfortunately instead of telling these people that they had not been selected, they were told that the post had been filled, which at the time of writing the letter was not correct.

(c) As regards the first part, Government do not consider that any disciplinary action is called for. As regards the second part, the name of the person selected for appointment to the post of Assistant Inspector in the Watch and Ward Department is Mr. D. T. Campbell.

(d) As regards the first part, no particular educational qualifications were demanded, the only condition being that preference would be given to men with Police or Army experience. As regards the second part, the person selected had Police experience.

(e) In view of the reply to part (b) above, this does not arise.

Information promised in reply to starred questions Nos. 677 and 678 asked by Khan Sahib Nawab Siddique Ali Khan on the 21st September, 1937.

GOODS RETURNS OF OTHER THAN CLEARING HOUSE TRAFFIC.

Starred question No. 677.—(a) Yes.

(b) The volume of work in the last period of the month has increased, the periods now being from the 1st to the 10th, from the 11th to the 20th and from the 21st to the end of the month as against the 1st to the 12th, the 13th to the 24th and the 25th to the end of the month previously.

(c) As regards the late receipt of returns and invoices the reply is in the negative. Regarding the issue of Division sheets it may be pointed out that records beyond three years are not available. Prior to the accounts for February, 1937, the division sheets for the last period of each month were mostly issued late but from the accounts for February, 1937, the Division sheets are being issued on due date.

(d) No difficulty has been experienced because such of the returns as come very late are held over to be accounted for in the next period.

(e) No, the time of seven days stands as before.

(f) The question does not arise.

(g) The number of clerks engaged is the same as before. The question of finishing seven days' work in four days does not arise as explained in (d) and (e) above.

NON-RECEIPT OF FOREIGN PASSENGERS CLASSIFICATION OF CERTAIN STATIONS ON THE EAST INDIAN RAILWAY IN THE RAILWAY CLEARING ACCOUNTS OFFICE.

Starred question No. 678.—(a) This happened in the case of one station only—Barakar.

(b) The failure of the station to comply with the Standing Orders was brought to the notice of the Divisional Superintendent concerned.

(c) It is true that the Inspector of Coaching and Goods, East Indian Railway, found out that there was a fraud at the station; the Station Master was afterwards found guilty and punished by a Court of Law. There is, however, no foundation for saying that there had been any forging of accounts in the Railway Clearing Accounts Office.

(d) The question does not arise.

Information promised in reply to part (b) of unstarred question No. 139 asked by Mr. Ram Narayan Singh on the 21st September, 1937

GRANT OF PASSES TO REFRESHMENT ROOM CONTRACTORS ON THE NORTH WESTERN RAILWAY.

(b) (i), (ii) and (iv) The Honourable Member is referred to statement A appended to the further reply since given to his question No. 81 of the 13th September, 1937.

(b) (iii) All the rooms referred to are open for all classes of passengers.

Information promised in reply to unstarred questions Nos. 139, 142 and 143 asked by Mr. Amarendra Nath Chattopadhyaya on the 21st September, 1937.

WATCH AND WARD DEPARTMENT OF THE EAST INDIAN RAILWAY.

Unstarred question No. 139.—Government are informed as follows :

(a) (i), (ii) and (iii) Yes.

(b) (i), (ii) and (iii) Yes.

(b) (iv) and (c) Traffic staff found responsible have been punished and made to contribute. Watch and Ward staff have been punished when they are found responsible but, for reasons of policy, not in the form of being made to contribute to losses which may have occurred on account of their negligence.

(d) and (e) If the Honourable Member will mention any specific cases, they will be examined.

(f) In view of the reply to part (c) above, this does not arise.

OFFICE BEARERS OF INSTITUTES ON THE EASTERN BENGAL RAILWAY.

Unstarred question No. 142.—Government are informed as follows :

(a) and (b) Yes.

(c) (i) Yes; provided the circumstances of the case warrant this in the opinion of the Administration.

(ii) Railway Administrations pay the subsistence allowances of their servants while under suspension for whatever cause.

(iii) No.

(iv) No.

SUPPLY OF COAL TO DRIVERS ON THE EASTERN BENGAL RAILWAY.

Unstarred question No. 143.—(a) No.

(b) Shortages are shown by the Calcutta District in common with all other Districts.

(c) Does not arise.

Information promised in reply to unstarred questions Nos. 148, 153, 154 and 155 asked by Mr. Muhammad Azhar Ali on the 21st September, 1937.

JOINING OF RAILWAY UNIONS AND FEDERATIONS BY RAILWAY EMPLOYEES.

Unstarred question No. 148.—(a) Government have since seen a copy of the paragraph of the East Indian Railway Gazette referred to.

(b) No such notifications have been issued by the Agents, Eastern Bengal and North Western Railways, as they did not consider it necessary to do so. Government are informed that the Agent, Great Indian Peninsula Railway, notified to staff, in 1932 through the weekly notices, certain terms in connection with the recognition of one of the Unions, relevant extract of which is laid on the table.

(c) So far as the State-managed Railways are concerned, Government are informed that there is no such prohibition. The other parts of the question do not arise.

An Extract from a Weekly Notice issued by the Agent, Great Indian Peninsula Railway, in 1932.

"The policy of the administration has been to facilitate the development of trade Unions on constitutional lines. In pursuance of this policy, recognition was accorded to the Great Indian Peninsula Railway Workers' Union at the commencement of this year (1932) and various concessions were granted to assist the Union in becoming an efficient medium of representation between the staff and the Administration."

NON-PAYMENT OF CERTAIN ALLOWANCES TO TEMPORARY GUARDS IN THE DELHI DIVISION OF THE NORTH WESTERN RAILWAY.

Unstarred question No. 153.—Government are informed as follows :

The practice of granting out of headquarters (daily) allowance to station staff put out to work as guards temporarily was not uniform on all the divisions of the North Western Railway. Instructions have now been issued to Delhi Division to grant this allowance to the staff concerned.

NON-PAYMENT OF CERTAIN ALLOWANCES TO TEMPORARY GUARDS IN THE DELHI DIVISION OF THE NORTH WESTERN RAILWAY.

Unstarred question No. 154.—Government are informed that, hitherto, except on one Division mileage allowance, earned by members of station staff put to work temporarily as guards, has not been counted as part of pay for calculating leave salary. Orders are being issued that mileage earned by station staff put to work temporarily as guards should not count as part of pay for calculating leave salary, except when the period exceeds 21 days.

**WAITING ROOM CHARGES LEVIED BY MESSRS. G. F. KELLNER AND COMPANY,
REFRESHMENT ROOM CONTRACTORS ON THE EAST INDIAN RAILWAY.**

Unstarred question No. 155.—An extract from a letter from the Catering Manager of the refreshment room contractors is placed on the table.

Extract from letter No. 15, dated the 29th October, 1937, from the Catering Manager, Messrs. G. F. Kellner & Co., Ltd.

There appears to be a misunderstanding in connection with this particular cash bill. In the first place the "W" which is alleged to have been written on the cash bill in question, is actually intended to be a "U"—which implies "Undercharge". There is no such thing as a "Waiting Room" charge and under no circumstances whatever is any additional charge ever made when serving passengers in Waiting Rooms.

As a matter of fact, except in very exceptional circumstances, passengers are not supplied with meals or refreshments in the Waiting Rooms at Howrah. We believe there is a Station order in force to this effect. In case however of illness or disability this rule is naturally waived, but as the Waiting Room at Howrah was at that time a combined 1st and 2nd class, any such supplies made to passengers in the Waiting Room, were charged at 1st class rates.

In the case in question, a cup of tea with milk and sugar separate, was supplied to a passenger in the Waiting Room and the cash bill was in error made out for one anna only, which is the 2nd class rate, and when this mistake was discovered an additional entry was made on the original cash bill for an undercharge of one anna, which brought the total of the bill to two annas, the correct 1st class rate for the tea supplied.

Information promised in reply to unstarred question No. 159 asked by Mr. Kuladhar Chaliha on the 21st September, 1937.

**IMPROVEMENTS MADE IN THIRD AND INTERMEDIATE CLASS COMPARTMENTS ON
THE ASSAM-BENGAL RAILWAY.**

(a) Yes. The subject was discussed in detail at a meeting of the Local Advisory Committee and full consideration was given to the members' proposals.

(b) Cushions of an improved type have been provided in the existing intermediate class compartments. It is also proposed to build an improved type of intermediate class compartments accommodating six passengers. These will be provided with cushions in the upper berths and mirror and wash basins in the lavatories.

Third class carriages of a new type with transverse seats are being built.

520 intermediate and third class carriages have been provided with lights in lavatories and the sizes of 64 lavatories of such carriages have been increased to the standard size of 12 sq. ft.

(c) No, as the provision of electric fans in intermediate class compartments is not financially justified under present conditions.

(d) Paragraphs are inserted in the Assam Bengal Railway Weekly Gazette from time to time inculcating the spirit of service to the public and in the "Staff Manual" instructions on the same subject have been issued to the staff. Government are informed that there is no reason or justification for assuming that a reasonable time is not given to women, children and workers to board trains at wayside stations.

Information promised in reply to starred questions Nos. 711 and 712 asked by Rai Bahadur Seth Bhagchand Soni on the 22nd September, 1937.

MUNICIPAL ELECTIONS IN AJMER.

Starred questions Nos. 711 and 712.—The Honourable Member is referred to the following extract from a speech given by the Chief Commissioner of Ajmer-Merwara, on the 8th October, 1937.

3. On an occasion like this I think it desirable to refrain from references to political matters, but as there is one question which is greatly exercising the minds of the Ajmer public I may be pardoned for alluding to the matter of the Municipal elections.

You have said in your address that "perhaps the Municipal Electoral Rules need a revision in order to bring them into line with progressive ideas". You are aware that I had decided to introduce an elected Municipal Committee on the 1st of April, 1938. When I made that decision the question of the electoral rules under which the election would be conducted had not arisen, and no proposal had been received from the Municipal Committee for any change in those rules. I have now received, however, a number of strongly worded applications from various organizations and persons in the city of Ajmer asking that the new elections should be made on a wider franchise than that permitted by the present electoral rules. Both the Commissioner and myself are in favour of widening the franchise. I have, however, hesitated to order that the coming elections should be held under the new rules as this will involve a postponement of the elections. Not only is it proposed by the Municipal Committee to alter the electoral rules but also to alter the constitution of the Committee and to overhaul completely the present system of distributing the town into wards.

4. The two latter changes will be of a most contentious nature, and their consideration will take much time before a solution can be arrived at which is both just and acceptable to the bulk of the people. In view, however, of the widespread request that the elections shall be conducted under new electoral rules even though some delay is involved, I have decided to amend the rules before holding the elections. In the words of the Presidents of the three Associations, namely, the Kaiserganj Merchants' Association, the Traders' Association and the Madar Gate Shop-Keepers' Association "no harm will be done if the period of the nominated Committee is extended by a few months if that is considered necessary". I do not think that it will be possible to complete the changes in the constitution of the Committee, in the electoral rules and in the redistribution of the city into wards before at least six months. It will then be necessary to draw up the electoral rolls under the new rules. The life of the present Committee will therefore require to be extended for at least six months, but you may rest assured that no avoidable delay will be made in carrying out the changes.

Information promised in reply to part (a) of starred question No. 767 asked by Dr. P. N. Banerjee on the 23rd September, 1937.

EMPLOYMENT OF PERSONS WITH QUALIFICATIONS IN ACCOUNTANCY AND COMMERCIAL SUBJECTS IN THE INCOME-TAX DEPARTMENT.

(a) A statement giving the number of officers with accountancy knowledge recruited since 1929 to date in the Income-tax Department in the various Provinces is enclosed herewith. It will be seen that in the majority of the Provinces there has been since 1929 a considerable increase in the recruitment of officers with accountancy knowledge.

Statement showing the Number of Officers with Accountancy knowledge recruited since 1929 in the Income-tax Department in the various Provinces.

Provinces.	Officers qualified to practise as Auditors under the Indian Companies Act.		Officers trained in Accountancy, e.g., those holding degree of B. Com.	
	1929.	1937.	1929.	1937.
United Provinces	1	..	..	8
Central Provinces	1	..	8	6
Bombay	5	19	..	40
Assam	..	1	..	3
Madras	1	5	1	26
Punjab	..	..	..	1
Bihar and Orissa	..	..	..	2
Bengal	5	17	..	19
TOTAL	13	42	9	105

Information promised in reply to starred question No. 772, asked by Mr. Sri Prakasa on the 24th September, 1937.

THIRD CLASS PASSENGERS AVAILING OF RESERVATION FACILITIES AT HOWRAH.

(a) On the figures for the first seven days of October, 1937, the average is 979 seats per day.

(b) The space provided for each reserved seat varies according to the design of the compartment in which the reservations are made, but Government understand that it is invariably more than the scheduled accommodation provided for an ordinary third class seat.

(c) Yes.

Information promised in reply to parts (b) and (d) of starred question No. 786, asked by Mr. Mohan Lal Saksena on the 24th September, 1937.

PARKING OF TONGAS AND *Ekkas* AT LUCKNOW JUNCTION STATION.

(b) The contract system was introduced at Lucknow in 1933 and the amount now paid by the contractor is Rs. 2,300 per annum.

(d) A copy of the agreement signed by the contractor is annexed.

ANNEXURE.

Agreement for control of horse-drawn vehicles, taxis, thelas cycles at Lucknow (Charbagh) Station.

Memorandum of an agreement between the Divisional Superintendent of the East Indian Railway, on behalf of the Governor General in Council, hereinafter, called the Divisional Superintendent, Lucknow, of the one part and Messrs. Abdul Haq, Jafar Khan, *Ekka* and Tonga Contractor, Charbagh, Lucknow, hereinafter called the "Contractor" of the other part.

1. The Contractor will pay Rs. 2,300 (Two thousands and three hundred) in advance in two instalments. The first instalment shall be paid on the date of signing the Agreement and the second instalment on 1st December 1937. The contract will automatically be cancelled if the amount is not paid by the specified dates.

The Contractor will pay Rs. 100 (One hundred) as security deposit for efficient working.

2. The Lessees hereby agree to allow the Licensee to collect taxes on hired vehicles at the following rates from 1st June, 1937 to 31st May, 1938 :—

	Rs.	as.	p.	
(a) Tonga .	0	0	6	} per day.
(b) <i>Ekka</i> .	0	0	3	
(c) Cycle . .	0	0	6	
				per trip. No charge will be made for the use of cycle stand provided near the Parcels Office.
(d) <i>Thela</i> . .	0	0	3	each per day.
(e) Taxi* . .	0	4	0	each per day.

3. The License will ordinarily be tenable for 12 months from 1st June 1937 but if at any time during the currency of the license, the Divisional Superintendent, Lucknow, decides for reasons which in his opinion, are sufficient to justify such a course, to terminate the License, he shall be at liberty to do so on giving the contractor one

* Serving as feeder to the Railway.

month's notice in writing without assigning any reason. The Contractor will thereupon peacefully relinquish the license. The decision of the Divisional Superintendent, Lucknow shall be final and binding and the Contractor shall have no right to appeal.

4. No passes will be issued by the railway for journeys.

5. The Contractor shall provide sweepers for the purpose of keeping the Tonga and Ekkas stands clean.

6. The Contractor shall provide at his own cost and expense cycle stands of a design which shall be subject to the approval of the Divisional Superintendent.

7. The Contractor shall be responsible for good behaviour of his servants who must be medically fit and also have their characters verified by the Police on payment of Rs. 2 per head as verification fee.

8. The Contractor shall be subject in all matters relating to this contract to the control of the Divisional Superintendent, Lucknow. Should the Contractor fail to comply with all or any of the conditions hereof, he shall be liable to pay at the discretion of the Divisional Superintendent, Lucknow a fine not exceeding Rs. 25 for each irregularity.

9. The Contractor shall employ men to assist in collecting taxes. His men shall appear always in clean clothes, each wearing a Khaki drill coat and pagree and a badge on his left arm. The badge and uniform shall be provided by the Contractor at his own cost.

10. The contract must not be sublet or assigned without the permission of the Divisional Superintendent.

11. The Contractor will be responsible for sending up Ekkas and Tongas in turn to pick up passengers in the Upper Class and Third Class porticoes at Lucknow station.

Any neglect on the part of the Contractor in this respect will be punishable by a fine not exceeding Rs. 25 in each case at the discretion of the Divisional Superintendent, Lucknow.

Sd./-

Contractor.

Sd./- R. MAIR,

Divisional Superintendent, Lucknow.

Witness—1. Sd./- A. AZIZ BEG.

2. Sd./- DWARKA PARSAD,

27/5/37.

Information promised in reply to unstarred question No. 172 asked by Mr. Kuladhar Chuliha on the 24th September, 1937.

APPEALS FROM OWNERS OF TEA ESTATES AND CASES SENT TO GOVERNMENT
BY THE INDIAN TEA LICENSING COMMITTEE.

(a) and (c). It is presumed that the Honourable Member wishes to have information regarding the representations submitted by tea estates to the Governor General in Council in connection with the allotment of tea export quotas by the Indian Tea Licensing Committee. A statement prepared on this basis is laid on the table giving the necessary particulars for the years 1933-34 to 1936-37.

(b) It is not known to what cases the Honourable Member is referring, but if he has in mind representations regarding tea export quotas sent by the Indian Tea Licensing Committee, there have been, so far as is known, no such cases, because

it is the duty of the tea estates themselves to submit their representations to the Governor General in Council. Government also understand that tea estates have been advised to that effect by the Licensing Committee.

Representations to the Governor General in Council in the matter of Allotment of Tea Export Quotas.

	1933-34.		1934-35.		1935-36.		1936-37.	
	Success-ful.	Reject-ed.	Success-ful.	Reject-ed.	Success-ful.	Reject-ed.	Success-ful.	Reject-ed.
North India			2	4	3	**14		***4 (includes 1 estate which also represented in 1935-36).
South India			*2	1 (Travancore garden).	*1	1 (Travancore garden).		
TOTAL	4	5	4	15	..	4

* These were late applications for quota.

** Includes 3 estates which also represented in 1934-35.

*** This figure includes a representation about illicit planting.

Information promised in reply to starred question No. 825, asked by Mr. S. Satyamurti on the 27th September, 1937.

BRITISH OFFICERS WITHOUT RANK AT THE WAZIRISTAN OPERATIONS.

(b) In a few instances Viceroy's Commissioned Officers were placed under the command, charge, or supervision of British warrant officers who were "stepped up" to act as King's commissioned officers and placed in command of supply units under the authority of orders issued by the Government of India in August, 1937, with the approval of the Secretary of State.

In three instances also Viceroy's Commissioned Officers of Mechanical Transport Units have been "stepped up" to act as King's Commissioned officers and placed in command of Mechanical Transport Sections.

(c) The "stepping up" of British warrant officers in connection with the operations has been necessitated by actual deficiency of King's commissioned officers in the Royal Indian Army Service Corps, or by the filling of new appointments created for the operations.

The provisions of India Army Order No. 83 of 1932 refer to absences on temporary duty and privilege leave only and are, therefore, not applicable to the instances under reference.

(d) The General Officer Commanding-in-Chief, Northern Command, in exercise of the authority conferred on him by the Government orders referred to above when making these appointments selected the most suitable individuals.

Information promised in reply to starred question No. 849 asked by Mr. Badri Dutt Pande on the 28th September, 1937.

DEFICIT IN THE WATER SUPPLY DEPARTMENT OF THE DELHI MUNICIPAL COMMITTEE.

(a) Yes. In the absence of complete commercial accounts it is not possible to give exact figures for the deficit, but a statement showing the approximate figures is attached.

(b) The policy of metering water connections was adopted in order to minimise the waste of water and to render a twenty-four hour supply possible. Unmetered connections result in very considerable waste, and can be served only during limited hours. Recent discussions on the Terminal Tax Schedule are not connected with the water supply question.

(c) No.

Statement.

A. Cash results, i.e., surplus or deficit resulting from comparison of revenue with expenditure other than expenditure of a capital kind.

	1934-35.	1935-36.	1936-37.
	Rs.	Rs.	Rs.
Deficit	42,507	31,633	15,487

B. Commercial results i.e., surplus or deficits resulting from comparison of revenue with expenditure other than expenditure of a capital kind, plus assumed interest and depreciation charges.

	1934-35.	1935-36.	1936-37.
	Rs.	Rs.	Rs.
Deficit	2,04,091	2,44,783	1,85,934

Information promised in reply to parts (a) and (c) of starred question No. 857 asked by Mr. N. V. Gadgil on the 28th September, 1937.

DIRECT RECRUITMENT IN THE HIGHER POSTS OF THE INCOME-TAX DEPARTMENT, BOMBAY.

(a) Out of 61 vacancies to which appointments were made by the Commissioner of Income-tax, Bombay, in the year 1936-37, only six were filled up by direct recruitment and the remaining 55 by promotion from amongst men already in service.

(c) The figures given in reply to part (a) above show that the statement that "persons with equal qualifications and experience, although available among the existing staff, were not taken up in the higher appointments" is incorrect.

Information promised in reply to parts (a) and (b) of unstarred question No. 178 asked by Mr. Kuladhar Chaliha on the 28th September, 1937.

LABOURERS IN THE DIGBOI OILFIELDS IN ASSAM.

The figures for the year 1936 were—

Men	2,258
Women	15
Children	3
Total	<u>3,276</u>

Information promised in reply to starred questions Nos. 884 and 885 asked by Maulana Zafar Ali Khan on the 29th September, 1937.

GRIEVANCES OF THIRD CLASS MATRICULATES EMPLOYED ON THE NORTH WESTERN RAILWAY

Starred Question No. 884.—Government are informed as follows :

(a)(iii) Yes. I may, however, add that the condition of possessing Second Division Matriculation qualification or its equivalent for certain class of subordinate posts was introduced on the North Western Railway from 1st April, 1926. In the case of staff recruited prior to that date this condition does not apply, either for promotion or transfer to clerical posts provided they are otherwise considered suitable.

(a) (iv) Yes. Number Takers are working as clerks to Train Examiners and since 1st January, 1928, some of the posts of Number Takers have been converted to clerical posts to which the Number Takers were held eligible for promotion. The case of Typists, Stores Delivery clerks and Challandars is not similar to the case of Number Takers.

(a) (v) There is no restriction of First or Second Division in the case of staff employed under the Chief Accounts Officer, because their admission to the Accounts Department depends on their qualifying in a competitive examination specially held for the purpose.

(b) and (c) In view of the replies given to parts (a) (iii), (iv) and (v) above, these do not arise.

GRIEVANCES OF THIRD CLASS MATRICULATES EMPLOYED ON THE NORTH WESTERN RAILWAY.

Starred Question No. 885.—The introduction from 1st April, 1926, of the minimum educational qualification of the Second Division Matriculation Examination or its equivalent as a standard for appointment to certain classes of subordinate posts on the North Western Railway, was dictated by the need for improving the quality of the material previously recruited to such posts, and it is not proposed to relax this standard.

Information promised in reply to starred questions Nos. 894, 895 and 896 asked by Mr. K. S. Gupta on the 29th September, 1937.

ASSAULT OF AN INDIAN GOVERNMENT SERVANT IN THE VIZAGAPATAM PORT.

Starred Question No. 894.—(a) An incident which may be regarded as a case of a technical assault occurred, but the assailant was not a guest of the Traffic Manager.

(b) and (c). The Port servant was reported for being asleep while on duty by the Agents' representative and the tally clerk complained of ill treatment by him. After considering both the reports, the Traffic Manager passed an order to the effect that if it were not for the fact that the steamer Agent apparently took the law into his own hands, he would have punished the tally clerk heavily for his conduct. The Traffic Manager did not threaten the Port servant.

(d) Government do not consider that this incident calls for any special instructions.

RACIAL DISCRIMINATION IN THE SUPERVISORY CADRE IN THE VIZAGAPATAM PORT.

Starred Question No. 895.—(a) On the principle of efficiency.

(b) The reply to the first part of the question is in the affirmative and to the second in the negative.

(c) No special educational or technical qualifications are prescribed.

(d) The minimum educational qualification required from tally clerks is the Secondary School Leaving Certificate, but there are a few of the existing staff who have not got this qualification. They were appointed before this rule was introduced.

(e) No.

(f) Two shed clerks with short service and no previous experience are being allowed to act in a higher grade, on less than the minimum pay of the grade, in preference to recruiting more experienced men from outside who would have to be paid according to grade pay.

(g) Tally clerks have not the experience to qualify them for promotion to the Supervising Staff.

(h) No, Sir. The second part of the question does not arise.

DENIAL OF PROVIDENT FUND BENEFITS TO WORKERS IN THE VIZAGAPATAM PORT.

Starred Question No. 896.—The benefits of the Provident Fund are not denied to any staff who are eligible for such benefits under the rules.

Information promised in reply to starred question No. 898 asked by Mr. Sham Lal on the 29th September, 1937.

RETRENCHMENT OF CERTAIN PERSONS OF THE TRAIN LIGHTING STAFF ON THE NORTH WESTERN RAILWAY.

Government are informed as follows :

(a) The Honourable Member is, presumably, referring to 35 surplus labourers of the Train Lighting Branch on the Lahore Division who were selected for discharge in March, 1937, on the basis of comparative efficiency.

