

11th February 1941

THE

LEGISLATIVE ASSEMBLY DEBATES

Official Report

Volume I, 1941

(11th February to 27th February, 1941)

THIRTEENTH SESSION

OF THE

FIFTH LEGISLATIVE ASSEMBLY, 1941



NEW DELHI : PRINTED BY THE MANAGER
GOVERNMENT OF INDIA PRESS : 1941.

Legislative Assembly

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Deputy President:

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

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

SIR ABDUL HALIM GHUZNAVI, M.L.A.

SIR H. P. MODY, K.B.E., M.L.A.

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THE
LEGISLATIVE ASSEMBLY DEBATES
(OFFICIAL REPORT OF THE THIRTEENTH SESSION OF THE FIFTH
LEGISLATIVE ASSEMBLY)

VOLUME I—1941

LEGISLATIVE ASSEMBLY

Tuesday, 11th February, 1941.

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

MEMBERS SWORN.

Mr. T. Chapman-Mortimer, M.L.A. (Bengal: European);
Sir Raghavendra Rau, M.L.A. (Government of India: Nominated Official);
Mr. V. T. Dehejia, M.L.A. (Government of India: Nominated Official);
Maulvi Mazharul Islam, M.L.A. (Bengal: Nominated Official); and
Khan Sahib Shaikh Abdul Hamid, M.L.A. (Punjab: Nominated Official).

STARRED QUESTIONS AND ANSWERS.

(a) ORAL ANSWERS.

PURCHASE OF XB ENGINES.

1. *Dr. Sir Ziauddin Ahmad: (a) Will the Honourable the Railway Member be pleased to state the number of XB engines purchased by the Railway Board and the dates on which they were purchased?

(b) What was the necessity of purchasing unnecessarily large number of engines without giving them sufficient trial?

(c) Is it not a fact that the consulting engineers in London advised the Railway Board not to purchase these engines without sufficient trial?

(d) Is it not a fact that Mounts Committee expressed its regret at this action of the Railway Board?

(e) Is it not a fact that the principal reason for designing these engines was to secure greater speed while consuming lower grade of coal?

(f) Was XB engine designed by the Central Standards Office? If so, what experiments were carried out before such engines were ordered for?

The Honourable Sir Andrew Olow: I would refer the Honourable Member to the Pacific Locomotive Committee Report, copies of which were supplied to all Honourable Members of this House, and to the discussion on this subject in this House on the 30th August, 1939, and 11th September, 1939.

Mr. Lalchand Navalrai: How many XB engines are now working?

The Honourable Sir Andrew Olow: I hope they are all working. I have not got a record of those on the lines at present.

Mr. Lalchand Navalrai: How many were purchased, and how many are in existence now?

The Honourable Sir Andrew Olow: I presume the same number as has been reported to the Assembly; no more has been ordered.

Mr. Lalchand Navalrai: How many accidents happened during the last two years?

The Honourable Sir Andrew Olow: I gave the number of derailments in answer to a question last Session. I cannot recollect any recent derailment involving an XB engine.

Dr. Sir Ziauddin Ahmad: How many of these engines are now in workshops, and how many are working?

The Honourable Sir Andrew Olow: Some are in workshops, some in the sheds, and some on the lines. I cannot tell the exact numbers.

Mr. Lalchand Navalrai: Were all the changes and alterations suggested made before the engines were sent for working?

The Honourable Sir Andrew Olow: Engines are being altered and changed, but if the Honourable Member wants the particular stage to which the alterations reached, I require notice.

Maulvi Abdur Rasheed Chaudhury: Why were these engines purchased against the advice of the Consulting Engineer?

The Honourable Sir Andrew Olow: The Honourable Member evidently did not read the report supplied to him, nor follow the debate in the House.

Mr. M. S. Aney: Can the Honourable Member assure the House that no engine has been put to work unless the necessary changes have been carried out to it?

The Honourable Sir Andrew Olow: No, Sir. The alterations are designed to secure their running at high speeds. The engines can ordinarily work at speeds to which they are at present restricted without the alterations suggested by the committee.

Mr. Muhammad Azhar Ali: Do Government think they are now fit for use?

The Honourable Sir Andrew Olow: I have just explained the position that so far as we know, they are entirely safe at the speeds to which they are at present restricted.

Dr. Sir Ziauddin Ahmad: With reference to part (d), what is the answer?

The Honourable Sir Andrew Olow: The Honourable Member has got a copy of the Mount Committee's Report and he can refer to it.

Dr. Sir Ziauddin Ahmad: Is it or is it not a fact that the Mount Committee regretted the action taken by the Railway Board?

The Honourable Sir Andrew Olow: The Honourable Member can verify whether it is a fact or not by referring to the report. I have not got a copy here with me.

Dr. Sir Ziauddin Ahmad: Will you tell me whether it is a fact or not? I do not want for my own information, but the public should know through an answer given on the floor of this House?

The Honourable Sir Andrew Olow: The Honourable Member can make a speech later on in public.

Dr. Sir Ziauddin Ahmad: The answer to part (f) is not contained in the report?

