

25th August 1937

**THE
LEGISLATIVE ASSEMBLY DEBATES**

Official Report)

Volume IV, 1937

(23rd August to 1st September, 1937)

**SIXTH SESSION
OF THE
FIFTH LEGISLATIVE ASSEMBLY,
1937**



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L453LAD

Legislative Assembly.

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

MR. MATHURADAS VISSANJI, M.L.A.

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LEGISLATIVE ASSEMBLY.

Wednesday, 25th August, 1937.

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

STARRED QUESTIONS AND ANSWERS.

(a) ORAL ANSWERS.

ANNUAL GRANT MADE TO SCIENCE INSTITUTIONS IN INDIA.

73. *Mr. C. N. Muthuranga Mudaliar : (a) Will the Secretary for the Department of Education, Health and Lands be pleased to place on the table a statement of the annual grant made by the Government to the various science institutions in India like the Indian Institute of Science at Bangalore, the Indian Association for the Cultivation of Science at Calcutta, the Indian Research Fund Association, and the Bose Institute at Calcutta ?

(b) How are these institutions functioning ? Is the amount granted to them by the Government being spent so as to ensure genuine scientific research ?

Mr. M. S. A. Hydari : (a) A statement giving the required information is laid on the table of the House.

(b) Satisfactorily. The grants to them are being spent for the purposes for which they are made.

Statement showing the Grants made to Science Institutions.

No.	Name of the institution.	Grant made in 1936-37.	Provision made in budget for 1937-38.	Remarks.
1	2	3	4	5
1	Indian Association for the Cultivation of Science, Calcutta.	Ra. 18,000	Ra. 18,000	
2	Indian Statistical Institute, Calcutta.	5,000	(a) 9,000	(a) Includes Rs. 4,000 on account of annual grant of Rs. 2,000 towards the publication of the Institute's journal "Sankhya" for the years 1936-37 and 1937-38.
3	Indian Institute of Science, Bangalore.	1,50,000	1,50,000	
4	Bose Research Institute, Calcutta.	53,000	53,000	

No.	Name of the institution.	Grant made in 1936-37.	Provision made in budget for 1937-38.	Remarks.
1	2	3	4	5
		Ra.	Ra.	
5	Indian Research Fund Association.	1,50,000	1,50,000	
6	Imperial Council of Agricultural Research (b).			(b) In addition to the grants mentioned in column 4, a sum of Ra. 1,00,000 is to be placed at the disposal of the Imperial Council of Agricultural Research during the current year for the employment of a special officer to investigate the possibilities of extension of Cinchona cultivation in India.
	(i) Annual grant ..	5,00,000	5,00,000	
	(ii) Grant for Sugar Research.	1,75,000	1,75,000	
	(iii) Grant for Marketing Scheme (Provincial portion).	2,00,000	2,00,000	
	(iv) Balance of initial lump grant.	10,00,000		
	(v) Special Grant ..	11,36,476	..	
	(vi) Grant for Cold Storage Scheme.	..	1,00,000	

Mr. S. Satyamurti : May I know, Sir, with reference to the answer to the first part of clause (b) of the question, what is the machinery by which Government satisfy themselves from time to time, that these institutions are functioning satisfactorily ?

Mr. M. S. A. Hydari : There is no *ad hoc* machinery, but we get their annual Reports.

Mr. S. Satyamurti : Apart from the annual reports, are Government appointing or will they appoint Commissions, as Universities do, once in three or five years, of experts to report on the actual work carried out by these institutions ?

Mr. M. S. A. Hydari : No, Sir.

Mr. S. Satyamurti : May I know the reason why Government will not appoint expert committees to examine the manner in which these institutions are functioning ?

Mr. M. S. A. Hydari : If a suggestion to that effect is made, we will consider it.

Mr. S. Satyamurti : What are the materials on which Government satisfy themselves that these institutions are carrying on genuine scientific research ?

Mr. M. S. A. Hydari : Their annual reports show what they are doing.

Mr. C. N. Muthuranga Mudaliar : If these institutions are working...

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

Mr. C. N. Muthuranga Mudaliar : If these institutions are working satisfactorily, where is the need for thousands of students going to foreign countries in search of knowledge ?

Mr. President (The Honourable Sir Abdur Rahim) : I have called the next question.

RESEARCHES AT THE INDIAN INSTITUTE OF SCIENCE, BANGALORE.

74. ***Mr. C. N. Muthuranga Mudaliar** : (a) Is the Secretary of the Education, Health and Lands Department aware of the abstract of work published in the reports entitled "Researches at the Indian Institute of Science, Bangalore, for 1934-35 and 1935-36" ?

(b) Is it not a fact that, according to these reports, the type of research work done in the departments of Bio-chemistry, Organic Chemistry and General Chemistry, which have been in existence for a number of years, is of a mediocre quality in contrast to the brilliant work turned out by the newly started department of Physics ?

(c) Is it a fact that among the various departments of the Indian Institute of Science the Bio-chemistry department is not functioning properly mainly for the reason that the head of the department is a Lecturer with no research experience (*vide* the Sewell Committee Report on the Indian Institute at Bangalore) ?

(d) Is it not a fact that only an Assistant Professor is in charge of the department of Organic Chemistry ? What are his fundamental contributions to this branch of chemistry ?

(e) Could not a professor with adequate qualifications be made the head of the department of Organic Chemistry ?

(f) Is it contemplated to depute the Assistant Professor now in charge of the department of Organic Chemistry, abroad for further studies so that he can make an attempt to qualify himself for the post ?

(g) Are Government aware that the Department of General Chemistry in the Indian Institute of Science is without a Professor and that the research work in this department is seriously handicapped for want of proper direction ? If so, what action do Government propose to take to remedy this defect ?

Mr. M. S. A. Hydari : (a) Yes.

(b) This is a matter of opinion.

(c) No.

(d) Dr. P. C. Guha, D.Sc (Calcutta), Assistant Professor of Organic Chemistry, has been officiating as Professor, since 1934. He is author or joint author of a number of original publications issued by the Department of Organic Chemistry.

(e) The question of the reorganisation of the Chemistry Department is under consideration of the Council of the Institute in the light of the recommendations of the Irvine Committee.

(f) It is understood that Dr. Guha is being allowed to proceed on study leave for a period of about two years. But I have no information that this is being done with a view to his appointment as permanent Professor.

(g) The Department is at present without a professor. As stated in reply to (e) the question of the reorganisation of the Chemistry Departments is under the consideration of the Council of the Institute.

Mr. S. Satyamurti : With reference to the answer to clause (b) of the question,—the question is “is it not a fact that, according to these reports, the type of research work done in the departments of Bio-chemistry, Organic Chemistry and General Chemistry, which have been in existence for a number of years, is of a mediocre quality in contrast to the brilliant work turned out by the newly started department of Physics”,—my friend says it is a matter of opinion ; I am not asking for his opinion. I am asking whether, according to these Reports, the type of work turned out is of a mediocre quality, in contrast to the brilliant work turned out by the newly started Department of Physics ?

Mr. M. S. A. Hydari : I have been looking through these Reports, and I have found in no report any specific mention of this point. I will read out, if the Honourable Member desires it, an extract from paragraph 30 of the Irvine Committee's Report, which is the only reference I have found on this question.

Mr. S. Satyamurti : Is it about the work of these two departments ?

Mr. M. S. A. Hydari : The Committee appreciated highly the progress made in physics, but evidence quickly revealed the fact that physics was in process of becoming the dominant feature of the Institute, while the Departments of Chemistry remained under-staffed and were in consequence losing ground.

Mr. C. N. Muthuranga Mudaliar : With regard to (c), may I know if the Sewell Committee's Report does not mention that the head of the department is a lecturer with no research experience ?

Mr. M. S. A. Hydari : Since the Sewell Committee, which was appointed in 1931, there has been the Irvine Committee in 1936. Why is the Honourable Member referring to the Sewell Committee when there has been a more recent review of the work of the Institute ?

Mr. C. N. Muthuranga Mudaliar : Was there a change of personnel after the Sewell Committee's Report in 1931 ?

Mr. M. S. A. Hydari : No, Sir, the professor to whom the Honourable Member is referring is Dr. V. Subramanian, who is a D.Sc. of London.

Mr. S. Satyamurti : It is a poor qualification for research, as you know.

Mr. C. N. Muthuranga Mudaliar : Is it proposed to send him to England to qualify himself for professorship ?

Mr. M. S. A. Hydari : I have no information.

Mr. T. S. Avinashilingam Chettiar : As regards clause (c), may I know whether circumstances have changed since the Sewell Committee's Report in such a way that the work is now satisfactory ?

Mr. M. S. A. Hydari : I cannot say. The circumstances may have changed, but whether they are satisfactory or not, I cannot say.

Prof. N. G. Ranga : Has the Committee observed that the position is satisfactory ?

Mr. President (The Honourable Sir Abdur Rahim) : The Honourable Member can get it from the Report.

Mr. S. Satyamurti : My friend referred to the Report to show that there has been no change and the later Committee has made no Report.....

Mr. M. S. A. Hydari : On the question whether conditions are satisfactory or not, surely the very fact that these two departments are being re-organised shows that the authorities of the Institute feel that there is ground for some improvement, and I have already said that these two departments are under re-organisation.

REPORT OF EXPERTS ON THE RECONSTRUCTION OF SECONDARY SCHOOLS.

75. ***Mr. T. S. Avinashilingam Chettiar :** Will the Secretary of the Department of Education, Health and Lands, state :

(a) whether the experts to consider the reconstruction of secondary schools have submitted their report ;

(b) whether the report will be published ; and

(c) whether Government propose taking any action on the matter ?

Mr. M. S. A. Hydari : (a) Yes.

(b) The report was published on the 27th July, 1937.

(c) The report will be placed before the Central Advisory Board of Education for consideration at its next meeting.

Mr. Lalchand Navalrai : May I know who these experts were ?

Mr. M. S. A. Hydari : Messrs. Wood and Abbott.

Mr. Lalchand Navalrai : May I know if they have investigated into the question of secondary education for the whole of India or for only a part of India ?

Mr. M. S. A. Hydari : Only a part.

Mr. Lalchand Navalrai : Which part ?

Mr. M. S. A. Hydari : The United Provinces and the Punjab.

Pandit Lakshmi Kanta Maitra : Will the Report be laid on the table of the House ?

Mr. M. S. A. Hydari : It is in the Library, Sir.

Mr. N. M. Joshi : May I know, Sir, whether Members of the Assembly will be supplied with free copies ?

Mr. M. S. A. Hydari : If there is a demand for it, I will consider the matter.

Mr. S. Satyamurti : Sir, Government appoint expert committees, and they report on fundamental matters in which this House is vitally interested. I submit, Sir, that you may recommend to the Government

that when these reports are published, they may be automatically supplied to all Members of this House.

Mr. M. S. A. Hydari : I will supply a copy to each Member of the House.

Mr. S. Satyamurti : I should like you, Sir, to consider this matter, and see that these reports are supplied to all Members of the House automatically.

Mr. President (The Honourable Sir Abdur Rahim) : In administrative matters I cannot interfere, but you have made the suggestion and it is for the Government to consider.

The Honourable Sir James Grigg : The Honourable Member concerned has already promised, that he will do what is required, and I do not know what this further discussion is about.

Mr. S. Satyamurti : Will he supply copies ?

The Honourable Sir James Grigg : Yes, that is what he said.

Mr. S. Satyamurti : You speak so inaudibly, that we cannot hear what you say on that side.

COMMITTEE TO STUDY THE QUESTION OF THE COTTAGE AND SMALL INDUSTRIES.

76. ***Mr. T. S. Avinashilingam Chettiar** : Will the Honourable Member for Industries state :

(a) whether it is true that the Government have appointed a Committee to study the question of the cottage and small industries ;

(b) who are the members of the Committee ;

(c) what is the scope of the Committee reference ; and

(d) when they expect the report of the Committee ?

The Honourable Sir Thomas Stewart : (a) The reply is in the negative.

(b), (c) and (d). Do not arise.

Mr. T. S. Avinashilingam Chettiar : May I know whether they have placed any special officer in order to study this question, if not a Committee ?

The Honourable Sir Thomas Stewart : I think the Honourable Member had probably in mind the placing on special duty of an officer in the Commerce Department in connection with minor industries in India.

Mr. T. S. Avinashilingam Chettiar : May I know when his report is expected ?

The Honourable Sir Thomas Stewart : I am no longer connected with the Commerce Department and I am afraid I cannot give an answer to the Honourable Member's question.

Mr. Lalchand Navalrai : May I know from the Honourable Member if this Committee has been appointed to consider the question of cottage industries in the whole of India or only a part thereof ?

The Honourable Sir Thomas Stewart : In my reply I stated that no committee had been appointed.

Prof. N. G. Ranga : Will Government consider the advisability of appointing a committee like this to investigate into the ways and means of helping the cottage industries in this country ?

The Honourable Sir Thomas Stewart : That is primarily a responsibility of Provincial Governments.

Mr. President (The Honourable Sir Abdur Rahim) : Next question No. 77. Mr. Asaf Ali.

Mr. S. Satyamurti : May I put the question on behalf of Mr. Asaf Ali ?

Mr. President (The Honourable Sir Abdur Rahim) : Have you got a written authority from him ?

Mr. S. Satyamurti : I had one for yesterday, but not for today.

Mr. President (The Honourable Sir Abdur Rahim) : Then you cannot put the question for him.

Mr. M. Ananthasayanam Ayyangar : You have given a ruling that unless a Member is authorised in writing to put a question, he cannot be allowed to put it on behalf of a Member who is absent. May I invite your attention to Standing Order 19 which says :

“ If on a question being called it is not put or the member in whose name it stands is absent, the President, at the request of any member, may direct that the answer to it be given.”

The wording is “ may direct ”, and.....

Mr. President (The Honourable Sir Abdur Rahim) : It is a well established practice that in ordinary cases the Chair would allow a question to be put by another Member only if he has been authorised in writing.

Qazi Muhammad Ahmad Kazmi : As the rules relating to questions have been changed, will you kindly reconsider your ruling ?

Mr. President (The Honourable Sir Abdur Rahim) : No. It is a well established practice. Question No. 79. Mr. Ranga.

†77* and 78*.

RAILWAY CONCESSION FOR THE TRANSPORT OF FODDER TO THE FAMINE-RIDDEN AREAS IN GUJERAT.

79. ***Prof. N. G. Ranga :** Will the Secretary for Education, Health and Lands be pleased to state whether the Government of India have extended any railway concession for the transport of fodder to the famine-ridden areas in Gujerat ?

Mr. M. S. A. Hydari : No ; nor has any application for such concessions been received.

Mr. T. S. Avinashilingam Chettiar : May I know in such cases who generally applies ? The Provincial Government or any private Agency ?

Mr. M. S. A. Hydari : Provincial Government.

†For answer to these questions and replies thereto, see pages 522 and 523 of these debates.

EXCISE DUTY ON COTTAGE MATCH FACTORIES.

80. ***Mr. T. S. Avinashilingam Chettiar** : Will the Honourable the Finance Member state :

- (a) how many cottage factories of matches have applied for and got exemption from the excise duty on matches in the year 1936-37 ;
- (b) what is the exact definition of a cottage factory for the purpose of this excise duty ; and
- (c) what has been the effect of the excise duty on cottage factories ?

Mr. A. H. Lloyd : (a) No application for exemption has been received.

(b) The expression " cottage factory " is not used in the Matches (Excise Duty) Act, 1934. I would invite the Honourable Member's attention to section 19 of that Act.

(c) I lay a statement on the table giving the information at present available as to the number of factories at work enjoying the concession referred to in section 19 of the Act.

Statement showing the number of Factories enjoying the Concession given by Section 19 of the Matches (Excise Duty) Act, 1934.

		31st March 1934.	31st March, 1935.	31st March, 1936.
Delhi	..	1	1	1
Madras	.. ..	114	68	76
Bengal	..	25—30	9	11
Total	..	140—145	78	88

Mr. T. S. Avinashilingam Chettiar : May I know whether generally the cottage factories have declined or they have increased ?

Mr. A. H. Lloyd : Generally, as the statement will show, there was, after the duty was first introduced, a noticeable decline. Since then there has been a slight increase.

EVICTION OF MUHAMMAD ALI, AN INDIAN TRADER, FROM ABYSSINIA.

81. ***Mr. T. S. Avinashilingam Chettiar** : Will the Secretary for the Department of Education, Health and Lands state :

- (a) whether they have received any replies to their representations to His Majesty's Government regarding the order of the Italian Government in Abyssinia evicting the Indian trader, Mohammad Ali ;

(b) if so, what are their replies ; and

(c) whether any compensations have been paid to the firm for the losses suffered by their eviction ?

Lieut.-Colonel A. E. B. Parsons : The subject matter of this question concerns the External Affairs Department, and with your permission, I will answer it.

(a) Yes.

(b) As a result of His Majesty's Government's representations the Italian Government have undertaken to allow complete liberty of action to the firm in carrying out liquidation. Assurances have been obtained from them that no time limit for the removal of the firm or disposal of its property has been fixed. Negotiations between the firm and Italian interests for the disposal of the property have reached an advanced stage.

(c) No.

Mr. T. S. Avinashilingam Chettiar : May I know what losses they would have suffered if they were compulsorily wound up ?

Lieut.-Colonel A. E. B. Parsons : I cannot answer. I do not know. The losses must be a matter of estimate by the firm or by other people.

Mr. T. S. Avinashilingam Chettiar : May I know whether any attempts have been made to compensate them for their probable losses ?

Lieut.-Colonel A. E. B. Parsons : None.

Mr. T. S. Avinashilingam Chettiar : Why not ?

Lieut.-Colonel A. E. B. Parsons : Because in a matter like this, as the House will realise, the Italian Government has full powers to do what it likes and it will not admit claims for compensation for any executive action that it may take.

Mr. K. Santhanam : May I know if the firm has applied for any compensation ?

Lieut.-Colonel A. E. B. Parsons : So far as I know, not to the Government of India.

Mr. Muhammad Azhar Ali : Has the Indian Government any power to retaliate against the Italians ?

Lieut.-Colonel A. E. B. Parsons : I suppose they have, but whether it will be advisable for them to do so is quite another matter.

Mr. T. S. Avinashilingam Chettiar : May I know whether, apart from this firm, any other Indian firms have suffered in Abyssinia out of this Italo-Abyssinian war ?

Lieut.-Colonel A. E. B. Parsons : I cannot say for certain, but I think there was one other firm, a very small firm, and the matter was nowhere near as important as this one of Muhammad Ali. Some British subjects of British domicile however have also suffered.

Seth Govind Das : Even then Government do not think it necessary to retaliate ?

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

EXEMPTION FROM INCOME-TAX ALLOWED ON LEAVE ALLOWANCE AND SALARY PAID OUTSIDE BRITISH INDIA.

82. ***Mr. T. S. Avinashilingam Chettiar** : Will the Honourable the Finance Member state :

- (a) whether exemption from income-tax is allowed on leave allowance and salary paid outside British India ;
- (b) whether the income-tax experts have disapproved of this in their report ; and
- (c) what is the probable income that will accrue by removing this exemption ?

The Honourable Sir James Grigg : (a), (b) and (c) : I would refer the Honourable Member to the reply given to question No. 191 asked by Mr. Sri Prakasa in the Legislative Assembly on the 25th January, 1937.

Mr. S. Satyamurti : Was the Finance Member exempt from income-tax on his salary and leave allowance, when he visited England ?

The Honourable Sir James Grigg : I believe so.

Mr. T. S. Avinashilingam Chettiar : May I know whether any action has been taken by the Government of India to touch those salaries ?

The Honourable Sir James Grigg : The whole question of the recommendations contained in the Income-tax Committee's report is under consideration.

Mr. T. S. Avinashilingam Chettiar : May I know when the Government expect to finish their consideration ?

The Honourable Sir James Grigg : If the Honourable Member will look up the statement I made on the subject in the last budget debate he will see what I then contemplated that the programme should be.

Mr. S. Satyamurti : Will this matter be decided, before the Members of the Government take their next holiday to England ? (Laughter.)

MONEY OF SCHEDULED BANKS KEPT BY THE RESERVE BANK OF INDIA.

83. ***Mr. Sri Prakasa** : Will the Honourable the Finance Member state :

- (a) if it is a fact that under the law, the Reserve Bank keep large sums of money of scheduled banks without interest and that when scheduled banks require some portion of this money to meet sudden demands or tide over temporary difficulties, the Reserve Bank charges them a certain interest on their own money ;

- (b) if it is a fact that the period for which such temporary accommodation is given, is fixed and in no case can exceed a period of from Monday to Saturday ; and
- (c) whether Government are prepared to consider the desirability of extending the limit in time and also facilitate scheduled banks by permitting them to draw their own money without interest ?

The Honourable Sir James Grigg : (a) I would invite the attention of the Honourable Member to the provisions of section 42 of the Reserve Bank of India Act, 1934.

(b) To the best of my knowledge, no.

(c) The first part does not arise. As regards the second part I would invite the attention of the Honourable Member to the proceedings of the House on the 19th December, 1933.

Mr. Sri Prakasa : With reference to the Honourable Member's reply to part (b) of the question, am I to take it that the Honourable Member said that the answer was in the negative ?

The Honourable Sir James Grigg : I said to the best of my knowledge. I have no claim to omniscience.

Mr. Sri Prakasa : Will the Honourable Member enquire whether what I have stated is a fact or not ? It is a fact.

The Honourable Sir James Grigg : If it is a fact there is no need for me to enquire.

Mr. Muhammad Azhar Ali : Will the Honourable Member kindly say whether the Reserve Bank is prepared to accommodate landlords and zemindars throughout India in any form ?

The Honourable Sir James Grigg : That does not arise out of this question, but I should think it extremely unlikely from the terms of the Reserve Bank Act.

Mr. Muhammad Azhar Ali : It does arise under part (b) of the question.

The Honourable Sir James Grigg : It does not arise out of the question. There is nothing there about the zemindars or landlords ; it has reference only to scheduled banks.

Mr. Sri Prakasa : In view of the fact that scheduled banks, under the law, have to keep large sums of money into the Reserve Bank, and further in view of the fact that it pays no interest on those sums of money, will Government consider the desirability of helping such scheduled banks to get back their own money for short periods without interest in order to tide over temporary difficulties ? It is a great hardship and the Honourable Member should be a little more sympathetic.

The Honourable Sir James Grigg : I am not prepared to do that. The system of compulsory deposits and the compulsory keeping of Government balances is the foundation on which the Reserve Bank rests.

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

**CUSTOMS DUTY FOR BRINGING GOLD IN INDIA AND DUTY PAID BY PANDIT
JAWAHARLAL NEHRU ON A GOLD CASKET.**

84. *Mr. Sri Prakasa : Will the Honourable the Finance Member state :

- (a) if it is a fact that while bringing a gold casket presented to him in the Malaya Peninsula, Mr. Jawaharlal Nehru, the President of the Indian National Congress, had to pay a duty of Rs. 1,100 as the said casket was appraised by the Indian Customs Authorities as being worth Rs. 2,200 ;
- (b) what is the law regarding the bringing in of gold in India and what is the custom duty on it ; and if there are any exceptions as regards the various forms in which the same may be brought ; and
- (c) whether Government are prepared to consider the desirability of revising their rules on the subject ?

The Honourable Sir James Grigg : (a) Government are aware that duty at the rate of 50 per cent. was charged on the casket.

(b) Manufactures of gold are liable to duty at the rate of 50 per cent. Gold bullion and gold sheets and plates which have undergone no process of manufacture subsequent to rolling are exempt from duty.

(c) Government are not prepared to revise the rate of duty on gold manufactures.

Mr. Mohan Lal Saksena : May I know if presents are also liable to duty ?

The Honourable Sir James Grigg : Yes, Sir.

Mr. Sri Prakasa : Is it a fact that gold ornaments that are brought into the country to be exhibited in public places are not charged any duty and that hospitals are particularly not regarded as such public places under the rules ?

The Honourable Sir James Grigg : The Honourable Member had better put down a question. It is a technical matter.

**CERTAIN STAFF IN THE OFFICES OF THE COMPTROLLER, SHILLONG, AND DEPUTY
COMPTROLLER, ASSAM.**

85. *Maulvi Abdur Rasheed Chaudhury : Will the Honourable the Finance Member please state :

- (i) the total number of Superintendents and Clerks separately in the Comptroller's Office, Shillong, and how many of them are Mussalmans ; and
- (ii) the total number of Divisional Accountants in the establishments of Deputy Comptroller, Assam, and how many of them are Mussalmans ?

The Honourable Sir James Grigg : A statement is laid on the table.

Statement showing the number of Mussalmans in the Office of the Comptroller, Assam.

	Total.	Mussalmans.
<i>Superintendents—</i>		
Permanent	17	Nil.
Temporary and officiating	2	Nil.
<i>Clerks—</i>		
Permanent	110	12
Temporary and officiating	14	4
<i>Divisional Accountants</i>	3	Nil.

There is no separate establishment for the Deputy Comptroller, Assam. All the establishments belong to the Comptroller's Office.

CORONATION GUESTS FROM INDIA.

86. ***Mr. Badri Dutt Pande** : (a) Will the Honourable the Finance Member state how many guests went from India to England on the occasion of the last Coronation ?