(b) Of the 35 labourers referred to 28 were, in error, given leave preparatory to discharge, for different periods up to 28 months.

(c) On the error coming to notice, the leave wrongly granted was cancelled and the men were treated as discharged from the service from due dates and were given one months pay in lieu of notice as admissible.

(d) Only the leave salary paid in excess through over-sight was recovered.

(e) and (f) The two men had been selected for discharge on the basis of comparative efficiency and not for inefficiency. When vacancies subsequently occurred they offered themselves and were appointed on the revised scales of pay.

Information promised in reply to starred question No. 901 asked by Mr. C. N. Muthuranga Mudaliar on the 29th September, 1937.

DENIAL OF FACILITIES TO MR. V. V. NARASIMHAM TO ATTEND THE SITTINGS OF THE MADRAS LEGISLATIVE ASSEMBLY.

(a) Yes.

(b) to (d) Government understand that Mr. V. V. Narasimham applied for permission from the Madras and Southern Mahratta Railway administration to stand as a candidate for election to the Madras Legislative Assembly. This permission was refused in writing. In spite of this Mr. Narasimham stood as a candidate and was elected. The Madras and Southern Mahratta Railway Administration then told him that he must decide whether he would retain his seat in the Assembly or remain an employee of the Company, as he would not be permitted to do both. He did not comply with this order but applied for long leave of absence without pay, with the obvious intention of continuing both as an employee of the Madras and Southern Mahratta Railway and a Member of the Madras Legislative Assembly. Thereupon,

the Madras and Southern Mahratta Railway administration advised him to resign his job as otherwise he would be discharged. He was eventually discharged from railway service. I may add that the policy laid down in June, 1937, by the Government of India is that subject to the necessary legislation being enacted by a Provincial Government for the removal of disqualification under section 69 (1) (a) of the Government of India Act, 1935, employees on State-managed Railways should not be prevented from standing for election from railway labour union constituencies in provinces where they exist and from other labour union constituencies where separate railway labour union constituencies do not exist. Government have also agreed that an employee who may be elected from a labour union constituency or from a non-labour union constituency under the circumstances stated above should be granted leave due or leave without pay so long as he holds a seat in the Legislature and provided no additional expenditure is incurred thereby by the railway on which he may be employed. Government are not prepared to go further than this. In the case of the Madras and Southern Mahratta Railway, which is a Company-managed Railway, the Government are not in a position to issue instructions in a matter of this nature. I would, however, add that the Madras and Southern Mahratta Railway Administration have acted in accordance with the policy of the Government of India in this matter.

Information promised in reply to starred questions Nos. 907 and 908 asked by Mr. Mohan Lal Saxena on the 29th September, 1937.

GRATUITY WITHHELD FROM CERTAIN EMPLOYEES IN THE JAMALPUR RAILWAY WORKSHOP.

Starred Question No. 907.—Government are informed as follows :

(a) During the past two years one employee, namely Garib Cupola tapper of the Jamalpur Workshop who served from the 19th August, 1918, to the 24th August, 1936, and was removed from service on account of repeated offences and general unsatisfactory conduct which showed no improvement, although he was warned, in March, 1935, was granted half the gratuity which he would normally have been eligible for.

(b) As regards the first part, during the last two years six employees of the Jamalpur Workshop did not qualify for gratuities, because the strike periods were deducted from the total length of service. As regards the second part Government are not prepared to make an exception in the case of these employees.

(c) Presumably the Honourable Member is referring to Jamalpur Workshop. If so, there are only two female sweepers employed there and no female employee has been discharged on medical grounds during the past two years.

PROSECUTION OF EMPLOYEES OF JAMALPUR RUNNING SHED AND STOPPAGE OF ALLOWANCE OF PERMANENT WAY STAFF AT JAMALPUR.

Starred question No. 908.—Government are informed as follows :

(a) Since January, 1935, two employees have been prosecuted by the Police on their own initiative under section 101 of the Indian Railways Act and one under section 120 of the Act. Two were acquitted and one was convicted. Of the two drivers who were prosecuted under section 101 and acquitted, one was given partial pecuniary assistance towards his legal expenses and the other was given no pecuniary assistance as he was departmentally held responsible for causing the accident.

(b) As regards the first part, all the drivers were retained in service. The second part does not arise.

(c) As regards the first part, the allowance was temporarily stopped due to objections from the Accounts Department. As a result of further reference to that Department, arrangements have been made for payment of the allowance to permanent way staff who are due such allowance. The latter parts do not arise.

Information promised in reply to parts (a) and (b) of unstarred question No. 179 asked by Dr. Sir Ziauddin Ahmad on the 29th September, 1937.

ABSENCE OF A SHED FOR *Ekka* AND TONGAS AT THE ETAWAH RAILWAY STATION.

(a) Yes, there are no *ekka* and tonga sheds, and no water troughs for ponies at the railway station at Etawah.

(b) The answer is in the affirmative. It is the intention of the Railway Administration to utilise the money received from the contract towards providing amenities for ponies and *ekka* and tonga drivers, viz., water troughs and shelters.

Information promised in reply to starred questions Nos. 962, parts (b) to (d), 963 and 964 asked by Mr. Lalchand Navalrai on behalf of Sardar Sant Singh on the 1st October, 1937.

TENDERS FOR KILOKRI EXTENSION SCHEME, DELHI.

Starred question No. 962.—(b) Tenders were called for from all firms in India known to deal in the special type of plant required. The tenders were opened by the Superintending Engineer, Health Services, and were submitted to the Government of India for orders.

(c) and (d). Messrs. Duncan Stratton and Co. have had to enter into several sub-contracts because for a work of this magnitude one manufacturer cannot supply everything; the main contractor sub-contracts with one firm for cement, another for cables, a third for motors, a fourth for valves, and so on. All provisions for sub-contracting are set out in the tender and contract documents. Government understand that Tata steel is being used, but they have no information that any company allied with Messrs. Tata and Sons, Limited is interested in a sub-contract. In any case, as already explained in answer to part (e) of Mr. Ganga Sing's question No. 808 asked on 31st March, 1937, the pivotal part of the work is the mechanical plant and contract for this could not have been given to any sub-company. That the bulk of the work was given to one contractor was due to the desire to ensure unity of control and expedition in execution. Messrs. Duncan Stratton and Co. are in such control and have a staff of qualified engineers and specialists permanently on the work.

TENDERS FOR KILOKRI EXTENSION SCHEME, DELHI.

Starred question No. 963.—(a) Firms asked to tender and amounts are :

Firms.	Principals.	Amounts. Rs.
Messrs. Glenfield and Kennedy Limited, Bombay.	Activated Sludge Ltd. (Activated Sludge type.)	27,50,000
Messrs. Duncan Stratton and Co., Bombay.	Messrs. Ames Crosta, Ltd. (Simplex type.)	23,01,000
Messrs. Jaseop and Co., Ltd. Calcutta.	Messrs. Dorr Oliver Ltd.	For a small section only did not submit tender.

(b) Reference is invited to the answer to (b) of starred question No. 962. As it happened no Indian firm dealt in the special type of plant required. There was no question of racial discrimination.

(c) Yes. The residential and office buildings have been moved to a higher and more healthy site within the area of the land acquired. The Superintending Engineer, Health Services, sanctioned this change; there was no change in the design of the buildings, and no change in cost is contemplated. The change of site will result in a saving of a few thousand rupees on the local sewerage and water supply lay out.

(d) In so far as items covered by lump sum contracts are concerned, yes. Until a change in design occurs, the question of adjusting prices does not arise. If changes become necessary measurements will be taken and adjustments will be made in accordance with the rules.

(e) No. In order to increase the stability of certain walls, rubble stone masonry instead of earth filling has been placed, in addition to cement concrete and no extra charge is being made by the contractors for the extra work.

(f) Yes.

(g) No.

(h) The Resident Engineer's present and past emoluments are as follows :

	Present.	Past. (Bihar & Orissa).
	Rs.	Rs.
Pay	450 (fixed).	320
Conveyence Allowance	70 (fixed).	Travelling Allowance according to the rules.

The post was advertised and the applicant who, in the opinion of the Superintending Engineer, Health Services, was most qualified, was offered the post. Basic pay was fixed by Government.

TENDERS FOR KILOKRI EXTENSION SCHEME, DELHI.

Starred question No. 964.—(a) and (b). Advertisements appeared in the *Statesman*. Copies of tender notices were sent to the Central Public Works Department offices for posting and the Superintending Engineer, Health Services, personally drew the attention of several well known contractors of Delhi to the fact that tenders for the work were being called for.

(c) This can hardly be the case as contractors came from outside Delhi to tender.

(d) Tender forms issued. Total . . . 6.

To local contractors. 4.

Tenders received. Total . . . 3.

From local contractors. 1.

(e) Yes. The tender was the lowest and the contractor being known to the Superintending Engineer, Health Services, as reliable, the tender was accepted.

Information promised in reply to starred questions Nos. 970, 971 and 972 asked by Dr. Sir Ziauddin Ahmad on behalf of Mr. H. M. Abdullah on the 1st October, 1937.

UTILISATION OF GOVERNMENT IMPLEMENTS AND BULLOCKS, ETC., FOR PRIVATE CULTIVATION BY THE AGRICULTURAL ASSISTANT IN THE DELHI PROVINCE.

Starred question No. 970.—(a) No.

(b) No.

(c) Does not arise.

SHIFTING OF THE HEADQUARTERS OF THE AGRICULTURAL ASSISTANT IN THE DELHI PROVINCE.

Starred question No. 971.—(a) Yes.

(b) Because in the past it was thought that the Agricultural Assistant would do more useful work at a village headquarters.

(c) It has already been decided to move his headquarters to Delhi in connection with a scheme for expanding the activities of the Agricultural Department in the Delhi Province.

MUSLIM DIVISIONAL ACCOUNTANTS SERVING UNDER THE ACCOUNTANT GENERAL, PUNJAB.

Starred question No. 972.—(a) 100 of which 24 are Muslims.

(b) 44 out of which 19 have been filled by Muslims.

Information promised in reply to parts (b) and (c) of starred question No. 1028 asked by Mr. Kuladhar Chaliha on the 6th October, 1937.

INCOME-TAX REALISED FROM ASSAM AND THE MANAGING FIRMS OF TEA ESTATES IN CALCUTTA.

(b) Rs. 11,78,234 in 1936-37.

(c) As the offices of the managing agents are located at Calcutta where the businesses are controlled, the companies are assessed at Calcutta under section 64 (1) of the Indian Income-tax Act, 1922. The principle of allocation, under which the income-tax assessed and realised in Calcutta is apportioned between Assam and Bengal in the proportion of 85:15 for the purpose of Devolution Rule 15, was settled by mutual agreement between the two Governments concerned. From the current year 1937-38 (owing to the repeal of Devolution Rule 15) the question of apportionment no longer arises.

Information promised in reply to parts (b) to (i) of unstarred question No. 196 asked by Mr. Amarendra Nath Chattopadhyaya on the 6th October, 1937.

TRAINING OF INDIANS IN COMMERCIAL AVIATION, ETC.

(b) Government have encouraged the development of flying clubs in India, now numbering seven, by the grant of an annual subsidy of roundly Rs. 1½ lakhs. These flying clubs *inter alia* enable those wishing to obtain the commercial pilot's license to get experience in practical aviation. Government have also financed the advanced training of certain individuals and have spent roughly Rs. 3½ lakhs on individual assistance to enable Indians to qualify for higher paid posts under the Civil Aviation Department and as wireless operators, etc. Directly related to commercial aviation was the assistance given to an Indian for a pilot instructor's course in 1932 and to two Indians for a similar course in India in 1936-37 and assistance is now being given to an Indian to train in England to qualify as a first officer for Indian Trans-Continental Airways. In the current year assistance is also being afforded to six pilots of other operating companies for training on multi-engined aircraft.

(c) The expenditure on aviation prior to the formation of the Civil Aviation Department is not separately recorded. The expenditure on Civil Aviation since the financial year 1926-27 will be found in the Finance and Revenue Accounts of the Government of India.

(d) and (f) In the original Indian Aircraft Rules, 1920, no specific period of flying experience was laid down. The Indian Aircraft Rules, 1920, in so far as they related to licences, were revised in 1930 and 100 hours solo flying experience was laid down as a condition of the issue of a commercial pilot's ('B') licence. The rules were further amended in 1932 when the flying experience required was increased to 200 hours.

A minimum of 200 hours was considered to be essential to ensure that the pilot could safely be entrusted with the lives of passengers. The Indian Aircraft Rules do not specify the cost of flying.

(e) Applications for training are not received by the Department of Civil Aviation, but are made direct to the flying club or training institution concerned. Government have no information as to the number of such applications.

The number of Indians who have been licensed as commercial pilots ('B' licence) year by year since 1930 is :

1930	1
1931	4
1932	7
1933	4
1934	4
1935	9
1936	13
1937	13 (9 months).

55

(g) The bare minimum cost of training a commercial pilot in India may be put at Rs. 8,000 excluding living expenses during the necessarily long period of training—1½ to 2 years. The cost of training a commercial pilot at one well-known school in England is not less than Rs. 15,000 for a 3½ years course. No information is available with regard to Japan, and the cost of training in America is not definitely known.

(h) A number of pilots who returned to India after having qualified for the British Air Ministry 'B' licence had subsequently to complete their qualifications for the Indian 'B' licence before they could obtain employment as commercial pilots. The following table gives the number year by year :

1931	2
1932	5
1933	1
1934	2
1935	5
1936	1
1937	5 (8 months).

21

The Civil Aviation Department do not employ commercial pilots as such, but some of these pilots originally trained in England have been successful in securing employment in different capacities in the Civil Aviation Department. The majority have obtained employment either as commercial pilots or in some other capacity in civil aviation.

(i) Candidates who have obtained the Air Ministry 'B' licence within the previous two years are not required to take the Indian technical examination except the examination in Indian Aircraft Rules and Notices to Airmen, but they cannot apply for the Indian licence until they have completed the necessary flying experience of 200 hours, including five hours night flying. As stated in the answer to part (h), 21 such pilots have qualified for the Indian licence. There is no record of any such pilot failing to qualify for the Indian licence. Examinations are held at any time, when candidates have completed their training, subject to the technical examining officers being present at the station in question.

MOTIONS FOR ADJOURNMENT.

Mr. President (The Honourable Sir Abdur Rahim): I have received notices of adjournment motions from several Honourable Members. The first adjournment motion stands in the name of Mr. A. C. Datta, who is not in the House. The next motion stands in the name of Mr. Avinashilingam Chettiar. Does the Honourable Member wish to move it?

Mr. T. S. Avinashilingam Chettiar (Salem and Coimbatore cum North Arcot: Non-Muhammadan Rural): Sir, I do not wish to move the first two adjournment motions standing in my name.

MECHANISATION OF THE BRITISH PORTION OF THE INDIAN ARMY.

Mr. President (The Honourable Sir Abdur Rahim): The same Honourable Member has given notice of another motion for adjourning the business of the House in order to discuss a definite matter of urgent public importance, namely, "the mechanisation of the British portion of the Indian army". Does the Honourable Member wish to move it?

Mr. T. S. Avinashilingam Chettiar: Yes, Sir.

Mr. President (The Honourable Sir Abdur Rahim): Is there any objection to it?

Mr. C. M. G. Ogilvie (Defence Secretary): I have no objection.

Mr. President (The Honourable Sir Abdur Rahim): The motion will be taken up at 4 O'clock.

GOVERNOR GENERAL'S ASSENT TO BILLS.

Secretary of the Assembly: Information has been received that the following Bills, which were passed by both Chambers of the Indian Legislature during the last Session, have been assented to by His Excellency the Governor General under the provision of sub-section (1) of section 68 of the Government of India Act, as continued by section 317 of the Government of India Act, 1935:

1. The Petroleum (Bearer Extension) Act, 1937.
2. The Rules and Regulations Continuance Act, 1937.
3. The Federal Court Act, 1937.
4. The Muslim Personal Law (*Shariat*) Application Act, 1937.
5. The Indian Tariff (Second Amendment) Act, 1937.
6. The Indian Securities (Amendment) Act, 1937.
7. The Indian Mines (Amendment) Act, 1937.

MESSAGE FROM THE COUNCIL OF STATE.

Secretary of the Assembly: Sir, the following message has been received from the Council of State:

"I am directed to inform you that the Bill to consolidate and amend the law relating to the business of insurance which was passed by the Legislative Assembly

at its meeting held on Saturday, the 2nd October, 1937, was passed by the Council of State at its meeting held on the 25th November, 1937, with the amendments shown in the enclosed statement.

The Council of State requests the concurrence of the Legislative Assembly in the amendments."

Sir, I lay on the table the Bill, as amended by the Council of State.

Statement showing the amendments made, in the Bill to consolidate and amend the law relating to the business of insurance, by the Council of State at its meetings held in November, 1937.

A. The clauses, sub-clauses and forms in the Bill were re-numbered and re-lettered as necessitated by the amendments made in the Bill during its passage by the Legislative Assembly and the changes consequential thereon in self references throughout the Bill were made.

B. In the Bill as so re-numbered, re-lettered and consequentially changed—

1. In clause 2—

- (a) in sub-clause (3), in the definition of "approved securities", for the words "municipal corporations in any Presidency-town" the words "municipal corporation" were substituted; and
- (b) in item (b) of sub-clause (9)—
 - (i) for the words and figures "incorporated under the Indian Companies Act, 1913" the words "incorporated under any law for the time being in force in British India" were substituted; and
 - (ii) for the words "that Act", where they first occur, the words and figures "the Indian Companies Act, 1913," were substituted.

2. In clause 3—

- (a) the proviso to sub-clause (1) was omitted;
- (b) in sub-clause (2)—
 - (i) in item (c), after the word and figure "section 7", the words and figures "or section 97" were inserted;
 - (ii) in item (d), after the word and figure "section 6", the words and figures "or section 96" were inserted; and
 - (iii) for item (f), the following item was substituted, namely:
 - "(f) a certified copy of the published prospectus, if any, and of the standard policy forms of the insurer, the assured rates, advantages, terms and conditions to be offered in connection with life insurance policies, together with a certificate by an actuary that such rates, advantages, terms and conditions are workable and sound; and";
- (c) in sub-clause (3), after the words "law or practice of the country" the words "relating to, or applied to, insurance" were inserted; and
- (d) in sub-clause (4), after the word and figure "section 7", the words and figures "or section 97" were inserted.

3. In clause 4—

- (a) after the word and figure "Part III", the words and figure "or a Co-operative Life Insurance Society or a Mutual Insurance Society to which Part IV" were inserted;
- (b) after the words "on any policy of life insurance", the words "issued after the commencement of this Act" were inserted;
- (c) after the words "five hundred or less", the words "exclusive of any profit or bonus" were inserted;
- (d) the portion ending with the words "of any amount" was re-numbered as sub-clause (1) of clause 4; and

(e) the following sub-clause was added, namely:

"(8) Nothing contained in this section shall apply to group policies, that is to say, policies in respect of a group of persons engaged in the same occupation or kindred occupations under a single employer, for an aggregate sum of not less than rupees five thousand, under which an insurer pays or undertakes to pay a gross sum of rupees five hundred or less on an individual life."

4. In sub-clause (8) of clause 5—

(a) for the words "on the application of the second-mentioned insurer and if called upon to do so by the Superintendent of Insurance" the words "if called upon to do so by the Superintendent of Insurance on the application of the second-mentioned insurer" were substituted; and

(b) in the proviso, for the figures and words "26th day of January" the figures and words "27th day of January" were substituted.

5. In clause 6 the words "or commences" were omitted.

6. In clause 7—

(a) in item (j) of sub-clause (1), the word "and/or" in "and/or" was omitted.

(b) in sub-clause (2)—

(i) after the words "Central Government", the word "in" was inserted; and

(ii) after the words "Society of Lloyd's", the words "or other association of underwriters" were omitted;

(c) in sub-clause (3)—

(i) for the figures and words "26th day of January, 1937" the figures and words "27th day of January, 1937" were substituted; and

(ii) for the words "not less than the same amount as the second instalment", in both places where they occur, the words "not less than the minimum amount required as the second instalment" were substituted;

(d) in sub-clause (4), after the word and figure "section 2", the words "and not being an insurer incorporated in or domiciled in the United Kingdom," were inserted;

(e) in sub-clause (5)—

(i) for the words and figures "incorporated after, or commencing business in British India after, the 31st day of December, 1936," the words and figures "neither incorporated before nor carrying on insurance business in British India before the 27th day of January, 1937," were substituted;

(ii) for the words "one-third the balance", where they occur the second time, the words "one-half the residue" were substituted; and

(iii) in the proviso, after the word and figure "section 2", the words "and not being an insurer incorporated in or domiciled in the United Kingdom" were inserted;

(f) in sub-clause (6), after the word, brackets and figure "sub-section (1)", the words, brackets and figure "or sub-section (2)" were inserted;

(g) in sub-clause (8)—

(i) after the words "accruing due", the words "and collected" were inserted; and

(ii) after the words, brackets and figure "under sub-section (1)", the words, brackets and figure "or sub-section (2)" were inserted; and

(h) in sub-clause (9), the words, "and if the Reserve Bank of India requires him to replace securities maturing for repayment shall," were omitted and to that sub-clause the following was added, namely:

"and the Reserve Bank of India shall, if so requested by a depositor, invest in approved securities the whole or any part of a deposit made originally in cash or the whole or any part of cash received by the Bank on sale of or on the maturing of securities lodged by the depositor."

7. In sub-clause (1) of clause 8, for the words "nor shall it be liable to attachment in execution of any decree except a decree obtained in respect of such policies" the words "nor shall it be liable to attachment in execution of any decree except a decree obtained by a policy-holder of the insurer in respect of a debt due upon a policy which debt the policy-holder has failed to realise in any other way" were substituted.

8. In sub-clause (3) of clause 10, after the words "or indirectly", the words and figures "save as provided in section 49" were inserted.

9. In clause 12, for the words "have the powers exercise the functions vested in and discharge the duties be subject to liabilities and penalties" the words "have the powers of, exercise the functions vested in, and discharge the duties and be subject to the liabilities and penalties" were substituted.

10. In sub-clause (1) of clause 15—

(a) after the words "to which they refer", the following was inserted, namely:

"The Superintendent of Insurance may extend the time allowed for furnishing the abstract and statement referred to in section 13 by a period not exceeding three months."; and

(b) in the proviso, the word "British", where it occurs the first and third times, was omitted.

11. In items (a) and (b) of sub-clause (2) of clause 16, the word "British" was omitted.

12. In clause 19, for the words and figures "incorporated under the Indian Companies Act, 1913" the words "or body incorporated under any law for the time being in force in British India" were substituted, and the words "of the company" were omitted.

13. To sub-clause (1) of clause 20 the following words were added, namely: "any five figures being deemed equivalent to one word."

14. In item (d) of sub-clause (1) of clause 21, for the words "before the expiry of one month from the date on which requisition asking for correction or supply of deficiency was delivered" the words "before the expiry of one month from the date on which the requisition asking for correction of the inaccuracy or supply of the deficiency was delivered" were substituted.

15. In clause 27—

(a) in sub-clause (1)—

(i) after the words "Every insurer incorporated or domiciled in British India shall", the words, brackets and figure "subject to the provisions of sub-section (3)" were inserted;

(ii) after the words "equivalent to", the words "not less than" were inserted;

(iii) the word "British", where it occurs the second time, was omitted; and

(iv) for the words "of the reserve necessary to meet outstanding claims" the words "required to meet the liability" were substituted;

(b) in sub-clause (3)—

(i) after the words "An insurer incorporated or domiciled elsewhere than in British India or the United Kingdom shall", the words, brackets and figure "subject to the provisions of sub-section (3)" were inserted;

(ii) after the words "equivalent to", the words "not less than" were inserted;

(iii) the word "British", where it occurs the second time, was omitted;

(iv) for the words "of the reserves necessary to meet outstanding claims" the words "required to meet the liability" were substituted; and

(v) for the words and figures "as to 33 1/3 per cent. thereof in Government securities, and as to the balance" the words "thirty-three and one-third per cent. of the said sum in Government securities and the balance" were substituted;

- (c) in sub-clause (3), for the words "at the time of commencement of the Act" the words "at the commencement of this Act" were substituted; and
- (d) in the *Explanation* to sub-clause (4), for the words "the members of the Governing Body" the words "the members of whose Governing Body" were substituted, and for the words "of domiciles other than those of British India" the words "domiciled elsewhere than in British India" were substituted.
16. In sub-clause (1) of clause 28—
- (a) for the words and figures "on or before the 30th day of June and on or before the 31st day of December" the words and figures "within fourteen days of the 30th day of June and within fourteen days of the 31st day of December" were substituted; and
- (b) for the words "the investments made" the words "as at the said dates the assets held invested" were substituted.
17. In clause 29—
- (a) after the words "personal security", the words "or otherwise" were inserted; and
- (b) in the second proviso, after the word "Provided", the word "further" was inserted; after the word "contrary", the word "shall" was inserted; the words "date of", where they first occur, and the words "the date of" after "from the expiry of one year from", were omitted; for the words "or officer", in both places where they occur, the words "officer or partner" were substituted; and for the words "hold such office from the expiry" the words "hold office on the expiry" were substituted.
18. In clause 31, for the words "except in so far as they are required" the words and figure "except in the case of deposits made with the Reserve Bank of India under section 7 or in so far as assets are required" were substituted.
19. In clause 32—
- (a) in sub-clause (1), for the words "managing agents" the words "a managing agent" were substituted;
- (b) in sub-clause (2), for the words "managing agents", where they first occur, the words "a managing agent" were substituted; for the words "managing agents", where they occur the second time, the words "managing agent" were substituted; and for the words "no compensation shall be payable to them by the insurer by reason only of the premature termination of their employment as managing agents" the words "no compensation shall be payable to him by the insurer by reason only of the premature termination of his employment as managing agent were substituted; and
- (c) in sub-clause (3), for all the words occurring after the words "for his services as managing agent more" the following was substituted, namely:—
"than two thousand rupees per month in all, including salary and commission and other remuneration payable to and receivable by him, for his services as managing agent".
20. In clause 33—
- (a) for sub-clause (2) the following sub-clause was substituted, namely:
"(2) The Court may, on the application of an insurer and after giving notice to and hearing the Superintendent of Insurance, forbid such action by the Superintendent, if the insurer satisfies the Court that it is unnecessary in the circumstances."; and
- (b) in sub-clause (3), after the word "insurer", a semi-colon was inserted, and for the words "and a copy of each to" the words "and a copy of such report shall be furnished to the" were substituted.
21. In sub-clause (4) of clause 35, for the word, brackets and figure "sub-clause (3)" the word, brackets and figure "sub-section (3)" were substituted and the word "the" before the words "registration" was omitted.