The Honourable Sir Andrew Olow: I have nothing to add to what I have already said.

INSPECTION OF RAILWAYS.

2. ***Dr. Sir Ziauddin Ahmad:** (a) Will the Honourable Member for Railways be pleased to state whether Government have modified, or contemplate modifying, the existing system of inspection of Railways by the Government Inspectors?

(b) How many Government Inspectors are there at present? Are Government contemplating increasing the number? If so, to what extent?

(c) What was the recommendation of the Retrenchment Committee of 1931 on this subject?

(d) Is it not a fact that the Railway Committee appointed by the Secretary of State for India in 1933 recommended that the Railway Inspectors whose principal duty is the safety of passengers should be under a department other than the Department of Communications?

(e) Have the Government of India accepted the recommendations of the London Committee? If not, why not?

The Honourable Sir Andrew Olow: (a) Government have decided to modify the existing organisation for the inspection of Railways.

(b) There are at present five Government Inspectors. Particulars of the revised cadre will be published in due course.

(c) The Retrenchment Committee of 1931 recommended that the then existing eight circles should be reduced to five.

(d) The Committee recommended that one of the Departments of the Federal Government, other than that responsible for Transport and Communications, should be responsible for the enforcement of safety regulations.

(e) As the Federal Government which the Committee envisaged is not in being, the question of accepting the recommendation has not, in the strict sense, arisen; but I hope that it will be possible to make a statement on the subject very shortly.

Mr. Lalchand Navalrai: What are the major modifications that are being made?

The Honourable Sir Andrew Clow: I cannot give further information in advance of the statement which will be made later on.

APPOINTMENT OF RAILWAY INSPECTORS.

3. *Dr. Sir Ziauddin Ahmad: (a) Will the Honourable the Railway Member please state whether it is a fact that the Government of India have made a rule that only persons of State Railway Service will be appointed as Government Inspectors, even excluding the engineers serving on the State Railways but appointed by the Companies before their purchase by the State?

(b) Are these Railway Inspectors eligible to hold every appointment on Indian Railways after retirement?

(c) What are the conditions of their appointment.

(d) Who is the appointing authority—the Member for Railways, or any other Member of the Government of India?

(e) What are the conditions of appointment and what are the salaries of these Inspectors?

The Honourable Sir Andrew Clow: (a) Yes.

(b) The Honourable Member's question is not clear. If he desires to know whether under the present system Senior Government Inspectors are considered for appointment to other posts on Railways, so long as they are in Government service the answer is in the affirmative.

(c) There are no special conditions attaching to their appointment.

(d) The Railway Board.

(e) As regards the first part, the Honourable Member is referred to the reply to part (c). As regards the second part, two Senior Government Inspectors are in the scale of Rs. 2,750—125—3,000; three are in either Rs. 1,750—100—2,150 or on Rs. 1,950 fixed; overseas pay £13-6-8, if admissible, is also drawn.

Mr. Lalchand Navalrai: Are these Inspectors recruited directly, or do they rise from other posts?

The Honourable Sir Andrew Clow: They are drawn from railway engineers, and not directly.

Dr. Sir Ziauddin Ahmad: Will those engineers, who were recruited by the companies and have now become State servants, be eligible for these posts?

The Honourable Sir Andrew Olow: I believe they are eligible, but I am not certain. I have no reason to suppose that they are not eligible.

Dr. Sir Ziauddin Ahmad: Are these Inspectors, who are appointed for a fixed term, eligible for appointment in other posts under the railways?

The Honourable Sir Andrew Olow: The Honourable Member seems to be repeating part (b) of the question to which I have already given an answer.

Dr. Sir Ziauddin Ahmad: I did not follow that answer. Will the Honourable Member kindly repeat it?

The Honourable Sir Andrew Olow: I said that if the Honourable Member desires to know whether under the present system Senior Government Inspectors are considered for appointment to other posts on Railways, so long as they are in Government service the answer is in the affirmative.

Dr. Sir Ziauddin Ahmad: Will it not affect the efficiency of these Inspectors who have to express judgment on the working of the railways if they are to be candidates for other jobs under the railways?

The Honourable Sir Andrew Olow: I am aware that that view is held.

Dr. Sir Ziauddin Ahmad: What is the view of Government?

The Honourable Sir Andrew Olow: The Honourable Member is not entitled to ask for my opinion on a question.

Dr. Sir Ziauddin Ahmad: In the interest of efficiency is it not desirable not to appoint these Inspectors to other posts after their retirement, so that they may be independent?

The Honourable Sir Andrew Olow: I fully appreciate the Honourable Member's argument, but he is now asking me for an expression of my opinion.

Dr. Sir Ziauddin Ahmad: I am not asking for opinion; I want to know the decision of Government.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member is asking for opinion.

Dr. Sir Ziauddin Ahmad: I want to know the view of the Government of India.

The Honourable Sir Andrew Olow: I am perfectly willing to give the Honourable Member my opinion in the course of a debate, but not in reply to a question.

TOOFAN EXPRESS ACCIDENT NEAR FATEHPORE, EAST INDIAN RAILWAY.