(b) Was the expenditure of the Coronation guests and of the military and police contingents and of the contingent from the ship "Dufferin" met by the British Government or the Government of India ? If by the latter, what is the total amount of expenditure incurred so far ?

The Honourable Sir James Grigg : This question should be addressed to the Honourable the Home Member.

Mr. S. Satyamurti : We should like, Sir, to have some clear guidance in these matters. We address the questions to one Department in accordance with the list supplied to us, and we are referred to another Department.

The Honourable Sir James Grigg : I think it is for the Department concerned to answer questions in regard to their own expenditure.

Mr. S. Satyamurti : May I submit to you, Mr. President, that yesterday I asked a question of the Finance Department and I was referred to the Home Department, and when I ask the Home Department, they refer me to the Finance Department ? They cannot have the best of both the worlds !

The Honourable Sir James Grigg : The Honourable Member must be aware that I said I thought there was some misunderstanding about the responsibility for answering that question and I undertook to clear it up. I do not think it quite fair to say that I am trying to make the best of both worlds.

Mr. President (The Honourable Sir Abdur Rahim) : In the case of expenditure like this, is it the duty of the Defence Department or the Finance Department to answer the question ?

The Honourable Sir James Grigg : I will clear up that point later.

Mr. S. Satyamurti : Then let this question stand over.

Mr. R. F. Mudie : I shall be able to answer that question.

(a) Seven representatives from British India attended His Majesty's Coronation in London as distinguished visitors.

(b) No expenditure was incurred either by the British Government or by the Government of India on account of these representatives.

All travelling expenses, rationing charges, deputation and other special allowances admissible to and incurred by the Naval, Military, Air Force and Police contingents while in England were met by the British Government ; all other expenditure incurred in connection with the despatch of the contingent was met by the Government of India : a part of the expenses of the Police contingent being met by the respective Provincial Governments. The cost to the Government of India of sending a Coronation Contingent has not yet been determined but it will be in the region of seven lakhs. It may be stated that H. I. M. S. " Indus " and not " Dufferin " proceeded to the United Kingdom.

REORGANISATION OF THE STANDING FINANCE COMMITTEE.

87. ***Mr. Badri Dutt Pande :** Will the Honourable the Finance Member make a statement as to whether the Assembly Finance Committee is being reorganized ? If so, will he be pleased to give us a broad outline of the changes proposed to be made ?

The Honourable Sir James Grigg : With your permission, Sir, I shall deal with questions Nos. 87 and 88 together.

Government are not yet in a position to submit proposals for re-modelling the Standing Finance Committee and accordingly a Resolution in the usual form will be put down during the present Session.

Mr. S. Satyamurti : May I know if Government have come to any conclusion as regards the point raised in clause (a), that is to say, whether there is any proposal to set up an Estimates Committee on the lines of the Committee of the House of Commons ?

The Honourable Sir James Grigg : A suggestion somewhat on these lines was put up by my friend, Mr. Joshi. If the question is whether we have decided or provisionally decided to set up such a committee, the answer is in the negative.

Mr. T. S. Avinashilingam Chettiar : May I know whether this question of reorganisation has been dropped ?

The Honourable Sir James Grigg : It has not been dropped. That is implied in the use of the word ' yet '.

Mr. S. Satyamurti : The matter will be decided, before the end of the Session ?

The Honourable Sir James Grigg : I shall put forward the usual Resolution in regard to the Standing Finance Committee. If the House decides then not to have the committee in its present form but in some other form, then Government will have to consider the matter.

Mr. S. Satyamurti : My Honourable friend put down a motion last Session, to which I sought to move an amendment saying that the Chairman should not be my esteemable friend but some body else. He withdrew his motion and said that he would put forward alternative proposals.

The Honourable Sir James Grigg : We undertook to consider whether we could put forward alternative proposals but owing to certain circumstances we have not yet been able to reach a decision. The position now is that I am not in a position to put forward alternative proposals and so I propose to put down a Resolution precisely in the same form as before.

PROPOSALS FOR SETTING UP OF AN ESTIMATES COMMITTEE AND ABOLITION OF THE STANDING FINANCE COMMITTEE.

†88. ***Mr. S. Satyamurti :** Will the Honourable the Finance Member be pleased to state :

- (a) whether there is any proposal to set up an Estimates Committee of the House on the lines of a similar Committee in the House of Commons ;
- (b) whether Government propose to place before the Simla Session of the Assembly any proposal to set up a Finance Committee of the Assembly ; and
- (c) whether they propose to abolish the Finance Committee altogether ?

RESTRICTION ON THE HOLDING OF THE RESERVE BANK OF INDIA SHARES.

89. ***Mr. S. Satyamurti :** Will the Honourable the Finance Member be pleased to state :

- (a) whether there is any proposal to legislate, so as to restrict the holding of Reserve Bank shares to 200 ;
- (b) whether it is a fact that a large number of these shares are held at present by some banks, firms or individuals, all or most of them non-Indian ; and
- (c) whether Government propose to introduce legislation early, so as to see that the Reserve Bank remains a national institution ?

The Honourable Sir James Grigg : This question has been brought to my notice and is at present engaging my attention.

Mr. S. Satyamurti : May I know if my Honourable friend will be able to put down proposals in a legislative form, during the Simla Session ?

The Honourable Sir James Grigg : I would rather not go beyond the answer I have given.

REDUCTION IN THE PRICE OF GOLD AND GOVERNMENT'S CURRENCY POLICY.

90. ***Mr. S. Satyamurti :** Will the Honourable the Finance Member be pleased to state :

- (a) whether his attention has been drawn to a leading article in the *Amrita Bazar Patrika*, dated the 8th June, 1937, entitled the " Gold Problem " ;

†For answer to this question, see answer to starred question No. 87.

- (b) whether it is a fact that the British Government held a secret conference recently with the representatives of the Dominion Governments, and the latter are reported to have given their consent in regard to the proposal of reducing the price of gold ;
- (c) whether the Government of India was consulted on this issue ;
- (d) whether Government have considered that a reduction in the price of gold by Britain will cause an appreciation in the value of the Indian rupee with disastrous effect on our commodity prices ; and
- (e) whether Government propose to issue a definite statement regarding its currency policy ?

The Honourable Sir James Grigg : (a) Yes.

(b) (c) and (d). I think these parts of the question are sufficiently disposed of by the statement made by the Chancellor of the Exchequer in the House of Commons on the 8th June, 1937, and by statements made by President Roosevelt and others in America at about the same time.

(e) I have nothing to add to what I said on this subject in connection with an adjournment motion on the 8th of October, 1936.

Mr. S. Satyamurti : In view of these statements having been made in the House of Commons in England and in the Home of Representatives in America, will my Honourable friend consider the desirability of issuing a definite statement regarding the currency policy of the Government ?

The Honourable Sir James Grigg : I do not think it is necessary. I am quite ready to let my Honourable friend see the answer of the Chancellor of the Exchequer to which I have referred.

JUNIOR CIVILIANS BROUGHT IN THE FINANCE DEPARTMENT FOR TRAINING PURPOSES.

91. ***Mr. S. Satyamurti :** Will the Honourable the Finance Member be pleased to state :

- (a) whether it is a fact that a number of junior civilians have been brought up to the Government of India, in the Finance Department, for training purposes ;
- (b) if so, whether the idea is that they are to be trained for future services in the Customs, Income-tax, Audit and Finance Departments ; and
- (c) whether it is proposed to recruit civilians even for the Audit Department, and if so, why ?

The Honourable Sir James Grigg : (a) Two junior civilians have recently been brought up to the Finance Department for training.

(b) The intention is that if they prove suitable they should subsequently be employed in the Finance or Commerce Department or in Departments subordinate to them.

(c) It is not proposed that any civilians should be recruited specifically for service in the Audit Department ; but such officers will, from time to time, be employed in that Department as hitherto.

Mr. S. Satyamurti : In view of the fact that the functions of the Audit Department are not similar to the functions of the Finance Department, in fact, very dissimilar, may I know if Government contemplate keeping the recruitment separately, so as not to bring about any confusion or misunderstanding, in respect of the very different functions of this department ?

The Honourable Sir James Grigg : The integrity of the Audit and Accounts Service will be preserved. There is no change contemplated.

Mr. T. S. Avinashilingam Chettiar : Are those two civilians Indians ?

The Honourable Sir James Grigg : Those two are Europeans, but in point of fact there is another Indian in training elsewhere in one of the subordinate Departments of the Finance Department and another Indian is due to join in October.

Mr. Muhammad Azhar Ali : Is this proportion of two and one one of the recommendations of the Government of India ?

The Honourable Sir James Grigg : Two and two does not seem to me to be two and one.

NON-ACCEPTANCE OF ACCOUNTS IN BHIWANI SARAFI BAZAR BY THE INCOME-TAX AUTHORITIES.

92. ***Mr. Sham Lal :** (a) Will the Honourable the Finance Member be pleased to state whether the accounts in Bhiwani Sarafi Bazar are kept on the same line as at Delhi on a definite system ?

(b) Is it a fact that up to the year 1933-34 these accounts at Bhiwani were considered to be regular and accepted by the Income-tax authorities but they are now being disbelieved by them ?

(c) What is the reason for disbelieving these accounts ?

(d) Is it due to any instructions being issued by the Income-tax Department ?

Mr. A. H. Lloyd : I have called for certain information and will lay a reply on the table in due course.

RUPEE COINS AND CURRENCY NOTES REFUSED BY CASHIERS IN GOVERNMENT TREASURIES.

93. ***Mr. Sham Lal :** Will the Honourable the Finance Member be pleased to state :

(a) whether it is a fact that in many Government Treasuries and Sub-Treasuries, Government rules for the acceptance of various kinds of rupee coins and currency notes under various conditions are not to be found hanging down at prominent places in English and Vernacular for the guidance of the people ;

(b) if so, whether he is aware that rupee coins and currency notes brought to Treasuries and Sub-Treasuries for payment by the people are frequently refused on flimsy grounds by cashiers employed by Government Treasurers ; and

- (c) if so, whether Government propose to take any action in the matter ?

The Honourable Sir James Grigg : (a) I understand that such notices are exhibited in Government treasuries and sub-treasuries. If the Honourable Member will inform me of any instance where Government instructions are not observed I shall have the matter looked into.

(b) No.

(c) Does not arise.

Mr. Lalchand Navalrai : May I know which are the grounds, apart from the coins being counterfeit, on which such coins can be refused ? Except on the ground that the coins are counterfeit, are there any other grounds on which the treasury can refuse them ?

The Honourable Sir James Grigg : I think that, for instance, under-weight coins can be refused. The Honourable Member had better put down a question.

REDUCTION OF FEES IN SECONDARY SCHOOLS OF THE DELHI PROVINCE.

94. ***Mr. Sham Lal :** Will the Secretary for Education, Health and Lands be pleased to state :

(a) whether it is a fact that the latest enhancement of school fees for students of certain classes was effected in secondary schools of the Delhi Province almost at the time when the ten per cent. cut in the salaries of Government servants was enforced ;

(b) if so, whether it is now proposed to have school fees brought to the old level specially when the ten per cent. cut has come to be withdrawn ;

(c) if not, why not ?

Mr. M. S. A. Hydari : Enquiries have been made and a reply will be furnished on receipt of information.

MANUFACTURE OF SOAP AND VEGETABLE OIL.

95. ***Mr. Sham Lal :** Will the Honourable Member for Industries and Labour be pleased to state :

(a) whether the manufacture of soap and vegetable oil ever engaged the attention of the Industrial Research Bureau of the Central Government ; and

(b) if so, what the result has been ?

The Honourable Sir Thomas Stewart : The attention of the Honourable Member is invited to Chapter V of the Report of the Industrial Research Bureau for the year 1936-37, copies of which are available in the Library of the House.

NON-CLEARANCE OF LETTER BOXES ON CERTAIN STATIONS.

96. **Mr. Sham Lal :** Will the Honourable Member for Industries and Labour be pleased to state :

- (a) whether it is a fact that there is no daily clearance of mail-boxes on several small railway stations where trains having Railway Mail Service carriages do not stop ;
- (b) whether Government are aware of the inconvenience to which the station staff and the rural people of the neighbourhood are being subjected in this connection ;
- (c) if so, whether Government propose to secure the co-operation of postal and railway authorities in this matter for making some other arrangements ?

The Honourable Sir Thomas Stewart : (a) There are some small railway stations at which letter boxes are not cleared daily.

(b) Government are aware that some inconvenience must result from this, but these stations are at a distance from the nearest post office ; so, to ensure a daily clearance, extra staff would have to be employed. The extra expenditure involved by this would not be justified in view of the small number of letters posted in such letter boxes. The question of improving the service whenever it is possible to do so at a reasonable cost is kept under constant review.

(c) Does not arise in view of the reply to part (b).

Mr. Mohan Lal Saksena : What will be the amount of extra expenditure ?

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

Prof. N. G. Ranga : Is it one of the results of the proposed additional postal facilities for rural folk ?

The Honourable Sir Thomas Stewart : Sir, the case of these boxes at railway stations to which reference is made is entirely on all fours with the case of rural post offices, where there is at present an insufficient service, and equal treatment will be given to these and to the rural post offices as occasion offers.

Mr. Mohan Lal Saksena : Is the Honourable Member aware that railway *dak* is being carried daily from every station ?

The Honourable Sir Thomas Stewart : I am quite willing to take the Honourable Member's word for it but this is carried out through the agency of the railways themselves on the spot.

Mr. Mohan Lal Saksena : Will the Honourable Member inquire from the Railway Department whether they can give facilities in taking these letters from these stations to the next station where the mail stops ?

The Honourable Sir Thomas Stewart : I rather fear that if I made the request, my Honourable colleague, the Railway Member, would ask me to pay for it.

POSITION IN REGARD TO INDIAN CLOVE TRADERS IN ZANZIBAR.

97. ***Mr. S. Satyamurti** : Will the Secretary for the Department of Education, Health and Lands be pleased to state :

- (a) the latest position with regard to Indian Clove Traders in Zanzibar ;
- (b) whether Government propose to take any step to grow cloves in India, and to prohibit the entry of Zanzibar Cloves ; and
- (c) whether any other steps are being contemplated by the Government of India to vindicate the position of Indians in Zanzibar, and if so, what they are ?

Mr. M. S. A. Hydari : (a) The Honourable Member's attention is invited to the press communiqué, dated the 23rd July, 1937, issued by the Department of Education, Health and Lands, copies of which have been placed in the Library of the House. Information has since been received to the effect that owing to non-participation by Indians, non-Indians are entering the trade in considerable numbers.

(b) As regards the earlier portion of the question the possibility of growing cloves in India is being investigated by an officer at the request of the Government of India deputed by the Imperial Council of Agricultural Research. The reply to the latter part is in the negative.

(c) As explained in the press communiqué referred to in part (a), the Government of India consider the new scheme should be tried. If in practice the suggested safeguards are not sufficient to prevent racial discrimination, a further approach will be made.

Mr. S. Satyamurti : With reference to the answer to clause (a) of the question, may I know whether the Government have any information on the point of the passive resistance of all Indian traders in Zanzibar in respect of this clove trade and will they let us have the latest information they have ?

Mr. M. S. A. Hydari : Sir, I can read out certain information which we have received.

An Honourable Member : When ?

Mr. M. S. A. Hydari : On the 19th of August " The movement is kept going principally by bankers and other money-lenders locally with support from Tayab Ali, President of the Indian National Association, who has been in Bombay for over a year. It is considered that substantial number of traders would welcome resumption of normal conditions and that these and mass of Indian craftsmen and employees are only kept in the movement by appeal to racial prestige and unfounded statements that the legislation discriminates against the Indian race. Consequently, export trade except to India is passing to non-Indians, and non-Indians' internal buying agents are establishing themselves in large numbers. Summary of practical effects of non-participation is that efforts made by Zanzibar and Indian Governments to keep Indians in clove trade are nullified and the longer it persists, the more difficult it will be for Indians to resume, especially as regards purchasing cloves for Clove Growers' "

Association where Arabs prove very successful. Indian National Association were informed that direct export must be considered as normal flow was impeded. On business grounds, exports to India should be negotiated immediately but to avoid embarrassment, authority to export direct if non-participation continues, will be delayed till September 1st. Well-known Indian purchasers in Calcutta and Madras have requested direct export to them by the Clove Growers' Association."

Mr. Kuladhar Chaliha : May I know from whom the information has been received ?

Mr. M. S. A. Hydari : From the Government of Zanzibar. (Laughter.)

Mr. K. Santhanam : May I know if the passive resistance on the part of Indians is complete ?

Mr. M. S. A. Hydari : I do not know what you mean.

Mr. K. Santhanam : May I know if there are any Indians who are not participating in this passive resistance and taking to the clove trade ? May I know how this agreement is to be tried in view of the non-participation of Indians ?

(No reply.)

POLICY OF INDIA IN MATTERS OF QUININE.

98. ***Mr. Badri Dutt Pande :** Will the Secretary-in-charge of Education, Health and Lands state :

- (a) what is the present policy of India in matters of quinine ;
- (b) what is the annual expenditure ;
- (c) how much quinine is imported from Java and outside ;
- (d) how much is grown in India ;
- (e) what is the profit Government derives from the sale of quinine ; and
- (f) how is this profit utilized ?

Mr. M. S. A. Hydari : (a) The production, supply and distribution of quinine are matters entirely of provincial concern. In order to find out whether larger and cheaper supplies of quinine can be made available in the country, the Government of India have, out of a special grant of Rs. 10 lakhs made to the Indian Research Fund Association for anti-malarial work, set apart a sum of Rs. 1 lakh for an inquiry into the possibility of extending cinchona production in India.

(b), (e) and (f). These are matters for the Provincial Governments concerned.

(c) The imports of quinine salts in 1935-36, which is the latest year for which figures are available, amounted to 9,619 lbs. from Java and 93,991 lbs. from other countries.

(d) The output of quinine of the Governments of Bengal and Madras, which are the only two quinine producing Governments, now in India, amounted in 1935-36 to 74,441 lbs. and 25,402 lbs. respectively.

Mr. Badri Dutt Pande : Do Provincial Governments import quinine for themselves or do the Government of India import it for them ?

Mr. M. S. A. Hydari : As far as I know, the two producing Provincial Governments do not import. But after the 1st of April this year there is nothing to prevent any Provincial Government in India importing quinine for their own needs.

Prof. N. G. Ranga : In view of the fact that several Provincial Governments do not grow their own cinchona and manufacture quinine and the supply of this quinine is of such great importance for the better health of the people, will Government consider the advisability of calling for a conference of the representatives of various Provincial Governments to develop a uniform policy for the supply and distribution of quinine for the whole of India ?

Mr. M. S. A. Hydari : The position was exhaustively discussed at the last meeting of the Central Board of Health and as a result of their recommendation this officer has been appointed. I think we must wait for his report before considering what further action should be taken.

Mr. Badri Dutt Pande : May I ask why Colonel Sir Henry Gidney's speech was considered dangerous by the Government of India ?

Mr. M. S. A. Hydari : That question does not arise.

OVERLOOKING OF THE CLAIMS OF HINDUS IN POST MASTERS' GRADE IN THE FATEHGARH POSTAL DIVISION.

99. ***Bhai Parma Nand :** Will the Honourable Member for Posts and Telegraphs be pleased to state :

- (a) what is the proportion of Hindus and Muslims among those who have been confirmed on the newly created grade of Post Masters in the Fatehgarh Division ;
- (b) whether it is a fact that in the selection the claims of Hindus have been overlooked ; and
- (c) whether it is a fact that in this Division postal officers had to work shorthanded and then were criticised and transferred to unsuitable places ; if so, why ?

The Honourable Sir Thomas Stewart : (a) There is no newly created grade of Postmasters in the Fatehgarh Division.

(b) The appointment of Postmasters is not made by direct recruitment and as such is not governed by the communal orders. I have no reason to believe that any legitimate claims have been overlooked. If any official considers he has a grievance it is open to him to represent his case to the proper authority through the usual official channel.

(c) Government cannot admit the general allegation that this Division is undermanned.

Mr. Lalchand Navalrai : With regard to part (a), may I know whether any Postmasters have been newly confirmed in the Fatehgarh Division ?

The Honourable Sir Thomas Stewart : May I ask the Honourable Member to repeat his question.

Mr. Lalchand Navalrai : The Honourable Member has replied that there is no proportion of Hindus and Muhammadans in the newly created grade. I do not ask about the newly created grade but I want to know whether any Postmasters have been recently and newly confirmed ?

The Honourable Sir Thomas Stewart : I believe that that is a continuous process in any large service.

Mr. Lalchand Navalrai : I want to know if there has been any confirmation due to the proportion of Hindus and Muhammadans ?

The Honourable Sir Thomas Stewart : That does not arise.

Mr. M. S. Aney : What is the number of Postmasters who have been confirmed in that division ?

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

Mr. M. S. Aney : The question itself contains this and there is no need for a further notice.

The Honourable Sir Thomas Stewart : I cannot agree with the Honourable Member. I am asked a question with regard to a newly created grade which does not exist. I can give no information about that which is non-existent.

Sir Muhammad Yakub : Considering the fact that there are certain complaints by Bhai Parma Nand and other Honourable Members about the inadequacy of certain classes in the Postal Department, will the Government be pleased to institute a full inquiry into all the services under the Postal Department in India and find out whether all the communities are duly represented or not as was pointed out in the Communiqué issued by the Government of India ?

Mr. S. Satyamurti : Then you will not get your letters !

Sir Muhammad Yakub : I am glad my friend, Mr. Satyamurti, is assuming the power of Government.

The Honourable Sir Thomas Stewart : The question of the proper representation of communities within the postal services is one which is under continuous review.

Sir Muhammad Yakub : By whom ?

The Honourable Sir Thomas Stewart : By responsible officers in the Department.

Sir Muhammad Yakub : Have they any sympathy with the Mussal-
mans ?

(No reply.)

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

IMPOSITION OF EMBARGO ON THE IMPORT OF CLOVES FROM ZANZIBAR.

100. ***Seth Govind Das :** Will the Secretary for the Department of Education, Health and Lands be pleased to state :

(a) whether they received a telegram from the Bombay Merchants' Chamber in the month of July directly after the Zanzibar

Clove Decree urging on the immediate imposition of embargo on the import of cloves to India from Zanzibar ;

- (b) whether Government have taken any action on the telegram ;
- (c) whether Government consider the concessions granted to Indians in Zanzibar adequate and touches the main problem ;
- (d) whether Government consider the concessions meeting the demands of the people or the recommendations of the Government ;
- (e) whether Government made any further representation to His Majesty's Government after the interpellations in the House of Commons, and reference made by Lord Halifax in the House of Lords on the 21st July ; and
- (f) if so, what those representations are and the result thereof ?

Mr. M. S. A. Hydari : (a) Yes.

(b) No.

(c) and (d). The Honourable Member's attention is invited to the press communiqué, dated the 23rd July, 1937, copies of which have been placed in the Library of the House.

(e) No.

(f) Does not arise.

ACTION ON THE RESOLUTION re INTRODUCTION OF HOMOEOPATHIC TREATMENT IN HOSPITALS AND RECOGNITION OF HOMOEOPATHIC COLLEGES.

101. ***Mr. Lalchand Navalrai :** (a) Will the Secretary for Education, Health and Lands be pleased to state if any effect has been given to the Resolution passed by the Legislative Assembly on the 22nd April, 1937 recommending to the Governor General in Council to introduce homœopathic treatment in Government hospitals and give homœopathic colleges in India the same status and recognition as in the case of allopathic colleges ?

(b) Do Government propose to take any steps or make any recommendation to All-India Medical Council to further the interest of homœopathic treatment and recognition and if so, what ? If not, why not ?

Mr. M. S. A. Hydari : (a) and (b). I would invite the Honourable Member's attention to the speech of Sir Girja Shankar Bajpai on the Resolution moved on the 2nd April last. The Central Government's attitude was explained in that speech. Copies of the record of the debate have been sent to the Provincial Governments.

Mr. Lalchand Navalrai : My question was not as to what was contemplated at that time. My question is : since then what has been the effect of that Resolution ?

Mr. M. S. A. Hydari : I have said that copies of the record of the debate have been sent to Provincial Governments.

EXPENDITURE INCURRED ON FRONTIER OPERATIONS.

102. ***Sardar Mangal Singh** : (a) Will the Honourable the Finance Member please state the total extra expenditure that has so far been incurred on the Frontier operations from the beginning of the present campaign ?

(b) How much of it has been credited to the Military Department and how much to the Political Department ?

The Honourable Sir James Grigg : (a) and (b). I am not at present in a position to give any definite figures, since complicated accounting adjustments are necessary in order to distinguish between expenditure which is solely due to these operations and expenditure which would in any case have been incurred.

I may add that the expenditure up to the end of March was about 25 lakhs and thereafter it has been very roughly at the rate of one lakh per day.

Mr. S. Satyamurti : Is it up-to-date, 3½ crores ?

The Honourable Sir James Grigg : No.

Prof. N. G. Ranga : May I ask why the Government waited to start these operations until the last Session of the Assembly had been adjourned and why did they conclude these operations before this Session had begun ?

The Honourable Sir James Grigg : I wish that the second part of the Honourable Member's question had been right.

Sardar Mangal Singh : What is the answer to part (b) ?

The Honourable Sir James Grigg : That answer is covered by my main answer. I have answered both parts together.

CIRCULATION OF SPURIOUS RUPEES IN INDIA.