22. In clause 38—

- (a) in sub-clause (1), the word "either", where it first occurs, was omitted;
- (b) in sub-clause (2), for the word "India" the words "British India" were substituted; and
- (c) to sub-clause (3) the following was added, namely:

"as between persons interested in the policy; and where there is more than one instrument of transfer or assignment the priority of the claims under such instruments shall be governed by the order in which the notices referred to in sub-section (2) are delivered".

23. In clause 40—

- (a) for sub-clause (1) the following sub-clause was substituted, namely:

"(1) No person shall, after the expiry of six months from the commencement of this Act, pay or contract to pay any remuneration or reward whether by way of commission or otherwise for soliciting or procuring insurance business in India to any person except an insurance agent licensed under section 42 or a person acting on behalf of an insurer who for the purposes of insurance business employs licensed insurance agent."

- (b) for sub-clause (2) the following sub-clause was substituted, namely:

"(2) No insurance agent licensed under section 42 shall be paid or contract to be paid by way of commission or as remuneration in any form an amount exceeding, in the case of life insurance business, forty per cent. of the first year's premium payable on any policy or policies effected through him and five per cent. of a renewal premium, or, in the case of business of any other class, fifteen per cent. of the premium:

Provided that insurers, in respect of life insurance business only, may pay, during the first ten years of their business, to their insurance agents fifty-five per cent. of the first year's premium payable on any policy or policies effected through them and six per cent. of the renewal premiums."; and

- (c) for sub-clause (3) the following sub-clause was substituted, namely:

"(3) Nothing in this section shall prevent the payment under any contract existing prior to the 27th day of January, 1937, of gratuities or renewal commission to an insurance agent or to his representatives after his decease in respect of insurance business effected through him before the said date."

24. In clause 41—

- (a) for sub-clause (1) the following sub-clause was substituted, namely:

"(1) No person shall allow or offer to allow, either directly or indirectly, as an inducement to any person to effect or renew an insurance in respect of any kind of risk relating to lives or property in India, any rebate of the whole or part of the commission payable or any rebate of the premium shown on the policy, nor shall any person taking out or renewing a policy accept any rebate, except such rebate as may be allowed in accordance with the published prospectuses or tables of the insurer."; and

- (b) for sub-clause (2) the following sub-clause was substituted, namely:

"(2) Any person making default in complying with the provisions of this section shall be punishable with fine which may extend to one hundred rupees, unless the default is made by a person effecting or renewing a policy in which case he shall be punishable with fine which may extend to fifty rupees only."

25. In clause 42—

- (a) in sub-clause (1), after the words "Superintendent of Insurance" the words "or an officer authorised by him in this behalf" were inserted;

(b) in sub-clause (3), for the words "but if the applicant does not suffer from any such disqualifications" the words "but shall if the applicant does not suffer from any of the disqualifications hereinafter mentioned" were substituted; and

(c) in item (d) of sub-clause (4), for the words "it shall appear that he has been found guilty of or has knowingly participated in or connived at any fraud, dishonesty or misrepresentation against the insurer or the assured" the words "it has been found that he has been guilty of or has knowingly participated in or connived at any fraud, dishonesty or misrepresentation against an insurer or an assured" were substituted.

26. In clause 43—

(a) in sub-clause (1), after the word "insurer", the words "and every person who acting on behalf of an insurer employs licensed insurance agents" were inserted; and

(b) for sub-clause (2) the following sub-clause was substituted, namely:

"(2) Any individual not holding a licence issued under section 42 who acts as an insurance agent shall be punishable with fine which may extend to fifty rupees, and any insurer who, or any person acting on behalf of an insurer who, appoints as an insurance agent any individual not so licensed, or transacts any insurance business in India through any such individual, shall be punishable with fine which may extend to one hundred rupees."

27. For clause 44 the following clause was substituted, namely:

"44. Notwithstanding anything to the contrary in a contract between any person and an insurance agent licensed under section 42 forfeiting or stopping payment of renewal commission to such insurance agent, no such person shall in respect of life insurance business done in India refuse payment to an insurance agent of commission on renewal premiums due to him under the agreement by reason only of the termination of his agreement except for fraud:

Provided that such agent has served such person continually and exclusively for at least ten years, and provided further that, after his ceasing to act as agent, he does not directly or indirectly solicit or procure insurance business for any other person."

28. In clause 45, for the word "insurance", where it first occurs, the words "life insurance effected after the coming into force of this Act" were substituted.

29. In sub-clause (1) of clause 48, for the words "holding policies of insurance" the words "holding policies of life insurance" and for the words "holders of policies of insurance" the words "holders of policies of life insurance" were substituted, respectively.

30. In clause 49, after the word "shall", the words "in respect of such life insurance business" were inserted.

31. For clause 50 the following clause was substituted, namely:

"50. An insurer shall, within three months of the lapsing of a policy of life insurance, give notice to the policy-holder informing him of the options available to him."

32. In clause 51, for the words "and answers" the words "put to him and his answers thereto" were substituted.

33. In clause 52—

(a) for the first paragraph the following was substituted, namely:

"No insurer shall after the commencement of this Act begin, or after three years from that date continue to carry on, any business upon the dividing principle, that is to say, on the principle that the benefit secured by a policy is not fixed but depends either wholly or partly on the results of a distribution of certain sums amongst policies becoming claims within certain time-limits, or on the principle that the premiums payable by a policy-holder depend wholly or partly on the number of policies becoming claims within certain time-limits:

Provided that nothing in this section shall be deemed to prevent an insurer from allocating bonuses to holders of policies of life insurance as a result of a periodical actuarial valuation either as reversionary additions to the sums insured or as immediate cash bonuses or otherwise ; and

(b) for the proviso the following proviso was substituted, namely :

"Provided further that an insurer who continues to carry on insurance business on the dividing principle after the commencement of this Act shall withhold from distribution a sum of not less than forty per cent. of the premiums received during each year after the commencement of this Act in which such business is continued so as to make up the amount required for investment under section 27."

34. In item (b) of the proviso to sub-clause (2) of clause 56, for the words "policy owners" the word "policy-holders" was substituted.

35. In clause 60, after the word "company", where it first occurs, the words "for the purposes of a cash distribution of the assets" were inserted.

36. In clause 63, for the words, brackets and letter "in the matters specified in (f) above" the words, brackets and letter "in the matters specified in clause (f) above" were substituted.

37. In clause 64, the word "British", where it last occurs, was omitted.

38. In clause 65—

(a) the word "which", where it occurs the second time, was omitted ;

(b) in sub-clause (a), the word "or" was omitted and after the word "person", the words "or the survival by a person of a stated age or contingency" were added ;

(c) sub-clause (b) was omitted ; and

(d) to sub-clause (A) the words "with the approval of the Central Government" were added and for the word "authorised" in that sub-clause the words "which may be authorised" were substituted.

39. After clause 70, the following clause was inserted, namely :

Prohibition of managing agents. "70A. The provisions of section 32 shall apply to provident societies as they apply to insurers."

40. In sub-clause (1) of clause 72 (now clause 73), after the words "until the total amount so deposited and kept", the words "in approved securities" were omitted.

41. In sub-clause (1) of clause 79 (now clause 80), for the words "have the powers of and exercise the functions vested in, discharge the duties" the words "have the powers of, exercise the functions vested in, and discharge the duties" were substituted.

42. In clause 84 (now clause 85)—

(a) in sub-clause (2), after the words "provident society", the words and figures "except a deposit made under section 72" were inserted ; and

(b) in sub-clause (3), after the words "held in the society", the words "and within its surrender value" were inserted.

43. In clause 86 (now clause 87)—

(a) in sub-clause (1), after the word "visit", the words "personally or depute a suitable person to visit" were inserted ; and

(b) in sub-clause (3), before the words "shall be sent", the words "a copy of the report" were inserted.

44. In sub-clause (4) of clause 91 (now clause 92), after the words "a suitable person", the words "in place of or" were inserted.

45. In sub-clause (3) of clause 93 (now clause 94), after the word "child", the word "grand-child" was inserted.

46. In Part IV, for the words "Co-operative Insurance Societies" and "Co-operative Insurance Society", wherever they occur, the words "Co-operative Life Insurance Societies" and "Co-operative Life Insurance Society" were substituted, respectively.

47. In clause 94 (now clause 95)—

(a) in sub-clause (b)—

(i) for the words "carry on business in life insurance" the words "carries on the business of life insurance" were substituted; and

(ii) after the words "constitution only", the words "original members on whose application the society is registered" were inserted;

(b) the clause was numbered as sub-clause (1) of clause 94, and after that sub-clause, the following sub-clause was added, namely:

"(2) Notwithstanding anything contained in sub-section (1), other co-operative societies may be admitted as members of a Co-operative Life Insurance Society, without being eligible to any dividend, profit or bonus"; and

(c) after sub-clause (2), the following sub-clauses were added, namely:

"(3) A Provincial Government may, subject to any rules made by the Central Government, empower the Registrar of Co-operative Societies of the Province to register co-operative societies for the insurance of cattle or crops or both under the provisions of the Co-operative Societies Act in force in the Province.

(4) A Provincial Government may make rules not inconsistent with any rules made by the Central Government to govern such societies, and the provisions of this Act, in so far as they are inconsistent with those rules, shall not apply to such societies."

48. In clause 99 (now clause 100), for the words "a Mutual Insurance Company and Co-operative Insurance Society" the words "a Mutual Insurance Company or a Co-operative Life Insurance Society" were substituted.

49. In clause 100 (now clause 101), for the words "Every Mutual Insurance Company and every Co-operative Insurance Society" the words "Every Mutual Insurance Company and every Co-operative Life Insurance Society" were substituted.

50. In sub-clause (1) of clause 102 (now clause 103), for the words and figure "or section 7" the words and figures "section 7, section 96 or section 97" were substituted.

51. In clause 106 (now clause 107), for the words "Save and except where it is instituted" the words "Except where proceedings are instituted" were substituted.

52. In sub-clause (1) of clause 110 (now clause 111), after the words "or sent by", the word "registered" was inserted.

53. In clause 112 (now clause 113)—

(a) in sub-clause (1)—

(i) the words "In cases" were omitted; and

(ii) for the *Explanation* the following *Explanation* was substituted, namely:

"*Explanation*.—For the purposes of this sub-section the paid up value of a policy shall be an amount bearing to the total sum assured by the policy the same proportion as the total of the premiums already paid on the policy bears to the total of the premiums payable under the policy."; and

(b) for sub-clause (2) the following sub-clause was substituted, namely:

"(2) A policy kept alive to the extent of its paid up value under sub-section (1) shall not participate in any profits of the insurer earned after the conversion of the policy into a paid up policy."

54. In sub-clause (2) of clause 113 (now clause 114)—

(a) in item (c)—

(i) after the words "including the", the words "receipt of" were inserted; and

(ii) after the words "withdrawal of", the word "and" was inserted; and

(b) for the proviso the following proviso was substituted, namely:

"Provided that every rule made under this section shall be laid before both Chambers of the Central Legislature as soon as may be after it is made; and, if within one month from the later date on which the rule has so been laid both Chambers agree in making any modification in the rule or both Chambers agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or shall be of no effect, as the case may be."

55. In clause 115 (now clause 116)—

- (a) for the word, brackets and figure "sub-section (1)" the word, brackets and figure "sub-section (2)" were substituted; and
- (b) the word "British" was omitted.

56. To clause 117 (now clause 118) the following was added, namely :

"or to any insurance business carried on by the Central or by a Provincial Government, or to any provident fund to which the provisions of the Provident Funds Act, 1925, apply, or, if the Superintendent of Insurance so orders in any case, and to such extent as he specifies in such order, to—

- (a) any fund in existence and officially recognised by the Central Government before the 27th day of January, 1937, maintained by or on behalf of Government servants or Government pensioners for the mutual benefit of contributors to the fund and of their dependents; or
- (b) any mutual or provident insurance society composed wholly of Government servants or of railway servants which has been exempted from any or all of the provisions of the Provident Insurance Societies Act, 1912."

57. In clause 118 (now clause 119), after the word "all", the word "standard" was inserted.

58. After clause 118 (now clause 119), the following clause was inserted, namely :

"118A. The market value on the day of deposit of securities deposited in pursuance of any of the provisions of this Act with the Reserve Bank of India shall be determined by the Reserve Bank of India whose decision shall be final."

Determination of market value of securities deposited under this Act.

59. In the First Schedule—

(a) in Part I—

- (i) to regulation 6 the words "in India" were added; and
- (ii) in regulation 8, for the word "Controlled" the word "Subsidiary" was substituted; and

(b) in Part II, in Form. AA, the item "(2) Indian Treasury Bills" was omitted.

60. In the Third Schedule—

(a) in Part I—

- (i) in regulation 6, for the word "Superintendent" the words "Superintendent of Insurance" were substituted; and
- (ii) in regulation 9, after the words "Where an insurer carries on", the word "the" was inserted; and

(b) In Part II—

- (i) to Form D the following foot-note was added, namely :

"(f) In the case of an insurer having his principal place of business outside British India the expenses of management for business out of India and total business need not be split up into the several sub-heads, if they are not so split up in his own country."; and

- (ii) in the second foot-note to Form DDDD, the word "the", where it last occurs, was omitted.

61. In the Fourth Schedule—

- (a) in Part I, in regulation 3 (2) (b), for the word and figure "paragraph 5" the word and figure "paragraph 4" were substituted; and

(b) in Form G in Part II—

(i) the word "British", where it occurs in two places at the head of columns, was omitted; and

(ii) the following foot-note was added at the end, namely:

"(d) In the case of an insurer having his principal place of business outside British India the expenses of management for the total business need not be split up into the several sub-heads, if they are not so split up in his own country."

C. The clauses and sub-clauses of the Bill were re-numbered as necessitated by the amendments made in the Council, and all references to the numbering of the clauses were corrected as required by such re-numbering.

THE TRADE DISPUTES (AMENDMENT) BILL.

APPOINTMENT OF CERTAIN MEMBERS TO THE SELECT COMMITTEE.

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

"That Mr. N. M. Ayyar, Khan Sahib Shaikh Fazl-i-Ilahi and the Mover be appointed to the Select Committee on the Bill further to amend the Trade Disputes Act, 1929, for certain purposes, in place of Mr. S. N. Roy, Mr. C. B. Nagarkar and the Honourable Sir Thomas Stewart."

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

"That Mr. N. M. Ayyar, Khan Sahib Shaikh Fazl-i-Ilahi and the Mover be appointed to the Select Committee on the Bill further to amend the Trade Disputes Act, 1929, for certain purposes, in place of Mr. S. N. Roy, Mr. C. B. Nagarkar and the Honourable Sir Thomas Stewart."

The motion was adopted.

THE WORKMEN'S COMPENSATION (AMENDMENT) BILL.

APPOINTMENT OF CERTAIN MEMBERS TO THE SELECT COMMITTEE.

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

"That Mr. N. M. Ayyar and the Mover be appointed to the Select Committee on the Bill further to amend the Workmen's Compensation Act, 1923, for certain purposes, in place of Mr. S. N. Roy and the Honourable Sir Thomas Stewart."

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

"That Mr. N. M. Ayyar and the Mover be appointed to the Select Committee on the Bill further to amend the Workmen's Compensation Act, 1923, for certain purposes, in place of Mr. S. N. Roy and the Honourable Sir Thomas Stewart."

Mr. M. S. Ansy (Berar: Non-Muhammadan): Sir, I want to suggest that the name of Mr. N. M. Joshi may also be added to the names of the members of the Select Committee.

Mr. President (The Honourable Sir Abdur Rahim): Is there any objection to it?

(No objection was taken.)

The question is:

"That Mr. N. M. Ayyar, Mr. N. M. Joshi and the Mover be appointed to the Select Committee on the Bill further to amend the Workmen's Compensation Act, 1923, for certain purposes, in place of Mr. S. N. Roy and the Honourable Sir Thomas Stewart."

The motion was adopted.

THE INDIAN COMPANIES (AMENDMENT) BILL.

The Honourable Sir Nripendra Sircar (Law Member): Sir, I beg to move:
12 noon.

"That the Bill further to amend the Indian Companies Act, 1913, for certain purposes, as reported by the Select Committee, be taken into consideration."

Sir, in this connection, I need not make any speech because the small changes which have been made are explained in the Report of the Select Committee.

Sir, I move.

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

"That the Bill further to amend the Indian Companies Act, 1913, for certain purposes, as reported by the Select Committee, be taken into consideration".

The motion was adopted.

Clauses 2 to 8 of the Bill were added to the Bill.

Mr. President (The Honourable Sir Abdur Rahim): Clause 9.

Mr. J. Bartley (Government of India: Nominated official): Sir, I beg to move:

"That for clause 9 of the Bill the following be substituted:

"9. In section 134 of the said Act,—

(a) in sub-section (1),—

(i) after the words 'profit and loss account' the words 'or the income and expenditure account as the case may be' shall be inserted; and

(ii) for the words 'a copy of the balance-sheet' the words 'three copies thereof' shall be substituted;

(b) in sub-section (2), for the word 'copy' the word 'copies' shall be substituted."

Sir, the purpose of this amendment and of the other two amendments which are tabled in my name is the same, namely, to secure that instead of one copy of the documents which a company is required to supply to the Registrar under the provisions of section 134 and other sections of the Indian Companies Act, 1913, three copies should be supplied. The documents affected are (a) the documents referred to in section 134, namely, the balance-sheet, the profit and loss account or the income and expenditure account, as the case may be; (b) the documents referred to in section 277, which are the same documents as those referred to in section 134, but with reference to companies established outside British India, and (c) the monthly statement which a bank is required to supply of the cash reserve held by it on the Friday of each week against its time liabilities and demand liabilities. The purpose of requiring three copies instead of one is merely to save the Registrar trouble without giving trouble to anybody else. It will be just as easy for the banks and companies to supply three copies to the Registrar as it is to supply one and it will save the Registrar from having to make copies of these documents in his own office. As there are hundreds of banks and many hundreds of companies, the saving of trouble to the Registrar will be

very considerable. A further justification for the change is that in the Insurance Bill, which is at present before the Legislature, similar documents are supplied in quadruplicate to the Superintendent of Insurance whereas the Companies Act only requires one copy to be supplied. That is the object of these three amendments. The rather complicated form that they take, namely, substituting a clause for the clause already in the Bill is merely for drafting convenience. I find that to insert this small additional amendment requires the clause as drafted in the Bill to be slightly modified and the simplest way of carrying out that modification is to re-write the clause. But the substance of the clauses as already contained in the Bill is in each case reproduced in the revised form of the clause which I have proposed to substitute.

Sir, I move.

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

"That for clause 9 of the Bill the following be substituted:

'9. In section 134 of the said Act,—

(a) in sub-section (1),—

(i) after the words 'profit and loss account' the words 'or the income and expenditure account as the case may be' shall be inserted; and

(ii) for the words 'a copy of the balance-sheet' the words 'three copies thereof' shall be substituted;

(b) in sub-section (2), for the word 'copy' the word 'copies' shall be substituted'."

The motion was adopted.

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

"That clause 9, as amended, stand part of the Bill."

The motion was adopted.

Clause 9, as amended, was added to the Bill

Clauses 10 and 11 were added to the Bill.

Mr. President (The Honourable Sir Abdur Rahim): Clause 12.

Mr. J. Bartley: Sir, I beg to move:

"That for clause 12 of the Bill the following be substituted:

'12. In section 277 of the said Act—

(a) in sub-section (1),—

(i) after clause (d) the following clause shall be inserted, namely:

'(e) the full address of that office of the company in British India which is to be deemed the principal place of business in British India of the company;'; and

(ii) for the words 'or in such address' the words 'or in any such address' shall be substituted;

(b) in sub-section (3)—

(i) in sub-clause (i), for the words 'a copy of that balance-sheet' the words 'three copies of that balance-sheet' shall be substituted, and after the words 'such supplementary statements' the words 'in triplicate' shall be inserted;

(ii) in sub-clause (ii), after the words 'such a statement' the words 'in triplicate' shall be inserted'."

Sir, the object of this amendment is that which I have already explained in connection with clause 9 and the remarks that I made there apply to this amendment also.

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

"That for clause 12 of the Bill the following be substituted:

'12. In section 277 of the said Act—

(a) in sub-section (7),—

(i) after clause (d) the following clause shall be inserted, namely:

(e) the full address of that office of the company in British India which is to be deemed the principal place of business in British India of the company; and

(ii) for the words 'or in such address' the words 'or in any such address' shall be substituted;

(b) in sub-section (3),—

(i) in sub-clause (i), for the words 'a copy of that balance-sheet' the words 'three copies of that balance-sheet' shall be substituted, and after the words 'such supplementary statements' the words 'in triplicate' shall be inserted;

(ii) in sub-clause (ii), after the words 'such a statement' the words 'in triplicate' shall be inserted'."

The motion was adopted.

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

"That clause 12, as amended, stand part of the Bill."

The motion was adopted.

Clause 12, as amended, was added to the Bill.

Mr. A. Aikman (Bengal: European): Sir, I beg to move:

"That in clause 13 of the Bill, for the words 'To section 277D of the said Act' the following be substituted:

'In section 277D of the said Act, the words and figures 'to 117 both inclusive and 120' shall be omitted, and'."

Sir, when this Bill as introduced was sent to the Select Committee, there were pointed out certain difficulties arising out of sections 120, 277D, and 277E of the Act of 1986. One of these was the difficulty of giving a meaning to the expression "registered office of the company" and "Registrar" for the purpose of applying sections 109 to 125 of the Companies Act, 1913, to companies registered outside British India. The difficulty was realised by the Select Committee in their report and it has been met, so far as sections 109-117 and 120-125 are concerned, by the amendments which are proposed in sections 12 and 13. But the Bill has overlooked the fact, which the report did not, that in sections 118 and 119 reference is made to "the Registrar"; so that, although by reason of the proposed amendment to section 277D, a meaning is now given to the word "Registrar" where it appears in sections 109-117 and 120-125 of the Act in the case of non-Indian companies, that word where it appears in section 118 or 119 is still without a meaning. The purpose of this amendment is to put right what is apparently an oversight. Sir, I move:

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

"That in clause 13 of the Bill, for the words 'To section 277D of the said Act' the following be substituted:

'In section 277D of the said Act, the words and figures 'to 117 both inclusive and 120' shall be omitted, and'."

Mr. Bhulabhai J. Desai (Bombay Northern Division: Non-Muhammadan Rural): Sir, I beg to oppose this motion of amendment because it is an obvious mistake and it is a clear misfit. By omitting the words which the Honourable the Mover of the amendment intends to do, the section would run, so far as the material particulars are concerned, as follows: That the provisions of sections 118 and 119, among others, shall extend to charges on properties in British India which are created, etc. If you turn to sections 118 and 119 it is obvious that they do not refer to any charges whatever; they refer to the appointment of a receiver in exercise of the power contained in a mortgage. Therefore, the numerals 118 and 119 were advisedly omitted from section 277D, because any such mention would be entirely inappropriate. You will find that there is a reference to Registrar for the purpose of registering, first, in the case of section 118, that a receiver has been appointed and, in the case of section 119, the accounts which are to be filed with the Registrar. You will see that section 118 at the end says: "The Registrar shall, on payment of the prescribed fee, enter the fact in the register of mortgages and charges." Section 119 says:

"Every receiver of the property of a company who has been appointed . . . shall file with the Registrar an abstract," etc.