103. ***Sardar Mangal Singh** : (a) Will the Honourable the Finance Member please state whether Government are aware of the fact that there is a large number of spurious rupees now in circulation all over the country ?

(b) If the answer to part (a) be in the affirmative what steps do Government propose to take to stop this evil ?

The Honourable Sir James Grigg : (a) Yes.

(b) I would invite a reference to part (b) of the reply which I gave to question No. 162 asked by **Mr. Lalchand Navalrai** on the 25th of January, 1937.

Mr. Sri Prakasa : Is it not a fact that every single rupee in circulation in India is spurious because there is only 8 annas worth of silver in it ; and when does the Honourable Member expect his Government to be honest enough to give full value to the rupee ?

Mr. President (The Honourable Sir Abdur Rahim) : It need not be answered.

Mr. Sri Prakasa : Have you disallowed my question, Sir ?

REDUCTION IN THE SALARIES OF IMPERIAL SERVICES.

104. *Sardar Mangal Singh : (a) Will the Honourable the Finance Member please state whether in view of the altered political condition in India Government propose to move the Secretary of State for India to take steps to reduce the salaries of Imperial Services so as to bring them to the level of Indian conditions ?

(b) Have the Government of India mentioned the fact of the reduced salaries of the Congress Ministers in their despatches after the Congress has taken offices ?

The Honourable Sir James Grigg : This question should have been addressed to the Home Department. I understand that they are prepared to reply.

Mr. R. F. Mudie : (a) No such proposals are at present under consideration.

(b) I have no doubt that the Secretary of State is aware of the position.

Mr. S. Satyamurti : May I know, Sir, whether the Government of India send weekly despatches to the Secretary of State or not ?

Mr. R. F. Mudie : That does not arise.

Mr. S. Satyamurti : What is the meaning of this ? Will you, Sir, kindly look at the question. Part (b) says :

“ Have the Government of India mentioned the fact of the reduced salaries of the Congress Ministers in their despatches after the Congress has taken offices ? ”

I asked whether the Government of India send weekly despatches to the Secretary of State for India, and the Honourable Member says that question does not arise.

Mr. President (The Honourable Sir Abdur Rahim) : The supplementary question is whether any weekly reports are sent. I do not think it is really covered by this question. The question is whether with regard to a particular matter any motion has been made.

Mr. S. Satyamurti : Please read parts (a) and (b) together. The point is whether they have taken effective steps to move the Secretary of State. It is well-known that the Government of India do send despatches to the Secretary of State.

Mr. President (The Honourable Sir Abdur Rahim) : If it is a well-known fact, a question need not be asked.

Mr. S. Satyamurti : I am asking whether Government send it weekly.

Mr. President (The Honourable Sir Abdur Rahim) : The questioner wanted certain information which has been given, and I really do not see how this supplementary question arises.

Mr. S. Satyamurti : The point is whether the Government of India have informed the Secretary of State about the reduced rate of salary taken by the Congress Ministers ?

Mr. President (The Honourable Sir Abdur Rahim) : He has answered that.

Mr. S. Satyamurti : No good answer. "I daresay the Secretary of State knows"—is that an answer to this question? The question is whether the Government of India have informed the Secretary of State?

Mr. R. F. Mudie : The answer may be a little elliptical. But it is fairly obvious. I think that we have not brought this point specially to the notice of the Secretary of State in a despatch.

Mr. S. Satyamurti : That is an honest answer.

Seth Govind Das : Do they now propose to do it?

Mr. Lalchand Navalrai : I rise to a point of order. During this sitting of the Assembly, I find that the Treasury Benches very often say in answer to supplementary questions that they do not arise. I want to know from the Chair generally whether it is not the duty of the Chair to decide which question arises and which does not? Or is the duty laid upon the Government to decide?

Mr. President (The Honourable Sir Abdur Rahim) : If any dispute arises of course the Chair will finally decide.

EXPENDITURE INCURRED ON THE BRITISH SECTION OF THE ARMY IN INDIA.

105. ***Sardar Mangal Singh** : (a) Will the Honourable the Finance Member please state the total expenditure incurred on the British section of the Army in India including the transport charges from and to England and expenses in connection with the recruitment and training of the British regiments?

(b) Will the Honourable the Finance Member please state how much could be saved out of this expenditure if the British regiments be replaced by Indian Nationals?

The Honourable Sir James Grigg : (a) The expenditure on the British portion of the Army in India is estimated at approximately Rs. 12 crores per annum inclusive of transport charges from and to England and expenses in connection with the recruitment and training of the British troops.

(b) Rather more than one-half.

ENFORCEMENT OF PROHIBITION IN CERTAIN PLACES IN THE CENTRALLY ADMINISTERED AREAS.

106. ***Sardar Mangal Singh** : Will the Honourable the Finance Member please state whether the Government of India contemplate to take steps to enforce prohibition in some suitable places in the centrally administered areas as an experimental measure?

The Honourable Sir James Grigg : No, Sir.

NEW APPOINTMENTS MADE IN THE FINANCE DEPARTMENT.

107. ***Mr. C. N. Muthuranga Mudaliar** : Will the Honourable the Finance Member please state :

(a) the number of new appointments made in the Finance Department since 1st April, 1937 ;

- (b) the number of posts to which members of the Indian Civil Service have been appointed ;
- (c) the number of posts to which members of other services have been appointed (separately) ;
- (d) whether a post of Joint Secretary has been created ;
- (e) whether the post of Budget Officer, formerly held by an Indian, is now filled by a European member of the Indian Civil Service ;
- (f) whether the intention is that the post of Budget Officer, which now is that of a Deputy Secretary to Government, should in future be held by a European and that for that purpose a European is now receiving training under an Indian Accounts Officer ; and
- (g) the increase in the total cost of establishment (officers) of Finance Department on account of the new appointments made since 1st April, 1936 ?

The Honourable Sir James Grigg : (a), (b), (c) and (d). The following new posts have been created in the Finance Department since the 1st of April, 1937 :

- (1) A temporary post of Additional Joint Secretary, held by an officer of the Indian Audit and Accounts Service.
 - (2) Two posts of Under Secretary, held by officers of the Indian Audit and Accounts Service. The posts of Assistant Secretary previously held by these officers have been abolished.
 - (3) A temporary post of Under Secretary and a temporary post of Officer on Special Duty. These posts are held by officers of the Indian Civil Service.
 - (4) Two temporary posts of Officers on Special Duty in the Central Board of Revenue. These posts are held by officers of the Income-tax Service.
 - (5) A temporary post of Assistant Secretary, held by an officer of the Imperial Secretariat Service.
- (e) Yes.
- (f) No.

(g) The additional expenditure involved for the period from the 1st of April to the 31st of August, 1937, is approximately Rs. 30,000.

Mr. T. S. Avinashilingam Chettiar : What is the reason for this increase in the personnel of the department ?

The Honourable Sir James Grigg : Increase of work.

Mr. T. S. Avinashilingam Chettiar : What special circumstances have risen to necessitate increase of work ?

The Honourable Sir James Grigg : Take one example. The consideration of the income-tax experts' report is the cause of the addition to the Central Board of Revenue.

Mr. S. Satyamurti : Has the attention of the Finance Department been drawn to the creation, not unoften, of these new posts after the Budget has been passed by this House? Will the Honourable the Finance Member consider the advisability of not creating new appointments in the Finance Department specially—which ought to set better example—without reference to this House?

The Honourable Sir James Grigg : I do not think it is always possible to wait for the authority of this House before appointing officers in case of sudden increase of work, or unforeseen increase of work. But I agree with the Honourable Member to this extent that in preparing the estimate for the year, the Department ought, as far as possible, to foresee the increase of work during the course of the year, even if it has not actually materialised.

Mr. C. N. Muthuranga Mudaliar : May I know how many of these newly appointed officers are Indians and how many are non-Indians?

The Honourable Sir James Grigg : A majority of them are Indians. The post referred to in No. (1) is held by an Indian, both the posts referred to in No. (2) are held by Indians, those in No. (4) by Indians. Both the posts in No. 3 are held by Europeans.

Mr. T. S. Avinashilingam Ohettiar : Apart from the Central Board of Revenue in which special work has come on account of the income-tax enquiry report, what special work has arisen in the Finance Department necessitating the appointment of these new officers?

The Honourable Sir James Grigg : I cannot go into that in detail. But I can assure the Honourable Member that the Finance Department's work has increased and is increasing.

EXPENDITURE ON THE INDIAN CIVIL SERVICE AND OTHER IMPERIAL SERVICES.

108. ***Mr. C. N. Mothuranga Mudaliar :** Will the Honourable the Finance Member please state :

- (a) the percentage of the total expenditure of the Central Government for which expenditure on the services (Indian Civil Service, other Imperial Services and others, to be shown separately) including their pension (the latter to be shown separately) was responsible on the 1st April, 1919, 1st April, 1921, 1st April, 1925, 1st April, 1930, 1st April, 1933, 1st April, 1936 and 1st July, 1937; and
- (b) the percentage of increase represented by the expenditure on the Indian Civil Service and other Imperial Services on 1st April, 1937 compared with 1st April, 1921 and the reasons therefor?

The Honourable Sir James Grigg : (a) and (b). The information is not available.

APPOINTMENT OF A RETRENCHMENT COMMITTEE FOR EXPLORING AVENUES OF ECONOMY.

109. ***Mr. C. N. Muthuranga Mudaliar :** Will the Honourable the Finance Member please state :

- (a) whether in view of the great growth in expenditure by the Central Government since the Retrenchment Committee

reported in 1932 he is prepared to consider the desirability of appointing a retrenchment committee to go into the question again with a view to exploring all possible avenues of economy, and if not, why not ;

- (b) whether he has considered the question of retiring all members of the services who have put in 25 years' service or have attained 50 years of age on full pension, and if so, what is the result, and if not, why not ; and
- (c) whether the point referred to in part (b) above has been considered from the point of view of mitigating the severity of unemployment ?

The Honourable Sir James Grigg : (a) I do not consider it necessary to appoint another retrenchment committee at the present stage.

(b) and (c). Proposals of this nature have been considered from time to time and the possible effect on the unemployment question of a change in the rules governing the age of retirement is still under examination.

Mr. President (The Honourable Sir Abdur Rahim) : Mr. Muthuranga Mudaliar has exhausted his quota of questions. The answers to questions Nos. 110 and 111 will be printed in the debates, as written answers.

(b) WRITTEN ANSWERS.

NON-EXTENSION OF ACTS DESIGNED FOR THE RELIEF OF RURAL INDEBTEDNESS TO THE DELHI PROVINCE.

77. ***Mr. M. Asaf Ali :** Will the Secretary for Education, Health and Lands please state why the Local Government of Delhi Province has not extended any of the Acts designed for the relief of rural indebtedness to the Delhi Province, despite repeated demands by several rural conferences during the last three years ?

Mr. M. S. A. Hydari : Proposals for the extension of the Punjab Relief of Indebtedness Act, 1934, to Delhi are under examination and it is hoped to arrive at an early decision.

FINANCIAL AID FOR THE DEVELOPMENT OF INDUSTRIES IN THE DELHI PROVINCE.

78. ***Mr. M. Asaf Ali :** (a) Will the Honourable Member for Industries and Labour state if it is a fact :

- (i) that the Punjab State Aid to Industries Act has not been extended to Delhi Province in spite of repeated representations made by industrial and manufacturing interests in Delhi ;
- (ii) that Banks do not give advances to the industrial concerns on reasonable terms on mortgage of machinery and plant ;
- (iii) that many small industries are either languishing or not making the desired advance on account of absence of facilities of obtaining financial assistance on reasonable terms of payment ; and

(iv) that State Financial Aid is given for the development of industries in almost all the provinces of India ?

(b) What aid, if any, is the Local Government of Delhi giving in the Province ?

The Honourable Sir Thomas Stewart : (a) (i). The Act has not been extended to Delhi, and I am not aware that there have been repeated representations for its extension.

(a) (ii). I am not in possession of particulars regarding the terms on which banks give advances to industrial concerns.

(a) (iii). No.

(a) (iv). Yes, by the Government of India and Provincial Governments.

(b) Information has been called for and will be placed on the table of the House in due course.

REDUCTION IN THE SALARIES OF MEMBERS OF THE GOVERNOR GENERAL'S EXECUTIVE COUNCIL.

110. ***Mr. C. N. Muthuranga Mudaliar :** Is the Honourable the Finance Member aware that the majority of Ministers in Provinces in India are not in receipt of more than Rs. 500 each as their salary ?

(b) Has he or the Government of India considered the desirability of fixing a reduced salary for members of the Governor General's Executive Council ? If not, why not ?

(c) Are Government prepared to consider the question of reduction of the present enormous salaries at least in the case of Indian Members of the Executive Council ?

The Honourable Sir James Grigg : The question should be addressed to the Honourable the Home Member.

HARDSHIP EXPERIENCED BY THE SALT LICENCEES OF CERTAIN PLACES IN THE MADRAS PRESIDENCY.

111. ***Mr. C. N. Muthuranga Mudaliar :** With reference to my starred question No. 19 asked on the 25th January, 1937, regarding the hardships experienced by the salt licencees of certain places in the Madras Presidency, will the Honourable the Finance Member please state :

(a) whether the representation referred to has since been received, and if so, what action has been taken thereon ;

(b) whether Government propose to investigate themselves into the hardships mentioned and do the needful regardless of representations from any particular body of people ; and

(c) whether they have issued any instructions to the Provincial authorities concerned for the supply to the Government of India periodically of reports, regarding the implementing of the terms of the Gandhi-Irwin agreement in respect of salt, and if so, whether the reports if and when received will be placed on the table of the House or in the Library ?

The Honourable Sir James Grigg : (a) A representation was received direct by the Central Board of Revenue who had the necessary investigations made by the Collector of Salt Revenue, Madras. Most of the complaints turned out to be unfounded.

(b) This has been done.

(c) The answer to the first part of the question is in the negative. The second part does not arise.

UNSTARRED QUESTIONS AND ANSWERS.

MUSLIM OFFICIALS IN GAZETTED RANKS OF THE TELEGRAPH ENGINEERING DEPARTMENT.

9. Dr. Ziauddin Ahmad : (a) Will the Honourable Member in charge of the Department of Industries and Labour be pleased to give the number and percentage of Muslim officials in all Gazetted ranks of Telegraph Engineering Department for India and the total strength of all Gazetted officers in the same Department ?

(b) Is it a fact that on and before January 1st, 1937, not a single Muslim officer has held any of the following Gazetted ranks of the Telegraph Engineering Department for India :

- (1) Chief Engineer ;
- (2) Deputy Chief Engineer ;
- (3) Postmasters General (Engineering Section) ;
- (4) Directors, Telegraphs ;
- (5) Divisional Engineers, Telegraphs ;
- (6) Assistant Engineers, Telegraphs (General) ;
- (7) Assistant Engineers (Phones) ;
- (8) Assistant Engineers, Electrical ;
- (9) Deputy Assistant Engineers (Phones) ;
- (10) Deputy Assistant Engineers, Electrical ; and
- (11) any Gazetted grades of Wires Department ?

(c) If not, will Government give the names of Muslim officers in the above ranks ?

The Honourable Sir Thomas Stewart : (a) The total number of gazetted officers in the Telegraph Engineering Branch is 132 of whom five are Muslims. The percentage of Muslims is 3.79.

(b) The position on the 1st January, 1937, and for the five preceding years is as stated with the exception that one Muslim Officer was holding a Divisional Engineer's charge at the end of 1936. Government regret that the information for earlier years is not readily available and could not be obtained without an expenditure of time and labour which would be incommensurate with the result.

(c) The officer holding the Divisional Engineer's charge was Mr. M. N. Mirza.

APPOINTMENT OF MUSLIMS AS ENGINEERING SUPERVISORS.

10. **Dr. Ziauddin Ahmad :** (a) Will the Honourable Member in charge of the Department of Industries and Labour be pleased to state the total number of Engineering Supervisors appointed since 1929 (departmental and outsiders) and the number and percentage of Muslim amongst them ?

(b) Do Government propose to reserve 25 per cent. recruitment for Mussalmans as laid down in the Resolution of the Government of India ?

The Honourable Sir Thomas Stewart :

(a) Departmental	35	..	Muslims Nil.
Direct recruits	90	..	Muslims 6

Percentage of Muslims among direct recruits—6.7 per cent.

(b) The existing rules prescribe that 25 per cent. of the vacancies to be filled by direct recruitment should be reserved for Muslims, provided that they attain the specified minimum standard in the examination. The number actually recruited is less than 25 per cent. owing to the fact that the requisite number of Muslims were unable to qualify in the examination.

APPOINTMENT OF AN OFFICER TO WATCH THE RECRUITMENT OF MUSLIMS AND OTHER MINORITY COMMUNITIES IN THE POSTAL DEPARTMENT.

11. **Dr. Ziauddin Ahmad :** Will the Honourable Member in charge of the Department of Industries and Labour be pleased to state whether the Postal Department has appointed any officer to watch the recruitment of the Mussalmans and other minority communities to see that the Resolution of the Government of India regarding recruitment of minorities is properly carried out ?

The Honourable Sir Thomas Stewart : The Indian Posts and Telegraphs Department has not appointed any officer exclusively for this purpose. Adequate measures have been taken to ensure that the orders of Government regarding the recruitment of minority communities are adhered to and the appointment of a special officer for the purpose is unnecessary.

PRIMARY EDUCATION IN THE CENTRALLY ADMINISTERED AREAS.

12. **Mr. N. M. Joshi :** Will the Secretary of the Department of Education, Health and Lands be pleased to state so far as each of the centrally administered areas are concerned :

- (a) the total number of boys and girls in the primary schools ;
- (b) the total population, the total population of school going age of each sex, the total number of villages and the total number of schools ;

(c) whether primary education is either free or compulsory or both and up to what age ; and

(d) the latest figure of the total annual cost of primary education to Government ?

Mr. M. S. A. Hydari : (a), (b) and (d). A statement giving the required information is laid on the table.

(c) In Delhi, primary education is compulsory and free in six wards out of nine of Delhi City and in nine rural areas comprising sixteen villages. The age of compulsion is 6 to 11.

The Ajmer Municipality is considering the possibility of the introduction of compulsory primary education. In Baluchistan, primary education is free.

Statement.

Province (Centrally administered areas).	Part (a).		Part (b).				Part (d).	
	Enrolment in primary schools.		Total population. 1931 census.	Population of school going age.		Total No. of villages.	Total No. of Schools.	* Cost of primary education to Government.
	Boys.	Girls.		Male.	Female.			
								Rs.
Coorg	6,963	3,237	163,327	10,869	8,730	378	129	64,864
Delhi	14,302	7,082	636,246	44,339	33,009	307	418	1,56,696
Ajmer Merwara ..	11,977	3,679	560,292	35,529	31,705	747	407	83,369
Baluchistan	2,218	359	463,508	32,400	23,220	1,425	363	99,696
Civil and Military Station, Bangalore.	5,601	4,363	134,113	8,329	7,764	..	112	84,258
Other Administered areas	6,504	3,743	181,076	12,527	9,632	(a)	131	91,549

(a) Information not available.

* Primary classes are also attached to certain secondary schools. The cost thereof is not included in these figures.

N.B.—The above figures are for the year 1935-36.

SECONDARY AND HIGHER EDUCATION IN THE CENTRALLY ADMINISTERED AREAS.

13. **Mr. N. M. Joshi :** Will the Secretary of the Department of Education, Health and Lands be pleased to state so far as centrally administered areas are concerned :

(a) the total number of secondary schools, the total number of pupils of each sex and the total cost of secondary education to Government ;

- (b) the total number of colleges for higher education, the total number of students of each sex and the total cost of higher education to Government ?

Mr. M. S. A. Hydari : (a) and (b). A statement giving the required information is laid on the table.

Statement.

(a) No. of secondary schools	..	..	..	211
No. of male pupils	..	..	..	87,894
No. of female pupils	..	..	..	10,567
Cost to Government	..	..	..	Rs. 10,52,583
(b) No. of colleges for higher education	..	..	..	11
No. of male students	..	..	..	2,797
No. of female students	..	..	..	290
Cost to Government	..	..	..	Rs. 4,67,744

N.B.—The above figures are for the year 1935-36.

TELEGRAPH OFFICE AT GUPTA KASHI, DISTRICT GARHWAL.

14. Mr. Mohan Lal Saksena : (a) Will the Honourable Member for Industries and Labour state whether it is a fact that a Telegraph Office was opened at Gupta Kashi, District Garhwal (United Provinces) at the request of the people there ? If so, will Government be pleased to state the terms on which it was opened ?

(b) Will Government be pleased to state how long did the aforesaid Telegraph Office work and what the total cost of its maintenance was ?

(c) When and why was it closed ?

(d) Is it a fact that the residents of Gupta Kashi had to pay a certain amount of money to meet the deficit in running the Telegraph Office ? If so, how much ?

(e) Is any amount still due from the people ? If so, how much, and do Government propose to consider the advisability of remitting it ?

The Honourable Sir Thomas Stewart : (a) Yes. The Gupta Kashi Branch Post Office was converted into a combined Posts and Telegraph Office with effect from the 5th of May, 1927, at the request of 48 residents of that place who agreed to guarantee a telegraph income of Rs. 2,794 per annum for a period of ten years and to make good the deficit if in any year during the period of guarantee the telegraph income fell short of the amount of guarantee.

(b) The Telegraph Office worked from 5th May, 1927, to 31st January, 1934, and the total cost of maintenance of the office for this period was Rs. 18,846 calculated at the rate of Rs. 2,794 per annum. The amount of guarantee represents the cost of working and maintaining the office.

(c) It was closed on 1st February, 1934, as the guarantors failed to meet the deficit as stipulated in the guarantee bond.

(d) Yes. The guarantors paid Rs. 5,338-8-0 on account of the deficit for the period from 5th May, 1927, to 31st March, 1930.

(e) Yes. The amount of Rs. 8,314-2-0 is still due from the guarantors for the period from 1st April, 1930, to 31st January, 1934. A representation has been received from the guarantors praying for the remission of the outstanding amount and this is under consideration.

OFFICERS AND STAFF WORKING IN THE BROADCASTING DEPARTMENT.

15. **Mr. Mohan Lal Saksena** : Will the Honourable Member for Industries and Labour be pleased to lay a statement on the table, giving the names, designations, salaries and qualifications of the officers and other staff working in the Broadcasting Department ?

The Honourable Sir Thomas Stewart : The information asked for by the Honourable Member is being collected, and a statement will be laid on the table of the House as soon as possible.

MOTIONS FOR ADJOURNMENT.

CREATION OF THE POST OF DEPUTY SECRETARY IN THE LEGISLATIVE ASSEMBLY DEPARTMENT.

Mr. President (The Honourable Sir Abdur Rahim) : There is an adjournment motion in the name of Mr. S. Satyamurti, for the purpose of considering a definite matter of urgent public importance, viz., the action of the Government in creating a new, costly and unnecessary post of Deputy Secretary in the Legislative Assembly Department, without the consent of the Assembly.

Mr. S. Satyamurti (Madras City : Non-Muhammadan Urban) : I withdraw this motion.

INDO-BRITISH TRADE NEGOTIATIONS.

Mr. President (The Honourable Sir Abdur Rahim) : The next motion for adjournment is also in the name of Mr. S. Satyamurti. He proposes to move that the House be now adjourned to consider a definite matter of urgent public importance, viz., the inordinate delay in the conduct of the Indo-British trade negotiations.

Mr. S. Satyamurti : I do not propose to move it. I withdraw the motion for the reasons I have already mentioned.

EXTRAVAGANCE IN MILITARY OPERATIONS.

Mr. President (The Honourable Sir Abdur Rahim) : The next motion is in the name of Mr. S. Satyamurti. He proposes to move the adjournment of the House to consider a definite matter of urgent public

importance, *viz.*, the extravagance of the Defence Department of the Government of India during this year in military operations.

This motion has been disallowed by the Viceroy on the ground that the motion cannot be moved without detriment to the public interest.

RECOMMENDATIONS OF THE WEDGEWOOD COMMITTEE'S REPORT.

Mr. President (The Honourable Sir Abdur Rahim) : The next motion is in the name of Mr. Satyamurti. He proposes to move the adjournment of the House to consider a definite matter of urgent public importance, *viz.*, the failure of the Government to consult the Assembly before taking steps to implement the recommendations of the Wedgwood Committee's Report.

Mr. S. Satyamurti : I do not move this motion. The Government are giving us a day—the next Friday—for discussing this report.

MR. MUDIE'S ENQUIRY REPORT INTO THE BENGAL NAGPUR RAILWAY AFFAIRS.

Mr. President (The Honourable Sir Abdur Rahim) : The next motion is in the name of Mr. Mohan Lal Saksena. He proposes to move the adjournment of the Assembly to consider a definite matter of urgent public importance, *viz.*, Mr. Mudie's Enquiry Report into the B. N. Railway affairs.

Mr. Mohan Lal Saksena (Lucknow Division : Non-Muhammadan Rural) : I do not propose to move it at this stage.

Some Honourable Members : Why at this stage !

Mr. Bhulabhai J. Desai (Bombay Northern Division : Non-Muhammadan Rural) : May I point out, Sir, that a copy of the Report has been handed to me some time after 11 o'clock today. There is no humour in our being asked to discuss the report today. It has been handed over to me only and to no one else. I am only stating that with a view to anticipate any possible objection which may be raised at a later stage when this adjournment motion might be moved that it is not a matter of recent occurrence. That is the only object with which I am stating this.

Mr. N. M. Joshi (Nominated Non-Official) : May I ask whether this adjournment motion will be taken up tomorrow ?

Mr. President (The Honourable Sir Abdur Rahim) : If this is not moved today, it cannot be taken up later on.

Mr. Mohan Lal Saksena : There is another adjournment motion of mine relating to the same subject later on.

FRONTIER POLICY OF GOVERNMENT.

Mr. President (The Honourable Sir Abdur Rahim) : The next motion stands in the name of Mr. Mohan Lal Saksena who wishes to discuss the Frontier policy of Government. This has been disallowed by the Governor General on the ground that the motion cannot be moved without detriment to the public interest.

12 NOON.

POSITION OF INDIANS IN ZANZIBAR.

Mr. President (The Honourable Sir Abdur Rahim) : The next motion also stands in the name of Mr. Mohan Lal Saksena and relates to the position of Indians in Zanzibar. This has been discussed already and is, therefore, barred.

HUNGER-STRIKE OF POLITICAL PRISONERS IN THE ANDAMANS.

Mr. President (The Honourable Sir Abdur Rahim) : The next motion stands in the name of Mr. Satyamurti who wishes to discuss " the callous attitude of the Government of India in respect of the recent hunger-strike of the political prisoners in the Andamans ". Is there any objection to this motion ?

As no objection is taken, it will be taken up at 4 P.M. today.

Mr. S. Satyamurti : Sir, Mr. Mohan Lal Saksena has an identical motion in his name lower down, and I shall be obliged if you will permit him to move it.

Mr. President (The Honourable Sir Abdur Rahim) : He can take part in the discussion. That has not been reached yet.

Mr. S. Satyamurti : I do not think, Sir, the Standing Order is against it.

Mr. President (The Honourable Sir Abdur Rahim) : That motion is not before the House, and I am afraid it cannot be allowed. But Mr. Saksena can speak immediately after the Honourable Member has moved it.

THE INSURANCE BILL.

PRESENTATION OF THE REPORT OF THE SELECT COMMITTEE.

The Honourable Sir Nripendra Sircar (Law Member) : Sir, I beg to present the report of the Select Committee on the Insurance Bill.

Mr. President (The Honourable Sir Abdur Rahim) : I understand it is the desire of the House generally that the rule about the laying of such reports on the table seven days before the discussion takes place should be waived. I shall, therefore, waive that rule as the House considers five days to be quite enough.

Mr. Bhulabhai J. Desai (Bombay Northern Division : Non-Muhammadan Rural) : Sir, in view of this dispensation, may I ask that copies may be made available to us tomorrow ?

The Honourable Sir Nripendra Sircar : It will be the duty of the Legislative Assembly Department, and Mr. Rafi says it will be possible to distribute copies tomorrow.

STATEMENT *RE* NEW PROCEDURE REGARDING QUESTIONS.

The Honourable Sir Nripendra Sircar (Leader of the House) : Sir, I promised to tell the House what course Government propose to take to

get over the difficulties which are created by questions being addressed to somebody who says it is not his business to answer them. The best course that I can think of, subject to what the Chair rules, is that as soon as we get notice of a question which is addressed to "A" and which according to Government should have been addressed to "B", we should inform either the Honourable Member or the Legislative Assembly Department, preferably the latter, whichever you will direct, at once. So that the result will be that the question will not be put down on the next day for "A" for it has got to appear on the day allotted to "B". We are willing to do anything that the Chair thinks reasonable.

Mr. S. Satyamurti (Madras City : Non-Muhammadan Urban) : Why not transfer it to "B" ? The question has been admitted and sent to the Government. It will save a good deal of time and expense, and also it will be convenient to everybody, if the question is transferred from "A" to "B".

The Honourable Sir Nripendra Sircar : Our only trouble will be,—I am not at all resisting my Honourable friend's suggestion,—what about the date ?

Mr. President (The Honourable Sir Abdur Rahim) : In that case it can be done on the same date. If the Department finds that it is clearly a *bonâ fide* mistake, they can at once make it over to the Department concerned.

The Honourable Sir Nripendra Sircar : I think there will be no objection, but will you allow me to think, to consult my colleagues and tell you later on ?

Mr. President (The Honourable Sir Abdur Rahim) : Very well.

THE TRADE DISPUTES (AMENDMENT) BILL.

Mr. President (The Honourable Sir Abdur Rahim) : The House will now resume discussion on the motion to refer the Bill further to amend the Indian Trade Disputes Act, 1929, to a Select Committee.

Maulvi Abdur Rasheed Chaudhury (Assam : Muhammadan) : Sir, I will resume my speech which I could not finish yesterday. The Bill provides that a set of Conciliatory Officers will be appointed for the purpose of preventing, mediating in or settling trade disputes. It means that a new department will be started. Government will certainly not pay for this department out of their savings from the military budget or from their savings from the police grant or even from savings from the ordinary budget. We have our sad experience in these matters. A few years ago, a department of Boiler Inspectors was started in Assam. We expected that this department would be paid for from the ordinary budget of the province, but as soon as the department was started, Government came forward with an order that all the people in possession of boilers must get a license for using their boilers, and the license has got to be renewed every year and has got to be paid for, no matter whether the boiler is a new one or an old one. Similarly, Sir, when this department will be started, Government under this clause 18-A. (4) will make certain provisions for getting money for the maintenance of this department from the traders and the employees. The traders are already overburdened with

[Maulvi Abdur Rasheed Chaudhury.]

income-tax, super-tax, surcharge and a hundred other things, and it will be a crushing burden on them to be saddled with any more expenses for the maintenance of any new department. Now let us see how this department of conciliating officers will be useful to the trades. It will certainly be a full-fledged department with probably an Inspector-General, a Deputy Inspector-General, an Assistant Inspector-General, Superintendents, Inspectors and subordinate officers. The function of these officers is the combined function of prevention and settlement. We have got our experience of preventive services. The subordinate officers of this department will in no way be better than the preventive officers of other services, e.g., the police, etc. So far as the higher services are concerned, probably it will be a top heavy department as is generally the case with most Government departments. There will be highly paid officers ; they will probably be bracketed with all-India services like the Indian Civil Service, the Indian Police Service and so on ; in other words, there will be so many privileged officers so to say. We heard a good deal of bunkum about the utility of these privileged services, but, Sir, from our experience we find that everything is hollow. Sir, in our every day life we meet a lot of privileged officers in every part of the country ; they are so privileged that they may or may not do any work ; to do work is left entirely to their sweet will and pleasure. They can drink the whole day, they can spend their time at home, they may not go to work even once a week ; but whatever they do, their promotion is marked, and nobody can question or criticise the action of these privileged officers. Then, Sir, from the very nature of the privilege that nobody can touch their pockets, nobody can do them any harm, their importance dwindles a good deal. They know that whether they do any work or not, they will get their pay all right, because they are privileged classes. Generally, they feel that that privilege has been given to them as a right, and that everything will be protected by the Secretary of State. What does it mean, Sir ? It means that these privileged services are incapable of facing an open competition with the other services, that is to say, they are intellectually inferior to the personnel of the other services. That is why they require special protection. We have not seen any officer of this privileged class being able to handle important matters like the trade disputes, strikes and so on. If they put their hands to such things at all, they make a mess of the whole thing. In the tea gardens of Assam we saw a few years ago that Government interference was worse than the interference of European estates ; whereas wherever the Government did not interfere, the gardens could manage their affairs very well. Therefore, Sir, I say that we are not in favour of creating any more privileged services. We have had bitter and sad experience. Whenever the Government send their officers to quell disturbances, they fail to achieve the object ; instead of quelling the disturbances, these officers coerce the people,—and they are very expert in it. They at once order the police to open fire, whether such action is needed or not ; they will at once ask the police to make a lathi charge if anybody does not listen to them. This is only to be expected from them, because they keep themselves aloof from the people of the country ; they don't mix with the intelligentsia, and the result is that with what little intelligence they come here, they forget to exercise it. Now, Sir, Aurangzeb wrote to his son a letter saying : “ your associates must be

better than you if you want to develop your intellect". Now, what is the position here? Our privileged officers come here; they don't mix with the intelligentsia of the country and they lose a good deal of their intellectual power with which they come. The result is that they fail to understand the weighty questions which they have to handle. This will be the case with the new department also, and I think the House should think ten times before it gives sanction for the creation of a new service like this.

The other aspects of the question have been dealt with by other Honourable Members and especially by Mr. Griffiths very ably, and I need not, therefore, dilate on them. The only relieving feature in this matter is that, so far as this Bill is concerned, not only the representatives of Indian concerns, but also the representatives of European concerns are opposing this measure. They do not like this Bill at all; they want that, not only the Bill, but even the amendment to the Bill must be killed alive. I hope, Sir, the House will take this Bill in this light and see that both the amendment and the Bill are killed at this stage.

Mr. Badri Dutt Pande (Rohilkund and Kumaon Divisions : Non-Muhammadian Rural) : Sir, I shall not take much time of the House, but I shall confine myself to only one point in connection with this Bill. Sir, I have my suspicions that this measure will not be required by the provinces for it denies to the weak and down-trodden the God-given gift of strike. According to the new Government of India Act, the Provincial Governments can pass their own laws in regard to labour and factories, and, therefore, why should we impose our will on them by enacting a measure of this kind? The Government of India want to spread their net over the whole atmosphere, and this reactionary body called the Governor General in Council wants to impose its will all over India,—they want to impose their will on every thing there is in the world, in the air, in the sky and all over the whole atmosphere. The provinces will not require this legislation. We do not want to use our power of coercion, but we want to use our powers of persuasion. The Honourable Pandit Govind Ballabh Pant goes down personally, and in a day quells the whole strike at Cawnpore. Now, the officer who will be appointed by the Government of India will go and order lathi charges, or to open fire and coerce the people. It may be all right in centrally administered areas, but I have my own suspicions whether the Provincial Governments will like this measure at all. The provinces are just coming into their own; they have now a popular Government. Here of course there is still the official bloc, but in the provinces the official bloc has disappeared. It is only in the Upper House they have some nominated members in the provinces, and should there be any difference of opinion on any subject, they will settle the matter in a joint session in the provinces. Therefore, I ask why should we impose our will on them. You can pass any legislation you like for the centrally administered areas, but not for the provinces. There they can manage their own affairs, and we should allow them a free hand to manage their own affairs; in fact they are in a better position now than before to manage their own affairs, because they have got a popular Government, and not an autocratic, bureaucratic or I may say a hypocritical Government such as we have in the centre. Therefore, I suggest that the provinces should be given a free hand to manage their own affairs for some time, and they will surely manage their affairs very

[Mr. Badri Dutt Pande.]

economically and on sound lines, instead of imposing our will by a measure like this.

Bhai Parma Nand (West Punjab : Non-Muhammadan) : Sir, I rise to support the principle of this Bill. Trade disputes must have two parties, one the employer and the other the employee and I do not hold any brief for the employer. I look at the question from the standpoint of the country. One difficult question with which we are faced, is how to deal with the poverty of this country. What is this poverty due to ? We have got men who can work ; there are materials for work ; but we lack the means wherewith to work that material. It is the employers that supply the means for the working of the material for the workmen. I quite see that the cause of the employers is somewhat unpopular. I will take the risk upon myself and say a few words to advocate the necessity and usefulness of the capitalists in this country. As I said, the only solution for the removal of poverty in this country is that there should be means to make use of the materials that we possess. The means is supplied by the employers. These employers have got capital, and being capitalists they are not liked by ordinary people. But we have to remember that the question of capital or the question of workers in European countries, is entirely different from the conditions of the country in which we have to live. We have to take the conditions in India as they are. We want means. The means is the industrialisation of this country. The question for us, therefore, is how to develop industries in this country. There is plenty of population and this population is increasing every year, but if we have no industries and no factories to supply work for this increasing population, I think there must be unemployment and consequent poverty and starvation. We cannot solve this problem of starvation and poverty by loud talks or by passing resolutions. The question is who else, but the capitalist, is going to start industries in India, therefore I say, if capital is not forthcoming, if there are no employers, there cannot be any industry in this country. The employer is thus a great benefactor of labour.

My Honourable friend, Mr. Griffiths, spoke on behalf of the European Group—I am very glad to see that he has not only changed his sides but has changed his point of view also. A while ago, he was the staunchest supporter of the Government, but now having got into the service of the European Employers, he has come out to oppose Government. But the mystery to me is how is it that he opposes a measure that serves the purpose of the employers as well as, I should say, the purpose of the workers. The workers must be supplied with work. Without that they cannot have any means to get their living. The employers are the people who supply them with work by starting different kinds of industries. My Honourable friend quoted the example of the bus strike in England and said that the whole country would have been in danger, if such a law existed in England. I just want to tell him that there is a difference between the conditions prevailing in England and those in India. Industries in England and other European countries are fully developed, whereas we are yet in infancy. We are just on the starting point of industries in this country and in the initial stages it is quite easy to kill an infant industry, by means of these strikes, while any number of strikes can do no harm to the most highly developed industries in England or other parts of Europe. Thus, the example of England is utterly irrelevant.

My position is that our chief duty is to develop industries and we have to do so by all sorts of encouragement given to the employers as well as to the workers. It is said that the employers suck the blood of the employees and they want to make money out of their labour. My point is this. Even if these employers do not invest their money with unselfish motive does it do good to the workers or not? What did they use to do with their money before? They will hoard all their money, gold, silver or whatever else they had, in their own houses. All that will be lying useless and will not serve any purpose either of their own or of the workers. If they did not hoard, they might use it in making ornaments for their womenfolk. So far, that had been the case. The capitalist was not quite ready or anxious to invest his capital in industry. It is the duty of the Legislature and of all those men who are interested in the good of the country to encourage these capitalists to come forward with their money and invest their hoardings, in the development of industries in this country.

My Honourable friend, Mr. Joshi, who is a great well-wisher of the workers, told us that these strikes did more harm to the labourers than to the employers. If these strikes are really harmful to the workers, then there is all the greater need to stop these strikes before they are even begun and I think, this is the principle of this Bill. The best course for the development of industries in this country is that these strikes should be nipped in the bud. I do not know whether the appointment of a conciliation board or an officer is good or not. That point will be settled in the Select Committee. I have only to say that I am strongly in favour of the principle. My Honourable friend, Maulana Zafar Ali Khan, whom I congratulate on his nice speech in this House, said that the people of this country are worshippers of Mammon, the God of wealth. My Honourable friend himself is an employer. He is the owner of a press, the proprietor of a daily newspaper, he has got a number of workers under him. So like him, everybody in this world, does want wealth, whether he worship it or not. Therefore everybody wants to earn as much as he can.

Prof. N. G. Ranga (Guntur *cum* Nellore : Non-Muhammadan Rural) : But most people are prevented from earning anything.

Bhai Parma Nand : Yes. But that is an entirely different matter. People who are advanced spiritually may not care for it, but so far as the generality is concerned, even the workmen do want wealth, do want bread, and such other comforts as they can get. The Maulana Sahib gave one example. He said that the labourers are getting only four annas a day while the employer gets about Rs. 400 a month or so. I am reminded of a simple illustration to explain this case. It is said, there was a wealthy person. A socialist follower of my friend, Prof. Ranga, went to him and told him : " You have so much money. Why don't you divide your wealth, and share it with me ". As he was arguing his case on a communistic basis, the richman called one of his men and told him to bring a rupee and give it to the fellow. The man was not satisfied with the rupee. He protested against this saying that he must have half or one-third of the whole property. Upon this the rich man asked the fellow to come near and whispered to him : " Don't make so much noise. If other people hear this, a big crowd will gather and each will ask for a share so in the end you will not get even this rupee which I am giving you ". It is very easy to say that the capitalist has so much money and is making so much profit. Supposing he does not invest it in the factory, what will the workers do. They

[Bhai Parma Nand.]

will be starving and they won't get even the four annas or eight annas which they are getting now. So, the man who invests money in factories is really a great benefactor of the poor and the starving.

The conditions in India are very different from those prevailing in Japan and other countries, where industries are highly developed. In India, there is so much unemployment that it is absurd to say that the capitalists are blood suckers and that they are setting up factories to make money for themselves. When communism comes, we will then see. We do not know when it will come. It may be 100 years or fifty years after this or earlier if my friend, Prof. Ranga, succeeds in his object, but taking our conditions as they are, these people can only get some thing to live upon if the employers invest their money in industry. Let me take a concrete case. Three years ago, certain people subscribed say about 15 lakhs and started a weaving factory in Okara in the Punjab. They bought the land, the machinery, put up buildings. All this took time. It is only six months since the factory has begun to work. There are 3,000 or more workers in that factory. Now, my question is—what were these 3,000 workers doing before the factory was started. They were only earning a pittance and now they are getting eight or ten annas a day. The capitalists who have invested so much money have not got a penny in return, and yet the labourers for days remained on strike on the ground that their wages should be increased. Why did these fellows join the factory at all? If the factory owners get lot of profit and lot of dividend and the wages are kept low, the workers in that case could put forth their claims and demand higher wages; but the factory had just started work and the share-holders had suffered and gained nothing, yet these fellows strike work and say that their wages should be increased! Some of the followers of Prof. Ranga ran to Okara and encouraged the strike. Of course, one is inclined to suspect their motives. The strike went on for a week or ten days. There was a loss of Rs. 20,000 or Rs. 40,000 to the factory. There was a compromise. The wages had to be increased. Some of them began to play mischief again and their case was referred to the police, I don't know what further has happened.

In my opinion, Sir, these strikes are a sort of disease and epidemic and surely the Government is taking a right step in this state of affairs for the protection of industry and thus for the removal of poverty and unemployment. Some of my friends over there talk of the Bombay and the Ahmedabad Millowners. I do not care whether the workers in Bombay or Ahmedabad have recourse to strikes: The employers there must have made large profits. I have no interest in these places. Bombay and Ahmedabad do not make the whole country. My point is this, that for the good of the country and its teeming millions, it is essential that these factories must develop all over the country and this contagion of strikes should be stopped as far as possible by legislation, on these grounds I give my whole-hearted support to the principle of the Bill.

Mr. Kuladhar Ohalaha (Assam Valley : Non-Muhammadan) : I have heard the point of view of Prof. Ranga. I have heard the view of Mr. Griffiths on behalf of the great European capitalists and we have also heard the views of great landlords like Mr. Chaudhury and we have

heard the views of the Hindu Mahasabha leader, but we have not yet heard the peasant's point of view which I am going to put forward. I was almost going to oppose the Bill after hearing Mr. Ranga but when I heard Mr. Griffiths, who a little while ago was the great apostle of executive infallibility and now the high priest of democracy pleading for protection from people who are in charge of law and order, my suspicion was that there must be something good in this Bill, otherwise the European capitalists would never have opposed it. So, I can neither support Mr. Ranga nor Mr. Griffiths. I take a *via media* and that is that this Bill has certain points which must be supported, not from the point of view of Bhai Parma Nand who said that the workers are a bad lot and they strike and strike in order to give trouble to the capitalists. Now, the capitalists start the industries not for the sake of the industries but for the love of money. They want to make more and more money and that is the reason why they go to develop different countries on the alleged ground that they are going to bring industrial improvement to that part of the country. As a matter of fact they do not do that for any philanthropic purpose, but they do so in order to enrich themselves. That is their unholy object, they really try to develop their own investments and try to get out as much money from the hard-worked peasants and workers in the different parts of the country. Sir, I have certain objections to the provisions of the Bill. There is a new provision going to be added in section 2 (j) to settle disputes between employers and employers. Now I can only imagine that a dispute between employers and employers will be like this. One body of employers will probably offer higher wages in order to take workers away from another, but if this provision is embodied here, the resultant effect would be that the workers would not be able to bid for higher wages because Government will intervene most likely in favour of the employers. Now this intervention is a dangerous one and I think the workers will thereby not be able to get their proper wages for their labour. In some parts of Assam the Tea Associations have already got such an organization, a ring by means of which they do not enhance wages as between the members themselves. I think, therefore, that the proposed addition, though apparently harmless, should not be embodied as it will only have the effect of keeping down wages. As regards clause 18-A, if the conciliation officers are selected from amongst men who are judicially trained, there may be something, but if these officers are appointed from the members of the heaven-born Civil Service who consider themselves to be infallible, I am afraid these latter will have more leanings towards their capitalist brethren, because from our point of view they themselves are capitalists as some of them get as much as Rs. 3,000 a month and over. As such, therefore, they are more of the capitalist class than of the peasants which I represent. My submission, therefore, is, that such men should never be selected as conciliation officers, but that there should be an advisory committee representing both the employees and employers. If conciliation officers are to be appointed at all, they should be advised by a suitable advisory body representing labourers as well as employers. My idea is that instead of clause 18 providing for the appointment of conciliation officers, we should have one committee on which there should be one member appointed by the Government, another selected by the employers and a third selected by the labourers. If you have such a committee, probably that will conduce towards the smoother working of

[Mr. Kuladhar Chaliha.]

the machinery for the settlement of disputes. I have some fears that in the event of labour strikes on, say, tea gardens in Assam, if their settlement is left alone to the suggested officers, the resultant effect will be very hard upon the workers. I, therefore, think some alteration should be made in clause 18 in the Select Committee and if that is done, it will be a real improvement on the Bill. Coming now to my friend, Mr. Griffiths, if the Governments continued to be run as before by the Civilians, I think my friend would not have objected to the officers being appointed by the Government, but he having come down a little now and finding that there are likely to be Congress ministries, he is suspicious of their motives and, therefore, he becomes an advocate of democracy. He has not I think a holy motive. Sir, a gentleman who was previously in charge of Mymensingh and Midnapore and was the author of so much misery to scores of our young men now comes forward with this new plea. He thinks that the people in charge of law and order would not be impartial ! (Laughter.) Probably he has realized himself how much wrong he has himself done. Apart from it, I submit that this Bill does not go far enough so as to commend itself to us though I will not go so far as my friend, Bhai Parma Nand. I suggest that some such amendments as I have suggested should be made in the Select Committee. With these words, I support the motion.

Mr. Ram Narayan Singh (Chota Nagpur Division : Non-Muham-madan) : Sir, I welcome this measure. But I must not be understood to mean that I like this measure or that I expect any good out of it. Sir, I deliberately say this. Times without number on the floor of this House and outside, it has been declared that the Trades Disputes Act is a dead letter. I know how and when the measure was enacted. It was passed on the 8th April, 1929, the day made memorable by bomb thrown in the Assembly Chamber by the late Mr. Bhagat Singh. So far as I know, the Government would not have passed this Bill but at the time there was a Labour Government in England. It was under the inspiration of the Labour Government that the measure was passed and, after this Bill was passed, people in this country and especially the labour organizations expected a lot of good from this enactment. But, Sir, after that, we got nothing out of this. There were hundreds of strikes throughout the country since then. Millions of people have suffered but we heard nothing about conciliation boards nor of courts of inquiry. Just after the measure was passed, there was a serious tin-plate strike at Golmuri near Jamshedpur in my province of Bihar. Babu Rajendra Prasad was there, Mr. Subhas Chandra Bose was there, the representatives of workers were there and people were asking for conciliation boards and courts of inquiry, but nothing came out. The result was that hundreds of people were thrown out of employment and that for all time to come. The Royal Commission on Labour has described this Trades Disputes Act as a heavy artillery but this heavy artillery was never used for the good of anybody in this country. After this measure was passed, we expected that labour all over the country would be organized. My constituency, Chota Nagpur, is almost wholly an industrial area. You have got mica industry, coal industry, iron industry and so on and so forth. Millions of labourers work in that area and we have got labour organisations only at Jamshedpur and at Jharia. In other places when people try to organise themselves, we meet with opposition from

the employers and when the matter is brought to the notice of the authority, no attention is paid to it. At the same time, I have got the information that, notwithstanding oppositions but with great efforts when any labour organisation has been formed in any part of my constituency, the Government has not recognised the union. So, as I said before, I welcome the measure not because I expect any good will come out of it but because I feel that the Trade Disputes Act is still alive or at least is re-born. If Government pass any measure, they must do it with some honest purpose. They must carry it out in administration for the good of the people for whom it is intended. But, so far as the Trade Disputes Act is concerned, I think I am right in saying that it has almost never been administered. There have been so many strikes and we have heard of conciliation boards or courts of inquiry only twice or thrice. If this measure is going to be passed and I think it will be passed, Government must take note of the fact that the labour is organised and the measure is administered for the good of the labour.

Sir, I have no more to add at present but before I resume my seat I must congratulate my newly changed friend, Mr. Griffiths, on the wisdom that has recently dawned upon him and I ask the Government to take note of his speech and draw a good lesson from it. The lesson ought to be this that the Government have got so many servants in this country and have also got allies, but all these Government servants and allies of the Government are serving the Government only out of fear or for the sake of gain. If the fear is removed and if they are out of employment, they will be against the Government. That is why I say that the Government should take note of the speech of Mr. Griffiths and must learn a lesson from his attitude and behaviour. Instead of depending upon their allies and upon their servants, they should come to terms with the Congress and they should be guided by the advice of the Congress leaders.