In other words, it is quite true that you do want some reference in the form in which the proviso to clause 18 now stands. The only way in which the position can be correctly met is by leaving section 277D read with clause 18 as it now stands and add a proviso to section 277E in terms similar to the first part of the proviso to clause 18; because, then it will carry out the purpose of the Honourable the Mover. But if sections 118 and 119 are added to section 277D, I submit that it would make entirely inappropriate reading in that they do not extend to charges at all.

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

"That in clause 13 of the Bill, for the words 'To section 277D of the said Act' the following be substituted:

'In section 277D of the said Act, the words and figures 'to 117 both inclusive and 120' shall be omitted, and'."

The motion was negatived.

Mr. A. Aikman: Sir, I beg to move:

"That to clause 13 of the Bill the following further proviso be added at the end:

'Provided further that this section shall be deemed not to have come into force until the commencement of the Indian Companies (Amendment) Act, 1938'."

Following on what the Honourable Mr. Desai has said, I propose to ask permission to arrive at some formula for dealing with the first amendment; and consequently if this is kept in mind, the present proposal would regularise the difficulty which has arisen by reason of there being no meaning for the words 'registrar' and 'registered officer'—it was impossible for companies to do what was contemplated by reason of the absence of that meaning. But if that is cleared up in this Bill when it becomes an Act, it will be very much better if these instructions do not become law until clarification has been made; otherwise, there will be a period of time when instructions. . . .

Mr. J. Bartley: On a point of order, Sir. I think the Honourable Member is really discussing his next amendment. The amendment he is moving now is to add a proviso to clause 13, postponing the operation of section 277D.

Mr. A. Aikman: They are bound up together, Sir.

Mr. K. Santhanam (Tanjore *cum* Trichinopoly: Non-Muhammadian Rural): On a point of order, Sir: I think this amendment is not in order, because there is no provision in this Bill that clause 13 should come into operation before the commencement of this Act, if it refers to section 277D of the original Act which is already in operation, we cannot suspend it. In either case, this amendment is out of order.

Mr. President (The Honourable Sir Abdur Rahim): You mean that this section is already in operation?

Mr. K. Santhanam: Clause 13 of this Bill will come into operation only on the commencement of the Act and, therefore, it is meaningless.

Mr. President (The Honourable Sir Abdur Rahim): That is what the amendment seeks to provide.

Mr. M. Ananthasayanam Ayyangar (Madras ceded Districts and Chittoor: Non-Muhammadian Rural): Sir, the position is this: section 277D was added by the Act of 1936 and it says that companies outside British India shall also register the charges on properties in British India. The Bill now introduced by the Honourable the Leader of the House is only to remove some difficulties which have crept in, which are of a purely clerical nature in the Act: but this is a substantial amendment which the European Group wants to put in. Section 277D came into operation in 1936. Taking advantage of this Bill, the European Group, which has not come forward with its own Bill, wants surreptitiously to introduce this clause to defeat section 277D from coming into operation. No doubt there may be reasons for their proposal, but it is absolutely outside the scope of the Bill.

Mr. A. Aikman: The suggestion that section 277D should not come into operation until the passing of this Bill is because it was impossible to carry it out.

Mr. President (The Honourable Sir Abdur Rahim): That is another matter. The question is whether it is within the scope of this Bill. The Bill seeks, I understand, to provide rectification of certain omissions more or less in the nature of clerical omissions, is it not?

The Honourable Sir Nripendra Sircar: May I point out, Sir, that section 277D is being amended by this Bill in clause 13 so that it can hardly be said that it is not within the scope of the amending Bill.

Mr. President (The Honourable Sir Abdur Rahim): I know: but in what respect? It is more or less of a verbal character, is it not?

The Honourable Sir Nripendra Sircar: Not exactly verbal. I admit it is not very substantial.

Mr. President (The Honourable Sir Abdur Rahim): The whole section is now under review, is it?

The Honourable Sir Nripendra Sircar: The position is this: as the House will realise, 'registered office' and so on, had no application when the companies were incorporated outside British India; and for that reason all these changes have been made, and equally for that reason this amendment ought to be accepted. Otherwise you cannot put it into operation. How are they going to go before a Registrar? Their office is not under the jurisdiction of any Registrar and so I think the House ought to have no objection to accept this amendment.

Mr. President (The Honourable Sir Abdur Rahim): Having heard the point of order raised and also the Leader of the House as regards the scope of the amendment, I hold that the amendment is in order, since the section is already being amended.

Amendment moved:

"That to clause 13 of the Bill the following further proviso be added at the end:

'Provided further that this section shall be deemed not to have come into force until the date of the commencement of the Indian Companies (Amendment) Act, 1938'."

Mr. M. Ananthasayanam Ayyangar: Sir, I beg to oppose this amendment. It is a substantial amendment. The object of the framer of the present Bill is to remove some clerical errors: wherever the words 'profit and loss account' were used for these companies, the words 'income and expenditure account' were substituted. Similar mistakes which have arisen in various portions of the original Act are sought to be amended by this Bill. The present amendment is a substantial amendment in this way: section 277D was a new section introduced by the Act of 1936: that section seeks to make it incumbent on companies established outside British India to keep the charges, if any, on properties acquired in British India registered within British India: that section sought to make sections 109 to 117 and 120 to 125 applicable to companies established outside British India which have a place of business in British India, and it came into operation from the commencement of the Act of 1936. This Bill may be passed in 1938. Between 1936 and 1938, if such companies have not registered the charges in contravention of section 277D, it is sought by this amendment to absolve them for their neglect instead of imposing a penalty upon them. No doubt it is true that the word "Registrar" was not properly defined there. In sections 109 to 117 and 120 to 125 Registrar applies to any Registrar in any province. The word "Registrar" applies to any Registrar in any province. It is open to any company incorporated outside India to have their documents registered anywhere within British India before any Registrar. There can't be any difficulty of that kind. I would therefore submit, Sir, if it is necessary to obviate the difficulty that has arisen on account of there being no definition of the word "Registrar" or the meaning of it being indefinite, those companies ought not to be exempted from getting the charges created or acquired between 1936 and 1938 registered now at least. Though this amendment will compel them to register the charges created hereafter they may not

[Mr. M. Ananthasayanam Ayyangar.]

register the charges which were acquired between 1936 and 1938. A distinction ought not to have been made between companies incorporated outside British India and those incorporated within British India in the way of registration of charges, whether acquired or made originally under the old Act. That was remedied in 1936 by enacting section 277D. Now, to make section 277D nugatory until this Bill comes into operation, I would submit, is contrary to the intentions of the framers of that section. Secondly, I submit that if really there was so much inconvenience felt, the European Group should have come forward with a measure and placed before this House the inconveniences felt by them in not having a Registrar before whom they could go. They have not done so. They waited for this opportunity. I now ask, Sir, whether it is desirable to allow the European Group to take advantage of this opportunity and introduce substantial matter contrary to the intentions of the framers of that Act. I, therefore, oppose this amendment which makes a radical difference in section 277D.

Mr. S. C. Sen (Government of India: Nominated Official): Sir, I am afraid there has been some misapprehension in this matter. It is not the intention of this amendment to render nugatory section 277D. My Honourable friend, Mr. Ayyangar, has not realised that section 277D, as it now stands, cannot, unless the words "Registrar" and "the registered office" are further amended, be properly complied with by companies incorporated outside British India. This difficulty is going to be removed by the other two amendments, to which I understand there is no objection. How would it have been possible for those companies to comply with the provisions of section 277D before these irregularities, formal or informal, are put right? Therefore Sir, inasmuch as we are putting right the difficulties in section 277D to make it possible for companies, incorporated outside British India by this amendment, to comply with the provisions of section 277D, it follows equally that we should alter the provision so as to apply it as from the date of these amendments. That is the whole object. It does not seek to render nugatory section 277D, and I am afraid my friend's apprehensions are wholly unfounded.

Sir Cowasji Jehangir (Bombay City: Non-Muhammadan Urban): What happened to those charges between 1936 and 1938?

Mr. S. C. Sen: The position was that by reason of these difficulties which are now sought to be put right, the companies incorporated outside British India could not comply with the provisions.

Mr. M. Ananthasayanam Ayyangar: Will those charges between 1936 and 1938 be registered now?

Sir Cowasji Jehangir: What will happen to those charges? Will they comply with this section now? Is it the intention that all companies registered outside British India between 1936 and 1938 should register all the charges between this period, or will they not do so at all? If that is not their intention, then how are they going to be compelled to do so?

Mr. A. Akman: In practice, companies have endeavoured to register their charges. They have written to the Registrar who has stated that he

does not know what the proper procedure is. I presume the solution would be for the company to register the charge with every Registrar in British India.

Sir Cowasji Jehangir: But how are you going to be compelled to carry out the spirit of this section between 1936 and 1938? We trust you will do so, but how are you going to be compelled to do so?

Mr. Bhulabhai J. Desai: Sir, I oppose this amendment, and I am quite certain that when the grounds for the opposition are realised, my friend, the Mover, as well as Mr. Sen will see that there is no question of misapprehension at all. Section 109 and the subsequent sections relate to the registration of charges, and they are of vital importance in that the charges must be so registered, because the object of section 277D was that, in so far as non-Indian companies were concerned, they should comply with the provisions as to registration inasmuch as the Indian companies were obliged to comply with those provisions. The question is as to whether they were registered or whether they have created some difficulty, but that did not prevent registration. For instance, what is now provided is, that for the purposes of registration, the Registrar should be deemed to be the Registrar who is functioning in the province in which the principal office is situated. In fact even without that proviso, and with due deference, any man with common sense carrying on the business of a company in the principal place in British India would have gone to that Registrar and to no other, and it is no excuse to say that because there might have been some difficulty, therefore the section remained un-complied with. In any event, the result of the amendment, when passed, would be that all charges remaining unregistered between 1936 and 1938 would remain unregistered for all time, and I, therefore, object to the amendment on a very substantial ground. I would have had no objection if the amendment had provided for this. My friend, Mr. Ayyangar, pointed out in passing a short while ago that, though this may not come into operation until the amending Act is passed, there should at least be a proviso to the effect that all charges covered by the sections 109 to 125 shall be registered on a date, shall we say, within a week or a fortnight after the commencement of the operation of this Act,—the substantial point being that registration which has hitherto been omitted should be registered, because it was not impossible to register it without this explanatory proviso. As I said, the natural place for it to register would have been the place nearest to the principal office of the foreign company. I, therefore, oppose this amendment unless my friend is prepared to add substantial words to the effect that all mortgages and charges since 1936 would within a certain date from the operation of the amending Bill be registered with the Registrar indicated in the proviso, otherwise there will be a good deal of mischief done by the non-registration of the mortgages and charges between 1936 and 1938. If the amendment is proposed in the terms in which it stands now, then it is my duty to oppose it.

Sir Cowasji Jehangir: Better postpone it till after lunch.

The Honourable Sir Nripendra Sircar: May I say, Sir, that both this amendment and No. 3 can be put in a shape which will meet with the approval of all the parties, but that means a little time. I do not know whether the Chair will be inclined to postpone this matter till half-past two.

Mr. President (The Honourable Sir Abdur Rahim): Very well, I will do that. Then we will take clause 14.

Clause 14 was added to the Bill.

Mr. J. Bartley: Sir, I have an amendment to introduce a new clause after clause 14; but in view of the fact that it may be necessary to introduce a new clause after clause 13, I would like to modify the wording of my amendment a little bit and leave out the portion about re-numbering. I would like to move simply, that after clause 14 of the Bill a new clause be inserted as it is found here, and then subsequently, with your permission, I would move an amendment for the re-numbering of the Bill so far as re-numbering is rendered necessary. I move:

"That after clause 14 of the Bill the following new clause be inserted, namely:

'In sub-section (1) of section 277L of the said Act, before the words 'a statement' the words 'three copies of' shall be inserted'."

The object of this is to secure that three copies of the document referred to in section 277L instead of one should be supplied to the Registrar. We will add the number of the clause later.

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

"That after clause 14 of the Bill the following new clause be inserted, namely:

'In sub-section (1) of section 277L of the said Act, before the words 'a statement' the words 'three copies of' shall be inserted'."

The motion was adopted.

New clause after clause 14 was added to the Bill.

Clauses 15, 16 17, 18 and 19 were added to the Bill.

Mr. President (The Honourable Sir Abdur Rahim): Further consideration of the Bill will stand over till 2-30 p.m. today.

The Honourable Sir Nripendra Sircar: Subject to what other Members may suggest, I would rather have it as first thing tomorrow than at 2-30 today. It will not take more than a few minutes for the House to dispose of it, and if you take it tomorrow it will give a little time for us to discuss the form of the amendment.

Mr. President (The Honourable Sir Abdur Rahim): If that suits the convenience of the House, this Bill will be taken up again tomorrow.

THE REPEALING BILL.

The Honourable Sir Nripendra Sircar (Law Member): Sir, I beg to move:

"That the Bill to repeal certain enactments be taken into consideration."

This is the kind of Bill with which this House is troubled from time to time. The whole object of this Bill is to cut off the dry branches as it were, that is to say, formally remove from the Statute-book those Acts which have now become obsolete and effete by reason of circumstances.

There is a long Schedule. The matter has been very carefully gone into by Mr. Bartley and by others and I do not know that I need make a speech beyond saying that there is no desire nor is it the effect of the Bill, to cause any change in any law. Sir, I beg to move.

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

"That the Bill to repeal certain enactments be taken into consideration."

The motion was adopted.

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

"That the Schedule stand part of the Bill."

Mr. J. Bartley (Government of India: Nominated Official): Sir, I move:

"That in Part I of the Schedule to the Bill the entries relating to—

The Indian Trusts Act, 1882 (Act II of 1882),

The Land Improvement Loans Act, 1883 (Act XIX of 1883),

The Civil Procedure (Amendment) Act, 1922 (Act IX of 1922), and

The Indian Forest Act, 1927 (Act XVI of 1927)

be omitted."

The reason for this amendment is this. Take, for instance, the Indian Trusts Act first. Our proposal was to repeal section 2 and the Schedule of the Indian Trusts Act. Section 2 says:

"The Statutes and Acts mentioned in the Schedule hereto annexed shall, to the extent mentioned in the said Schedule, be repealed, in the territories to which this Act for the time being extends."

But by section 1 of the same Act power was given to Provincial Governments to extend the Act from time to time by notification in the official Gazette. We are not absolutely certain that all the Provincial Governments who might use that power have actually exercised it, nor are we certain that certain Provincial Governments may not in the future wish still to exercise that power. The same point arises as regards the other three Acts I have mentioned. I do not know that any harm would be done by removing them from the Statute-book, but I am not certain that inconvenience may not be caused. Therefore, when on going through the list of these Acts very carefully subsequently we found these four Acts about which we are not certain, we decided to omit them from the Schedule. Sir, I formally move.

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

"That in Part I of the Schedule to the Bill the entries relating to—

The Indian Trusts Act, 1882 (Act II of 1882),

The Land Improvement Loans Act, 1883 (Act XIX of 1883),

The Civil Procedure (Amendment) Act, 1922 (Act IX of 1922), and

The Indian Forest Act, 1927 (Act XVI of 1927)

be omitted."

The motion was adopted.

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

"That the Schedule, as amended, stand part of the Bill."

The motion was adopted.

The Schedule as amended, was added to the Bill.

Clause 2 was added to the Bill.

Clauses 3 and 4 were added to the Bill.

Mr. J. Bartley: Sir, I move:

"That in clause 1 of the Bill, for the figures '1937' the figures '1938' be substituted."

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

"That in clause 1 of the Bill, for the figures '1937' the figures '1938' be substituted."

The motion was adopted.

Clause 1, as amended, was added to the Bill.

The Title and the Preamble were added to the Bill.

The Honourable Sir Nripendra Sircar: Sir, I move:

"That the Bill, as amended, be passed."

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

"That the Bill, as amended, be passed."

Mr. M. Ananthasayanam Ayyangar (Madras Ceded Districts and Chittoor: Non-Muhammadan Rural): Though the clauses of this Bill are few, the schedule consists of nearly 300 or 400 Acts. This is the first day on which we are meeting. I had not even time to give notice of a motion for referring this Bill to Select Committee. Much less had we time to go through the several Acts. They are so many. Of course, I would like all the Acts to be repealed. There is no question about it. If you want to decide the point whether they ought to continue on the Statute-book or whether they should be removed, more than ordinary intelligence has to be exercised. However, intelligent and careful one of the Government Members might be, who is in charge of the Bill, it is possible that something might escape his notice. When a similar Bill was under discussion in Simla, there was a regular storm, when an amendment was introduced regarding the Merchant Shipping Act. Some modification was sought to be introduced by way of an amendment. Some days were spent in discussing whether it was a formal amendment or whether substantial changes were sought to be introduced by going behind the provisions of an Act. Similar difficulties might arise. As a matter of fact it has been noticed by the Government itself with respect to two or three Acts that they ought to have continued them on the Statute-book so as to allow the Provincial Governments to exercise some rights vested in them. In cases of that kind, Government must move a motion for reference to a Select Committee. Perhaps there may be no more such repealing Bills coming up. We had one in September. I would suggest to the Government not to rush Bills in this way but move for reference to Select Committee, so that greater attention might be bestowed on them.

The Honourable Sir Nripendra Sircar: May I explain the position of Government? My friend is not, of course, opposing my motion but is only airing his grievance. This Bill was introduced in September and he could have given notice of the motion for Select Committee within the last six months.

Sir Cowasji Jehangir (Bombay City: Non-Muhammadan Urban): My Honourable friend, the Leader of the House, is using his "cleansing" broom with a certain amount of thoroughness. All I would like to say is that I hope and trust that the broom does not carry away anything that ought to have been left. It is absolutely impossible for us to study a Bill of this character

The Honourable Sir Nripendra Sircar: You have had six months.

Sir Cowasji Jehangir: Even then, it is absolutely impossible to be able to say what legislation ought to remain. I notice among the Bills that are to be repealed some income-tax Bills. I trust that at the Finance Member's back, the Leader of the House is not sweeping away all the income-tax legislation in this country. At any rate, if he would make an attempt in that direction, he would receive the cordial assistance of many Honourable Members. The responsibility for such legislation lies entirely on the shoulders of Government, and we trust that they will not have to move later on for reinstating Acts which they are now repealing.

Mr. Sri Prakasa (Allahabad and Jhansi Divisions: Non-Muhammadan Rural): I am really sorry that the Honourable the Law Member should have intervened, because that forces me to have my say. The grievance of the Law Member is that though this Bill has been before the House for six months, none of us cared to table any amendment. The position is this. One never knows the course of Government business. They are in the happy position of needing no ballot. They can change their programme exactly as suits their purpose or convenience. Nobody could have reasonably expected that this enormous Bill would be brought up on the very first day. When the Legislative Assembly office sent out the agenda for today, it did not send out copies of the Bill, along with other papers. If we had received the Bills even two days earlier we could have tried to table some amendments. The Law Member can say that we should carry all the bundle of papers that are shoved upon us by the office always on our backs; but our backs are not strong enough and the papers are too numerous. We do not know when a particular Bill will come up.

Mr. President (The Honourable Sir Abdur Rahim): Copies of the Bill were circulated long ago. They were thrown away?

Mr. Sri Prakasa: They are all very carefully kept in my file at home; but I did not know that it was coming up today when I left Bepares. When I arrived here I found out that this thing is coming up today and, therefore, could not table any amendments. Of course, I could have found a flaw on every line and every page of this Bill. Therefore, without going into the merits of the question, I should like to add my little

[Mr. Sri Prakasa.]

voice to that of my friend, Mr. Ayyangar. Of course, I am in favour of repealing everything. Mr. Ayyangar said that no more Acts will now need to be repealed. I don't agree: the Government of India Act itself has got to be repealed. I have not given up hopes of that and generally I favour the repeal of every Act that this Government passes. The difficulty, however, in the present case, is that this repeal is only a misnomer. What it really means is that certain formalities have been fulfilled by amending Acts and the original Acts have got those amended sections incorporated in them, and, therefore, these separate Acts are no more necessary.

You will remember that when a similar Bill came before the House on an earlier occasion I wanted to omit one Act, the Act about repression, because that particular Act had been passed over the head of the Assembly by the Governor-General under special powers vested in him: a Bill that had been thrown out by the Assembly was put on the Statute-book as an Act. I feared a later generation might feel that that Act was actually passed by the Legislature if it was repealed under the Repealing Act in that particular form when the clauses of the new Bill had been incorporated in the earlier Act which had been originally passed by the Legislature. I wanted the fact of the exercise of special power to stand in its naked horror for all time. I am sorry that that amendment of mine did not find favour with this House, though I see that Mr. Bartley's amendment about omitting three Bills from this enormous list has been accepted by the House. Anyway, I feel that some protest should be raised on this side of the House and I am glad my friend, Mr. Ananthasayanam Ayyangar, and even Sir Cowasji Jehangir have raised their voices against the action of Government. Sir, I join in that protest.

Mr. President (The Honourable Sir Abdur Rahim): The question is: "That the Bill, as amended, be passed."

The motion was adopted.

THE INDIAN TEA CONTROL BILL.

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

"That the Bill to provide for the control of the export of tea from, and for the control of the extension of the cultivation of tea in, British India, be referred to a Select Committee consisting of Mr. Kuladhar Chaliha, Mr. Brojendra Narayan Chaudhury, Raizada Hans Raj, Mr. Thirumala Rao, Mr. Badri Dutt Paude, Dr. Sir Ziauddin Ahmad, Mr. Akhil Chandra Datta, Mr. P. J. Griffiths, Mr. F. E. James, Maulvi Abdur Rasheed Chaudhury, Mr. H. A. Sathar H. Essak Sait, Mr. G. D. Walker, Sir Girja Shankar Bajpai, Mr. A. K. Chanda and the Mover, and that the number of Members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

Sir, in view of the nature of my amendment and of the fact that this Bill merely seeks to continue legislation which has been in force for the last four or five years and I think with the general approval of the community, the House will not expect a very long speech from me. My friend Sir Girja Shankar Bajpai, to whom it fell to introduce the Bill

in 1938, pointed out that the Government had tried to give effect to three main principles in drawing up the Bill, *viz.*, firstly, that the industry on whose behalf the Bill was put forward should be responsible for providing the machinery and for paying for its administration; secondly, that the scheme should be made to work equitably on behalf of all the interests involved whether they were European or Indian and whether they were big or small, and, thirdly, that the operation of the measure should not press more hardly on India than it did on the other countries who joined in the agreement to which this Bill is to give force.

Sir, the present Bill follows the lines of the last Bill very closely, and it may be a matter of some surprise that since that Bill when it was first introduced was passed through the House without referring it to a Select Committee, Government should now think it necessary to send this Bill to a Select Committee. But Government are well aware that there are very many matters, some of them important and some of them not so important, but all of them requiring very careful consideration, which have cropped up in the course of the administration of the Act.

I will only refer now to one such matter which has been very prominently before Government, and that is that there has been a certain amount of dissatisfaction expressed particularly by the smaller Indian growers. One of the principal duties entrusted to the Committee is the distribution of quotas. Appeals on that matter have come to Government and in the course of the last few years Government have had to deal with a very large number of these appeals. I myself have dealt with these appeals and have taken a very considerable personal interest in them. I would like to say that I believe the Committee, in its administration of this part of the Act, have tried to show fairness to all parties. But on the part of the smaller growers in outlying places there is a very natural feeling that, perhaps, the Committee does not deal with them quite fairly. The reasons are that the Committee consists largely of a body of people who get their living out of tea, and are very interested in the restriction scheme. Then, too, they are people for the most part without knowledge of local conditions and of district administration, and the smaller cultivators feel, I think, that their difficulties are not always thoroughly understood. For that reason, I understand that there will be a move for the appointment of a full-time Chairman of the Committee, and one of the principal duties of this full-time Chairman, in addition to presiding at meetings, would be to deal particularly with these cases of appeals against export allotments, and it would be his duty to tour, and to understand exactly the point of view which is being put forward by the appellants. So far as Government are concerned, they are inclined to support this move, but it is the intention of Government, if this change is made, to appoint to this post after consultation with the Committee, an official who should be an Indian officer with district experience. Government attach very considerable importance to these smaller Indian growers of tea not only getting a square deal, as I believe they generally do, but feeling that they get it. That is the only point to which I want to refer specifically. I understand that there will be a large number of other amendments brought forward, and therefore, we propose this somewhat large and representative Committee to deal with this small Bill. That is all I need say at this stage. Sir, I move.

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

"That the Bill to provide for the control of the export of tea from, and for the control of the extension of the cultivation of tea in, British India, be referred to a Select Committee consisting of Mr. Kuladhar Chaliha, Mr. Brojendra Narayan Chaudhury, Raizada Hans Raj, Mr. Thirumala Rao, Mr. Badri Dutt Pande, Dr. Sir Ziauddin Ahmad, Mr. Akhil Chandra Datta, Mr. P. J. Griffiths, Mr. F. E. James, Maulvi Abdur Rasheed Chaudhury, Mr. H. A. Sathar H. Essak Sait, Mr. G. D. Walker, Sir Girja Shankar Bajpai, Mr. A. K. Chanda and the Mover, and that the number of Members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

Prof. N. G. Ranga (Guntur *cum* Nellore: Non-Muhammadian Rural):

Mr. President, I rise to oppose this Bill if I can and to point out at least some of the most important defects in it. I find that even Mr. Dow, who is so very anxious to pay a compliment to the Indian Tea Licensing Committee for its impartiality as between the big tea growers and the small tea growers, has himself been obliged to admit that there is a considerable amount of feeling in the ranks of the small Indian tea growers that they have not been dealt with fairly by this Committee. He seems to think that it is only a feeling. If it is so, there is no need why he should go out of his way to offer the appointment of an Indian I. C. S. officer as a full-time Chairman of this Committee, because it is in keeping with the Government traditions that they need not care so much for the feelings of the people as long as such feelings do not pinch them too hard. The truth seems to be the other way about, namely, that the Indian small tea growers have come not only to feel but have come to experience a terrible lot of unfairness at the hands of this Committee in the distribution of the quotas as between themselves and these big people.