The Honourable Sir Thomas Stewart (Member for Industries and Labour) : Sir, in rising to reply to this debate, I should like to express my appreciation of the spirit in which it has been conducted. I should also like to express my appreciation of the fact that so many of the new Members of this House have shown their interest in a most important subject by making their first contributions to the debates of this House on this Bill. The debate has followed very much the course that might have been anticipated. As in October last, and as in the opinions that were received as the result of circulation, discussion has again concentrated itself in the main on clauses 8 and 11. Certain other clauses have been referred to ; in particular the clause which proposes to extend the definition of a public utility company. Now, whatever may be our views as to the question whether public utility companies should be the subject of special treatment or not, I think all will really agree that the criterion by which to judge a public utility company is not the ownership of its shares but the usefulness it has towards the public. Mr. Chaliha, I think, was under a mis-apprehension when he thought that classification as a trade dispute of a dispute between employers was likely to affect the workmen. I could not follow his argument. But the object of that extension is that it should be possible when there are disputes between employers which affect their workmen that the workmen should have a remedy. It is also to be noticed that it is not any dispute between employers which brings it within the definition but only those relating to the conditions of employment of workmen.

[Sir Thomas Stewart.]

To turn to clause 8. Mr. Ranga expressed the suspicion that the new section 16 had been introduced in order to undermine the trade union movement in India. I should be glad if he would accept my assurance that there was nothing further from our minds. The Government of India as much as Mr. Ranga are well aware that perhaps the best guarantee against senseless and wasteful trade disputes lies in the establishment of a healthy trade union system in this country. Several speakers have attacked the new section 16 on the ground that it was aimed at the workmen's right to strike. Now, I have read and re-read this section 16 and I can find no warrant for that accusation. But I have gone further than reading section 16. I have read section 17 and in the proviso to section 17 it is clearly stated that mere abstention from work or refusal to work on the part of a workman will not constitute an offence. Another criticism is that this new section could be applied to any strike. That I am not prepared to admit. Those who make that allegation have neglected entirely the conditions attached.

Mr. N. M. Joshi (Nominated Non-Official) : What are they ?

The Honourable Sir Thomas Stewart : The conditions are that the strike must be one which has caused, is causing or is likely to cause serious and prolonged injury or hardship to the community or any section thereof or to any class or employers or workers. Mr. Joshi and others may wish to say that these conditions are of no value. Ultimately, the authority who is going to decide on their value is not the executive ; it is a Magistrate who will impose the punishment when the offence has been committed. I would remind the Honourable Members that conditions not unlike those were in issue in the famous Bombay case which has rendered nugatory, or practically so, the old section 16 and which has made it necessary to put forward something else. I quote that instance in order to show that the power remains not with the executive and that the Courts can intervene and have successfully intervened in the interests of the workers.

My Honourable friend, Mr. Griffiths, representing the legal purists
 1 P.M. raised two objections, to which I would refer. He complained that by this clause we were introducing a new and vicious principle, namely, that of the creation of an offence by executive order. I wonder if Mr. Griffiths, in so short a time, has forgotten the existence of section 144 of the Criminal Procedure Code. This section has been employed frequently in labour disputes without, so far as I am aware, any protest from the Group which he represents. He has also said that it is an obnoxious feature of the section that the authority who was responsible for law and order should also be the authority who issues the notification under this section. I can find no warrant for that statement. The officer responsible for law and order is the magistrate on the spot. The authority to issue these notifications is the Provincial Government. In the course of the discussion on this section the argument has been put forward that matters would be very much improved were it made incumbent upon the Provincial Government to order a court of enquiry or a board of conciliation on the application of any party to the dispute. That is an issue, I think, which was considered by the Royal Commission who definitely recommended that it was unnecessary, and would be inconvenient even, to have such a provision of law. The Government of

India see no reason yet to reject that recommendation. But they realise with Mr. Joshi and with Mr. Gadgil that it is possible that there might be an intermediate stage between the start of a dispute and its reaching the point where open rupture was imminent and where it might be desirable to appoint a Conciliation Board or a Court of Enquiry. It is in recognition of that fact that we have put forward the proposals for Conciliation Officers. I was surprised to hear from Prof. Ranga that the Bombay experiment had been a failure. My information is to the contrary ; my information, perhaps, may be a little more accurate.

Prof. N. G. Ranga : Question.

The Honourable Sir Thomas Stewart : The Honourable Member may question. Let me defend my position by saying that Conciliation Officers in Bombay are not as Prof. Ranga suggested I. C. S. officers. The two gentlemen who are now employed on that work are neither of them an I. C. S. officer. While we are on the subject of personnel, I can see no reason why it should have been assumed, as it was assumed by one speaker, that our new clause was designed to create a new service which the Central Government propose to fill with their own minions. There is no such suggestion at all. A reading of the new section will make it clear that the discretion in regard to the appointment of officers, how many and who they may be, rests entirely with the Provincial Governments in respect of Industries with which they are concerned. An alternative proposal has been put forward that instead of our Conciliation Officers, we should have Whitley Councils. Well, it is perfectly true that they have been successful elsewhere, but the use of the Whitley Council is by no means as widespread as is sometimes assumed and in any case for its proper operation it demands an equality on the two sides. As against your employer's representatives, you must have something in the nature of highly developed trade unionism. So highly developed a form, I feel, does not exist in India today.

Prof. N. G. Ranga : Why not have trade boards as in England ?

The Honourable Sir Thomas Stewart : I am afraid they are not directly for the purpose of trade disputes. They are rather for the purpose of looking after the general interests of labour in ill-organized industries. A final criticism of the new clause 11 comes again from Mr. Griffiths. He complains that it is too vague. I might go a certain distance with him, but I cannot agree that its vagueness is incapable of being cured and I cannot understand that this is any sufficient reason why he or his Group should refuse to support a motion for reference to the Select Committee.

In conclusion, I suggest, that this is a Bill that should be viewed in its proper perspective, that Honourable Members should look at the picture as a whole and should not concentrate their attention on those particular portions which are distasteful to themselves. In the solution of all disputes, be they trade disputes or others, some give and take is necessary and if Members of the Select Committee, if, as I hope, this Bill goes there, will exercise that spirit of give and take, I feel certain that the discussions in Select Committee will result in a valuable step forward towards industrial peace. (Hear, hear.)

Prof. N. G. Ranga : I should like to have a point of information. Would he tell us what is the answer to the assurance that we asked the

[Prof. N. G. Ranga.]

Government that the Select Committee should not meet this year but should meet only early in 1938.

The Honourable Sir Thomas Stewart : I regret the omission. I had intended to say that in asking the Select Committee to meet Government would give the fullest consideration to the wishes and convenience of all parties.

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

“ That the Bill further to amend the Trade Disputes Act, 1929, for certain purposes be referred to a Select Committee consisting of Mr. S. N. Roy, Khan Bahadur Sir Abdul Hamid, Mr. C. B. Nagarkar, Mr. N. M. Joshi, Mr. A. Aikman, Babu Baijnath Bajoria, Sir H. P. Mody, Mr. H. A. Sathar H. Essak Sait, Mr. Lalchand Navalrai, Prof. N. G. Ranga, Mr. N. V. Gadgil, Mr. Mohan Lal Saksena, Mr. B. Das, and the Mover, and that the number of Members whose presence shall be necessary to constitute a meeting of the Committee shall be five.”

The motion was adopted.

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

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

THE INDIAN COMPANIES (AMENDMENT) BILL.

The Honourable Sir Nripendra Sircar (Law Member) : Sir, I beg to move :

“ That the Bill further to amend the Indian Companies Act, 1913, for certain purposes be taken into consideration.”

Sir, I shall be very brief, because the Bill is non-controversial and particularly because I have agreed, for reasons to be explained by me at once, I shall accept a Select Committee, a suggestion which was made by my Honourable friend, the Leader of the Opposition. The origin of the Bill is this. It is not intended by this Bill to reopen any controversial matter which has been disposed of one way or the other by the House. Honourable Members who were here during the discussion on the Companies Bill will remember that I was given a warning by Sir Leslie Hudson of the European Group that by persisting in my effort to make one of the Articles compulsorily applicable we were making business impossible. I did not accept that situation. Matters are going on very smoothly and all the theoretical fears which were raised up before the House by Sir Leslie Hudson have not materialised. It is not intended that any of such questions will be discussed. But what happened was this. I may for the benefit of those who were not here tell the House that by the amendment of the law we changed the law of limitation applicable to misfeasance proceedings against directors, managing agents and so on. Formerly the law was that the period of three years will run from the date of the misfeasance or the date on which the dishonesty or breach of trust occurred. The House was convinced that as a matter of fact in many cases the act cannot be discovered until a liquidator had been appointed, and,

therefore, they changed the law, and extended the period within which an application can be made against people occupying fiduciary positions. That has been the result of the amendment. Now it was not the intention of this House that we should give retrospective effect to that amendment, that is to say, that claims which have already become barred should revive by reason of what we have done. As a matter of fact, I still contend that retrospective effect ought not to be given on the construction of this section which has been passed by this House. But, as Honourable Members are well aware, questions are very often raised and argued at length that as this is adjective law, the law of procedure, therefore, retrospective effect should be given. I wanted to bring this Bill before you, Sir, for making it perfectly clear that it was not the intention of the House to give retrospective effect to that section. I consulted all the High Courts personally by writing officially to them ; and while two of the High Courts say that they are quite prepared to hold that this is unnecessary, that is to say, those High Courts will hold that this section has no retrospective effect, yet all of them have approved or agreed to Government making it perfectly clear that it has no retrospective effect, so that this question may not be debated in the Courts.

Now, Sir, the other matters are too trivial to be mentioned here just now because, as I have told the House, I have agreed to accept Mr. Ayyangar's amendment for a Select Committee. But I should explain why in a non-controversial measure I have agreed to this course. The reason is this. While it is true that our intention is to remove only the mistakes inadvertently made or accidental slips or things of that kind as pointed out in the Bill, it was brought to my notice by my Honourable friend, Mr. Desai, that he has come across one or two more accidental slips or inadvertent mistakes which we have not yet noticed and which ought to be included in the Bill. A matter of that kind really ought to be placed before a small Select Committee so that we can find out exactly what those points are. I desire to make it clear that although technically an objection can be taken that having regard to the Preamble that this Bill has been introduced for certain purposes, therefore, sections not mentioned in this Bill cannot be touched upon by the House and so on, I do not desire to take such a technical objection if other non-controversial matters and accidental slips are discovered through the help of my Honourable friend there and other Members of the Select Committee. To any controversial matters, I shall take all possible objections. As I shall accept the Select Committee motion I do not think I should take up more of your time.

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

“ That the Bill further to amend the Indian Companies Act, 1913, for certain purposes be taken into consideration.”

Mr. M. Ananthasayanam Ayyangar (Madras ceded Districts and Chittoor : Non-Muhammadan Rural) : Sir, I beg to move :

“ That the Bill be referred to a Select Committee consisting of the Honourable Sir N. N. Sircar, Mr. S. C. Sen, Mr. S. K. Som, Mr. Aikman, Mr. Siddique Ali Khan, Mr. Azhar Ali, Mr. Desai, Sir M. Yamin Khan and the Mover, with instructions to report by the 20th September, 1937, and that the number of members whose presence shall be necessary to constitute a meeting of the committee shall be five.”

Sir, as already explained by the Leader of the House, it is with a view to correct some accidental omissions and errors that have crept in

[Mr. M. Ananthasayanam Ayyangar.]

and some consequential amendments that have to be made that this Bill has been introduced. In the long time which we took over that Bill the House was naturally anxious to push through that Bill and some of these things were ignored. Not only those mistakes which have been referred to by the Leader of the House and have come to his knowledge but some other errors and omissions also may have to be corrected. The object of referring it to a Select Committee is to avoid once again those mistakes and to make the Act complete, and not with any controversial purpose in view. Sir, I move.

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

“ That the Bill be referred to a Select Committee consisting of the Honourable Sir N. N. Sircar, Mr. S. C. Sen, Mr. S. K. Som, Mr. Aikman, Mr. Siddique Ali Khan, Mr. Azhar Ali, Mr. Desai, Sir M. Yamin Khan and the Mover, with instructions to report by the 20th September, 1937, and that the number of members whose presence shall be necessary to constitute a meeting of the committee shall be five.”

The motion was adopted.

THE PETROLEUM (BERAR EXTENSION) BILL.

The Honourable Sir Thomas Stewart (Member for Industries and Labour) : Sir, I beg to move :

“ That the Bill to extend the Petroleum Act, 1934, to Berar, be taken into consideration.”

This, Sir, is a very simple matter. Up to the end of March of this year, the regulation of matters connected with the sale and production of petroleum was governed by an Act dating back to 1899. In 1934 an improved Act was passed, which was brought into operation in British India on the 30th March, 1937. Unfortunately, it was not, by the Indian Foreign Jurisdiction Order in Council 1902, extended to Berar, so that the position at the present moment is that, whereas in the rest of India an up to date Act is functioning, in Berar the measure of 1899 is still in operation. The object of this Bill, Sir, is to secure complete uniformity. With these words, Sir, I move.

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

“ That the Bill to extend the Petroleum Act, 1934, to Berar, be taken into consideration.”

The motion was adopted.

Clauses 1 to 3 were added to the Bill.

The Title and the Preamble were added to the Bill.

The Honourable Sir Thomas Stewart : Sir, I move that the Bill be passed.

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

“ That the Bill be passed.”

The motion was adopted.

THE RULES AND REGULATIONS CONTINUANCE BILL.

The Honourable Sir Thomas Stewart (Member for Industries and Labour) : Sir, I beg to move :

“ That the Bill to provide for the continuance in force of certain rules and regulations be taken into consideration.”

The origin of this Bill is as follows. It results from the institution of Provincial Autonomy when certain subjects including the regulation of the Electricity Act and the Boilers Act have passed from the Centre to the Provinces. As a result of a consultation between representatives of the Government of India and representatives of the various Provinces at the last Industries Conference at Lucknow, it was decided that the best way of carrying out this transfer was to transfer from the Governor General in Council to a Central Board the rule-making powers that up to the present had been enjoyed by him under the Act. This transfer was duly carried out by amendments of the Electricity Act and of the Boilers Act which were passed in the last Session of this Assembly. A point of doubt has, however, arisen that though this transfer has been carried out, whether rules framed by the Governor General in Council in the past continue to be valid after the transfer of the rule-making power has been effected. In order to avoid any question being raised on this doubt, this Bill has been brought forward in order to keep in existence the rules formerly made by the Governor General in Council as if they had been framed by the Central Board as from the 1st of April, 1937. The object is to preserve the continuity of a very large code of rules, the absence of which would make the working of those Acts impossible. Sir, I move.

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

“ That the Bill to provide for the continuance in force of certain rules and regulations be taken into consideration.”

Mr. B. Das (Orissa Division : Non-Muhammadan) : Sir, I find that there is something wrong with the Government, because they hastily come to this House to pass measures without understanding the implication of those measures. When we were absent in the last Session on the floor of the House, the Government were advised, as we understood from the Honourable the Member for Industries just now, at the instance of the Lucknow Industrial Conference, to amend the Indian Electricity Act as also the Boilers Act. Even in our absence it was sent to the Select Committee, and the Select Committee also could not see the present doubts which have now occurred to the Honourable the Industries Member. Nor has my friend made the point clear as to who has raised this doubt, whether it has been raised by any High Courts or any other legal advisers or by the technical advisers of the Provincial Governments or of the Government of India. Sir, to my mind, this Bill is not necessary, nor was the Indian Electricity Act as amended last Session. Because it had been dealt with without securing the necessary technical advice from the industrial and commercial section of the people of the country. Sir, I have been myself interested in the administration of the Indian Electricity Act, and I shall, therefore, confine myself specifically to the Indian Electricity Act to illustrate how Government, in indecent hurry, constituted a Central Board of Electricity which would be of no practical utility to the country. It is true that representatives of various

[Mr. B. Das.]

Governments met at Lucknow in conference, but were the representatives of Provincial Governments properly advised by technical men? Did the Government of India consult their electrical experts? Of course, since the abolition of the post of Electrical Adviser to the Government of India, we know that when points relating to electricity are raised they consult the Chief Controller of Stores of the Indian Stores Department. Sir, they have constituted a Central Electricity Board where each Provincial Government will send in a representative and the Government of India will have some representatives. Will they be technical men? Will they have a necessary knowledge of the administration of the Indian Electricity Act? I may be told later on that the Provincial Governments may send in their Electrical Inspectors. I know that many Provincial Governments have not got Electrical Inspectors. I know my own Province, Orissa, has nominated an I. C. S. to represent on this Central Electricity Board. My Honourable friend is an I. C. S. He may say that an I. C. S. is a *sub jantawalla*, he knows everything and so he can advise the Board on the proper administration and the proper framing of the Indian Electricity Rules. I cannot understand how ten Indian Civil Service men coming from ten Provinces can form a Central Electricity Board to look after the proper carrying out of the electric trade or the efficient management of public utility concerns such as electric supply companies. I should have preferred the Government of India to have consulted commercial bodies, the Chambers of Commerce, electricity companies, hydro-electric companies, to find out what difficulties are experienced in the administration of the Indian Electricity Act, and not those Electrical Inspectors who sitting on their chairs pass orders. The Honourable Member himself was on a holiday at the time and he then belonged to another sphere of activity, namely, the Commerce Department, but I cannot understand why the Industries Department was in such an indecent hurry to form this Electricity Board, a Board which will never be a technical board and where neither the representatives of the electric trade and electrical manufacturers nor the electrical industries, such as, electric supply companies, will find representation.

Prof. N. G. Ranga (Guntur *cum* Nellore : Non-Muhammadan Rural) : What about labour?

Mr. B. Das : The I. C. S. will come in through the backdoor as they have come in in other spheres. I would advise the Honourable Member, not with a spirit of criticism or opposition, to withdraw this Bill. Let him examine the whole problem and bring out a comprehensive Bill. If the Department of Industries was in that indecent hurry, why did they not notice even this little flaw? There may be others also. Let the Government of India address a letter to electric supply companies, to the various Chambers of Commerce, and to representatives of big manufacturing concerns that are functioning in India as suppliers of electrical machineries. Speaking as an electrical engineer with a large experience of the administration of the Electricity Act, I may say that this Central Electricity Board will not do any good work at all. If there are Electrical Inspectors they will try to frame rules from no experience at all, by sitting on chairs and copying from the Board of

Trade's rules in England, and the I. C. S. representatives that come from the Provinces will have no knowledge and will say ditto to what the Chairman, who will no doubt be a representative of the Government of India, will tell them. I am at one with the Honourable Member that we should devise a proper Central Electricity Board so that it will do good to the electrical trade, electrical industries in India. How can it be done when the members of the Board have no experience in the management of electric supply concerns or in the difficulties that the public suffer as customers or as users of electricity in their homes ?

I have not so much experience in the administration of the Boilers Act as I have in that of electricity, but I can say this much. It is the businessman, it is the industrialist that uses these boilers, that is vitally concerned. It is no use the Boilers Inspector of every Province gathering together and I do not think the Central Government have got any Engineer either in the Stores Department or in the railways who is an expert in boiler affairs. Of course, they will manufacture one as the Chairman of the Central Boiler Board. I would suggest the same criticism to this aspect as I applied to the Electricity Board—that Government ought to invite representatives of the boiler manufacturers who are represented in India. My Honourable friend may remember that I am not making any criticism because I am a Congressman or that I am an Indian. Most of the boiler manufacturers that carry on trade in India are British manufacturers. They have more experience than the Boiler Inspectors in the Provinces. No doubt, I want the Boiler Inspectors to be there to represent the point of view of public safety—to see that a minimum standard of safety is secured ; but, at the same time, I want the manufacturers' representatives to be there. Not only that, but I want representatives of the users of those boilers, those millowners, those industrialists who use most of the boilers, to be there. I think that Government use very few boilers in their own industrial undertakings. This is a technical subject. This House pays very little attention when technical subjects are discussed. Otherwise, in our absence, in the absence of Congressmen the House would not have gone to a Select Committee and passed such an Act which the Honourable Member has admitted is not complete. He has now come with a new Bill, and who knows that in the next Session he will not come with another one. It will be fair to this House and fair to the reputation of the Honourable Member for Industries and his Department if he withdraws this Bill and examines the whole issue in the light of the criticism offered. I may remind him that no criticism was offered in the last Session when those two Bills were brought before the House, and I may ask him to bring in a Bill which will have got the approval not only of the Provincial Governments but of the industries concerned and also the manufacturers that supply these industries. In that way my Honourable friend will do some real good to the electrical trade and to the public by safeguarding the interests of the public in the matter of the administration of the Indian Electricity Act and the Indian Boilers Act. Otherwise, these laymen will make laws, by-laws and rules in future which will have no bearing on the actual conditions of working. With these words, I again commend my suggestion to the Honourable Member for Industries that he should withdraw this Bill and examine the whole question in the light of the observations that I have brought to his notice.

Prof. N. G. Ranga : It is typical of this Government that it should try to get as many of these things as possible done and passed here on the sly. As my Honourable friend,

3 P.M.

Mr. Das, has said, last time when that Bill was introduced there was practically no discussion in the House, and even this time my Honourable friend, Sir Thomas Stewart, has not really taken us into his confidence and given us any useful information about the functions of this particular Central Electricity Board. I am grateful to my Honourable friend, Mr. Das, for having enlightened us to some extent at least about the working of the Central Electricity Board and how it has come to be constituted. I take it in making these rules it is the duty of the Central Electricity Board to try to protect the interests of labour who would be employed in electrical undertakings and also in working the boilers in India. But I want to know how the interests of workers are sought to be protected on this Central Electricity Board. I do not know whether labour was consulted at all at the time when the Industries Conference was being held at Lucknow and proposals were being formulated for the constitution of this Central Electricity Board. I would also like to know whether labour is represented on the Central Electricity Board. I take it, Sir, that the Central Electricity Board has already been consulted in regard to the advisability or otherwise of introducing this Bill in this House. If so, I would like to know, and I am sure the House would also like to know what their opinion is. I think it is only fair even to the Central Electricity Board that it should be given an opportunity of reviewing all these rules that have either been codified or not codified, so that they would be in a position to see which of them can be allowed to be continued and which would be dropped. It is really unfair to the House that the Mover of this Bill should have made such a short speech on the plea that he wanted to be as brief as possible in order to save the time of the House and thus avoided giving us really essential and useful information that is needed to guide the House as to whether this Bill is really needed or not. Subject to the explanation that my Honourable friend, the Mover, may give, I am rather inclined to support of my friend, Mr. B. Das, that this Bill should not be rushed through in such unholy haste and that he should give himself and the House the benefit of further guidance and advice from the Central Board, as well as the various interests concerned, that is the producers, the consumers and the workers especially.

Mr. Muhammad Azhar Ali (Lucknow and Fyzabad Divisions : Muhammadan Rural) : We were unaware of the contents and objects of this Bill, because as laymen we did not know that the electricity rules and boilers rules were all reconsidered by the Government of India under this Act. From what we have heard from our friend Mr. B. Das, I think it is right that we should invite opinions from the bodies responsible, that have control over the electrical concerns over the whole of the country. I think it is a very wise suggestion. So far as the rules are concerned, I find from the papers, and I have also some experience of this in my own province, that the rules are so very strict and the charges have gone so high that people have been protesting against them. If this Board is to control these things and if the rules have to be made, I think it is a very good suggestion that the country at large should be consulted. I commend Mr. Das' remarks to the Honourable Member in charge of the Bill.

Mr. M. Ananthasayanam Ayyangar (Madras ceded Districts and Chittoor : Non-Muhammadan Rural) : I had given notice of a motion to

refer this Bill to a Select Committee but on further consideration I find that this Bill has to be thrown out. When we were absent, two Bills were passed. The object of those Bills was solely to substitute the authority of the Governor General in Council in both the Electricity and the Boilers Acts by a body which they wanted to bring into existence, a body of laymen with absolutely no expert knowledge. We have been accustomed to the Government depriving the powers of this Assembly by various devices. So far as the Railways are concerned, statutory Railway Authority is to be created. So far as banking is concerned, a Reserve Bank was created and so far as the Electricity and Boilers Acts are concerned, the right to frame rules and regulations was transferred to a Central Board. That is the only object of the amending Act of 1937, XI of 1937. This Act was rushed through in our absence. I would ask the Government to explain if in future we would have the power to criticise the rules framed by the Central Board which is constituted under either of the amending Acts. That power has been taken away from the jurisdiction of the Assembly. We will have no more power to criticise those rules and regulations. If this were in the hands of the Governor General in Council it would have been open to us to criticise them. As far as I am aware this matter was not placed before the advisory committee constituted for the Industries and Labour Department. We have not been taken into confidence by the department as to what the constitution of the Board is going to be, how it is going to be filled and so on. The Bills were rushed through in our absence. Now, the Government come to seek the aid of this House for continuing the old regulations. If really this House is willing that the Central Board should function in place of the Governor General in Council, we will have no more effective control over the rules and regulations to be made under the Electricity and Boilers Acts. If the House is not in favour of this course, then the only course open to it is to turn down this Bill and make the amending Acts a dead letter. If we refuse to pass these rules and regulations that have been framed by the Governor General in Council and without which this Central Board cannot function today we will make these Acts which have been rushed through in our absence no longer effective. I appeal to all Honourable Members to make a dead letter of this Bill by refusing their assent to it.

Mr. Sri Prakasa (Allahabad and Jhansi Divisions : Non-Muhammadan Rural) : I think it my moral duty to add my voice to those of my friends who have opposed this measure. I have a feeling, Sir, that if the House accepts this Bill, it will indirectly at the same time be accepting all the rules and regulations that have been made so far under these two Acts. As such, I am not prepared to accept the position that the rules and regulations under these Acts have been in the best interests of the people concerned. The Government always have their own ideas of public interest which more often than not means their own private interest and their own private comfort, but when there is a real matter of public interest, when the safety of the lives and property of the people at large is concerned, then they have no idea of public interest at all. This Bill must be rejected in public interest as I and those not connected with this Government understand that expression. I will only refer here to one or two regulations under the Electricity Act. Sir, this wretched electricity has come, I fear, to stay. It is inside every house and even those persons who cannot really afford to have electricity get it in their houses because their neighbours have it. Human nature is imitative and human nature is very often foolish and

[Mr. Sri Prakasa.]

that is why we see electricity in more places than it has a right to be in. One of my grievances with these regulations regarding electricity has been about the alternating current and the direct current. You will please forgive me, Sir, if I relate some sad experiences of my own in this connection. In Benares we have an electric company that produces alternating current and has the monopoly of supplying electricity to the town. Every few days we have a tragic death. Men, women and children have died because of shocks of electricity. When the Honourable Sir Frank Noyce was in charge of this Department—and it will be long before Members of this House can forget his genial presence—I mentioned this matter to him. He got me an interview with Sir James Pitkeathley who was quite sympathetic towards my point of view. I pressed upon him the desirability of making alternating current illegal so far as domestic supply went. He admitted that alternating current was certainly more dangerous than direct current ; and in the conditions of our life in India, it became particularly dangerous because men and women besides being ignorant, usually go about bare-foot in their houses and most of our houses have always water on the floor. But then he said that I had better go to my own Provincial Government in this connection. I went to my own Government and corresponded with Sir Joseph Clay who was in charge of the Department of Electricity. I wrote to him of many deaths that had taken place. I am sorry to say here that during the last week a little child, a relative of mine, has also died because of an electric shock ; and, therefore, my heart is particularly full today and sore on this subject. Sir Joseph Clay, when unable to answer the arguments that I put forward, came out with the plea that there are motor-car accidents, but no one suggested that there should be no motor-cars ? I retorted saying there are very few officials killed by bombs, then why should we have special laws to prevent people from throwing bombs at them. Sir, when some wretched and may be vicious official is killed in some corner of this country, there is a big howl ; but when poor women and children die there is no ripple on the surface of the waters. At last, unable to proceed with me further, he said that I had better go to the Government of India because that is their Department. I wrote to Sir Frank Noyce saying : “ You send me here, but they send me back to you : where am I to go ? ”. It was like the case of Trisanku who was referred to yesterday, and I was left in mid-air ; and there the matter rested.

The other day I happened to meet by the sheerest accident Sir William Stampe, who is the electrical expert in my Province.—and they are all Knights and none of them are Days. He is a dear old gentleman and he was very nice to me. Although he also agreed that the alternating current was more dangerous than the direct current, he felt that he was helpless in the matter ; and curiously enough, as the minds of all these officials work alike, he also trotted out the motor-car parable ; and I too had the same reply ready ! I feel, therefore, that these matters are not being dealt with properly. My simple plea was and is, not that the alternating current should be abolished but that for domestic purposes the alternating current should be made illegal. Where experts deal with electricity, let them have alternating current. I understand that is more powerful and for industrial purposes indispensable. I have of course no objection to alternating current being used for these purposes, because experts deal with the matter there ; and, as in all professions, so in this, persons engaged in it must undergo the

risks of their profession; and if they run the risk of electric shocks, there is no help. But why should men, women and children, ignorant of the lurking danger in these innocent-looking wires, be penalized because they do not know what these contain? And the funny thing is this that wherever there is a danger to such lives as this Government regards as supremely valuable, there they take care to have D. C. In Calcutta, they have D. C., in New Delhi they have D. C., in Allahabad they have D. C., in Lucknow they have D. C.; and where there was 220 A. C., as for instance at Naini Tal, there they transformed it to 110 A. C. which makes it equal to D. C., in order to remove all danger of the Governor and his wife and children dying. Sir, I think this is bordering on the scandalous. In Benares they have A. C., but in cities where such persons live who are not as ignorant as we are and who understand these things, they have every precaution taken to protect their lives for ever. In New Delhi they have not only the D. C., but a three points system whereby every electric connection is earthed, so that you may not have any shock at all.

I am not only talking from the experience of others; I myself have been the victim of both types of shocks. When I referred this matter to Mr. Clow, who was assisting Sir Frank Noyce, he said to me: "Why did you sample these things?" I said I was an unwilling sampler; I did not mean to get the sample but I got it all the same. I fear I could not make much headway with Mr. Clow either in this matter. Sir, I have experience of both. Collecting the wires of a table fan one day at Allahabad, I got a shock. The result was that I was thrown off. D. C. throws you off; it does not kill you. But the A. C. has a paralytic effect which is recognized by those who know this subject. In Benares when the electricity first came there, and I had just got only a temporary connection in my own house, a live plug got attached to my hand. This was in the year 1931 and I still bear the mark on my thumb: not that it matters to anybody except to myself, but there it is. I was certainly within 20 seconds of death because this wretched plug would not come off and I did not know what was happening as my hand went up and down. Luckily, something happened and the plug got detached. Honourable Members may treat the matter with amusement; but at that time it was not very amusing. The hurt that you get by electricity is something very different from the ordinary burns. I have had many burns in my own life; and I believe every one here who has been a normal child must have had them in his time also, but the burn which you get from electricity is a most peculiar sort of burn like the Dum Dum bullet of which I had no experience but of which I have read the description. It penetrates inside and bursts. Besides, it takes a long time to heal. If you feel that the lives of those who are not drawing salaries from Government have also to be preserved; and if you feel that it is worth-while preserving the lives of those of us who are mere taxpayers and have happened to come into this world whether we liked it or not; then I think you should have some provision so that these scandals may not be repeated. It may be that many persons may be feeling that we are too many in this world and that a few lakhs less of us will not very much matter. I also feel that if the population of our country went down by a few crores, it would not matter. But other ways should be adopted for putting down the population; and I understand scientists have their prescription in that behalf as well. But for Heaven's sake do not kill us by electric shocks and in ways that make these incidents so very tragic. When a man loses his grown-up son as a friend did in Benares—an

[Mr. Sri Prakasa.]

Engineer lost his son of about 19 years of age—and if a mother loses a little child of which she was very fond, then the situation becomes very dangerous and exceedingly undesirable.

I, therefore, think, that we should lodge our protest against the regulations that have so long been framed and the manner in which they have been framed ; and we should throw out this Bill and thus force the Government to bring before us a measure after taking the whole subject into consideration and making such provisions therein as would be helpful to the people at large. I do not like to exaggerate matters ; and I assure the Honourable Member opposite that whatever I have said is true to fact ; and that it is a matter which requires his immediate attention. I hope that when we lodge our protest against the way these things have been done in the past by throwing out this Bill, the attention of the Government will be more forcibly drawn towards the matter than in any other way. I hope I have made my position quite clear and I also hope that by facts and arguments I have convinced the House that it is exceedingly necessary to give a shock to the Government and pull them out of their self-complacency and force them to look into these matters in a more reasonable and sympathetic manner. Government sitting here on the top, members of which are well-paid and who are supplied with decent accommodation in healthy places, cannot realise, even if they care to realise, the constant danger through which the lives of most of us, who are not favoured by fortune, pass. If the Government would think not of only itself, not of its own safety, not of its own perpetuity, not of the comfort of those only who have begged them to be taken into their service ; but also of those who pay for their upkeep, then we may hope for a better day. Till then the voice from this side must always be ' No ', ' No ', ' No ', to anything and everything that they may care to say or do.

Qazi Muhammad Ahmad Kazmi (Meerut Division : Muhammadan Rural) : Sir, I stand to oppose this Bill as I am opposed to the very principles on which the rules that are under the contemplation of the House were framed. The Boilers and the Electricity Acts were taken up for purposes of these rules just at the time when the provincial autonomy was to be inaugurated in India and the purpose that was claimed for these rules was that there must be co-ordination between different provinces and so there must be a Central Board. Up till then, the Governor General had been carrying on this work but after the introduction of the provincial autonomy it was considered to be necessary that some authority other than the Governor General should be in charge of this. My contention is that it is not for us to supervise and guide the Local Councils. If there is any difficulty in the standardization or of co-ordination between several Provincial Governments, it must be left to them to co-ordinate amongst themselves and to make a common rule which may govern all of them for their own facility and for their own work. It is not for the Central Legislature to give orders even on subjects in which the provinces have got full power and authority. It is from this point of view that I am speaking against this Bill. It was probably due to some omission or some slip at that time that the present difficulty has come up and for that reason the matter has again come up before the House, and the House has again got the opportunity of considering whether it is proper for us at this time when provincial autonomy is in full force

to try to regulate and impose upon them rules and regulations that were made by the Governor General some time back and hand over the old legacy to the new Governments and legislate today that those very old rules should be handed over to the Central Board who must carry on those old rules in the old way. If they have formed a Central Board, it is for the Central Board to reconsider the situation. It is not shown that there is no necessity for overhauling all the rules as they stand today, on the other hand just as has been pointed out by Mr. Sri Prakasa the question of A. C. and D. C. has been agitating the mind of the public for a considerably long time and nobody has cared to come to any conclusion about the alteration of the rules in that respect. If we throw out the present Bill, the result will be that the Board will have an opportunity at least of overhauling all the rules and regulations that are in existence and will not merely copy out from the old rules that were made at a time when there was absolutely no representative voice of the people who are affected by these rules and then we may have a better set of rules that may be available for the public at large. For this reason, I oppose this motion.

The Honourable Sir Thomas Stewart : Sir, I will, if I may, deal one by one with the different types of criticisms that have been offered. In the first place, I have been blamed that experts have not been consulted in this matter. That, Sir, is a claim that I propose to dispute. If it were a technical matter I could easily imagine that we would consult electrical experts like Mr. B. Das, but the problem before us happens to be a constitutional one and I cannot see in any way that consultation with the most eminent electrical experts, not only in India but in the world, would have helped us one step towards the solution of the problem with which we are faced. I am talking of the more immediate problem, that is to say, this particular amendment which makes certain the existence of a very large body of rules whose legality at the present moment is doubtful. But let us go still further into the past. The problem before April was how best we could carry out the transfer of power from the Centre to the Provinces. It was a question of transferring power from one Government to a series of Governments—I mean political power, not electrical power, lest Mr. Das suggests again that we should call in electrical experts. When we took the action that we did in the last Legislative Session, it was done in consultation with the experts, that is to say, the Governments who were faced with the problem in its other aspect.

Mr. B. Das : Political power.

The Honourable Sir Thomas Stewart : Another criticism from Mr. Ananthasayanam Ayyangar is that, recklessly, we have divested ourselves of power and incidentally have divested this Honourable House of powers of interpellation and criticism. Now, Sir, that is not really so. I think perhaps a little confusion has been caused by the name of the Central Electricity Board, a very much better name for it would have been Provincial Electricity Board.

Prof. N. G. Ranga : Inter-provincial Board.

The Honourable Sir Thomas Stewart : I accept the correction. If the problem was to divest ourselves of power, perhaps the simplest way of doing it would have been to go to each Province and say, 'here is

[Sir Thomas Stewart.]

your slice of power ' to the other, ' here is your slice ' and divide it all up and to say to all of them, ' now make your own arrangements '. But the Provinces were wise. They realised that the result of their making their own arrangements would probably be confusion, inconvenience and sheer impossibility for people who are interested in electricity whether in its use, consumption or production.

Mr. M. Ananthasayanam Ayyangar : Is there any single authority now to control this Board ?

The Honourable Sir Thomas Stewart : This Board has its constitution under the Act.

Mr. M. Ananthasayanam Ayyangar : Nobody can check it.

The Honourable Sir Thomas Stewart : No ; except that individuals are working to the mandates of the particular Governments which nominate them. They are not irresponsible representatives. They are the representatives of Governments and presumably have a mandate of those Governments. But that argument has been countered to a certain extent by the remarks of Qazi Muhammad Ahmad Kazmi, who takes up a different position. He does not blame us because we have given away the power, but he blames us because we have not given away enough. He would say, do not do anything but leave it to the Local Governments. In the meantime what is going to happen ? He suggests that we reject this Bill, but the result would be that absolute chaos would ensue. He suggests that we leave it to the Central Board to review the body of rules. Has he any idea of what the body of rules is ? I very confidently predict that it would take three, four or even five years to review those rules. What we have done is this. Without interfering in any way with the discretion and power of the Central Board to amend the rules in any way it likes, we have given it a working instrument to go on with. We have prevented sheer chaos.

Mr. Sri Prakasa : Is there chaos just now when the powers are not transferred ?

The Honourable Sir Thomas Stewart : I confess it is in doubt whether there has been effective transfer of power. I have come before you today so that you might resolve that doubt and make it quite certain that those powers have been conferred and that what was done in the past will have a continued existence.

There were also criticisms even in respect of the merits of the rules that at present exist. In view of the circumstances related by Mr. Sri Prakasa I can understand why he should feel so strongly in the matter. I say I understand entirely why he should feel so strongly in the matter and it is with no idea of evading the issue that I say that it is not I that am responsible now. This Bill has arisen because of the fact that the Government of India are no longer responsible for these rules. The responsibility has gone from us and it is because of that transfer.....

Mr. Sri Prakasa : Are not the Government of India responsible for the deaths so far.

The Honourable Sir Thomas Stewart : I said that I do not wish to evade the issue at all. But I was pointing out that at the present

moment this is perhaps not the proper forum in which to ventilate the grievances howevermuch I sympathise with you and your grievances. That is my technical defence. I am not the responsible person now by reason of the transfer of power and your proper forum is elsewhere. But I will say for the information of this House that I am informed that the particular issue which has been raised by Mr. Sri Prakasa was the subject of a very careful enquiry at a very recent date, a few months ago, and all the experts, who were consulted while agreeing that there was a greater degree of danger in alternating current than in direct current, said it was not in the circumstances of India a practical proposition to give effect to what Mr. Sri Prakasa wants.

Mr. Sri Prakasa : Did these experts get both types of shocks ?

The Honourable Sir Thomas Stewart : I am afraid I am not an expert.

Mr. Sri Prakasa : I am an expert in both and I will tell you.....

The Honourable Sir Thomas Stewart : I am not giving way.

Mr. Deputy President (Mr. Akhil Chandra Datta) : The Honourable Member is not giving way.

Mr. Sri Prakasa : The Honourable Member should give way. If he does not give way he would lose his Bill. That is not the way to pilot a Bill. The Honourable Member is new to the work.

The Honourable Sir Thomas Stewart : It has been suggested that this occasion should be taken to reject this Bill entirely. I ask Honourable Members to consider what the consequence of this proposal is. Mr. Sri Prakasa has protested against a certain rule which makes life dangerous. If you remove all rules entirely what is the situation going to be ? It is going to make it impossible for any electricity company in this country to operate. Is it a serious suggestion that has been made ? I trust, Sir, it is not.

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

“ That the Bill to provide for the continuance in force of certain rules and regulations be taken into consideration.”

The motion was adopted.

Clauses 1 and 2 were added to the Bill.

The Title and the Preamble were added to the Bill.

The Honourable Sir Thomas Stewart : Sir, I move :

“ That the Bill be passed.”

Mr. Sri Prakasa : Sir, in spite of the smiles of my Honourable friends who really ought to know better, I must lodge my protest against this Bill once more. I have already explained to the House what risks we are running when these regulations are in force ; and now the matter has become really more dangerous because the Government of India can come forward and say, “ We are no more responsible, other people are responsible ”. These good men have made these regulations ; they have transferred these regulations wholesale to the provinces ; and they tell us, “ Go there ”. They are responsible for having begotten this monster and now they say, when the monster is functioning, “ Go to your own

[Mr. Sri Prakasa.]

provinces, we have transferred the monster there". Is that the way in which we are to be dealt with in this House? And I am really surprised how this Government is getting support from all sides of the House in the passage of this nefarious Bill. I have explained to you, Sir,—and here I am serious; whatever opinion people in this House may have about me (Laughter) in this matter, I am perfectly serious,—that the lives of our people, men, women and children are in danger as long as these regulations or at least many of them continue in force. There must be some forum where we can lodge our protest against the continuance of these rules. It is a most amazing thing that when a Bill is presented to this House after it has gone through the stages of the Select Committee, the Bill cannot be discussed till a week has passed after that. Twelve or thirteen men have put their brains to a Bill, have hammered it into shape. It is then presented to this House, and the rules say that it must lie on the table for at least a week before it can be taken into consideration. The Law Member had to come forward to get the Standing Orders suspended in order that he may get his Insurance Bill taken up five days after he had presented it, instead of seven. But when Bills, like the one we are discussing today, are suddenly presented, evidently they can be taken up at once; and they pass all the stages in the twinkling of an eye.

Sir, the misfortune is that as matters stand, only such persons can get elected to the Legislative Assemblies as are rather vocal like myself; and persons who are actually suffering, who are under the iron heels of the legislation that we complacently and carelessly pass in this House,—they are nowhere to be seen. If a little child who has suffered an electric shock were to stand, his nomination would be rejected because he is a minor. If a woman who had suffered from electric shock came and stood for election to the Assembly, saying that she would like to ventilate her grievances about electricity in the House, then some disqualification will be found to invalidate her nomination. But we all come here, high and mighty folk, because we can talk and because we do not suffer and because we do not know anything. We only know the intricacies of law in which we delight, in which we revel, and which, unfortunately, is the profession of most of us. But persons really suffering and really concerned with these Acts are persons whose voice can never be heard. It is on behalf of those, Sir, and not on behalf of the world of lawyers that I lodge my protest against this Bill. I would once more like to draw the attention of this House to such Regulations that are still in force which endanger life,—not make life dangerous, as my friend put it,—and unless the House makes certain amendments to those particular Regulations which endanger life and sees to it that they are not only not transferred to the provinces but are repealed and obliterated from the Statute-book, this Bill cannot have my approval, however humble I may be. Sir, I shall always be, as I am today, opposed to the passage of this Bill, because I am opposed to the very principle on which this Bill is based. My voice may be merely a solitary voice in the wilderness: still it must and shall be raised.

Mr. B. Das : Sir, if I rise now, it is because to rebut certain statements which the Honourable the Member for Industries made which he ought not to have made. He stated that political aspect was involved in

this Bill. Sir, when I spoke I was not speaking as a politician, but I was speaking as a technical.....

The Honourable Sir Thomas Stewart : Sir, on a point of personal explanation. I am afraid that my friend, Mr. Das, has entirely misunderstood my use of the word 'political'. I did not mean it in connection with and party politics or Congress politics or Government politics. When I used the word 'political', I used it as qualifying the word 'power' and in distinction to electrical, physical power. There was nothing sinister about my use of the word 'politics' with regard to Mr. Das. I trust he will accept this explanation.

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

Mr. B. Das : I understood my Honourable friend quite correctly. I registered the protest of the electricity trade, I registered the protest of large manufacturing industries in India, against the manner in which the Government had in such indecent haste formed the Central Electricity and the Central Boiler Board, and that such action was not conducive to the development of industries in India or to the safety of the public as had been represented so vehemently and so rightly by my friend, Mr. Sri Prakasa. The Honourable Sir Thomas Stewart is in charge of electricity and other technical subjects, and he says : 'I wash my hands off, you go to the Provinces' ; but, Sir, up to the year 1937 the Provincial Governments were treated as orphan and minors. They were not allowed to possess technical knowledge of the administration of Electricity and Boiler Acts, and today you tell us : 'Go to your Provinces', 'the future rules will be drafted by representatives who will represent the Provinces in the Central Electricity or the Boiler Boards'. Sir, does not the Government of India, I ask, have charge of the centrally administered areas like Delhi, Baluchistan, Ajmer-Merwara, Bangalore and other places ? The Government of India are responsible and are primarily concerned with the safety of the public and the proper running of the industries so that the industries may run cheaply, and not be troubled by rules wrongly framed and wrongly designed by wrong advisers of Provincial Governments. Therefore, I again repeat that the Government of India have done the greatest wrong in forming these Boards, and in not having representatives of manufacturers, of electric supply companies in India on those Boards, and leaving it to political advisers and political representatives of Provincial Governments. I ask again as a Member of this House, how is he going to discharge his functions as Industries Member as regards his obligations to the centrally administered areas ? Sir, with these observations, I still oppose the Bill, and I would again ask the Honourable Member in charge to reconsider this matter and amend this measure in such a manner that we may have properly constituted Electricity and Boiler Boards, otherwise he will hear more offensive remarks than those made by my friend, Mr. Sri Prakasa.

Mr. Muhammad Azhar Ali : Sir, the point that the opposition was making on this Bill is that the Government of India had the charge of all these Rules and Regulations and Acts so far. Now, if the Government of India, which is in charge of all the centrally administered areas, give a lead and set an example by amending the former Acts and Rules, they will be conferring a great benefit on the provinces, because the provinces will follow those rules, otherwise, it is quite possible, as the Honour-

[Mr. Muhammad Azhar Ali.]

able Member is aware, the Provincial Governments have not had much experience in these matters as the Government of India have had. Therefore, our submission is that the Government of India should set an example in amending these rules, which will save a great deal of trouble to the provinces. It would also be possible for the Provincial Governments to benefit by the results of the inquiries which the Government of India have so far made in these matters. My friend said that he would like to oppose this Bill; we might have opposed it, but we take it that the suggestion made by this side has been taken in a friendly spirit by the Government and that they will meet our wishes.

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

“ That the Bill be passed.”

The motion was adopted.

THE FEDERAL COURT BILL.

Mr. R. F. Mudie (Government of India : Nominated Official) : Sir, I move :

“ That the Bill to empower the Federal Court to make rules for regulating the service of processes issued by the Court be taken into consideration.”

I hope I shall be able to prove to Honourable Members that this is entirely a non-controversial Bill,—in fact, I hope, in Mr. Sri Prakasa's words, that it will be passed in the twinkling of an eye. As Honourable Members are aware, the Federal Court will be set up on the 1st of October this year and, under section 210 of the new Government of India Act, the Court will be empowered to make “ any order for the purpose of securing the attendance of any person or the production of any documents ” ; that is to say, the Federal Court will have power to summon any person to appear before it. The only question is the machinery by which these persons will be summoned. The Federal Court might either employ its own staff of process servers, or it might have its summons served through the High Courts. I understand that at present when a process of one High Court has to be served in the area of another High Court, then the machinery of that other Court is used for the service of the process. That is the system which it is proposed to extend to the Federal Court. The Federal Court will not have its own process serving because that would be wasteful. It is proposed that it should serve its processes through the machinery of High Courts. As explained in the Statement of Objects and Reasons appended to the Bill, this Bill is brought forward under section 215 of the Government of India Act which gives power to Federal Legislature to confer upon the Federal Court “ such supplemental powers as are necessary for the more efficient exercise of its jurisdiction ”. This is merely a matter of providing machinery for the service of summons. Sir, I move.

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

“ That the Bill to empower the Federal Court to make rules for regulating the service of processes issued by the Court be taken into consideration.”

MOTION FOR ADJOURNMENT.

HUNGER-STRIKE OF POLITICAL PRISONERS IN THE ANDAMANS.

Mr. S. Satyamurti (Madras City : Non-Muhammadan Urban) : I
4 P.M. beg to move :

“ That the Assembly do now adjourn.”

I shall be very brief, Sir, because I want a straight vote of this House on this motion, so that our voice may reach these hunger strikers in the Andamans and persuade them, whatever Government may or may not do, to give up this hunger strike on the assurance that we are doing our best by them. Telegrams have gone to them already, but I hope, Sir, this vote of ours will go to them tonight, and if any of them has, unfortunately, fallen a victim of this hunger strike already, I pray that at least the other lives may be saved. I should like the Honourable the Home Secretary to give us the latest information, with regard to these hunger strikers. I do not want to discuss the merits or demerits of a hunger strike ; but I want to mention only this, that when a man resorts to a hunger strike, he stakes his life on it, and, therefore, it is not a light-hearted matter ; and I am not prepared to merely argue about it sitting in our comfortable chairs. I want also to mention, Mr. President, to this Honourable House that this hunger strike has been resorted to, *inter alia*, for the repatriation of these prisoners to their provinces. This demand had been continually put forward before this Government, even before the last tragic hunger strike which ended in three tragic deaths, and the Government cannot say that they have been taken by surprise. I quite agree, that in a democratic country where the ballot box is the supreme sovereign authority, a hunger strike may be argued against, but in our country the ballot box is not yet supreme. But, even in countries where the ballot box is supreme, there are hunger strikers who are released, who are honoured, who become afterwards rulers of the very country whose Government imprisoned them and compelled them to resort to a hunger strike. I should like very much that this motion had been moved by my Honourable and esteemed friend, Mr. Mohan Lal Saksena, to whose disinterested and continuous work on behalf of these people I should like to pay my humble tribute of respect and gratitude ; but being where I am, I have read, and I am sure every Honourable Member has read, the correspondence between him and His Excellency the Viceroy. I am free to state that I see a human touch in the Viceroy's reply to Mr. Mohan Lal Saksena, but the touch, I regret to say, is not human enough. What does he say towards the end of that letter ?

“ Were the Government to give way, the gain would be illusory and momentary
.....”