It is a well-known fact that it is only since 1920 that the growing of tea has become more and more popular with the small tea growers. Whether you go to Assam or to the Nilgiris, you will find the same thing, namely, that a greater number of small tea growers have taken to tea growing and have found it a profitable occupation. They have, therefore, tried to turn more and more land to tea growing so that they could increase their own incomes. But they have found to their surprise and to their disappointment that this Tea Licensing Committee has come to exercise extraordinary powers over them and expects them to maintain a number of registers to satisfy a number of queries and to obey a number of orders emanating from this Committee.

It is not surprising that in 1933 such a Bill as this was passed by this House without even a reference being made to the Select Committee, but it is certainly surprising that the Government should even now give their apology for trying to send this Bill to a Select Committee. It is such an important Bill that it needs no apology at all for a reference to the Select Committee. Sir, as a result of the last Bill that was introduced and passed into Act, a new zamindar has come to be established in this country.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member can resume his speech after Lunch.

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

The Assembly re-assembled after Lunch at Half-Past Two of the Clock, Sir Cowasji Jehangir (one of the Panel of Chairmen) in the Chair.

Prof. N. G. Ranga: Mr. Chairman, Sir, I was saying before we dispersed for lunch that even under this Bill the Government do not seek to improve the position of the small grower. In fact this Bill seeks to establish a more efficient system of zamindari than we have had till now in various provinces. It is well known how the zamindars have been given the right of entry into any peasant's lands, to prosecute any peasant if they find the peasants contravening any of the sections of the laws according to which, they, the zamindars, have come to exercise their powers of collecting land revenue and so on in various provinces. It is also very well known how most of the zamindars have come to misuse their powers. That is why in various provinces today attempts are being made to enquire how and to what extent the powers of the zamindars could be restricted and the zamindari system could be prevented from playing this mischief upon the lives of our peasants. Then at this juncture to try to re-establish this particular Tea Expansion Board with all its powers is indeed a surprise to me, used as I have been to unpleasant surprises even from this Government of India.

Sir, this Board is to have the right to demand written notices from various tea growers for various purposes for the areas on which they grow tea for the amounts of tea that they produce, for the amount of tea that they seek to export and they have also the right to penalise peasants for not keeping these registers properly and adequately, and it is not only the right to prosecute these peasants for not complying with the various provisions of this Bill that the Tea Expansion Board claims, but it has also the right to impose conditions. It is both the prosecuting authority as well as the Judge. What is worse, there is to be no appeal at all against any of its decisions to an ordinary Court of law. If anyone is dissatisfied with its decisions, he has no other option but to seek the assistance, in one case, only the intervention of the Provincial Government and, in all other matters the intervention of the Central Government.

Sir, are we to be asked now to confer such arbitrary powers upon this Tea Expansion Board? If we are to confer such vast powers upon this Board, it is only relevant that we should pause and scrutinize the proposed constitution of this particular Board. There seems to be very little difference between the manner in which the existing Board has been constituted and the future Board that is proposed to be constituted. Except for a few unimportant changes the constitution seems to be the same whether it is for the past or for the future. There are to be twelve members, out of whom I am told on very good authority by my Honourable friend who hails from Assam as many as nine will be Europeans. A Board consisting of 12 members is to have nine Europeans. Such a Board cannot really be expected to inspire confidence in any responsible body of Indians, not to speak of the large numbers of Indian tea growers themselves.

Sir, it would have been some sort of apology for the re-establishment of this Board if Government had come forward with any proposal of increasing the strength of Indians on this and tried to show us conclusively that a majority of this Board ought to be Indians and not Englishmen. But even if a majority of this Board were to be Indians, will we be satis-

[Prof. N. G. Ranga.]

fied, can we be satisfied? My answer is in the negative. It is for this reason. Such vast powers ought not to be given to any authority barring the Government themselves; and even if it is the Government that is given these powers it must be a responsible and not an irresponsible Government like the one that we have today.

Sir, it is a notorious fact that most of our peasants are not able to keep accounts, many of them are illiterate, most of them are too poor to engage any Accountants. They are not in a position to keep all the intricate ledgers and other accounts that are expected to be kept according to this Bill. If they fail to keep any of these accounts properly, it is left to the discretion of any of the officers of this particular Board to take cognisance of that particular failure of his and then get his own Board to condemn him for failure to keep that account and then get him fined Rs. 1,000. It may be said that this particular figure of Rs. 1,000 is only the maximum. Normally speaking, it will not go as high as that, but when the maximum figure is as high as Rs. 1,000, it is common-sense to expect that a fine of Rs. 100 cannot be considered to be too high from the point of view of the Board, but from the view-point of the grower himself, a fine of even Rs. 50 is disastrously high, if such a power should be given to such a Board.

There is the question of responsibility of the Government in the whole affair. Why is it that Government is not itself anxious to discharge this particular function directly? Why is it that Government is so very anxious to have the mediation of this Expansion Board? Is it because the Government wants to be irresponsible even in this regard? Is it because Government do not want this House to have any sort of control over the activities of the thousands and thousands of officers and others who are to be appointed by this Board in order to carry out the objects of this particular Bill? If it is not that, why is it that Government wants to leave it to this particular Board? It may be that the Government wants to say that it wants to leave it entirely to the tea growers themselves who are interested in this. If Government is really serious about it, why is it it has reserved to itself the right of dissolving the Board whenever it likes, disallowing any of its activities, cancelling any of the fines or any of the actions of this Board? If Government has reserved to itself such vast powers of even dissolving this particular Board and taking as its own the revenues, whatever balance may be left with this Board, why is it that the Government does not openly come out and say "We are not responsible for discharging all these responsibilities, we shall be held responsible by the Legislature and by the public themselves for the manner in which we try to protect the interests of the growers"?

The whole thing comes to this. This Board is intended to be established for the protection of the tea-growers. If that is so, why not the Government come forward and say that they are prepared to protect these people and for that purpose they are anxious to have necessary powers to control the expansion or restriction or the diminution of the area under tea and they are going to exercise those powers according to rules framed by them and approved by this House? Instead of that there are to be one set of rules to be framed by this Government and enforced without the mediation of this House and another set of rules or bye-laws to be framed by this Tea Expansion Board over which also this House has no

control. Sir, the establishment of this Board is going to be no different from the establishment of the Statutory Railway Board. Government wants to enjoy all the powers without giving itself an opportunity of rendering an account from time to time to this House or to the public at large in this country.

Then, Sir, if we come to the growers themselves, even if the Tea Expansion Board were to be allowed to be kept completely under the sway of these tea growers, how do we find the fate of the small growers? How do they figure in it? I find from the proposed constitution of it that only one member is to be nominated by the Travancore Government, another member by the Central Government to represent the tea growers of Southern India. I know how these nominations are usually made. They usually go to these big fry; it is these big people who are able to catch the eye of Government and it is they who get themselves represented. They are already represented too well through these various organisations that they have organised themselves into, and on the top of it some of them will get an opportunity of getting themselves nominated by these various Governments as members of this Board, with the result that the smaller man or the smallest man is really squeezed out. It is the smaller people who are not properly organised. I may be told indeed that the Travancore Government as well as the Central Government are expected to nominate only some small grower from amongst the small growers of these various places,—Travancore and the Madras Presidency. But in actual practice it has so happened till now that even in regard to that, Government have tried successfully in getting those people, who are least representative of the small growers, to try to constitute such an irresponsible, irresponsive and unrepresentative Board and then to confer upon it such vast powers over the fate of these small growers and others; and then to ask us to give our sanction to it is really asking for too much.

Let us see whether this particular Expansion Board is expected to increase even the efficiency in the production of tea. We find no mention of it here. It is only intended to restrict the total area under tea, controlling and trying to interfere in the economic life of large numbers of our tea growers in this country. We find that the lowest production is 357 lbs. per acre whereas the maximum goes up to as much as 657. No effort is sought to be made to raise this minimum to a higher figure and try to achieve a better average of production in this country. Indeed I find that no effort made or sought to be made to improve crop planning in regard to this as between these various provinces. We find that one province—Assam—alone has got nearly 50 per cent. of the total production for itself. There are other provinces. Between 1885 and 1936 many provinces which did not figure prominently in the earlier days have come to develop tea growing for the benefit of their own tea growers. But thanks to this Tea Expansion Board and the steps taken by these various European tea planters, many of these new provinces have been prevented from effecting as much expansion of tea growing in their own provinces as really they need. To take only my own province of Madras, you will find that in 1885 they had only 5,558 acres, whereas our growers came to have 51,864 acres in 1926. The acreage has increased tenfold within that period, and between 1926 and 1930 it has again gone up to 69,000. But between 1930 and 1935, that is, the past five years in which definite efforts had come to be made

[Prof. N. G. Ranga.]

with the help of the State by the European tea growers, the acreage has not shown as great an increase as one would have expected. It only rose by about 7,000 or a little more than 7,000 acres. The same thing can be said of many other provinces. There is a great need for the expansion of tea in various other provinces apart from Assam and Bengal, and yet because of this tight control over the expansion of tea and no effort being made for redistribution of the area under tea as between different provinces, many of these provinces which really are badly in need of tea growing have had to suffer very seriously for want of any other equally profitable crop. Therefore unless the Government makes itself responsible for the expansion or the restriction of the area under tea all over India, adequate justice cannot be expected to be done either to small growers or to various provinces which have not come to be major tea growing provinces.

Then we come to the question of staff. I do not know how many thousands of people this Board is already employing either at the top or at the lower rungs of its own services. But we know that most of the people at the top are today Europeans. They are paid very high salaries and provided with munificent allowances and in addition, they are already having some thousands of employees. How they employ these people, through what means, with what qualifications, nobody knows. They do not even publish a report of their activities with adequate details, and we are to have many more people employed on this basis. If these officers about whose qualifications we are not given any sort of assurance are to have such vast powers as to go and interfere in the economic life of our peasants at so many points, and if these officers are to have no qualifications at all or such as cannot be considered to be satisfactory, and if there is to be no real governmental control over their activities, then it bodes ill for our peasants indeed. If Government really wills the welfare of our peasants, what it ought to do is to have a sort of board like this only, as an advisory board to help with its advice and experience, but that Government itself should undertake all the responsibility that is today being discharged by this Board, so that we may know how Government appoints all these officers, who they are and what they are doing and how they behave themselves. If any of them behaves badly, it should be possible for any Honourable Member in this House to rise in his seat and raise a question or even question the authority of the Government for having allowed this man to behave badly either towards the peasants or towards anybody else in the country. Therefore, I am opposed to the very principle underlying the establishment of this Board and the powers that are to be conferred upon it; and if by any chance the House accepts the principle underlying this Bill, then I would like the House to have a close eye on the various dangerous powers that are sought to be given to this board and see that the Government is made responsible for every major activity and major decision of this Board and for every action of the employees of the Board.

Mr. K. Santhanam (Tanjore *cum* Trichinopoly: Non-Muhammadian Rural): Sir, I rise to a point of order: in the Statement of Objects and Reasons you will find that this Bill deals with subjects which are in the Provincial List. As a matter of fact chapter III of this Bill deals with items 20, 21 and 29 of the Provincial Legislative List. When this

Legislature deals with such subjects, such legislation is governed by sections 106 and 106 of the Government of India Act. The statement of Objects and Reasons of this Bill itself states that under section 106 they have got the consent of the Provincial Governors for this legislation. You will find that section 106 refers only to legislation undertaken by the Federal Legislature by reason only of the entry in the Federal Legislative List relating to the implementing of treaties and agreements with other countries. The whole point which I want to raise is whether this Bill is based on a treaty or agreement with other countries by the Government of India. I submit that it is not. This is only an official recognition of some agreements between the vested interests concerned in the tea industry. It cannot be construed as a treaty or agreement on behalf of this country with other countries executed by the Government of India; and unless it is such an agreement, this legislation cannot be governed by section 106; it has to be governed by section 103. According to section 103, the Provincial Legislatures have to approve of such legislation and pass resolutions authorising the Central Legislature to enact a law on the subject. I submit that as the consent of the Provincial Legislatures has not been obtained and as this is a matter which concerns the subjects in the Provincial Legislative List, this Bill is not in order.

Mr. Chairman (Sir Cowasji Jehangir): I understand that this is merely a Bill to continue the present Act which is in existence.

Mr. H. Dow: As regards that point that you have raised, Sir, this is a Bill to continue in all its main features an Act which is at present in force.

Mr. Chairman (Sir Cowasji Jehangir): Leaving aside your point of order, this is a Bill which is intended to continue an Act which will lapse; and if such a resolution as you contend is required, it ought to have been required for the Act which is in existence even now.

Mr. Bhulabhai J. Desai (Bombay Northern Division: Non-Muhammadan Rural): It is the division of subjects in the new Act of 1935 on which the point is based: the respective jurisdictions of the two Legislatures are in the Schedule—the Concurrent List and the two exclusive lists.

Mr. H. Dow: I think the Honourable Member's point is that this agreement to which the Bill seeks to give effect is not an international agreement: that it is merely an agreement between sectional interests in the countries concerned. While it is true that there is such an agreement between the interests concerned, the various Governments concerned, in each of those countries, have also undertaken to give legislative effect to these agreements in so far as it is necessary for implementing them, and, therefore, there is an international agreement within the meaning of the Act.

Mr. M. Ananthasayanam Ayyangar (Madras Ceded Districts and Chittoor, Non-Muhammadan Rural): Sir, the point is this. I understood the Government to say that this agreement was entered into by the Government of India with the Ceylon Government and the Government of the Netherlands. But unless the Government of India as the Government of India enters into an agreement with other Governments, that agreement cannot be implemented by a statute of the Federal Legislature or by the Central Government because it is only such agreements that can be implemented under section 106. That section says:

"The Federal Legislature shall not by reason only of the entry in the Federal Legislative List relating to the implementing of treaties and agreements with other countries have power to make any law for any Province except with the previous consent of the Governor, etc., etc."

The point is now that this Bill does not seek to implement any agreement entered into by the Government of India. Implementing treaties and agreements with other countries does not refer to agreements entered into by any section of the tea trade in this country with a section of the trade in any other country nor even by a section of trade in this country with the Government of any other country. If agreements are entered into by this country with Ceylon or Netherlands, then it is open to the Federal Legislature to implement them, though those agreements might affect subjects which are included in the Provincial List. This subject of the control of the extension of growing of tea in the several provinces is certainly in the Provincial List because it relates to agriculture and to land also. Therefore, Sir, but for the provision of section 106

3 P.M. relating to the implementing of agreements and treaties with other countries where the Government of India as a whole may represent all the Provincial Governments,—the Government of India on the one side on behalf of the Provincial Governments and foreign Governments on the other,—the Government of India can be the spokesman. That is included in List No. 1. If you will kindly refer to that list and the way it is worded,—it is at page 299, schedule VII, Item 3, External Affairs,—you will see it is stated there—"implementing of treaties and agreements with other countries....."—we are concerned with the second one,—the implementing of treaties with other countries,—and though the subjects coming under agreements are included in the Provincial List, yet by section 106, it is specifically provided that the Federal Legislature may pass laws and the implementing of such laws and agreements shall be with the consent of the Governor; that is to say, though these treaties and agreements might relate to subjects which are specifically provided for in the Provincial List, they could be controlled by agreements by the Central Government. To that extent, an exception is made in favour of the Federal Legislature, but before the Federal Legislature can have jurisdiction, the agreement, according to my friend, Mr. Santhanam, who raised the point of order, must show that the Government of India as the Government of India entered into it. It is not clear from the Statement of Objects and Reasons. On the other hand, it seeks to say that those agreements have been entered into by the respective traders and tea growers. Please refer to paragraph 2 of the Statement of Objects and Reasons where it is stated:

"Representatives of the tea industry in India, Ceylon and the Netherlands Indies have executed an agreement providing for the renewal of the scheme for a further period of five years from the 1st April, 1938. After careful consultation with the various

interests affected and the Provincial Governments as well as the Indian States concerned, the Central Government have decided to give official recognition to the renewed tea control scheme. The specific consent of the Provincial Governments has also been obtained to legislation being undertaken."

It does not state

Mr. H. Dow: Has the Honourable Member read the preamble to the Bill?

Mr. M. Ananthasayanam Ayyangar: Yes, I have read it. I shall again read it. "Whereas it is expedient, for the purpose of implementing the agreement which the Central Government has entered into with the Governments of Ceylon and the Netherlands Indies to give effect to the provisions of the International Agreement....." Therefore, it is easy for my Honourable friend to say that the Government of India has entered into an agreement

Mr. H. Dow: I have said so.

Mr. M. Ananthasayanam Ayyangar: Yes, but before you pass it, let us make sure that the Government of India also has entered into it, because there seems to be a difference between the preamble and the Statement of Objects and Reasons. Let us therefore have a look into the agreement before we proceed further.

Mr. Chairman (Sir Cowasji Jehangir): Whether you see the agreement or not, it is a matter of arrangement between the Opposition and the Government. The fact is, there is an agreement, which is mentioned in the preamble, and I hold that the point of order is not valid.

Mr. M. Ananthasayanam Ayyangar: Sir, I rise to another point of order. I want to know if the consent of the Governor has been obtained, and if so, I would like to see the consent of the Governor, because, Sir, I find that the Governor, under the Government of India Act, except where it is provided that he can act on his discretion or his individual judgment, shall always consult the Ministers and without his Ministers he has absolutely no jurisdiction to give his consent

Mr. Chairman (Sir Cowasji Jehangir): What is your point of order?

Mr. M. Ananthasayanam Ayyangar: My point is, if the Governor has given his consent in consultation with his Ministers, and if so, I want to see the consent itself. The Governor has absolutely no right to give his consent except in consultation with his Ministers, and he is bound by their advice under section 50. Under section 106, clause (1), with the previous consent of the Governor, etc., it is not stated it is in his discretion or individual judgment. If you will please refer to section 50, it is stated there that 'there shall be a Council of Ministers to aid or advise the Governor.....'. The second clause relates to his individual judgment. Therefore, it is not clear whether he has given the consent in consultation with his Ministers whose opinion shall be final.

Mr. Chairman (Sir Cowasji Jehangir): If you will look at the back of the Bill, you will see this.

Mr. M. Ananthasayanam Ayyangar: I have seen it. It is stated there: "The previous consent necessary under sub-section (1) of section 100 of the Government of India Act, 1935, for the enactment of the provisions of Chapter III of this Bill has been given by the Governors of the provinces concerned", and it is signed by the Secretary.

Mr. Chairman (Sir Cowasji Jehangir): Your point is that this statement may be incorrect, that it may not be a properly qualified consent. As far as the Chair is concerned, it must take it for granted that when it is certified that the consent is in order, then it is in order. It is for the Honourable Member to prove that it is not in order. Unless the Honourable the Leader of the House is prepared to make a statement and confirm the statement just made by the Opposition, the Chair must hold that the consent is in order. The Chair is quite prepared to allow him to make a statement if he wants to.

The Honourable Sir Nripendra Sircar (Law Member): I have no difficulty in confirming what has been stated at the back of this Bill. When we receive a consent, we must presume that it is a consent validly given. We cannot presume that some Ministers have not been consulted and therefore it is invalid, and if there is any substance in that, it is more for my friend to prove it by some evidence.

Mr. M. Ananthasayanam Ayyangar: Here even with respect to nominations by the Government of Madras, the Central Government has taken over their right to nominate a member under the clauses of the Bill.

Mr. Chairman (Sir Cowasji Jehangir): That is another point.

Mr. M. Ananthasayanam Ayyangar: I wonder if the Government of Madras, which means the Governor and his Ministers who are in a majority will endorse that their right of nomination can be taken away by the Government of India. If the Governor himself gives a consent or sanction, it is not valid. I want to know if the Governor as such with his other Ministers and at a meeting of the Ministers voted for this, otherwise his consent is invalid.

The Honourable Sir Nripendra Sircar: Under section 59 of the Government of India Act, all executive action of the Government of a province shall be expressly taken in the name of the Governor. This executive action has been taken in the name of the Governor, and we presume, unless the contrary is shown, that it has been properly done. We cannot go behind it.

Mr. Chairman (Sir Cowasji Jehangir): So far as the Chair is concerned, it must take it for granted that the sanction was obtained legally, and it is according to the Act. There is no evidence to show it is not, and the Chair must accept the statement of the Government. It was a sanction obtained in a proper manner.

Mr. M. Ananthasayanam Ayyangar: There is intrinsic evidence that it is not

Mr. Chairman (Sir Cowasji Jehangir): The Chair has given its ruling that the sanction has been obtained in a proper manner, unless you can prove the contrary. The Chair is quite prepared to listen to the Honourable Member.

Sardar Mangal Singh (East Punjab: Sikh): Sir, I wish to make only a few observations on this measure. This Bill, Sir, as the Honourable the Mover has pointed out, seeks to continue the previous arrangements made in regard to the export and cultivation of tea. So far as the restriction on the export of tea is concerned, I have no quarrel, but as regards the restriction on the cultivation of tea, I submit the provision made is rather drastic. Most of the tea planters in this country are Europeans, and by this measure Government wants to safeguard and perpetuate their vested interests. Sir, I would request the Honourable the Mover of the Bill, while in the Select Committee to see that no restrictions are put on the small tea growers, while some restriction is put on big tea growers.

As regards the Licensing Committee, there was only one Indian on the previous Committee out of twelve members and the Chairman was elected by that Committee. As the Honourable the Mover has himself admitted, there were several complaints on the part of small Indian tea growers and the matter often came up before the Government of India. There have been serious complaints about the assessment of the quotas. I do not say that there has been corruption, but I have no hesitation in saying that there has been a certain amount of favouritism and jobbery. On the new Committee there will probably be 3 or 4 Indians, but I submit that that number is quite insufficient and I hope that the members of the Select Committee will so amend the clause that the Indians are in a majority on that Committee. The Europeans may be larger in number as tea planters, but, after all, this is our country and most of the consumers are Indians and it is but natural that on this Committee Indians should be in a majority. I welcome the announcement by the Honourable the Mover of the Bill that the Chairman of this Committee will be an Indian. Through the Chairman who will, I hope, be appointed by the Government of India, the latter would be able to exercise more control over this Committee.

During the past five years this industry has been enjoying perfect autonomy in this country. I do not know whether the Government of India have interfered in the affairs of that Committee. Merely because this Bill seeks to continue the previous arrangements it will not do to say that this Bill is not important, nor will it do to say that on the last occasion when this Bill was passed it was not referred to a Select Committee. I submit that this Bill is very important and it introduces certain drastic provisions in the economy of our country. I carefully listened to the speech of the Honourable the Mover of the Bill, but he did not say anything about speculation in the matter of selling of quotas. It is common knowledge that the quotas are sold to speculators, and in this respect the greater the speculation the more do the tea growers suffer. I hope that the Select Committee will introduce suitable provisions so that the selling of quotas to more than third party is prohibited. The quota may be sold to one person but he should not be allowed to transfer his right to export tea to another man. I hope I have made myself clear. If we allow the selling of quotas indefinitely, there is great danger of speculation and it can be so manipulated that the price of the quota is kept down

[Sardar Mangal Singh:]

artificially and the result will be that the tea grower will suffer whom this Bill wants to benefit. I therefore submit that a provision should be introduced in this Bill by which speculation will be prevented.

As regards the composition of the Committee, I do not see any member from Dehra Dun or the Kangra side. I hope that my Honourable friend, Mr. Hansraj, who is on the Select Committee will press this point. As is well-known, tea is grown, though not in such large quantities as in Assam, on the Dehra Dun side and in the Kangra valley, and there should be somebody to look after their interests on this Committee. With these observations, I support the Bill.

Mr. Brojendra Narayan Chaudhury (Surma Valley *cum* Shillong: Non-Muhammadan): Having been proposed for the Select Committee, I had not intended to speak on this motion, but what has transpired in this House urges me to rise and say a few words. We have not yet been assured whether there is any agreement or treaty between the three Governments, those of India, the Netherlands and Ceylon.

Mr. H. Dow: This is a matter on which you have already given a ruling, Sir.