Would it be illusory and momentary to save 200 lives ?

Mr. Akhil Chandra Datta (Chittagong and Rajshahi Divisions : Non-Muhammadan Rural) : They are now 700.

Mr. S. Satyamurti : My Honourable friend, the Deputy President, says it is 700.

“the device of hunger-strike would be established as one to be adopted on any occasion.”

I wish to remind his Lordship, if I may do so, that life is larger than logic. There is no use imagining that, because you yield on a certain

[Mr. S. Satyamurti.]

occasion—remember—it is a hunger strike, we do not like to miss even a single meal. To suggest that if you yield on a matter like this, hunger strikes will become fashionable, does not show a sense of realism. I submit that this matter should be treated in a more human and a more generous spirit. After all, in other countries, one knows that people who were treated as rebels, who were confined to jails, have now become rulers in almost every European country. It is so, and these gentlemen on the Treasury Benches may have to shake hands with them. Even today what is happening in many provinces? Men who were prisoners, guests in His Majesty's Jails, are now Prime Ministers and Ministers. Therefore, let them not treat this thing, as if it is a matter to be ignored or to be treated lightly. I want to say this, Mr. President. The gravamen of my motion is "the callous attitude of the Government", and I want to invite the attention of the House to this answer given in this House.

"Adequate arrangements were made for funerals of hunger strikers if necessity arose."

An Honourable Member : Shame !

Mr. S. Satyamurti : Surely, Mr. President, may I put this question to my friends? If 700 Englishmen or Scotchmen were hunger striking in Dartmoor, would any Home Secretary survive even a trice, if he exhibited before them arrangements for their funerals? I suggest, either your hearts are not there or are in the wrong place. I suggest that, as Mr. Subhash Chandra Bose has pointed out, as Mr. Mohan Lal Saksena has pointed out, there is a real change of heart in these prisoners. To constantly call them terrorists, and say there is no possibility of dealing with them shows a lack of imagination and a lack of touch with reality. There is one force in India today, you may not recognise it, Mahatma Gandhi. His stand for peace and non-violence has converted these people. What is your response to it? I suggest that we must respond to these young, high spirited people and convert them to right ways of conduct in public life. And whatever you may say, let me say, as a Hindu and as an Indian, that those who sacrifice for great causes will always be respected in my country!

"Na Karnanā Na prajaya Dhanāna tyagānaipē Amritatavanaguh!"

That is the Upanishad doctrine, and, therefore, whatever may happen, if there are deaths among these prisoners, I warn the Government of the trail of anger and misunderstanding which will be roused in this country.

Then I want to raise only one point. I have read this Government of India Act. It is a very complicated Act. I have tried to look at these Orders in Council, a very big volume. May I ask my Honourable friend the Law Member or anybody else, what is the authority under which the Government of India today keep these prisoners in the Andamans? And even if you have some authority, why should you keep them? Law and order, you say, are transferred to provinces. It is their job. You do not want to interfere with the discretion of the democratic Provincial Governments. If these subjects are really transferred, it is for them to deal with them. I object, as a taxpayer, as a Member of this House, to this Government of India trying to act as jailors for the provinces. I should like to know why they are keeping these prisoners. My submission is this, that, in view of the Provincial Autonomy which you trumpet forth day

after day, in view of the transfer of law and order, in view of the power vested in Local Governments under the Criminal Procedure Code, of remitting unexpired sentences of any prisoner,—I say—you have no moral or legal right to come into the picture and say, we will keep them. My demand is, repatriate them to the provinces. Let them be among familiar surroundings. I will say nothing about the Andamans excepting this. As against Sir Henry Craik's picture of a "Paradise", my Honourable friend, Raizada Hans Raj, who uses his words very carefully, calls it "a hell on earth". Therefore, do not send them to paradise or hell, but send them to their own provinces, be they paradise, or be they hell. That is the main demand of this adjournment motion, and I suggest that if the Government are going to take an adamant attitude on this matter and are not going to listen to the voice of our people, including Dr. Rabindra Nath Tagore, Mahatma Gandhi, the Congress and many others, who have appealed to them to take a generous view of this matter, they will be responsible for any casualties that may happen among these hunger strikers. No amount of legal doctrine, no amount of quibbling will acquit you of the responsibility, the serious responsibility that will lie upon you. Why do you imagine that you are more interested in the peace and well-being of this country than we are? Our forefathers were born here. They lived and died here. We have got to live and die here, and our children and children's children will live and die here. When we tell you, repatriate them, deal with them humanly and generously, who are you to come in and say, we will not? I do hope that every right-minded Member of this House, every man whose heart is in the right place, will give a solid vote in favour of this motion censuring this Government, and tell these young men that they must give up the hunger strike and save themselves, in the hope that we shall do our best to see that they will soon be free and be able to join the forces which are struggling non-violently, and I hope successfully, for the freedom of the Motherland. Sir, I move. (Applause from the Opposition Benches.)

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

"That the Assembly do now adjourn."

Mr. S. N. Roy (Government of India : Nominated Official) : I realise that this subject engages the emotions and sympathies of a large section of the House, and I, therefore, do not propose to say anything which is likely to add to the acerbity of debate, but I do want to submit that because it engages our emotions and our sympathies to such a large extent, this House, as a responsible House, should look at the matter from a dispassionate standpoint, and, before they actually vote on this motion, consider the consequences that are likely to result from any decision which they take here this evening. The only reason why I have ventured to intervene in a debate belonging to a department with which I severed my connection some time ago is because this motion affects Bengal and 80 per cent. of these prisoners in the Andamans are Bengalis. (Interruption.) I want myself to examine this matter from the standpoint of a layman who has some knowledge of the great difficulties that stand in the way of the action which Honourable Members opposite want Government to take. Let me begin by trying to clear up some of the misapprehensions which appear to lie at the bottom of a great deal of the feeling which has been aroused in the country. The other day, Mr. Sri Prakasa, in the course of a reply given to a question, interjected a remark

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which indicated that he is under the impression that the prisoners in the Andamans are person detained without trial. (*Cries of "No, no."*) Let me assure him that that is not the case.

Mr. S. Satyamurti : You cannot kill even convicted criminals.

Mr. S. N. Roy : Let me finish the point I want to make. That impression, if it exists, is wholly unfounded. Then, these prisoners have often been described as "political prisoners". Let me assure Honourable Members that these persons have not been convicted for opinions adverse to Government, which amounts to a crime under the Indian Penal Code. These prisoners in the Andamans, each one of them, have been convicted by an ordinary Court after a proper trial. They are all of them either convicted for murder or dacoity or attempt at murder or attempt at dacoity or for unlawful possession of arms, with the intent to commit crime.

Mr. Sri Prakasa (Allahabad and Jhansi Divisions : Non-Muhamadan Rural) : Why are they not with other murderers in their own province ?

Mr. S. N. Roy : I shall presently come to that. Criticisms have been levelled at Government which seem to indicate that the Bengal Government and the Central Government have been vindictive about sending these prisoners to the Andamans. Let me refer for a moment to the history of this matter. The House will remember that it was on the 18th April, 1930, that the raid on the Armoury at Chittagong took place and it was followed immediately by an outbreak of terrorist crime. It was not until the end of 1932, more than a year and a half later, that the Bengal Government, in consultation with the Central Government, decided that prisoners convicted of these violent crimes should be sent to the Andamans. I submit that this is not evidence of the fact that either the Local Government or the Central Government were in any sense inclined to be vindictive in this matter. Their hands were forced and let me explain how it was that their hands were forced. It was not a case that they sent them to the Andamans from the very beginning. It was as a result of bitter experience spread over 18 months that they were forced to do it. It was found that these persons in the jails in Bengal were communicating with the terrorist organisations outside. Time and again evidence came into the hands of Government to that effect. Again for reasons into which I need not enter at the moment these convicted persons regarded themselves more or less as heroes. In the jail they refused to submit to any kind of discipline. I am not one of those who say that there is never an occasion for a strike, that Government are always right and prisoners are always in the wrong, but I do contend that when the Press and opinion outside is such that every time there is a strike in the jail they immediately assume that Government are in wrong and the prisoners are in the right, when every such occasion is used as an occasion for anti-Government agitation, then it becomes impossible to maintain jail discipline. But it was not merely that they themselves would not subject themselves to jail discipline. Their conduct and their views had a very bad effect on the other types of prisoners and, as I said before, public sympathy, as exhibited in the Press and in the expressed views of a certain party, made the administrative work of Government extremely difficult, if not impossible. Those were the reasons why these prisoners were eventually

sent to the Andamans. But when the Bengal Government approached the Government of India for permission to send them to the Andamans, even then the Government of India made two conditions. One was that no one who had not been convicted for a term of more than five years should be sent there, and the second was that no one who was not passed by a medical board as medically fit should go there. Therefore, so far as the Central Government are concerned, having this administrative difficulty before them, they tried to set down the safeguards in the interests of these prisoners themselves. Actually although five years was the limit, I can say from my own experience that parents and guardians have often approached Government on behalf of their sons or wards who had been sentenced to more than five years, and if their conduct in jail was found satisfactory despite the fact that they were medically fit to be transported, they were kept back in Bengal. The sole object of the Local Government was to make the conditions such that it was possible for jail discipline to be maintained. Well, Sir, Honourable Members opposite might say that this was in 1932, and that conditions have now changed. My friend, Mr. Satyamurti, used words to the effect that there had been a change of heart, that conditions had changed since. As I say, I have not been connected with this work myself for the last eighteen months, but I have followed the trend of events in the Press in the way that most people do and I personally—and if Honourable Members have other evidence to produce, I have no doubt that they will do so in the course of this debate—but I personally am not satisfied that there has been a real change of spirit amongst these people. (Interruptions.) Now, I suggest that the present hunger-strike which has been continuing in spite of the appeals made to them from various parties, in spite of the appeal made to them by the Congress Working Committee itself, that the continuance of that strike in those circumstances is an indication in support of my contention. Now, Sir, that is as far as these prisoners are concerned. What about public opinion in Bengal? So far as that is concerned, I am perfectly aware that in the Press there has been a strong agitation for their repatriation; but when we have a constitution based on a wide franchise, when we have a Ministry dependent on the majority in a popularly-elected Legislature, I submit that Government must accept the vote of that House as indicating the wishes of the people. If that argument is conceded, then I say that, so far as Bengal is concerned, there has been a definite vote against the repatriation of these prisoners. The Ministers have faced the House, if I recollect aright, on two occasions in connection firstly with a resolution and again in connection with a motion for adjournment of the House advocating repatriation. Both the motions were defeated by large majorities.

Now, Sir, I do want to appeal to the House that this is not a matter which ought to be decided by means of an adjournment motion. There are tremendous practical difficulties connected with it. I want Members who have come from Bengal to look back and to think over the years of anarchy through which Bengal passed, and I suggest to the House that it is not right that they should try to force the hands of a Ministry which is trying to do the best in carrying on the administration in a peaceful and orderly manner. (Interruptions.) Sir, I would only add one word more, and that is that, as far as I know, the Home Minister

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in Bengal has given an assurance that Government would first bring back the detenus who are incarcerated outside the province into the province and, thereafter, if conditions are favourable, he would consider the repatriation of these prisoners in the Andamans. (*Some Honourable Members* : "After their deaths.") I appeal to the House not to make the position of Ministers in Bengal more difficult, and I suggest to them that the assurance which the Home Minister has given in Bengal goes as far as is possible for any responsible Minister to do in present conditions. (Loud Applause from the Official Benches.)

Maulvi Syed Murtuza Sahib Bahadur (South Madras : Muhammadan) : Sir, you are aware and the House is also aware of the fact that I generally do not speak on every occasion, but on such a momentous question like this I cannot but make a speech. Sir, about thirteen years ago, that is, during the term of the Second Assembly, a delegation was sent to the Andaman Islands consisting of four persons including myself. The then representative of Malabar, Khan Bahadur Mahmud Schamnad, Mr. Abbas Ali Khan, Barrister-at-Law, the present Chief Presidency Magistrate of Madras, a Parsi doctor of Calicut, and myself formed the members of the delegation. We had then a very sympathetic Home Member in the person of our late-lamented friend, Sir Alexander Muddiman, whom we approached bringing to his notice the dire condition of our Moplah brethren and their families there. He was very much moved. But he said that the report which he was receiving from the Chief Commissioner of the Islands was quite otherwise. Then when we pressed the question upon him, he was pleased to send this delegation. In that connection I may mention this fact that not only the prisoners under martial law were sent to the Andaman Islands, but their families also were sent over there on the plea that the prisoners would enjoy home life there with their families. When we went over there, and saw their condition with our own eyes, we were obliged to shed our tears. So much moved were we. In this connection I may inform the House through you, Sir, that I quite concur with my Honourable friend, Raizada Hans Raj, when he says that the so-called heaven is in reality a hell on earth. (Loud Applause.) Sir, we were there for about a week, and though we were not convicts, we were *de facto* prisoners, and then what was the conditions which we witnessed there ? The majority of the prisoners including the members of their families were suffering from enlargement of spleen and many of them had met with death. We drew up a majority report consisting of three members, and the only member that dissented from us was the Parsi doctor belonging to Bombay and practising in Calicut. But what was the result ? Though three of us submitted a joint report and only one was dissentient, yet our report was totally ignored, but on the other hand the report of the Parsi doctor was accepted because the latter was to the taste of the Government.

Sir, if my Honourable friend, Mr. S. N. Roy, had the occasion to go through that report, he would have been very much satisfied as to what conclusion we had then come to. We had then reported that all the prisoners there should be repatriated to their respective Provinces and that the Andamans Island should no more be treated as a fit place where prisoners might be sent. But the result is known to all. That is, why I said that because we do not enjoy freedom we do not have any

voice in the administration, the Government does everything as it likes and we are being ignored in each and every matter.

As regards the present question, Mr. Roy just now said : " Oh, a party seems to be interested in these hunger strikers." I want to tell him that every Indian, whoever he may be, is very keenly interested in this question. There might be one or two, the unsympathetic Mussalmans of Bengal, who may not attach any importance to this question. They may say : " Oh, this hunger strike question does not concern us and we do not pay much regard to it." But the whole of India is sympathising with the hunger strikers. As has been rightly pointed out by the Mover of this motion, my Honourable friend, Mr. Satyamurti, about 700 lives are in danger, and we know that the key of the situation is in the hands of the Government of India and not in those of the Bengal Government though they may say that it is the Bengal Government which is responsible in this case. But I maintain that the key of the situation lies in the hands of the Government of India. Nay the lock and key, as has been rightly observed by my Honourable friend, Mr. Sri Prakasa, are in the hands of the Government of India. There is a Persian couplet which has just come to my memory. It runs thus :

*" Ba her rangai koi khaki jama mai poshi
Mun andasai qadat ra mi shinasam."*

" Whatever attire you (the Government of India) may put on, we know from your stature who you are."

Before I conclude, Sir, I have to clear one point. This motion, after all, is not totally a censure motion against the Government. It is rather a request made on behalf of all Indians who sympathise with these hunger strikers, so that the Government may kindly see their way to repatriate them and we may be in a position to prevail upon them to give up their hunger strike. If the Government of India do not come forward to grant this mild request of ours, the result will be something disastrous. So, I appeal to all the elected Indian Members to make up their minds to support this motion whole-heartedly.

Sir Muhammad Yakub (Rohilkund and Kumaon Divisions : Muhammadan Rural) : Mr. President, I share the feelings of Mr. Satyamurti when he said that we should adopt measures by which the hunger strikers in the Andamans would give up the strike and their attitude of not obeying the orders. It is a common human weakness, which I also share, every man sympathises with a sufferer and a prisoner howsoever severe his crime and howsoever heinous his offence may have been. It is probably this human weakness which has taken over the press and the public in India. Now that the dawn of responsibility has appeared upon the Congress and they have assumed the reins of Government in the six Provinces in India, I thought that they would not put their own Ministers, in the six Provinces, in a difficult position by encouraging and by helping disorder, and the attitude of disobedience of law, on the part of convicts and prisoners. Mr. President, it was the Congress itself which demanded an assurance from the Provincial Governors, and the Governor General, that they will not interfere with the decision of the popularly elected Ministers, and they did not accept office until that assurance was given to them. Now, Sir, on the one hand, they want that the Government of India, or the Governors, should not interfere with the decision of the Ministers and, on the other hand, they come here and ask the Government of India that they

[(Sir Muhammad Yakub.)]

should flout the decision and trample upon the opinion of the Bengal Ministers and the vote of the Bengal Council. Do I find any consistency in it ?

Sir, in my own Province, the United Provinces, during the short reign of the Congress Ministers Government was obliged to open fire, and the Police were obliged to make lathi charges upon the unruly mob of strikers in Cawnpore. If things like that were to be tolerated and if the public were to demand that the Provincial Governments should surrender to such demands then I do not think the Congress Ministers would be able to carry on the administration of the Provinces, which have been put in their charge, for a day. For example, if the Mussalmans of Orissa were to go on hunger strike and say that they would die because a Mussalman Minister has not been appointed in their province, what will the Ministry in Orissa do ? Will they surrender or will they appoint a Mussalman Minister ?

A Voice from Congress Benches : We will surrender.

Sir Muhammad Yakub : If you will surrender, then you will surrender your Government, you will surrender your conscience and you will surrender all that you demand for the freedom of India. I submit, Sir, that this is the time when the Indians are on their trial, the Congress is on its trial and the British himself is also on his trial, and we have to see in what way we mould our future and show to the world that we are capable of administering the country.

I do not say for a moment that the Andamans is a paradise, and even if it were a paradise, nobody likes the jail life or the life of a prisoner in a paradise. But the simple question is this : should any Government succumb to the threats of the convicts or the prisoners ? If it were left in the hands of the prisoners to choose or select their own place of imprisonment and if the Government were to surrender on questions like these, then again, I repeat, that it would become impossible for the Congress or any other Government to carry on the administration.

Now, Sir, as has already been pointed out by my friend, Mr. S. N. Roy, the Government of Bengal, the Chief Minister of Bengal, and the Home Member of Bengal, have definitely declared and solemnly pledged themselves on the floor of their Assembly, that if these hunger strikers gave up the strike, they will sympathetically consider their cases. After that undertaking, which was given by the Ministers, I do not think that it would be right or proper for this House to censure the Government of India in order to encourage those people who are carrying on the hunger strike. Although we all wish, along with Mr. Satyapuri, that the hunger strike should come to an end, I think the method which my Honourable friends have adopted will have the contrary effect, namely, I am afraid, it will encourage the hunger strikers to continue their hunger strike if they will find that in the Indian Legislative Assembly a vote has been passed censuring the Government of India for not acceding to their demands. It is quite natural. They will be encouraged to continue their hunger strike and the responsibility for the results which will follow will rest on those who are encouraging these people to prolong this hunger strike. I, therefore, humbly submit that in the beginning of and on the morrow of responsible government which has ushered in this country, and at a time when we

are trying to work the new reforms and when we want to show to the world that we can administer our country better than the foreigners, it is up to us that we should take a more moderate and sensible view of things. You cannot govern in a country if you surrender to the wishes of the convicts and prisoners. Therefore, I appeal to Honourable Members again in the name of patriotism, I appeal to them in the name of the freedom of our country, not to make the position of the Indian Ministers difficult and do not ask them to surrender to the unreasonable wishes of the prisoners and culprits. With these remarks, I oppose the motion.

Mr. J. A. Thorne (Home Secretary) : Sir, I very much regret that Honourable Members opposite should have selected this particular motion for discussion. Notices were given of other motions on this subject framed in non-controversial terms and in terms which Government would have had no hesitation in accepting. However, for my part I will studiously avoid uttering one word on this grave subject which might be regarded as tending to encourage heat or factious spirit or controversy.

It will, I think, assist the House if I recite the course of events that led up to the hunger strike. The incidents of course occurred in the cellular jail at Port Blair where there are nearly 300 terrorist convicts confined.

Mr. Sri Prakasa : Question.

Mr. J. A. Thorne : I should once, more make it plain—because Mr. Sri Prakasa still seems not convinced—that these are all convicts. There are no detenus and no state prisoners in the Andamans.

Mr. Sri Prakasa : But how are they terrorists ?

Mr. J. A. Thorne : I do not on this occasion wish to dwell on the offences for which they were convicted. I will only say that these include the gravest that man could commit against man. A great majority of the prisoners belong to Bengal and of all the Provinces Bengal is, therefore, the one which is mainly concerned.

On July 9th, a petition signed by 251 prisoners was presented to the Chief Commissioner. This is the document and as my Honourable friends will see it is of considerable length. The main demands contained in it were for the unconditional release of all detenus and convicted political prisoners and for the repeal of all repressive laws. The only demands that had a direct bearing on the conditions in the cellular jail were for their repatriation and for their uniform classification in a superior class. Now, Sir, I would invite the attention of the House to these demands. These prisoners would not have been satisfied if they had all been classified in 'B', or even in 'A', class. They would not have been satisfied if they had been repatriated to their Provinces. Their demand was for their unconditional release. Even that would not have satisfied them, for their demand was for the unconditional release also of every person confined, whether as detenu or convict, for what are called political offences. Thus, I maintain that this petition was not intended to be one which Government could grant. The plan clearly was that this petition should be rejected. In that petition there was no threat of hunger strike, though the plan must already have been then formed. The petition was presented on the 9th and the earliest date it could reach the Government of India was only on the 20th, a fact which was well-known to these prisoners. Yet on the 18th they

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presented an ultimatum to the Chief Commissioner that, if a reply was not received by the 24th, they would on that date go on hunger strike. This information the Chief Commissioner telegraphed to us and we received his telegram on the same day as we received the petition, that is the 20th July. Government immediately considered the petition and telegraphed to the Chief Commissioner on the 21st their rejection of it. This order the Chief Commissioner communicated, as soon as he received it, to the prisoners on the 23rd,—but already two men had gone on hunger strike—one on the 19th and the other on the 20th. Their pretext was that their demands had not been granted. Actually the petition had not reached the Government of India at the time when they went on hunger strike. On the 24th July, 175 more men began a general hunger strike and their number has gradually increased till it is now over 220. The conclusion cannot be resisted that the hunger strike was premeditated : and it actually began on a day which was being celebrated in Bengal as Detenus Day. Moreover one of the hunger strike leaders has informed the Chief Commissioner that it was timed so as to be in progress when the session of the Bengal Legislative Assembly began. Thus the hunger strike was, without doubt, deliberately organised as a device of forcing the hands of the Government of India and the Provincial Governments, and particularly the Government of Bengal. As I have said, Bengal is the Government most concerned, and they are not prepared to consider agreeing to the repatriation of these prisoners so long as the hunger strike continues. The hunger strike was not provoked by any action of the local authorities ; I maintain that the facts I have quoted demonstrate this. The Chief Commissioner did his duty in warning the prisoners on the 23rd July that the strike could not succeed and would only bring down on them jail punishments and the loss of remissions and privileges. Nothing he or the jail authorities could do would have averted the hunger strike. I must mention what action has been taken in the effort to induce the prisoners to give up the strike. First, the appeals sent to them by the Premier of Bengal, by the Congress Working Committee over the signature of the President of the Congress, by the Congress Party in this House over the signatures of its leaders, and by two prisoners sent back to Bengal at the beginning of the hunger strike,—all these have been communicated to the prisoners. The Chief Commissioner himself has lost no opportunity of personal contact and persuasion of the prisoners. I might mention that on August 13 he spent two hours with them when he gave them the message of the Assembly Congress leaders and argued with them, pleaded with them and answered their questions. Other appeals by provincial ministries have been made and these too have been communicated. Next, although we have made it clear to the prisoners that their demands would not be considered by us or by the Bengal Government so long as they continued the hunger strike, we have allowed very definite assurances to be given to the hunger strikers. Let me read a message—the message to which I referred just now, sent by the two hunger strikers who were repatriated to Bengal at the beginning of the hunger strike. I would ask the House to attend particularly to the passages which I will read :

“ Comrades, Bengal Government decided to bring back to Bengal Deoli detenus, other detenus and State prisoners detained outside province. Thereafter Government

will consider whether Andaman prisoners can be brought back. We have placed grievances clearly and thoroughly before Government and public men and are convinced.....”

Mr. S. Satyamurti : Sir, on a point of order, may I know what that document is, which my Honourable friend is reading ? Has it been laid on the table of the House ?

Mr. J. A. Thorne : I have already explained that this is a message sent by two prisoners in a jail in Bengal to their comrades, as they call them, in the Cellular Jail.

Mr. S. Satyamurti : Sir, I would ask him to place it on the table of the House.

Mr. President (The Honourable Sir Abdur Rahim) : He is reading it out.

Mr. S. Satyamurti : I want the whole document, Sir.

Mr. J. A. Thorne : I have no objection at all :

“ We have placed grievances clearly and thoroughly before Government and public men and are convinced that purpose will be served by stopping hunger strike to enable Government to take up grievances immediately. We shall retain full liberty of plan of future course of action after waiting reasonable time for Government to redress grievances. Leaders are against continuation of strike ”—

and I want the House to listen to this—

“ Bengal Government and the Government of India agree that no punishment will be imposed on hunger strikers and that any punishment already imposed will be cancelled on cessation of strike. Under circumstances and after consultation with public men we request your serious consideration of the matter.”

Well, Sir, I regret to say that none of these appeals or assurances have had any effect on the hunger strikers. Short of surrendering to their determined attempt to obtain their own release and the release of other so-called political prisoners and detenus, I do not see what more Government could have done. There is, unfortunately, good reason to believe,—the Chief Commissioner has come to this conclusion after long talks with the prisoners,—that the determined men who have organised the hunger strike will not be content till some of their weaker brethren have laid down their lives.

Sir, I have time to say only one or two things more. One is this. It has been well said that we all on this matter have one common aim,—to bring this desperate enterprise to an end at the earliest possible moment. We may differ as to methods but we, on this side, still credit gentlemen on the other side with a serious purpose, and we must ask that we also should be credited with the same spirit. Lastly, Sir, I wish to say that we here, who are considering this matter at a distance, must not forget the men who are, I am convinced, with every manifestation of humanity, dealing every day with the gravest problems in the Cellular Jail. We are fortunate in that we have as Chief Commissioner Mr. Cosgrave, a gentleman well known to the older Members of this House, and an officer of proved merit and of earnest goodwill. The Superintendent of the jail, Major Clements, is an officer in whom we have great trust. The senior medical officer, Captain Chowdhry,—and Raizada Hans Raj and Sir Muhammad Yamin Khan will, I am sure, bear me out in this,—is a doctor admired by all for his skill and for his devotion. The heaviest burden falls on the doctors and we are fortunate in having

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Captain Chowdhry there in this crisis in charge of the medical staff. I may say that everything indicates that the medical staff we have provided is adequate. It is an extraordinary tribute to the work of that staff that the strike has gone on so long with not a single death and with, in fact, a decrease in the cases of serious illness. Sir, whatever verdict this House may pass on Government, I appeal with confidence for recognition of the noble manner in which these men at Port Blair are performing their task.

Mr. Bhulabhai J. Desai (Bombay Northern Division : Non-Muham-

5 P.M.

madan Rural) : Sir, most of the motions which come before the House on a subject of adjournment have naturally to satisfy the condition that they are matters of urgent public importance. But there are some which are matters of grave public importance ; and if the common aim between Mr. Thorne and his compatriots on the other side and us is that we should receive the ashes of these prisoners, he may be quite certain that he is mistaken in the community of aim. That cannot be our aim, in the name of what he calls discipline and the praises that he has showered on men the like of whom I know in this country better than he does. I know what a cellular jail is ; he does not know it except from an inspection, of which in order to relieve the intensity of this occasion, I will tell you an incident. I remember in the Nasik jail a gentleman of the position of Mr. Thorne coming up for inspection. He walked round the jail and came up to me. I did not wish to be introduced but I was forced to be introduced ; and the gentleman said, " Oh, this is a very comfortable place, Mr. So and So " naming me. I said, " I would not like to tell you anything more, but shall we exchange places for a week ? " And you had to see his face then ! So that let not those who sit in comfort here talk about the patriotic services which are being rendered by the four men who were mentioned, the like of whom I am fully familiar with here. The issue, Sir, is quite plain before the House. The issue is not what is sometimes made out to be that a Government,—any Government it does not matter which,—cannot yield to a pressure of this character. But there are occasions while the same pressure from individuals may not be submitted to, it becomes a pressure of a nature that no Government can ever resist at the risk of its own safety. It is no use putting forward wrong issues. If you must steel your conscience against right doing, if you must shut your eyes today with such equanimity, you might at least have adduced better arguments than those which have been addressed to us today. For one thing was answered that as soon as the hunger strike commenced stacks of fuel and shrouds were kept ready. That is what you call a preparation for the transition period leading to self-government. I am ashamed of that type of discipline which can make a man continue hunger strike by telling him—' If you die, it is a matter of no consequence to me '. If that is the way to discourage hunger strike, if that is the way to persuade men not to resort to hunger strike, I am quite certain that the glorious praises which have been given had better be withdrawn in calmer moments. The fact, however, remains that the thing has passed beyond the stage of ordinary instances of discipline, and may I assure my friend, Sir Muhammad Yakub, that the Government of the United Provinces and the Government of Bihar,—somehow or other

he is fond of telling me what those Provincial Governments in Congress provinces should do,—may I tell my friend that those two Provinces have already demanded the repatriation of prisoners belonging to their Provinces who are now in the Andamans. I am told that Madras also has demanded the repatriation of its prisoners who are now in the Andamans. So that, so far as his advice to us is concerned, I hope he will give us the credit that we understand the administration of law and order and to be able to draw a line between discipline and death....

Sir Muhammad Yakub : I have drawn the line on several occasions.

Mr. Bhulabhai J. Desai : I am afraid he is incapable of doing so, otherwise he would not have got up in this House and talked in a manner that does not redound to the credit of the position he occupies, for, Sir, we must remember four facts. Since the year 1920, Andamans,—and I have read the Report,—has been condemned as a place unfit for prisoners in every form, except those of a class to which these prisoners do not belong. It has been admitted that from every point of view the place is unfit as a prison, I am one of those who believe that, while punishment by courts or otherwise, is a good deterrent, vindictiveness as an element of punishment is one against which I have always set my face, and my friend, the Home Secretary, ought to know that the object of punishment is reformation and not vindictiveness leading to death. If that is what he thinks punishment is for, if that is the way in which he thinks the power that is slowly slipping out of his hands is going to remain, he is very much mistaken. It can remain, only by extending goodwill to the people of this land. You owe a responsibility not merely to this House alone, but you owe a responsibility to every shade of opinion,—and I may remind my friend, Mr. Roy, who referred to the double vote in the local Council in Bengal, I did not wish to make it a provincial question. I wish to make it a national question, for indeed in every revolution crimes are committed, but a time does arrive when the intensity of it is such that every wise Government begins to recognise that reconciliation is better than enforcement of discipline and death in the name of it. The fact is that you cannot speak dispassionately. You wanted us to feel dispassionately. Unfortunately, we cannot do so,—and thank God to our emotion, and thank God to our conscience, we shall not discuss this dispassionately. For you must remember that most of us on this side who understand what law is, also know the limits of the application of its doctrines. Therefore, it is no use making a fetish of what you are making now by your dispassionate consideration of this issue. From one end of this land to the other appeal has gone forth that these prisoners should be repatriated ; you were good enough to thank the President of the Congress for an appeal to the hunger striker to give up hunger strike and if those thanks had any grain of sincerity in them, I want to aid you in a cause, not merely of mercy, but of good to yourself, the maintenance of this Government. If you wish to make more terrorists, by all means carry on with your fetish of discipline, by all means carry on with all those shrouds and fuel facing those men, and if you do so, you will soon find that the Government will dig its own grave with the ashes of these men. You must remember that. You must also remember another thing, that this place is unhealthy in every form, and, therefore, if punishment is to have no vindictiveness as an element in the Government which you represent,

[Mr. Bhulabhai J. Desai.]

you have still time to ask, not merely for this vote, but also to respect the vote. Sir, I support the motion.

Mr. M. A. Jinnah (Bombay City : Muhammadan Urban) : Sir, I rise to deal with this motion absolutely dispassionately, and I echo the words of Mr. Roy that this House is a responsible House, that it should discharge its responsibility in an issue of this character without being led away by any sentiments, passions or excitement that may legitimately exist. Sir, I have listened to the Government spokesman, and although I myself feel that the word 'callous' in this motion for adjournment is unfortunate, still I think that the Government may justify their position by stating facts and reciting the history. They may say that they have done what any responsible Government would have done under the circumstances. They may say that "We have done that and nothing else, and, therefore, we are not to blame for it". But, Sir, the issue before the House now, as I understand it, is this. I do not think one can really dispute the proposition that these prisoners are political prisoners. It is no use saying, so-called political prisoners. When you deal with them you must remember that, however misguided, however wrong, however heinous their acts were, they were actuated by political considerations, and that is a fact that must be borne in mind. I do not say that in the name of politics, in the name of patriotism, a man is justified in killing another man or committing dacoities or robberies. They should be condemned unequivocally. As long as any Government wishes to maintain law and order which is its primary function, it must put that down and must deal with those offences with the same severity as that with which you would deal with any other offence. But that is not the question now before us. The Honourable Member said that their ultimatum was that they wanted unconditional release, not only of themselves, but of the detenus ; not only that, but that all repressive laws should be repealed, and so on and so forth. We are not considering that now. That is not the issue before the House now. As I understand, the simple issue before the House is this, that on this side of the House with such evidence as we have in our possession, not only recently but times out of number a section of opinion have come to the conclusion that the Andamans is not the place for these prisoners, or any other and that as a penal settlement it should be abandoned that they should be repatriated to their provinces. Nobody has asked Government to do anything more today.

To that the answer is, "Are we going to do this under the point of a bayonet, namely, the hunger strike ? If we do that now and if we repatriate them now, while the hunger strike is going on, would it not be setting an example to the prisoners all over to do the same ?" I think Government have ample evidence that this hunger strike is not approved of by anybody in this country. On the contrary, you have got enough evidence to show that every responsible party, every responsible person in this country has made it clear that this hunger strike must stop. But may I appeal to the Government that justice must be tempered with mercy ? You are perfectly justified in saying—and I endorse it without hesitation—no Government can afford to yield to any threats of this character—hunger strike, or that on that ground their demand should

be complied with. But apart from the conduct of these prisoners who are on hunger strike you have got to consider the opinion of this House, and that is independently of the hunger strike, that they should be repatriated. We are not urging upon you now that you should repatriate them because they are on hunger strike. But they should be repatriated on grounds, on reasons that we feel that, whatever may have been the reasons five years ago in 1932, those reasons do not exist now and the question should be reviewed and I think we have a clear indication, and I think Mr. Satyamurti deserves the congratulations of this country for leading many a people on the right way. He says "You bring them here and these very men who have committed these serious crimes—we shall see that they are brought on the right way of conduct"—those are his words. Therefore, it is this House that is urging upon the Government on a different ground, on a different plane, on different data, to consider the question afresh immediately to repatriate them to this country. I am rather surprised that the Bengal Government and the vote in the Bengal Council should have been brought into this discussion. But the Bengal Government's position is similar. They are taking up the stand in the same way : "So long as the strike continues we cannot yield. But if the strike ceases we shall give a sympathetic consideration". I ask Government to give their serious consideration to this matter and assure this House that they will consider the question of repatriating them without delay. My Honourable friend, Mr. Thorne, said, that the words of the motion are such that it becomes difficult for him to accept it. Had it been in different terms the Government would have probably accepted it, he said. May I know what it is, what are the terms, which he cannot accept because I attach no importance to the words ? After all, Honourable Members know perfectly well that a motion of adjournment has got to be brought in some sort of language, and I admit the implication of it—it is a grave implication, I realise it and I shall be the last person to support any motion of adjournment because it implies a deliberate and definite censure on the conduct of the Government and, therefore, I shall be the last person to support a motion in a hurry. But, after all, the motion has got to be worded in some language. If the Government assures us definitely that on the ground I have put before the House, *viz.*, not because a pistol is held at the head of the Government by these strikers, but on the ground which I have submitted before the House, that the Honourable Member will give immediate consideration to the question of their being repatriated. I should then ask also the Congress Party not to press this motion. Because, after all, remember, the object is not to censure the Government. As my Honourable friend, Maulvi Syed Murtuza Sahib Bahadur, very rightly said, the object of this motion is not that we should carry it by a majority because the majority is with us now, but the object of this motion is to get a definite and clear statement from the Government as to what is going to be their attitude in this matter, and if we are satisfied, then no purpose will be served in merely carrying this motion to a division and unnecessarily exasperating the Government instead of getting their sympathy and their support. (Applause.)

Mr. R. F. Mudie (Government of India : Nominated Official) : I did not intend to intervene in this debate, but having heard Mr. Jinnah's dispassionate speech, his carefully reasoned speech, and as Mr. Jinnah

[Mr. R. F. Mudie.]

asked for a reply from Government, I have risen simply to explain one or two points in connection with what he said. The object of the motion is to call attention to "the callous attitude of the Government". Mr. Jinnah, on the other hand, considers that the motion before the House is the question of the repatriation of these prisoners.

Mr. M. A. Jinnah : Not only I consider it, but I think that was the ground on which Mr. Satyamurti put it.

Mr. S. Satyamurti : I want immediate repatriation not the immediate "consideration of repatriation". Immediate repatriation tonight or by the next possible steamer. They will die by the time you have finished consideration. I want immediate repatriation.

Mr. R. F. Mudie : Not only Mr. Jinnah, but Mr. Satyamurti also, agree that the main object that we are considering at the moment is the repatriation of these prisoners. Mr. Jinnah, but not I think Mr. Satyamurti, admitted that no Government should give way on a hunger strike and remain a Government. But Mr. Jinnah bases his argument for repatriation on the opinion of this House. The opinion of this House has not yet been taken, but even if Mr. Jinnah is a true prophet I would ask him to consider one point, and that is this. Repatriation of these prisoners does not lie with the Government of India or with this House. It is essential if you move a prisoner from one province to another to have the consent not only of the Province from which the prisoner is transferred but also that of the province to which the prisoner is transferred. As my friend, Mr. Roy, pointed out, the opinion not only of the Bengal Government but of the Bengal Assembly also is against transfer. Now, I ask Mr. Jinnah, if his argument, that the Government of India ought to give way on this point because of the supposed opinion of this House, is sound, how is it possible for the Government of Bengal to repatriate these prisoners in the teeth of the opinion of their own Assembly?

Mr. M. A. Jinnah : I understood that the Bengal Government are willing to consider the question of repatriation sympathetically.

Mr. R. F. Mudie : I can assure Mr. Jinnah that the Government of India will not stand in the way of whatever the Bengal Government have decided to do.

Mr. S. Satyamurti : Will you repatriate them immediately?

Mr. President (The Honourable Sir Abdur Rahim) : Let the Honourable Member carry on.

Mr. S. Satyamurti : The Honourable Member is replying to a point made from this side.

Mr. R. F. Mudie : I thought I made it clear that the immediate repatriation, or repatriation at any time, did not rest with the Government of India alone. Unless the Government of Bengal agree, we cannot repatriate.

Mr. Akhil Chandra Datta : What about Madras and Bihar?

Mr. S. Satyamurti : You won't repatriate them on the ground of hunger strike?

Mr. B. F. Mudie : I was going on to explain that the Government of India will not stand in the way of the Government of Bengal, if they wish to repatriate.....

Mr. M. A. Jinnah : I want the Government of India to take the lead.

Mr. B. F. Mudie : The main obstacle in the way of repatriation of these prisoners is their own action, their hunger strike. That is the view of the Government of Bengal which has the control of this matter.

Mr. M. A. Jinnah : May I interrupt the Honourable Member ? I am fully alive to the constitutional and legal position *vis-a-vis* Provincial Governments, but what I want to know from the Government of India, such as it is constituted today, is whether they will give us the assurance that they will do their best.

Mr. B. F. Mudie : I can give an assurance that we will not stand in the way of what the Government of Bengal propose to do.

(Cries of " Question be put ").

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

" That the question be now put."

The Assembly divided :

AYES—58.

Abdul Qaiyum, Mr.
Abdur Rasheed Chaudhury, Maulvi.
Aney, Mr. M. S.
Ayyangar, Mr. M. Ananthasayanam.
Azhar Ali, Mr. Muhammad.
Banerjee, Dr. P. N.
Bhagavan Das, Dr.
Chaliha, Mr. Kuladhar.
Chaudhury, Mr. Brojendra Narayan.
Chettiar, Mr. T. S. Avinashilingam.
Chetty, Mr. Sami Vencatachalam.
Chunder, Mr. N. C.
Das, Mr. B.
Das, Pandit Nilakantha.
Datta, Mr. Akhil Chandra.
Desai, Mr. Bhulabhai J.
Deshmukh, Mr. G. V.
Gadgil, Mr. N. V.
Ghulam Bhik Nairang, Syed.
Govind Das, Seth.
Gupta, Mr. K. S.
Hans Raj, Raizada.
Hosmani, Mr. S. K.
Jedhe, Mr. K. M.
Jogendra Singh, Sirdar.
Joseph, Mr. George.
Joshi, Mr. N. M.
Kailash Behari Lal, Babu.
Lahiri Chaudhury, Mr. D. K.

Lalchand Navalrai, Mr.
Maitra, Pandit Lakshmi Kanta.
Malaviya, Pandit Krishna Kant.
Mangal Singh, Sardar.
Misra, Pandit Shambhu Dayal.
Mudaliar, Mr. C. N. Mathuranga.
Muhammad Ahmad Kazmi, Qazi.
Murtuza Sahib Bahadur, Maulvi Syed.
Paliwal, Pandit Sri Krishna Dutta.
Pande, Mr. Badri Dutt.
Parma Nand, Bhai.
Raghubir Narayan Singh, Choudhri.
Ramayan Prasad, Mr.
Ranga, Prof. N. G.
Rao, Mr. Thirumala.
Saksena, Mr. Mohan Lal.
Sant Singh, Sardar.
Santhanam, Mr. K.
Satyamurti, Mr. S.
Sham Lal, Mr.
Sheodass Daga, Seth.
Singh, Mr. Gauri Shankar.
Singh, Mr. Ram Narayan.
Sinha, Mr. Satya Narayan.
Som, Mr. Survy Kumar.
Sri Prakasa, Mr.
Umar Aly Shah, Mr.
Varma, Mr. B. B.
Zafar Ali Khan, Maulana.

NOES—55.

Abdul Hamid, Khan Bahadur Sir.
Abdullah, Mr. H. M.
Ahmad Nawaz Khan, Major Nawab Sir.
Aikman, Mr. A.
Bhagechand Soni, Bai Bahadur Seth.

Buss, Mr. L. C.
Chanda, Mr. A. K.
Channan-Mortimer, Mr. T.
Datta, Dr. B. D.
Dalpat Singh, Sardar Bahadur Captain.

NOES—55—contd.

DeSouza, Dr. F. X.
 Fazl-i-Haq Piracha, Khan Bahadur
 Shaikh.
 Fazl-i-Ilahi, Khan Sahib Shaikh.
 Ghiasuddin, Mr. M.
 Ghuznavi, Sir Abdul Halim.
 Gidney, Mr. C. W. A.
 Griffiths, Mr. P. J.
 Grigg, The Honourable Sir James.
 Hydari, Mr. M. S. A.
 James, Mr. F. E.
 Jawahar Singh, Sardar Bahadur Sardar
 Sir.
 Kamaluddin Ahmed, Shams-ul-Ulema.
 Kushalpal Singh, Raja Bahadur.
 Lang, Mr. J. C.
 Lloyd, Mr. A. H.
 Mackeown, Mr. J. A.
 Manavedan Raja, Rao Bahadur K. C.
 Mani, Mr. R. S.
 Mehta, Mr. S. L.
 Mudie, Mr. B. F.
 Nagarkar, Mr. C. B.
 Nayudu, Diwan Bahadur B. V. Sri Hari
 Rao.

Ogilvie, Mr. C. M. G.
 Parsons, Lieut.-Colonel A. E. B.
 Purssell, Mr. R. S.
 Rahman, Lieut.-Colonel M. A.
 Rajah, Raja Sir Vasudeva.
 Row, Mr. K. Sanjiva.
 Roy, Mr. S. N.
 Scott, Mr. J. Ramsay.
 Sen, Mr. S. C.
 Shahban, Mr. Ghulam Kadir Muhammad.
 Sher Muhammad Khan, Captain Sardar
 Sir.
 Sircar, The Honourable Sir Nripendra.
 Sivaraj, Rao Sahib N.
 Slade, Mr. M.
 Spence, Mr. G. H.
 Staig, Mr. B. M.
 Stewart, The Honourable Sir Thomas.
 Sultan Ahmad, The Honourable Sir
 Saiyid.
 Thorne, Mr. J. A.
 Tylden-Pattenson, Mr. A. E.
 Yakub, Sir Muhammad.
 Yamin Khan, Sir Muhammad.
 Ziauddin Ahmad, Dr.

The motion was adopted.

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

“ That the Assembly do now adjourn.”

The Assembly divided :

NOES—55.

Abdul Hamid, Khan Bahadur Sir.
 Abdullah, Mr. H. M.
 Ahmad Nawaz Khan, Major Nawab Sir.
 Aikman, Mr. A.
 Bhagchand Soni, Bai Bahadur Seth.
 Buss, Mr. L. C.
 Chanda, Mr. A. K.
 Chapman-Mortimer, Mr. T.
 Dalal, Dr. R. D.
 Dalpat Singh, Sardar Bahadur Captain.
 DeSouza, Dr. F. X.
 Fazl-i-Haq Piracha, Khan Bahadur
 Shaikh.
 Fazl-i-Ilahi, Khan Sahib Shaikh.
 Ghuznavi, Sir Abdul Halim.
 Gidney, Mr. C. W. A.
 Griffiths, Mr. P. J.
 Grigg, The Honourable Sir James.
 Hydari, Mr. M. S. A.
 James, Mr. F. E.
 Jawahar Singh, Sardar Bahadur Sardar
 Sir.
 Kamaluddin Ahmed, Shams-ul-Ulema.
 Kushalpal Singh, Raja Bahadur.
 Lang, Mr. J. C.
 Lloyd, Mr. A. H.
 Mackeown, Mr. J. A.
 Manavedan, Raja, Rao Bahadur K. C.
 Mani, Mr. R. S.
 Mehr Shah, Nawab Sahibzada Sir Sayad
 Muhammad.

Mehta, Mr. S. L.
 Mudie, Mr. R. F.
 Nagarkar, Mr. C. B.
 Nayudu, Diwan Bahadur B. V. Sri Hari
 Rao.
 Ogilvie, Mr. C. M. G.
 Parsons, Lieut.-Colonel A. E. B.
 Purssell, Mr. R. S.
 Rahman, Lieut.-Colonel M. A.
 Rajah, Raja Sir Vasudeva.
 Row, Mr. K. Sanjiva.
 Roy, Mr. S. N.
 Scott, Mr. J. Ramsay.
 Sen, Mr. S. C.
 Shahban, Mr. Ghulam Kadir Muhammad.
 Sher Muhammad Khan, Captain Sardar
 Sir.
 Sircar, The Honourable Sir Nripendra.
 Sivaraj, Rao Sahib N.
 Slade, Mr. M.
 Spence, Mr. G. H.
 Staig, Mr. B. M.
 Stewart, The Honourable Sir Thomas.
 Sultan Ahmad, The Honourable Sir
 Saiyid.
 Thorne, Mr. J. A.
 Tylden-Pattenson, Mr. A. E.
 Yakub, Sir Muhammad.
 Yamin Khan, Sir Muhammad.
 Ziauddin Ahmad, Dr.

AYES—68.

Abdul Qaiyum, Mr.
 Abdur Rasheed Chaudhury, Maulvi.
 Aney, Mr. M. S.
 Anwar-ul-Azim, Mr. Muhammad.
 Ayyangar, Mr. M. Ananthasayanam.
 Azhar Ali, Mr. Muhammad.
 Banerjee, Dr. P. N.
 Bhagavan Das, Dr.
 Chaliha, Mr. Kuladhar.
 Chaudhury, Mr. Brojendra Narayan.
 Chettiar, Mr. T. S. Avinashilingam.
 Chetty, Mr. Sami Vencatachelam.
 Chunder, Mr. N. C.
 Das, Mr. B.
 Das, Pandit Nilakantha.
 Datta, Mr. Akhil Chandra.
 Desai, Mr. Bhulabhai J.
 Deshmukh, Mr. G. V.
 Essak Sait, Mr. H. A. Sathar H.
 Gadgil, Mr. N. V.
 Ghulam Bhik Nairang, Syed.
 Govind Das, Seth.
 Gupta, Mr. K. S.
 Hans Raj, Raizada.
 Hosmani, Mr. S. K.
 Jedhe, Mr. K. M.
 Jinnah, Mr. M. A.
 Jogendra Singh, Sirdar.
 Joseph, Mr. George.
 Joshi, Mr. N. M.
 Kailash Behari Lal, Babu.

Lahiri Chaudhury, Mr. D. K.
 Lalchand Navarai, Mr.
 Maitra, Pandit Lakshmi Kanta.
 Malaviya, Pandit Krishna Kant.
 Mangal Singh, Sardar.
 Misra, Pandit Shambhu Dayal.
 Mudaliar, Mr. C. N. Muthuranga.
 Muhammad Ahmad Kazmi, Qasi.
 Murtuza Sahib Bahadur, Maulvi Syed.
 Paliwal, Pandit Sri Krishna Dutta.
 Pande, Mr. Badri Dutt.
 Parma Nand, Bhai.
 Raghubir Narayan Singh, Chondhri.
 Ramayan Prasad, Mr.
 Ranga, Prof. N. G.
 Rao, Mr. Thirumala.
 Saksena, Mr. Mohan Lal.
 Sant Singh, Sardar.
 Santhanam, Mr. K.
 Satyamurti, Mr. S.
 Sham Lal, Mr.
 Sheodass Daga, Seth.
 Siddique Ali Khan, Khan Sahib Nawab.
 Singh, Mr. Gauri Shankar.
 Singh, Mr. Ram Narayan.
 Sinha, Mr. Satya Narayan.
 Som, Mr. Suryya Kumar.
 Sri Prakasa, Mr.
 Umar Aly Shah, Mr.
 Varma, Mr. B. B.
 Zafar Ali Khan, Maulana.

The motion was adopted.

The Assembly then adjourned till Eleven of the Clock on Thursday, the 26th August, 1937.

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