Mr. Brojendra Narayan Chaudhury: I should like to know the date of that agreement. In the absence of a definite assurance, in the absence of proof that a treaty between the three Governments and not merely an agreement between certain interests has been entered into, it would be quite unsafe for this House to go on with this control scheme. Supposing at the end of the year the growers in Ceylon or in the Dutch Indies were to back out of this agreement and begin to flood the world market, our Indian producers would suffer immensely because we have restricted our production. I would ask this House before it proceeds to vote on this Bill, to be fully assured by facts and figures and by date of the treaty that there is an actual treaty in the real sense between the three Governments. Another thing that I wish to draw attention to is the presence of my Honourable friend, Mr. Griffiths, who represents the European tea interests, just behind Mr. Dow and instructing him. Appearances are said to be deceptive. But they are not so always. I am afraid that the reply to be given by Mr. Dow will largely be the version of the European planters regarding the Control Board. I think it proper that this House must not be misled by one version of facts. I would like to place before the House the Indian version. My Honourable friend, Mr. Dow, began by saying that the Tea Control Board has not been unjust to the Indian planters. But the small planters have complained against the treatment of the Board and our principal object now should be to legislate so that those complaints may disappear. The Control Board has not always been just.

May I draw the attention of Mr. Dow to a criminal case which was, a few months ago, launched in the criminal court in South Sylhet against a small Indian concern for extending the cultivation of tea against the provisions of this Act. The court has found it was old cultivation and the prosecution was unjust. I believe that was the first criminal prosecution under the Act. I quite agree that some sort of criminal provision

is necessary in order to stop unauthorised cultivation; but my complaint is not against the provisions of this Bill but against the way in which the Board works. This House should not think that simply because the Indian planters have not created a row therefore there are no complaints against the Control Board. At any rate the Control Board as constituted under the last Act cannot be allowed to go on. It has been proposed to put an Indian official as Chairman. That may go a little way towards improving the position but not much because most of the members of the Board will be elected by the European tea interests. These are generally very busy businessmen with big ideas. They cannot understand the difficulties of the small Indian planter. They do not realise the difficulties of the small man. By the way, I may tell the House that there are very few big Indian tea planters. Their number can be counted on one's fingers. The basic fact is not realised that the vast majority of Indian planters began their career late, only just a few years before the depression began, and, therefore, they have their financial difficulties as well as the difficulties of small cultivation which cannot pay unless and until the amount of cultivation is raised to a certain minimum. I know that under the rules of the Government of India a certain minimum size for tea gardens is fixed but that minimum may be required to be raised. I believe that is what my friend, Mr. Mangal Singh, wants—that we should be more liberal towards the small planters in granting permits for extension of cultivation and refuse all extensions to the big estates.

One thing that will strike Honourable Members of this House is the provision for the representation of the Indian planters in the Assam and Surma Valleys by nomination at the hands of the Government. We have provincial autonomy in the provinces on a very wide franchise and it is rather archaic in the year of Grace, 1938, that the Indian planters of the Assam and Surma valleys should not be allowed to elect their own representatives. Complaint has also been made by the tea planters in the Native State of Tipperah. They want that they should elect member to the Board. The Government of Travancore have prevailed upon the Government of India to give the tea growers in that State representation but I do not know how far Tipperah State has moved or will be successful. On behalf of the planters in Tipperah, I do claim representation for them.

The most important thing dealt with by this Bill is the crop basis. It is proposed in the new Bill to leave this matter to be determined by the rules to be made under the Act. We suspect, and our suspicions are often correct, that these rules will be made by somebody outside the Government of India and that Mr. Dow will simply sign it and pass it on after looking at the draft for a few minutes. I think that the basis on which the quantity of the crop is to be determined ought to be provided for in the Act itself. It may be said that this is intricate and going too much into details. Against that argument, I would point out that in the Workmen's Compensation Act there are far more detailed matters dealt with in the schedule to that Act than what the crop basis requires. To err is human. Some of the decisions of the Control Board are sure to be wrong and there should be an authority to which appeals should be made. There is a board of appeal working very successfully in Ceylon. My friend, Mr. Ranga, has thrown out some good suggestions. But at the same time, I am sorry to say, he has misconceived some of the provisions of this Bill. This Bill is not intended to extend the cultivation of tea. On the other hand its object is indirectly to restrict the crop and directly to restrict

[Mr. Brojendra Narayan Chaudhury.]

further extension of cultivation. So far as the existing state is concerned, every planter is growing as much tea as he wishes. Prudence dictates him to voluntarily restrict the crop for fear of glutting the internal market; only, he must not bring in new areas under cultivation. The control is on the export side, so that the foreign prices may not drop. As a result of not restricting by law the production and internal sale, my friend, Professor Ranga, has his tea in the wholesale auction market at five annas a pound whereas we are selling tea for export at ten annas a pound. Therefore, the consumers of India are being benefited at the expense of the foreign countries. With these words, I support the reference to a Select Committee.

Mr. Badri Dutt Pande (Rohilkund and Kumaon Divisions: Non-Muhammadan Rural): Sir, there has been a sugar control convention very recently; then we have this tea control Bill; then there will be a milk control, and then birth control and then will be the salvation of India! (Laughter.) Sir, whether all this will lead to the economic or political salvation of India we do not know. Sir, I rise because I come from a hill district growing tea. Tea was growing wild there before the advent of the English, so we have not learnt this vice from the English but the hill-men were drinking it long before the advent of the English here. But, the three tea-growing districts—Kangra, Dehra Dun and Kumaon—do not come into the picture at all; they are not represented at all here, although to my knowledge, Kangra produces about five lakhs of maunds, Dehra Dun about ten lakhs, and Kumaon about three to four lakhs of maunds. No representation has however been given to these three districts and I think they should also be given representation on the Committee.

Recently various points have been brought to notice by other speakers but what I have to bring to the notice of this House is one important statement of our great national leader, Pandit Jawaharlal Nehru, who went to Assam very recently. This is what he says: "I will only now say this that the tea grower does not come into the picture at all either in this Bill or anywhere else or in the Government of India Act, because provision has only been made for the forty-fourth cousin of the bureaucrat and not for the man who produces tea there and sweats and labours all the while." (Laughter.)

I would seek the apology of the House for reading out this statement of Pandit Jawaharlal Nehru in extenso:

"The tea gardens cover a good part of Assam and the Province might, indeed, be called the land of tea. I passed by innumerable such gardens, especially in Upper Assam, and they had a prosperous look about them. A tea garden can be judged to some extent from its external appearance and I must say that most of these gardens in the upper valley looked clean and efficient, more so than the gardens I had seen some years ago in Ceylon. The bushes were neat and close together and their surfaces formed an unbroken and uniform expanse.

But the shine of the shoe is not a test of its fitness or the comfort it gives to the wearer. I suppose the garden labourers are not looked upon as the wearers of the shoe in question. But I was more interested in them than in the quality of the tea produced or the dividends of the companies. And the look of these labourers, men and women, was not good, and their complaints were many. Some progress has been made in law at least, from the days when these workers were indentured coolies and practically in bondage. But, in effect, I doubt if the change has made a material difference to their lives. They had a haunted look about them, and fear peered out of their eyes. They were poor, of course.

They have no organization and not allowed to have any."

Sir, that is a serious accusation:

"I am told that outsiders are not encouraged to go there or to their lines and they live more or less secluded lives. They have been given special representation in the Provincial Assembly, but the measure of their helplessness is this, that their so-called representatives represent the interests of their employers and always side with them. They dare not elect the people of their choice. This is a deplorable state of affairs and to remedy this utter helplessness is far more important than some paternal legislation to remove minor grievances."

Then, another thing which he says is this:

"I was surprised to learn that the tea companies paid exceedingly little in the way of revenue to the State for the land occupied by them. They pay far less than the ordinary agriculturist. Why this particular favour should be shown to them I do not know. It seems unfair to the State and to the agriculturists."

Sir, these are the complaints of our great national leader, Pandit Jawaharlal Nehru. I say that one representative should also be given to the labourers there who constitute the bulk of those affected. It is out of their sweat that we get our afternoon or morning tea, and the toilers should also have their representatives in this Committee. Sir, everywhere the poor under-dog does not come into the picture but only those people who have their dances, dinners and drinks every day who come into the forefront; their whiskies and sodas are all reserved but not the needs of the under-dog, who has got only one friend here, Professor Ranga, who however, is absent just now, and I say that one representative at least should be given to them. (An Honourable Member: "What about Mr. Joshi?") Whether it is Professor Ranga or any other man does not matter, I say, but all the niceties of life are what you call the monopolies of those Benches and all the trash is given to this side (Laughter): that is, income on that side, and tax on this side. So what we want is that the under-dog who produces tea should not be ignored and he should be allowed to organize himself. And why not? This is only prevented by the planters' *zoolum* and *seberdusti*. Why should not the labourer be allowed to organize himself and to represent his grievances? Sir, I think one representative should be given to Kangra, Dehra Dun and Kumaun, the three districts which grow tea, among others, in the hills. And then there should be no restriction in the agriculture; there may be restriction in the export of tea,—because commercially tea grows wild and some people may be hauled up for illicit growing but that would create hardships for the small grower. As far as possible laws should not be coercive but should only be preventive and permissive. With these words, I support the motion.

Maulvi Abdur Rasheed Chaudhury (Assam: Muhammadan): Sir, I had no mind to speak at this stage of the Bill. But on second consideration I thought that I should speak something. The last Tea Control Bill was passed as a result of an agreement between the three tea-producing countries. We hear that this agreement has been renewed and that it is, on account of this agreement that this Bill is going to be enacted. I think the House has got the right to know on what condition this agreement has been renewed. I would like to know whether it has been renewed on the conditions prevailing in 1933. I must admit that the Tea Control Act of 1933 came to the rescue of the tea industry, especially of the small tea gardens owned by Indians. I must also admit that the Committee appointed under the Act also performed their duties fairly

[Maulvi Abdur Rasheed Chaudhury.]
nicely. But this does not mean that nobody has got anything to speak against the working of the Licensing Committee or the working of this Act.

There are complaints against this Committee, some of which are serious and others are of a minor character. First of all, I wish to refer to the saleability of the export quota. I have a great complaint about the export quota being made saleable. First of all, it has a tendency to weaken the small tea estates which are in need of money and are ready to sell their tea at whatever price they can get. But this is not so serious. The worst thing is that the saleability of the export quota is trying to make the growers unlearn what they have learnt in the line of making tea. There are many gardens who will not make any tea at all but would sell their rights to others and just pay for the wages of coolies but would not make any tea. I am afraid if this state of things is allowed to continue, many tea growers will forget the art of making good tea for which there is so great a demand at present.

Then, Sir, the working of this Licensing Committee seems to me to be rather arbitrary. We do not know on what consideration the crop basis was determined on the crops of 1929 to 1933. How was it that the crop of previous years was not taken into consideration? Take, for instance, some of the tea gardens which in 1925 might have been producing a crop which they could not produce in 1929 to 1933.

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

If the basis of 1925 to 1928 were taken into consideration, many of the gardens would have been benefited.

Then, Sir, as regards the constitution of the Committee. In the previous Act, so far as Assam was concerned, two members were to be nominated by the Local Government. According to the present Act, this nomination is now to be made by the Government of India and not by the Local Government. Had it been made in consultation with the Local Government there would have been something in it. I do not know how the Government of India can find out a suitable man for the Committee without the help of the Local Government.

Then, Sir, over and above the tea grown in the province of Assam, there are tea gardens in the estates of Tipperah and Chittagong. I believe the acreage of Tipperah Hills is not an insignificant acreage and in all equity Tipperah should have a representation on the Committee along with Chittagong. Both the places should be represented on the Committee alternatively.

The rigour of the whole Act has fallen on the extension. The big estates can manage without an extension for a decade or for two decades or for even half a century but small estates are bound to suffer. If the small estates are not allowed to expand themselves, then their extinction is sure because they will not be able to do any plantation on virgin soil.

Then, the other mysterious thing is the distribution and the quantity of this extension to individual gardens. I do not know on what basis they have classified economic estates and economic companies. So far as my knowledge goes, an economic estate, if it is owned by a proprietor, can extend to the area of 150 acres and if it is owned by a company, then it

can extend to 800 acres. I think there ought to have been some other basis on which the extension should have been allotted to different estates. This economic and uneconomic basis is not sufficient. The old estate, take for instance, of 125 acres is now exhausted and if the proprietor cannot extend his estate, it is sure that his estate will go in the course of a decade or so. So, we are quite justified in our complaints so far as the distribution of the extension area is concerned.

These are the main points on which I wanted to speak at this stage. I hope to have another opportunity of speaking when the Bill is taken clause by clause.

Dr. Sir Ziauddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): Sir, the object of the Tea Cess Committee is primarily to raise the price level of tea, because we have seen that in the days of depression the price of tea had fallen to uneconomic level and that the tea producers got no profit and good many of them were frightfully in debt. The Tea Cess Committee has really saved a large number of tea growers, both Indians as well as Englishmen. There is no doubt that the work which they are doing is very valuable and we have only to examine the details of their working.

There was one point raised by my friend, Mr. Pande, and I would like to refer to it. I have already referred to it several times on the floor of the House and whenever I get an opportunity I will press it. The point is that we have been catching the wrong end of the stick in settling the questions between the employers and the employees. The fundamental point which I think we ought to take up is this that the labourers must get the minimum wage which is necessary for their existence, and they should participate in profits. The capitalist should get bank rate of interest and the depreciation charges and a share in profit. Whatever is left as profit after paying wages, interest and depreciation charges ought to be distributed in certain proportion between the employers and the employees. This principle which I pressed on many occasions I take the liberty of pressing again on this occasion, that the workmen and the tea planters must have some share in the profits which they earn on account of the working together for common object, i.e., the success of the industry.

Question was raised about the unfair treatment to certain tea growers. May I draw attention to clause 31, where a provision is made that in case a person is aggrieved, he can always appeal to the Local Governments and now the Local Governments are the governments of the people and we cannot say at this moment that they will do injustice to any class of tea planters. The provision to meet such emergency is already there.

One other question was raised and it is also very important, that is about quota. I think that we ought to have quota system. It is unavoidable, but the quota should not be a fixed proportion of the entire land, this proportion ought to be a variable quantity. In the case of big planters, we should give them comparatively small ratio and in the case of smaller planters, we should give a bigger figure. I submit that this ratio of quota should be different in different cases. We should work it out on some principle. There was one objection raised by my Honourable friend about the sale of the export quota. This thing has got some advantage and I think we should not ignore it. That is, that small tea planters cannot have access to the export business and the best way they can export it is to sell

Dr. Sir Ziauddin Ahmad: It is to some bigger firms who will export for them. This provision, I submit, is a fair one and it is in the interest of the smaller tea planters, but at the same time there is a danger of its being misused. It is quite possible that some class of money-lenders may spring up in this trade as we find in the case of agriculturists. These money-lenders not having any interest in tea itself may perhaps begin to purchase the export quota from the various tea estates on uneconomic basis and thus create certain difficulties. This danger which exists ought to be avoided and I hope the Select Committee will look into the matter.

There is one other point to which I should like to draw attention. From my personal experience I can say that this Committee is doing very good and useful work in increasing the sale of tea in the country itself, and thus helping in an indirect manner the larger production. One point I should like to draw the attention of the House to—I did not know myself before, probably a good many Honourable Members do not know—that the same tea does not produce a good cup of tea in all waters. The tea made of well water at a certain place is efficacious when made in river water at another place. Really we have to classify the water at different places in order to obtain good results. I myself had some experience of this. I had very good prescription of tea mixture at one particular place and I took the same tea to some other place where I found it was not so good. Not knowing the scientific secret of chemical composition of water, I laid the blame on my cook thinking that perhaps the water was not properly boiled or that the tea pot was not clean. I ignored entirely the chemical changes in different kinds of water. This reminds me of a very good illustration in the history of astronomy and that is about the inclination of the moon's orbit. We know that it is an angle of five degrees. But it has a periodic motion. A number of Arab astronomers attempted to measure this angle. Some of them found it five degrees; others more than five degrees and sometimes it was found to be less than five degrees. They failed really to see that it was really due to the periodical change in the value of this angle, but they always attributed the variation to bad instruments which they were using or to the defects in their observation. So this periodic motion was left un-noticed for a considerable time and the change attributed to defects in observation and instruments. I think the same is the case with our tea, that is, we have ignored for a considerable time the fact that changes in the chemical composition of water at different places are essential to determine the class of tea which we should use. So really we have to classify water and if the classification is worked out in greater detail, I am absolutely certain that the sale will increase and more people will enjoy their tea.

We should appreciate the work which the Committee is doing.

Mr. H. Dow: Sir, there is very little, I think, that I need say in reply to the debate at this stage. Most of the gentlemen who have spoken, especially towards the end of the debate, are Honourable Members whose names have been put forward as Members of the Select Committee and I feel that the best thing for them would be to bring their complaints before the Select Committee. I must say with regard to my Honourable friend, Mr. Brojendra Narayan Chaudhury, that it seemed to me that there was a good deal of what he said which merited attention, but unfortunately he has rather the habit of dropping his voice at the end of each sentence.

so that, I am afraid generally I missed the points of what may have been a very illuminating speech. So in the few minutes left to me, I think it well that I should run over the points that were made by Prof. Ranga and Sardar Mangal Singh. It is rather flattering to me as a Government servant to feel that Prof. Ranga should think that Government and its officers could run the whole Committee so much better without consulting the industry. But I do not think that attitude will commend itself generally to the House. There have been occasions on which Government have embarked on a course of action without taking non-official advice and we have usually been told that we ought to have taken non-official advice; and in a large number of Advisory Committees, we are told that we ought to make them into executive committees. It seems to me that a Committee of this character is one that ought generally to appeal to the House in view of the principles they are always putting forward.

Another thing that I was pleased to see was the stress laid by Prof. Ranga on the fact that there ought to be a certain weightage in favour of smaller interests. In the tea industry as you know, the number of Indian gardens is comparatively small. If you will analyse carefully the committee which has been set up in this Bill, you will find that from whatever way you look at it, Government have done their best to give considerable weight to the smaller interests. If you take the North versus the South, the greater part of the tea industry is in the north; the representatives proposed for the north come to eight and for the south, four. The interest of South India in the trade is only, I believe, about one-sixth. If you take European and Indian interests, you will find that this Committee will probably result in the selection of seven Europeans as against five Indians. I cannot, I am afraid, give you the exact figures of Indian and European interests, but taking roughly the capital employed in the industry, the companies incorporated in the United Kingdom have a paid up capital of about £30 millions and the capital of the companies incorporated in India is only about £10 millions; and as Honourable Members are all aware, even those companies are for the most part European companies, so that you will see that Indian representation is very much more than is justified merely on a consideration of the figures.

There is still a third aspect from which you might consider the same point. If you take the interests of British India and of the States, the interest of the States is very small, but the States will get two representatives out of a Committee of twelve.

The only other point that I need refer to, which was made, I think, by Prof. Ranga, was in reference to the vast staff of this Committee. There unfortunately he was talking about the wrong Bill.

Mr. President (The Honourable Sir Abdur Rahim): Order, order. It being now four of the Clock, the Adjournment motion will be taken up.

MOTION FOR ADJOURNMENT.

MECHANIZATION OF THE BRITISH PORTION OF THE INDIAN ARMY.

Mr. T. S. Avinashilingam Chettiar (Salem and Coimbatore cum North-Arcot; Non-Muhammadan Rural): Sir, I move that the House do now adjourn.

Let me first state that we are for increasing the efficiency of the Indian army. And efficiency today means mechanization. Therefore, we are for mechanization of the Indian army; but we are for

[Mr. T. S. Avinashilingam Chettiar.]

mechanizing or increasing the efficiency of that portion of the Indian army which is really Indian. So, today, by this motion of adjournment I seek to point out to the Government that that policy of mechanizing the British portion of the Indian army does not meet with our support. A statement, issued by the Defence Department on the 29th November last, gave the following details of the scheme of modernisation which has now received the approval of the Government of India. I read from the "Information Series" dated the 30th November issued by the Director of Public Information of the Government of India:

"Four out of the five horsed British cavalry regiments stationed in India are to be converted into cavalry light tank regiments, and four British infantry battalions will be converted into mechanized machine gun battalions. All the remaining British infantry battalions in India will become 'rifle' battalions and will cease to be equipped with heavy machine guns though they will retain their light machine guns."

A little below they give details of the mechanization of the infantry:

"The infantry units to be converted into mechanised machine gun battalions are: 1st Bn. The Royal Fusiliers, Jhansi," etc.

A little before that are the following lines:

"It may be recalled in this connection that a statement was made by His Excellency the Viceroy in the course of his address to the joint Session of the Central Legislatures on September 13, announcing the proposed mechanization of certain units of the British army in India and that the Imperial Government was being approached by His Excellency to make a grant referred to above."

I submit to you that this statement is not true. What His Excellency stated in his speech on the 13th September last was something quite different from what is stated later on. Let me quote from his speech at page 1540 of the proceedings:

"In consultation with the Commander-in-Chief I have been giving the closest consideration to the question of Army organisation and the re-equipment of the army in India so as to maintain its efficiency at the highest possible pitch having regard to recent developments elsewhere in the matter of mechanization and the like. The expenditure involved is inevitably considerable. I have caused representations to be made in the matter to His Majesty's Government for assistance in carrying out the reorganisation owing to the very heavy cost involved, and it is my hope that we shall receive a favourable reply."

The report says that there was applause after this. I am sure that those who were in the House that day and applauded this statement of the Viceroy thought sincerely that this mechanization would be for the Indian portion of the Indian army. Had they thought that this would be confined to the British portion,—a portion which we have time and again proclaimed as an army of occupation and oppression,—none in the House, to whatever party he might belong, would have greeted this statement with applause as is given in this report. We have claimed on many occasions that this army kept here, even on the admission of many British statesmen, is an army kept for Imperial purposes. We claim a contribution from the British exchequer for the maintenance of this army. Wherever there is trouble, either in Abyssinia or in China or wherever the British flag flies, the Indian army is exported there to protect the British flag. And for that reason it is kept here; and we have always claimed,—and we are glad to say that many British statesmen out of office have accepted that claim,—that it is just that the British exchequer should

contribute a portion of the cost of the Indian army. When His Excellency made a statement that he has claimed from the British exchequer a portion for the mechanization of the Indian army we sincerely thought that we were going to get a contribution from the British revenues for the duty which was long overdue for many years; and so we expected that this money will come and will be used without any discrimination. And today it is being used with the utmost discrimination. Every pie received from that fund goes to mechanize the British portion of the Indian army exclusively.

And not only that. We have very often asked by means of questions and Resolutions that the British portion of the Indian army should be reduced. It was only in the last Simla Session that we tried to move an adjournment motion saying that the British portion of the army is not required in this country for internal security purposes and asking whether the Defence Department would dare to enquire of the present Provincial Governments whether they want the British portion of the army for their internal security purposes. They refused, and the adjournment motion was not allowed to be moved or discussed in this House. We, therefore, thought that we have impressed the Government of India that we are against increasing the strength of the British portion of the Indian army. And what is being done today?

Mechanizing the British portion of the Indian army means increasing its power a thousandfold as compared to the Indian portion of the army. Mechanization of the British portion of the army means that today that portion is much more powerful than the Indian portion of the army. Therefore this not only creates discrimination and not only strengthens the British portion of the Indian army but keeps the Indian portion of the army weak without mechanization.

Sir, I am not here to discuss about the small profits that will accrue to the Government of India out of the mechanization of certain units of the Indian army. I saw a somewhat detailed communique which was published in the press and it showed how there will be a saving of money in certain portions and how a few lakhs will be saved to the Indian exchequer. I am not concerned today with the few lakhs of rupees that will be saved for the Government of India out of this mechanization of the British units of the Indian army. But I am concerned with the greater question that an army which does not belong to India, an army which is really alien and an army by means of which the British Government is at present ruling India,—that that portion of the army should not be mechanized and made stronger than the Indian portion of the army. We resent this. Sir, I move.

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

"That the House do now adjourn."

Sardar Mangal Singh (East Punjab: Sikh): Sir, I whole-heartedly associate myself with the remarks just made by the previous speaker. The Government of India deserve to be condemned for, I should say, deceiving the people by saying that they are making the Indian Army efficient and that the British Government has made a gift to us. If we understand the real motive behind this so-called mechanization, the point will be quite clear. In England they have got in all about 26 regiments. Thirteen of

[Sardar Mangal Singh.]

them are stationed there, and 13 abroad. Out of those 13, four are in India, one in Egypt, one in Palestine, and five or six in the Far East. Now, they wanted to mechanize their forces; but if they did not at the same time mechanize the forces which are stationed outside England, their mechanization would not be complete and, therefore, they have decided to mechanize all their units, whether stationed in England or abroad. In support of this observation, I shall quote the speech of the War Secretary in Parliament on the 16th March last year. He said:

"In order that the army might be sufficiently strong and sufficiently well-equipped to be despatched at a moment's notice to take on any adversary in any part of the world, the War Office is engaged in making a tremendous change in the equipment of the Army. We are mechanizing the Army throughout. We are applying to it in a very few years all that the advance in mechanical and scientific invention has taken place since the War—we are doing in two or three years the work of fifteen years. As the Army in India is only a counterpart of the British Army under the Cardwell system, the decision applied automatically to the British Army in India."

I submit it is to carry out the British plan of mechanizing their army that they have given this money to the Indian Government, to mechanize the British section of the army here. It is no gift, I say. It is no grant. But it is their legitimate expense which they should have incurred in their own country. To say that they are giving us this £600,000 is, as I have already said, deceiving the world. When the Viceroy said in Simla that he would try and persuade the British Government to give some grant to the Indian Government many people thought that probably the burden on the tax-payer in India would be lessened. But when we saw this gift announced in the papers and when we see what lies behind the gift, the motive is quite clear. They are carrying on their own programme and they are saying that "We are helping India"

Mr. M. Asaf Ali (Delhi: General): You must admit that it is a very clever move!

Sardar Mangal Singh: That is what I say: they are deceiving the outside world that they are helping this country, while the real motive is to mechanize their own army, so that they may use it in any part of the world they like.

My second point is that it is against the interests of this country to make one part of the army abnormally efficient, while the other part is neglected. In this country, the Indian part of the army is more than one lakh, while in the British regiment there are about 60,000 soldiers. If we make this portion of the army abnormally strong, the Indian portion of the army would be reduced to mere camp followers. They would not command respect: they would not be looked upon as combatants, but they would be regarded for all practical purposes as mere drivers and followers. At the present time, the modernisation of the weapons of war has increased. We have seen how insufficiently armed Chinese regiments have been pushed back by properly armed and properly equipped Japanese armies, although in numbers they were smaller. And if we keep this Indian army insufficiently equipped and insufficiently armed, I say it would not be able to defend this country, and we shall always have to depend on the British army for the defence of this country. Tomorrow they will come forward

and say that we cannot remove the British regiments from this country because without them the Indian army would not be sufficiently strong . .

Mr. M. Asaf Ali: On the contrary if a war breaks out, they will withdraw their men and you will be left with nothing!

Sardar Mangal Singh: As my Honourable friend says, if a war breaks out tomorrow, all these mechanized regiments would be sent post haste to France or Germany or wherever they may be required. So I was developing this point that from the point of view of our national defence it is extremely unwise to mechanize one section of the army and neglect the other. They have taken upon themselves the responsibility of defending our country.

Already in the Indian army, if we look to the various arms, there are several sections where Indians are not admitted: for instance, ordnance: up to this time this section has been regarded as a close preserve of the Europeans. Recently they have admitted Indians only up to the rank of warrant officer. In the wireless section, there is no Indian. In artillery and Royal Engineers and signallers, they have recently admitted a few Indians, but this is quite insufficient. In tanks and armoured cars, there are no Indians. My point is this: that at the expense of the Indian tax-payer, the Government of India is equipping one section of the army and neglecting the other part. I object to this policy: in the first place, this gift is not given to us but is meant to carry on the British plan of mechanization. Secondly, the whole of the money will be spent in England: it will be spent there to help the ordnance factories and other commercial firms. Thirdly, and, this is more serious, this money would not be sufficient even to mechanize those regiments for which it is claimed it would be used. The burden, I am afraid, would fall on the Indian taxpayer again. My point is that the money given by the British Government would not be sufficient even to mechanize these regiments, and the remainder of the burden would fall on the tax-payer in this country.

In this connection, Sir, I am reminded of a short Indian story. Once an Indian Rajah was pleased with a *Mirassi*, and he gave him an elephant as a gift. The poor *Mirassi* took the elephant to his house feeling all the time very happy that he had got a very valuable gift from the Rajah. But when he took the elephant to his house, he found it very difficult to maintain the animal, and so after some time he came to the Rajah and begged of him to take back the gift from him. I think, Sir, this so-called gift from the British Government, I mean the six hundred thousand pounds would require more money from this country to maintain that section of the army which is required to be mechanized. The Government of India should be honest enough and say that they are carrying on our programme of mechanization.

Let the British Government mechanize these forces in England and send out to this country mechanized regiments instead of horsed regiments. Where is the difficulty? If you want to mechanize the whole of your army, we have no objection, but why should the cost fall on the Indian taxpayer? Why is it not possible for these regiments to go back to England, according to the Cardwell system? Let these regiments be trained there at the expense of the British taxpayer, and if the British Government does not see the justification of withdrawing their army from this country, if they want to send out their army to this country, let that army be properly equipped at their expense. But the Government of

[Sardar Mangal Singh.]

India being the agents of the British Government would not readily admit that fact. I know the Honourable the Army Secretary would get up and explain by platitudes that they mean this and they mean that, but the plain fact is clear. We have seen during the last century that the initiative in army matters has always come from England, from the Imperial War Council, and the army authorities in this country are merely looked upon as their agents or subordinates. Sir, in this House during the last several years we have been protesting that the Government of India is unsympathetic, that they do not pay any attention to the views and opinions expressed in this House. . . .

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has got only one minute more.

Sardar Mangal Singh: Very well, Sir, I shall conclude now. This House has repeatedly and emphatically expressed its view that Indians should be associated with the administration of the army in this country, and the Government of India was once inclined to accept, but the War Council had ruled it out of order that the Indian Government had no business to associate Indians with the army. Sir, with these few remarks, I support the motion before the House.

Mr. C. M. G. Ogilvie (Defence Secretary): Sir, I must say at the outset that, when I received the adjournment motion that has been brought forward by my friend, Mr. Chettiar, I was a little surprised. I did not think that a gift horse would be so carefully looked at in the mouth. After I have heard his speech and that of Sardar Mangal Singh, I feel convinced that the whole question has been raised due to a misunderstanding. To start with, the reasons for the change, I think, seem to have been misunderstood. Modern developments do require a measure of mechanization even in India. Experience has shown us that even for purely Indian purposes a measure of mechanization is very valuable. The British Army has, in accordance with modern developments, undertaken a large degree of mechanization. It is obviously necessary that, while a portion of that army is stationed in India, that it also should conform to the remainder in equipment and organization. It would, for example, be quite useless to send out drafts from England, who were trained how to drive light tanks, and armoured cars, to ride troop horses in India. We, therefore, had to follow suit to the extent justified by Indian conditions, and the extent of mechanization resolved upon here is that four of the British cavalry regiments stationed in India should be mechanized, the fifth should be returned to the United Kingdom, and that four Infantry battalions only should be converted to machine gun battalions. This change involves a very heavy initial outlay. It involves the purchase of light tanks, armoured machine gun carriers and other motor vehicles. Another way by which they can be procured in this country is they have to be bought from outside before they are made here. In that connection, I may say that it is the policy of the Government of India to purchase everything possible from India if good light tanks . . .

Mr. M. Asaf Ali: Why don't you manufacture them here?

Mr. C. M. G. Ogilvie: That is a long story. This initial expenditure is, it is true, compensated for by a very substantial recurring saving, but even so it is hard to meet, and, therefore, in accordance with our invariable policy, we are asking His Majesty's Government to help us. For our general policy in this matter. I may refer Honourable Members of this House to the Honourable the Finance Member's speech of the 3rd September last year on the adjournment motion of Sardar Sant Singh. At this juncture the chances were unfavourable owing to the enormous expenditure in which the United Kingdom is involved owing to re-armament programmes, but still we did approach them, and they very generously agreed to give us six hundred thousand pounds

Sir Cowasji Jehangir (Bombay City: Non-Muhammadan Urban): What is the total cost?

Mr. C. M. G. Ogilvie: Now, the total cost of the present measure of mechanization will be some 215 lakhs. Six hundred thousand pounds equals approximately to 80 lakhs, so that the amount to be found from the Indian revenues will amount to roughly 135 lakhs

Sir Cowasji Jehangir: For the British Army?

Mr. C. M. G. Ogilvie: Of course. The amount to be found from the Indian revenues will be roughly 135 lakhs of rupees, and as a result of that initial expenditure, a recurring saving on British troops of 16½ lakhs per annum will be achieved. That, I think, every one here will realise is a very good business proposition from our point of view.

Mechanization is by no means a new thing. It has been going on for years in India. Apart from mechanical transport, certain Indian army units, Indian signals and sappers and miners companies are to all intents and purposes as fully mechanized as their counterparts in the British service. Some few years ago, all cavalry regiments, both British and Indian, received certain elements of mechanical equipment. The only new development is a complete mechanization of certain cavalry and infantry regiments and that owing to the change in equipment in England. It is a good thing for India in every way. It does, as the Honourable speakers before me realised, increase India's efficiency and it is also a good business proposition. It will save India an appreciable amount.

Mr. Manu Subedar (Indian Merchants' Chamber and Bureau: Indian Commerce): What is the value of the orders placed in the United Kingdom?

Mr. C. M. G. Ogilvie: Orders must be placed in the United Kingdom as none of the articles are made in this country.

Mr. Manu Subedar: What is the total value?

Mr. C. M. G. Ogilvie: The process of mechanizing entire combatant units may shortly, I think I may say, probably will shortly, have to be extended to the Indian army. There is no idea whatever of discrimination between the British army in India and the Indian army—absolutely none. This measure is a brand new one, it is the first in the chain, and I can tell the House now that there is already a proposal completely to mechanize certain units of the Indian army. (Hear, hear.)

An Honourable Member: How many?

Mr. O. M. G. Ogilvie: As the full position has, I hope, now been understood, perhaps it may be possible for the Honourable the Mover not to press his motion.

Sardar Sant Singh (West Punjab: Sikh): There can be no doubt that the very fact of moving this motion at this critical time, when the Sino-Japanese war is going on in the Far East, is a proof, if proof is necessary, that the Opposition and the Government are on the same ground in so far as both are anxious to provide an efficient defence for India and both are willing to go a long way to accommodate each other. The speech of my Honourable friend, the Defence Secretary, clearly shows that proposals for the mechanization of the Indian army are under contemplation.

Besides this question which is a purely military question, there are two other considerations involved in this motion, I mean political considerations and financial implications. As regards the political side of the question, what we object to and what I understand the speakers on this side objected to is the change of front by the Government of India. Originally when this announcement was made that £600,000 had been gifted to India by His Majesty's Government for the mechanization of the army, we understood it to mean that the mechanization would be of the Indian army, and when the later announcement came that this money would be applied to the mechanization of some of the British cavalry regiments alone there was disappointment and there was heart burning. The reason is this. Whether it is right or wrong, the fact remains that there has always been a suspicion on this side of the House that the Government do not mean to trust Indians even at a time when there is danger abroad. The international situation is worsening, everybody knows it. The Sino-Japanese war has made it very clear how a mechanized and efficient army can play havoc with the lives of the poor people. The Chinese have been massacred and horrible cruelties have been perpetrated there. It is natural for us to feel that the same thing may happen here when, God forbid, any aggression is made against India. So, our anxiety is but natural and when you announced that this money would be applied to the mechanization of the British troops only there was a feeling in us that we were not going to be trusted even at this time of danger in the international situation. Therefore, we say, say on good grounds that it was not a wise policy adopted by the Government when they decided to apply this money to the mechanization of British troops alone.

As regards the financial aspect, it has not been made clear by our friends who are responsible for moving this motion whether they are prepared as other countries have shown themselves to be prepared, to incur further expenditure on defence if mechanization is carried to the logical limits. After all, mechanization is an expensive matter and we will have to make up our mind sooner than later whether India is prepared to incur further expenditure or not.

Mr. N. M. Joshi (Nominated Non-Official): Whom do you ask this question?

Sardar Sant Singh: The House as a whole, both the Government and the Opposition. The point is that the Government of India do not seem to have yet realised what the position would be in India in case communications with England are threatened as they are likely to be threatened if

the Mediterranean is closed to the naval forces of England. All other countries even within the British Empire have taken upon themselves the manufacture of these modern weapons in their own country. I will read what was said in the South African Parliament only a fortnight back:

"The Union Government had decided to erect a large-scale factory for the manufacture of heavy guns, tanks, armoured cars and bombs, announced Mr. Pirow, Minister for Defence. The factory would be built by Railways during the initial stages to manufacture lorries complete with engines and would be converted to manufacture war materials in the event of hostilities or threat to communications. The Union has almost completed plans for a great fleet and transport of aeroplanes and protective fighting machines for use by Bushveld Brigades in northern deserts. Mr. Pirow added, 'The Bushveld Brigades will be mechanized and have great firing strength so that mobile heavily armoured enemy will be unable to catch up with them.'"

My submission is this, that if the Union Government can make up their mind to manufacture all their war materials in their own country, there is no reason why the Indian Government should not do so and immediately create a centre or centres in this country where all these things could be manufactured. My Honourable friend, Mr. Asaf Ali, put the question rightly when he asked, why not manufacture these things in India? I repeat that question. Before it is too late the Government of India must make up their mind at once to open these manufacturing centres where all these weapons can be manufactured completely in this country. Then, there is the question of air force and training of the pilots, etc., which involve a lot of preparation before they can be completely modernised.

Therefore, Sir, though the announcement made by the Defence Secretary goes some way, it does not go the whole way when they do not tell us what is the plan which the Defence Department has got by which they want to prepare India to meet the aggression of any Eastern nation when it becomes too powerful. Unless that announcement is made, I am afraid, the Opposition must go on bringing this fact to the notice of the Government of India, so that we should not be taken unawares at a time when war breaks out either in Europe or hostilities extend to our own shores.

Mr. M. Asaf Ali: Mr. President, I entirely agree with Mr. Ogilvie when he says that a gift horse should not be looked in the mouth; but when the horse is loaded with endless liabilities for the person to whom it is given, I think he has a right not merely to look into its mouth but also to look at the load which it is carrying with it. Now, I shall try and look at the whole problem in a very simple way. Sometime ago an announcement was made that the British Government had very generously, as Mr. Ogilvie put it, put aside a gift of about £600,000 for the mechanization of the army in India. The moment I saw that announcement I gave out my own opinion, and I said exactly what Mr. Mangal Singh has said today, that it was not a gift. It was a simple inevitability, because under the Cardwell system the British Government could not possibly help mechanizing the counterparts of the units in Great Britain. It was inevitable. They could not possibly dream of allowing the counter parts of the same unit living in India to go unmechanized for when they go back to their own units, they must fit into them, which means that it is not a gift. It is merely sending out arms and equipment which they would have done in the ordinary course at their own cost. They are sending motor cars, machine guns and other equipment necessary for the mechanization of their own troops and India is to consider this a gift! Perhaps, the Government would have had some sort of a case if the

[Mr. M. Asaf Ali.]

British Government had said 'No, it is not a gift. We are simply mechanizing our own units. It has nothing to do with India'. I could understand it. But I am really finding fault with the policy of the Indian Government when they make an announcement to the effect that they are going to mechanize only British units and that this money will not be applied to the mechanization of the Indian units. If it is a gift from Great Britain, let it be applied to the Indian army without any discrimination.

The result is that by following this policy they are placing the Indian portion of the army in an inferior position and making them feel that they are inferior. It is just like placing an up-to-date weapon in one hand and depriving the other of even the ordinary weapon which it possesses. It is like putting a rider on two unequal means of transport, one foot on a motor car and the other on a horse. If you drive them both, the driver is bound to fall. The mobility of the Indian portion of the army is reduced by adopting the policy which the Government has done, because while the British army will be able to move much more quickly than the Indian portion of the army, the Indian army will be lagging behind somewhere.

So far as the question of cavalry is concerned, everybody knows that horse cavalry has become more or less an obsolete arm. It has no defence value whatsoever. In all up-to-date countries which are really fit to take the field, armies are mechanized. In India this obsolete arm still lingers on and while the British portion is mechanized, the Indian is left out.

It is all very well for Mr. Ogilvie to say that the Signals are mechanized. What is the strength of the Signals. The Signal Corps must of necessity be mechanized. Signals mean nothing else but mechanization. To whatever extent they are useful in the army, they must necessarily be mechanized. It is not any generosity on the part of the Indian Government to mechanize the Signals. Similarly about Engineers. He was talking about tanks. What tanks do we possess in India, I should like to know. Each one of the tanks belongs to the British portion of the army. To-morrow, if war breaks out, I do not know how many of the troops would be left in India. Probably for certain purposes, the Indian Government may feel like retaining some of these mechanized British units in India at present but I am absolutely certain that if war abroad makes it necessary for even these troops to be withdrawn they will be withdrawn. I should like to know where we shall be if a mobile Japanese army is landed on North East Frontier. The position today of the Indian army is more or less the same as that of the Chinese army. What is the value of the Chinese army before the Japanese army. The Japanese army is driving everything before it. By leaving the Indian army unmechanized, the Indian Government is really reducing the efficiency of the Indian army. We are for efficiency, not for reducing it. By adopting this policy of discrimination between the Indian and British wings of the Indian army, they are not merely reducing the efficiency of the Indian side but they are also trying to weaken the ultimate defence of India and it is on that ground that the Government deserves to be censured.

There is just one other little point which Mr. Ogilvie seemed to raise in the course of his speech and it was that by mechanizing the British army there would be a saving of about 16½ lakhs. Has the Honourable the Defence Secretary taken into consideration renewals and repairs?

Has he taken into consideration the fact that about 21,000 horses, mules and bullocks would be scrapped? Has he taken into consideration the fact that there will be more consumption of petrol and all the rest of it? Well, all that I can think about it is that they are really landing into India certain machines manufactured in Great Britain and calling it a sort of gift,—only making sure that the renewals and repairs will again require, I suppose, the import of manufactured goods from abroad. Mr. Ogilvie also said I think that there was not enough skilled labour in the country perhaps. Did you not say so?

Mr. G. M. G. Ogilvie: No.

Mr. M. Asaf Ali: Anyway, so far as the question of saving is concerned, we should be very grateful for any saving, but I wish the saving to be carried a little further and the saving may also be effected in respect of the Indian army. If the Indian army is mechanized, perhaps a greater saving will be effected; so, why not undertake a much larger programme of mechanization of the Indian army and thus make a saving all along the line? Why leave it at 16½ lakhs only? Perhaps if you mechanize the Indian portion of the army, it is quite possible that the saving may amount to perhaps three or four crores. In any case the whole point is that the idea of mechanization is good but we want this mechanization to be carried into the Indian army rather than be confined to the British army only.

Sir Muhammad Yamin Khan (Agra Division: Muhammadan Rural). Sir, the simple issue before the House is whether the Government has rightly spent the money which was given by England or not. As I understood from the motion for adjournment, it sought to raise only this issue; and when I heard the Mover in the beginning I thought he was justifying and he had justified to a certain extent the proposition that the money was not properly spent and that was only a one-sided way of spending the money, that it was given as a gift to India by the British Cabinet and that money was not spent on all the Indian army but only on the British portion of the army in India. That was the only issue, and on this issue we can now stand. When I heard the explanation from the Defence Secretary I think he has greatly justified the position and now I have to take the thing in its proper perspective.

Here, what I have heard from my Honourable friend, Mr. Asaf Ali, and from the other Honourable Members as well as my friend on the left, Sardar Sant Singh, is that the mechanization of the Indian army is absolutely necessary in order to defend India from the aggression of the other powers who are our neighbours and who may come to be our aggressors, and what we desire is that the army in India should be properly equipped to fight, or to defend the country against any aggressor who comes from outside.

The army in India is divided into two great portions. One is the British army, which may be called—I do not disagree if my friends call it “the army of occupation”. I agree that it is an army of occupation, there is no question about it. But at the same time we have to see what that army of occupation is doing to us under the present circumstances. (An Honourable Member: “It is muleting the country. It is occupying our country.”) Certainly it is occupying our country but it is at the same time saving us from all the dangers that have been

[Sir Muhammad Yamin Khan.]

pointed out by my friend, Mr. Asaf Ali. (*An Honourable Member*: "No, no".) There are some dangers which may come from outside and that army of occupation has to be mechanized as well as the Indian portion of the Indian army. I quite agree with Mr. Asaf Ali that the Indian army should be equipped side by side with the British army.

The question is that the British army in India up to now has been equipped, in all matters, by the Indian exchequer. Everything is purchased for the British army which is stationed in India by the taxpayer of India. But now, realizing the difficulty which had been pointed out by the Defence Secretary, viz., that the army in England is speedily being mechanized, and, therefore, it was necessary that those people who come for a short time to be stationed in India should also get the same kind of equipment to which they are accustomed in their country, so that when they go back they may be as useful as they would be when stationed in India, they have made this gift. That may be from the point of view of England but I have to see the matter from the Indian point of view, and it is essential that if those conditions are to prevail in India, that suitability should not be at the cost of the Indian exchequer and the new conditions should not be provided for by the Indian taxpayer. Therefore, with this object, for this reason, if England has come forward to say this, that "our men when they go to India won't be useful to you unless so much money is spent over them in the beginning", that is all right, and if they knew it full well that India would not be prepared to accept that position, therefore I say they have given us this money. We may not of course call it as a gift, but we may say that it was an absolute necessity from the point of view of the British position and I have got no contention on that point. Let it not be called a gift and let it be taken that the word being called as a gift was really a wrong thing. But here it has saved India from spending the money which would have been necessarily spent on the British army. We may say that if the British Government is all-powerful, under those circumstances, if anything is given, that may be taken as a gift, though it may not be really a gift but a thing which was necessary for themselves.

The other side of the question which remains is this; and this is a point which we want to impress on the Government really very strongly and on which the whole House is unanimous. When they have done with mechanizing the British portion, side by side they ought to have taken some portions of the Indian regiments for the purpose of being mechanized as well; and for this purpose, if they could not get money from England, the Indian exchequer should have been very glad to spend that money,—if the Defence Secretary or the Finance Member had come before this House to put this question,—that under the present circumstances it is absolutely necessary to spend so much money on the defence of the country, in order to equip the Indian regiments with the proper equipment; if so, I do not think they would have found that this House would have refused that demand. My friend, Mr. Joshi, might not have been willing but the House as a whole would have welcomed the expenditure on the proper defence of India by properly equipping the Indian regiments side by side with the regiments which are being
5 P.M. equipped at the expense of the British exchequer. I understand that these machines which are being purchased will remain in India and will not go with the regiments when they move back

from India to other countries, and, therefore, they are part of the Indian army. But I do not know what will be the position when these units are sent to a country where war is raging and whether these machines will then go along with them or whether they will remain in India.

Mr. C. M. G. Ogilvie: They cannot possibly be armed with sticks and stones.

Sir Muhammad Yamin Khan: Then the machines will go along with them. Supposing the British units are required to be sent to Shanghai or some other places in the Far East, then these machines which are given as a gift by England will move with those units and these units may never come back to India. Therefore, we must insist on this that under no conditions, unless India is at war, should these machines which have been given to India be taken away from India. If any regiments are sent outside India for Imperial purposes, then the equipment should be supplied by the Imperial exchequer and not by these machines which have been given to India as a gift. Then and then alone we can call them the property of India. But leaving that aside, I will impress upon the House as has already been done by my Honourable friends, Mr. Asaf Ali and Sardar Sant Singh, that there is a great danger for the big frontiers of India and, therefore, the army must be properly equipped and brought up to date. If that is not done, then the responsibility will be on the Army Department and the Government of India and this House will have to deal with the Government in those circumstances in the proper manner. But under the present conditions and in view of the explanation given by the Defence Secretary, I think there is no justification for censuring the Government on this question.

Honourable Members: The question be now put.

Dr. G. V. Deshmukh (Bombay City: Non-Muhammadan Urban): Sir, I think we in this House do not quite realise how clever England is. I happened to read a letter written by a military expert which appeared either in the *London Times* or the *Statesman* when England laid down the programme of 1,500 million pounds. That letter was a letter in protest, as the protest was raised in England that so much money should not be spent for military purposes. And what was the result of that letter? This military expert said that out of 1,500 million pounds more than 900 to 1,000 million pounds will go back to British industry. I want this House to realise what this expenditure of 1,500 million pounds in England or Germany or any of these manufacturing countries means? It means practically an indirect subsidy to their industries.

Now, Sir, I want you to look at this from this point of view. When England gives us 600,000 pounds, what does it mean with mechanisation? After the remarks of Mr. Ogilvie, we know that every bit of this is going back to England. In other words, this 600,000 pounds is not a gift to this country. It is an indirect subsidy to their own industries and, therefore, all this talk about its being a gift to this country and that we should be obliged to England for this amount is mere bunkum. To think that at the present time we Indians should still be so childish as to think that this is a great obligation on India is not proper at all. I think those who are responsible for making these remarks—and I do not care from what exalted quarter they come—do not realise to what extent wisdom has grown in this country.

[Dr. G. V. Deshmukh.]

When we came to this House in 1985, we were given a small blue book about the defence of the country, and in that book let it be said to the credit of the military that they made some remarks about the mechanization of the army at that time. They said that they were mechanising the light tanks and the transport and a very pertinent remark was made in it. They had urged that the motor car manufacture should be started in this country which would save a good deal of expense to the military in this country in the shape of spare parts, repairs, and manufactures. Three years have passed by. The military has been spending from 45 to 55 crores every year and yet I find that, in spite of the three years having passed, the most necessary requirement for the defence of the country in the way of manufacturing the motor cars and their parts and rubber tyres is not to be found in this country. And yet we are told that this is going to be for the defence of our country. Speaker after speaker gets up and says "when the British regiments go back, what shall we do?" Please make no mistake about it. When the British regiments go back, they will not go back alone. They will take the Indian regiments with them and I say this boldly from the experience of the Great War. In 1914, when their Empire and England was threatened, did the British regiments go back alone or was not the country drained to every available Indian soldier? What happened in Ypres, in Marseilles, in France and in other fronts of War? Do not think that the future wars are going to be fought by a few thousand people on this side and that side and that if there is any danger in Europe, you will be content with your 60,000 British army in India and you will find that it is sufficient for the purpose. Nothing of the kind. You will take every available Indian soldier not out of choice but you will be forced to do so. If that is the position, then I say that the military or whoever is responsible for mechanising one part of the army and leaving the other part weak and paralysed is, as usual, following a short-sighted policy. They are not looking beyond their noses. Take the Chinese War or the War in Spain. What is the experience? Are battles fought by a few thousand people in these days? In Spain alone there are more than 100,000 Italian volunteers leaving aside the Germans and the Spanish people themselves. Therefore what is the good of mechanizing four regiments of cavalry and four battalions of infantry? No, Sir. I am all for mechanizing and for efficiency because whether it is the British soldier or the Indian soldier, unless he is mechanized and unless he is made efficient, he is useless for any purpose of war. But if you want mechanization, I am not for mechanizing at all in this country unless Indianisation goes with it. If you want efficiency of the army in this country, mechanization and Indianisation must go together and it is absolutely useless to me looking at it from the defence point of view of my country that one section is going to be mechanized and made more efficient while the other section will remain inefficient. However valiant an Indian soldier may be, he will be useless in modern warfare unless he is mechanized. Therefore, I would urge upon the Defence Department in India to urge on the Government of India that if you want efficiency, you must manufacture in this country the materials required in connection with the military, you must start industries in this country, or we will again be landed in the same old position of 1914-1918 when you used to prepare empty shells here and then had them filled up and taken over to England to be charged. Is that position going to be repeated again?

England saved herself last time by the skin of her teeth and future warfare is going to be very much more formidable and dangerous. The submarines and air forces will play the most deciding part in future warfare. You cannot have one part of machinery for warfare prepared in India and then take it to England and add chemicals there. In peace time, due to commercial propensity, you may think that you can make more profit out of this process. Do not let India manufacture all the materials as far as possible because you can pocket all the profits. I say that you, as commercial people, are looking at it from your profits point of view, but I warn you that at the time of the next crisis, you will find yourself in very great danger. Therefore, what I want to say is this, you must start your manufacturing shops in this country, if you do that, then the expenses of mechanisation will not be so ruinous and the initial outlay on manufacturing activities and the establishment charges will pay out in the long run. If you must mechanize here, you must mechanize the Indian as well as the British units. If you are not prepared to do that, then I say it is all useless for future defence purposes. This will not do. You say this is a sort of gift. It is not really a gift at all. It is a round about way of making more profits. It is your profiteering instinct that has made you mechanize the army in India so that you can take it again for your industries and, therefore, I say so far as mechanization is concerned, well I am agreeable to it, but I say that the step-motherly attitude which has been shown is severely to be condemned. Let it be mechanization of the whole Indian army, both British and Indian, or let there be nothing at all. Is it merely going to be mechanized British unit and the Indian army being left out? If that is so, then all this talk of the bravery of Indian soldiers is all idle talk.

After the Great War, I think there should not have been this mistrust about Indians. Leave aside these big wars, supposing you go to a war on the Frontier, what is the experience? Do you merely take the British units to the Frontier? On the other hand, you will find that the British portion of the army taken to the Frontier is only about 15 to 20 per cent. and about 85 to 90 per cent. are Indians. Then if 80 to 85 per cent. of the army taken to the Frontier are of the old type—they may not all be using the blunderbuss—but compared with the recent kind of arms which the British unit will carry, the other 80 per cent. of the army will be carrying practically obsolete arms and how are you going to keep the efficiency in warfare? In any case compared with the mechanized portion, the other portion will be absolutely inefficient.

[At this stage, Mr. President (The Honourable Sir Abdur Rahim) vacated the Chair which was then occupied by Sir Cowasji Jehangir (one of the Panel of Chairmen).]

Therefore, what is the good of taking merely 15 to 20 per cent. efficient men there with 80 to 85 per cent. inefficient men merely on account of lack of mechanization. You must mechanize the whole army which means Indianisation as well or else leave it alone. Those of you who consider this a great gift might sing hallelujahs about it, but all sensible people would look at it from the proper point of view and that proper point of view is this that this mechanization of British units alone is a step-motherly attitude and this is again born of mistrust and meanness and that attitude of yours should, therefore, be severely condemned. Sir, I have done.

Mr. Muhammad Ashar Ali (Lucknow and Fyzabad Divisions: Muhammadan Rural): Sir, this gift from the British people to the Indian public and to India generally may be said to be a very welcome gift, and there are Indians of such trend of mind and ideas who may consider that they ought to be thankful to the British for mechanising the British portion of the army in India. But I would consider the Government of India to look at it from this point of view. On the present occasion when the rumours about an impending war in Europe are thick in the air, whether this small amount of gift for such a big country like India can be really called a sufficient gift. That is the point. If the British Government wanted to make a gift there are different ways to put India under an obligation by making greater gifts. Today what do we find? There is the impending gift of Federation? We find that Indians do not recognise that Federation as any gift. In the same manner we do not recognise this mechanization of British units as a gift and God save us from such small mercies. I submit that the Government of India ought really to take advantage of the adjournment motion and they ought to tell the British Government in England that the censure motion which has been brought in the House today is not a censure in the real sense but it is the advice of India that the British army alone should not be mechanized, but that the Indian portion of the army should also be mechanised for British interest. The Government of India and the British Exchequer, ought, therefore, to make sufficient provision for the mechanisation of the Indian army as well. I expected when the Defence Secretary spoke that he would make some announcement or that the Finance Member would make some announcement. No doubt the Defence Secretary said that the Indian army would be mechanized, but he did not announce any amount that was proposed to be set apart for that purpose. There is no difficulty in the Defence Secretary consulting the Finance Member. It is a fact that in this age you cannot live without mechanization. Every Government in the world is mechanizing itself. It is up to us to get up and say that if the British Government wants to mechanize its own army in England, it ought to mechanize the Indian army as well at the same time.

Our objection to the present proposal is not merely that the Indian portion of the army is not mechanized. By mechanizing the British units alone, you are creating a lot of unemployment in the country. The servants who look after the mules and horses in the army will all be thrown out of employment. How do you propose to absorb them? I know a few will work in your workshop but that will not be enough. Another point which has got to be remembered is this: that the Indian cultivator also will be hit hard because the grain used for the horses and mules will no longer be needed on account of mechanization. Simply coming forward and saying here is a big gift to India will not do. You can flourish your gift in the face of India, but there is no great scheme provided here for mechanization of the Indian army.

As I said in the beginning, look at this scheme of Federation. Here are the Indian States' representatives to meet British India in the Federation. In the same manner the mechanised British army will work side by side with the unmechanised Indian army. An unholy alliance; and the result will be that if there be any dangerous occasion, the British soldier will run away in his ships and aeroplanes and the poor Indians will have to suffer. The whole scheme ought to have been placed before the

House for our consideration and instead of saying all this you ought to look to the Indian sentiment as well. Let not the people on the Government Benches think that we are opposing this out of sheer perversity. They should take it as a friendly suggestion from us, and the time has come when the Indian army should be placed on the same footing as the British army. You ought to think of benefiting the Indian industries as well, by opening factories for arms in India. Even my Honourable friend, Sir Yamin Khan, thinks that Indian industries should also be benefited from this money which will come to us. Sir, so long as we are here as representatives of the people we will continue to urge that the Indian army should be mechanised instead of the British army. I support the motion.

Mr. Abdul Qaiyum (North-West Frontier Province: General): Sir, I rise to support this motion, and in doing so I must state at the very outset that this so-called grant of £600,000 which has been made by Great Britain for the mechanisation of the British portion of the army in India clearly betrays the mistrust and selfishness which have always been lurking in the minds of the Britishers where Indians are concerned. After all, Sir, the fact remains that the British army in India is not only an army of occupation, but it is a standing threat to the movement for liberty which has been gaining ground in this country. After all what is the object of having this army of occupation? It is not wanted by Indians, and the Britishers are very well aware that the last thing that any self-respecting Indian can desire in this world is the presence of the British army in this country.

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

It is a standing insult to Indian manhood and to the feelings of nationalism which are prevailing at present in India. The idea behind this selfish scheme of mechanisation of the British portion of the army is to rear up a formidable weapon consisting purely of British units, so that when there is any more trouble in this country, when the next attempt is made by the residents of this country to wrest freedom which is their birthright from the British, then this formidable weapon will be trained against them as it was trained in 1930 to suppress their liberty. Before this decision was arrived at in favour of mechanisation, no attempt was made by any authority in India to find out whether this scheme of mechanisation was at all necessary in the interests of India, because the condition of the soil and all other circumstances in India are so utterly different to conditions prevailing in most other countries. And there is a very large volume of opinion against any scheme of mechanisation in this country because it is believed that mechanisation would not do in the conditions obtaining in this country. But because the British people realised that it was absolutely necessary for them to have mechanisation for the British units in India they had to do it. It has been stated by a well known military authority, Captain Liddle Hart, in one of his books, that so long as the authorities in India remain unresponsive to progress they automatically serve as a brake on the remaking of the Home army. It was with a view to remove this brake that the so-called gift of £600,000 has been made to make the British part of the army more efficient and to bring it up to the standard of that part of the army which is there in England.

[Mr. Abdul-Quiyum.]

It is a well known fact that the Indian army is a subordinate agency, and that the army in India is tied to the chariot wheels of the British army. Under the Cardwell system, as has been stated, part of a regiment remains in England and the other part is sent out abroad. If the army in Great Britain is mechanised and the army in India sent to serve abroad is not mechanised, it means that there will be two systems for the same army of Great Britain, which would certainly not do under the present conditions. It has also been admitted by the Defence Secretary that it is contemplated that India is to incur further expenditure,—it is obvious that this expenditure will have to be incurred by India,—and an additional burden of 135 lakhs will have to be borne by this country which will have to come out of the pockets of the Indian taxpayers for furthering the scheme of mechanisation. This means an additional burden on the Indian taxpayers. As long as India remains subservient to Great Britain, as long as the reins of Government in this country are controlled by the British, as long as this foreign army of occupation is stationed over our heads, no self-respecting Indian will ever think of paying a single pie to make this weapon of oppression more formidable than it is.

Self-respect demands that India should be absolutely free and should have an army manned entirely by Indians, officered entirely by Indians; and it is a well known fact that all Indians in spite of political differences are united on one thing—they want to see the last of the British army in India. When that is done, when the army is entirely Indianised, when it is officered entirely by Indians, then the Indians would not grudge any more expenditure or a greater expenditure on the mechanisation of the army. But as things are at present, as long as we remain subservient to the British, dependent on Britain and ruled by Britain according to her own selfish interests and desires, no Indian can possibly afford to spend a single pie on mechanisation even at the risk of the defence of this country.

It was stated by the Defence Secretary that in the matter of purchases they try to buy as far as they can in the local markets, but when they cannot obtain things in the local markets they have to go to England. It is really very surprising that after a century and a half of British rule they should not be able to buy things here. If they really want to buy things here it is quite easy for a great organisation like the Indian Government to start ammunition factories in India, manufacture tanks and airships and all the paraphernalia which is necessary for modern warfare. But the reason is obvious. They do not want to manufacture things in this country because it would be a great blow to British industry and it would mean that many thousands of British workmen and capitalists will be thrown out of employment and will cease to receive remuneration and fat dividends. That is the reason why they are not setting up ammunition factories in this country. It is a well known fact that even before the advent of the British there were ammunition factories in India and that according to the standard of those times they used to turn out and manufacture very good ammunition, and India was self-sufficient in the matter of ammunition. But the first thing which the British did after their arrival in this country was to make India dependent on Great Britain for her supplies in the matter of ammunition and all the rest of it. It is quite obvious that the professions

and the assertions that they cannot purchase things in this country are absolutely insincere and the reason is quite clear, that they do not want to manufacture things in this country.

In addition, this scheme of mechanising the British units will create discontent in the Indian section of the Army and it will make them realise that after all the services which the Indians have rendered to the cause of British imperialism, after all the wars which they have fought for the cause of England, in which England has been the gainer every time at the expense of the lives laid down and the money spent by this country, Indians will realise that even now they are looked upon with suspicion and cannot be trusted by the British. It is high time that our friends, who still believe in co-operation with the British and imagine that Great Britain in her generosity will extend dominion status or independence to India, realised that it is impossible to get anything from these gentlemen and that it is high time that they all came and joined the banner of the Congress in fighting these people.

Pandit Krishna Kant Malaviya (Benares and Gorakhpur Divisions: Non-Muhammadian Rural): Sir, I fail to understand the logic behind this censure motion. Do we really feel that any nation on this earth can afford to be generous to another? Do we really feel that any nation, howsoever generous and good it might be, can afford to serve the interests of any other nation and jeopardise her own interests? I was never under that impression that it was a gift for the mechanisation of the Indian Army. It is sheer common sense. When England was going to part with her own money, that money must be spent in her own interests and not in the interests of this country. I am sorry I cannot admire the simplicity of my friends. If I was a member of the British cabinet, I most emphatically say that I would have done the very same thing that they are doing now. I have no complaints: it is their money and they can spend it as they like. Where is the complaint? Our complaint is this: our friends have said "Suppose there is a war and the British section is sent away: what then remains? Who is going to defend us? What becomes of us?" I want all these friends to say whether they are serious about their demand for independence. We have been talking of independence and at the same time we want the British army to protect and defend this country. Why this talk of independence then? Are we really serious, if we really want our independence and to defend our own country, I think the best thing we can do, instead of passing this motion or censuring the Government for not mechanising the Indian Army, is to press our Congress Ministries in the provinces to make military training compulsory in all the schools and colleges and to make a knowledge of aeronautics compulsory for all B.Sc. and M.Sc. students and to create our own army for the defence of the country. How long are you going to depend upon the Britishers to defend this country? Either we should cease to talk of independence and all these things or if we are serious, let us not complain about these things.

My friends have complained that this shows mistrust of the Indian army and will lead to discontent in the Indian army. I wish it were true: I wish the Indian army would realise their inferiority and the way they are treated. I wish they could declare that they would not remain a portion of this Indian army if they are going to be treated like this. But so far as I am concerned I will welcome the discontent in the Indian army. I wish some

[Pandit Krishna Kant Malaviya.]

of them would stand up and proclaim that they are not going to defend the country in these circumstances. Why this talk of a censure motion? It is said that all military equipment will be ordered out from England. I am sure all this talk of mechanisation will amount to giving a blank cheque to the Honourable the Finance Member to come with a fresh demand before this House and ask us to vote some further money for the mechanisation of the army. We ought to declare that we do not want to mechanise our army. If England wants it, let England spend her own money. So far as we are concerned we do not want mechanisation: we will have it when we can have our own equipment and factories to turn out that equipment: we will not be a party to these things. Mechanisation! They are arming for their own purposes, not for the purposes of India: they know that these soldiers trained at our cost will be sent away after five years to England: they are not going to remain permanently here; and we are asked to spend 185 lakhs for training these people who will go back to England—to defend their country. Every new comer after five years will go back and we will be required to spend 185 lakhs to train them. I, therefore, say that I fail to see the logic behind this censure motion. We ought to know that they are spending the money for their own interests, and so long as they are ruling this country and ruling it in their own interests we can have no say in the matter. If we really have any complaint, it is for us to decide our course of action; and ask the Congress Ministries to make military training compulsory in all the schools and colleges and make the knowledge of aeronautics compulsory for the B.Sc. and M.Sc. students.

Sir Gowasji Jehangir: Mr. President, we have had rather an extraordinary debate; it started with a censure motion and I do not know how it is going to end. But there is one thing certain, that the tenor of the speeches of most of the Honourable Members will be taken advantage of by—I will not say the Defence Secretary—but by the Military Department for bringing in a demand for perhaps five or six crores of additional expenditure. If the money is well spent, I will not be one of those who will grumble, but I can remember debates in this House in which I took part where we were very strongly of opinion that retrenchment should be the order of the day in the Military Department. I am still of that opinion. I am still of the opinion that retrenchment in the right direction should be the order of the day, but, as I have said, Sir, the whole tendency of my Honourable friends was to give the Army Department a fairly free hand to bring in proposals for mechanising the whole of the Indian army

Mr. M. Asaf Ali: And reducing the British forces.

Sir Gowasji Jehangir: Well, Sir, I can understand this change of ideas. The world seems to be moving, and we must also move along with it. Abyssinia, China and Spain have their lessons to teach, and let us learn them. But I was rather surprised, when the Defence Secretary expressed his surprise at this censure motion. He frankly explained his position, and so far as I am concerned, it was an eye-opener. The first idea that struck me when I heard of this censure motion was what the Defence Secretary himself said,—it was not wise to look at a gift horse in the mouth, but as my friend, Mr. Asaf Ali, said, is it a gift horse? I am

beginning to doubt it. I was hoping, when I heard the Viceroy speaking not very long ago, that very soon an announcement would be made that we would get a gift of a few crores of rupees. I was surprised when I read that the figure was only six hundred thousand pounds. What a gift! I am not ungenerous, but what a gift! There is Lord Nuffield who shells out six hundred thousand pounds very often for scientific institution in England, and nobody says a word about it, and I am surprised at the passive way in which these great gifts have been received in England, but still a gift of six hundred thousand pounds from one country to another has been talked about a great deal. After all, is it a gift? Now, let us analyse the position fairly.

Mr. Bhulabhai J. Desai (Bombay Northern Division: Non-Muhamadan Rural): It is a bait, and not a gift.

Sir Cowasji Jehangir: There is the British Army in India as well as in England. The British Army in India is only a part of the British army in England. The British army in England has been mechanised. Hundreds of millions are being spent. It turns out that the British army sent out to India has been a branch of the British army that was never mechanised. We are now told that India will have to pay the cost of mechanising that section of the British army which is in India, a section of the British army which is not permanently in India, a section of the British army that will go to any part of the world or will go back to England. Why is then India asked to pay the cost of mechanising that section of the British army, and if only a portion of the cost has been offered by England, is it a gift? I was staggered to hear that 135 lakhs will have to be spent by this country for mechanising the British army in India, that out of 215 lakhs, 80 lakhs would be contributed by England. Is it not a legitimate complaint that 135 lakhs ought to be first spent on the Indian army in mechanising it? Is it not a legitimate complaint?

Mr. C. M. G. Ogilvie: No, Sir.

Sir Cowasji Jehangir: That shows how my friend's mentality works. Now, let us follow this up a little. If my friend was asked to live in a house in India and he was asked to build it himself and leave it in India when he retired, how would he like it? Will that be justified? He was brought to serve in India,—suppose he was asked to build a house out of his own money, and he was asked to go back to England without taking a nail out of India, would that be justifiable?

Mr. C. M. G. Ogilvie: Certainly.

Sir Cowasji Jehangir: Then let us ask the Government of India to make every Englishman build houses in India and leave them here when they go back. Don't get excited over it. Think over the matter coolly. Let us look at the equity of it. Here is the British army in India. We are asked to mechanise it. You will take it back to England, send us another section of the army which is not mechanised and ask us again to mechanise it. Is that equity? And do the Government of India think it is a fair way of looking at it? Why? If I were in charge of the British finances, I would say, keep a portion of the British army as it is, and in the next ten or fifteen years send it out to India in bits and get it mechanised in India. I would do that if I were in charge of the British

[Sir Cowasji Jehangir.]

finances, but being an Indian, having to pay for it, surely I am bound to think twice about it. I am not one of those who say, send the British army out of India bag and baggage

The Honourable Sir James Grigg (Finance Member): I bet you are not.

Sir Cowasji Jehangir: For once in a way the Honourable Member is right, which is very rare indeed in this House. But when the Honourable Member comes with Income-tax Bills, I want to know what he is going to do with the money we pay him

Mr. Sri Prakasa (Allahabad and Jhansi Divisions: Non-Muhammadan Rural): He will use it for mechanising this House.

Sir Cowasji Jehangir: If you will give him the money he will do so. Sir, I am only a humble individual who tries to look at these questions from an equitable point of view. Now, Mr. President, you know that we have had a controversy with the British Army Department and we complained that the cost of training the British troops in England which came out to India ought to be paid by England. Why, it went to arbitration. Most eminent lawyers sat to adjudicate upon it. Finally, it was decided that India should be paid some portion of that cost. I believe we are making out a case for arbitration a few years hence, if we allow the British army to be mechanised out of Indian moneys and then to be sent back to England. I do think it is inequitable, but I would appeal to the Government of India to consider this matter from this point of view and to put it to the British Government that they will not pay for mechanising the British army which is only temporarily kept in India and which is going back to England

Mr. C. M. G. Ogilvie: When?

Sir Cowasji Jehangir: Every year they go back and come back.

Mr. C. M. G. Ogilvie: They leave their arms in India.

Sir Cowasji Jehangir: Are all these tanks going to be left behind?

The Honourable Sir James Grigg: Of course, they are.

Sir Cowasji Jehangir: Sir, I would like to know the exact position.

The Honourable Sir James Grigg: These units which are mechanised here will in due course be replaced by other mechanised units who will take over the equipment, so that this equipment will be permanently left in India, and, as far as I can make out, this completely destroys the whole basis of the Honourable Member's argument.

Sir Cowasji Jehangir: If a war breaks out, are they going without their tanks, are they going to Shanghai or to any other part of the world without this equipment? And will the Honourable the Finance Member undertake that if and when these mechanised units go to fight for the Empire, the cost of training the army and of the equipment that we have incurred will be repaid by Great Britain? If he will make a fight of it in that way, I will be satisfied. I admit my ignorance. That is more than what the Finance Member is able to do. I admit my mistake when

I am wrong. I was under the impression that they will take away these equipments. We were all under that impression but if it is a case of going to war, will the British Government repay to this country the sums of money we will be forced to spend in mechanising that army? These matters ought to be cleared up before we are called upon to pay 135 lakhs for mechanising only a section of the army.

Well, Mr. President, although this is hardly a censure debate, it has served a very useful purpose. We have been able to place our views before Government and I hope and trust that in all these transactions about the army, between England and India, the Government of India will represent India. We know very well that after all the Government of this country under the present constitution is not in India. It is in England. We know that. We know very well that the Government of India have to carry out orders. In the last instance, they have the power of resigning, which they very rarely exercise, but they are after all to carry out the orders of the Government in England. We do expect them to carry out these orders as loyal servants but we do expect that they will put up a fight in the interests of India, and we do expect that they will point out, how we are hit and how the shoe pinches us, and ask for equity and fair play. It is the duty of the British Government to see that they get the best of the bargain. It is the Government of India's duty to see that they get equity and fair play and that none of our money is spent which is not ultimately to the advantage of this country and for the defence of this country. That is all we ask for, and we expect that it shall be done. We feel doubts about this. We have had our doubts in the past and we have expressed them. We may have our doubts in the future. I feel a little doubtful about this transaction of mechanising the British section of the army at the cost of India. I think it should be done under certain conditions. Those conditions should be properly understood on both sides and there should be no loophole left for arbitrament, for bitter controversy, in the future about the money that has been spent by us in India.

Mr. M. S. Aney (Berar: Non-Muhammadian): I have only five minutes. I shall not take more than five minutes also. The question before the House is this. There has been a so-called gift of 80 lakhs of rupees and it is decided that with that money certain British sections of the Indian army are to be mechanised. The adjournment motion is brought in with a view to censure the Government for having outlined a plan like that and made an announcement to that effect. Now, there are certain questions which we have to consider carefully and the implications of which we have to understand also before we are called upon to record our vote on this point. I agree with my Honourable friend, Sir Cowasji Jehangir, that this debate will be long remembered by the Honourable Members on the Government Benches for the expression of certain views which they are not used to hear from this side. They are likely to make capital out of it. However, I want to confine my attention to the question which is immediately before the House. I really want to know who is responsible for the decision that the amount of money that is received from the British Government is to be spent for the mechanisation of the British army only. If this decision has been taken by the Government of India, why is it that they have thought of making a discrimination and making a selection first of the British army for mechanisation. That is a point on which I have not been able to get

[Mr. M. S. Aney.]

any useful information from the otherwise good speech of the Army Secretary. If the decision is already made by the Government of India that a certain portion of the Indian army was to be mechanised then they should have really thought of making a fair selection from both arms of the Indian army, the British as well as the Indian. In fact, it's a mistake or a misnomer to say that the British army is really a part of the Indian army, but however that has been the way in which the Indian army is being described. One would naturally expect that the Government of India, which claims to maintain this huge army at the cost of the Indian taxpayer for the defence of Indians, would not forget the claims of the Indian section of the Indian army at the time of making the army more efficient and more up to date for the requirements of modern warfare. If the decision was taken by the Government of India on their own responsibility in this matter, I think there is greater necessity for the whole House to carry the censure motion. Are they going to tell the Indian section of the army "You must remain in an inefficient condition, while the British army which is only an army of occupation will be brought up to date and properly equipped". If that is the way in which the Government of India will look at this problem, then the question of defence is not safe in their hands. In fact, the whole problem of defence will be a matter for the serious and anxious consideration of the people of India. They look with apprehension and anxiety at the future when the Governor General in Council will hold charge of the Indian army, while the Federal Legislature will be in charge of many other minor matters. If the decision is taken by the Government of India and they are responsible for this, then we have every reason to censure them

(It being six of the clock.)

The Assembly then adjourned till Eleven of the Clock on Tuesday, the 1st February, 1938.