4. *Dr. Sir Ziauddin Ahmad: (a) Will the Honourable the Railway Member lay a full statement about the accident to 7 Up Toofan Express, East Indian Railway, that occurred on the New Year's Day near Fatehpore?

(b) Is it a fact that the accident was due to the coming off of the front wheel of the engine?

(c) Did the engine belong to the East Indian Railway, and where was the engine examined before starting on its journey?

(d) Was this accident due to the present policy of running the engines for long distances and changing the drivers at intervals?

(e) Did the Railway Inspectors make an enquiry? If so, will Government lay on the table of the House the full report of that enquiry?

(f) Was there any casualty?

The Honourable Sir Andrew Olow: (a) I lay a statement on the table.

(b) No. The derailment was due to the fracture of the leading axle of the tender.

(c) Yes: it was examined at Moghalsarai.

(d) No.

(e) No. The cause of the accident being clear, no enquiry was necessary.

(f) No.

Statement regarding the accident to 7 Up Toofan Express.

At 6-25 on 1st January, 1941, while 7 Up Toofan Express was running between Fatehpur and Kurasti Kalan on the Allahabad Division of the East Indian Railway, the leading tender wheels of engine 1098 Pc 1 were derailed at mile 588. As a result of the accident the line was blocked from 6-25 to 10-5 hours.

The derailment was due to the fracture of the left journal of the leading tender wheel axle which broke off near the inner end of the journal. It revealed three distinct zones with different structures with heat-tinted marks on their surface. There was also clear heat-tinting on the axle at the left wheel seat. The immediate cause of the breakage was evidently overheating and sudden cooling by the application of water.

Dr. Sir Ziauddin Ahmad: Has the Honourable Member seen an article in the *Statesman* of Calcutta in which it was alleged that this accident took place on account of the wheel going off the axle?

The Honourable Sir Andrew Olow: I have not seen the article, but the Honourable Member will find the cause of the accident given in the statement I have laid on the table.

Mr. Lalchand Navalrai: Was it an XB engine?

The Honourable Sir Andrew Olow: I am not certain, but I do not think

INSTALLATION OF A BROADCASTING STATION AT NAGPUR.

5. ***Mr. Govind V. Deshmukh:** Will the Honourable Member for Communications please state if Government are prepared to provide a broadcasting station at Nagpur in the Central Provinces and Berar? If not, why not?

The Honourable Sir Andrew Olow: The claim of Nagpur to have a broadcasting station will be considered in connection with the next programme of development to be undertaken when funds become available.

Mr. Lalchand Navalrai: May I know if any programme has been made about the opening of broadcasting stations, and if Karachi will have a chance?

The Honourable Sir Andrew Olow: I do not think, Sir, that arises out of this question.

Mr. Lalchand Navalrai: I am asking if there has been a programme.

Mr. President (The Honourable Sir Abdur Rahim): The question is confined to Nagpur. Next question.

APPOINTMENT OF A CHARGEMAN, MECHANICAL WORKSHOPS, NORTH WESTERN RAILWAY, MOGHALPURA.

6. ***Bhai Parma Nand:** (a) Will the Honourable Member for Railways be pleased to state whether it is a fact that a Railway Notice was advertised in the Wanted Column of the *Tribune*, Lahore, dated the 17th September, 1940, inviting applications for the post of a chargeman by the Superintendent, Mechanical Workshops, North Western Railway, Moghalpura?

(b) Is it also a fact that in that notice certain definite qualifications were required of the applicants?

(c) How many applicants were required to present themselves for interview?

(d) Did the selected candidate fulfil the conditions laid down in the advertisement? If not, why was he preferred to other candidates who fulfilled the required conditions?

The Honourable Sir Andrew Olow: (a) and (b). Yes.

(c) Nine, but only seven out of these presented themselves for the interview before the Selection Board.

(d) None of the candidates possessed all the qualifications prescribed, but the Selection Board considered the candidate who was appointed as the best of those who presented themselves.

THEFT OF AN INSURANCE COVER FROM BAG-SREERAMPURE BRANCH POST OFFICE, JESSORE DISTRICT, BENGAL.

7. ***Dr. P. N. Banerjee:** (a) Will the Honourable Member for Communications please state whether it is not a fact that an insurance cover containing rupees three thousand (Rs. 3,000) was stolen from the Bag-Sreerampore branch post office, district of Jessore, Bengal, on the 1st September, 1939?

(b) Is it not a fact that the police authority of Narail, district Jessore, submitted charge-sheet against the Branch Postmaster and delivery agent, and they were committed to Sessions by the Sub-Divisional Officer of Narail?

(c) Is it not a fact that the Sessions Judge of Jessore delivered judgment in the case in February 1940, acquitting all the accused and remarking in his judgment that the Inspector of Post Offices, Jessore Division, Eastern sub-division and the Sub-Postmaster Naldi, conspiring together, had concealed the real culprit and caused the arrest of innocent men?

(d) If the answer to part (c) be in the affirmative, will Government be pleased to state what steps, if any, have been taken in the matter? If no steps have been taken, what is the reason for not taking any steps? Have the discharged innocent persons been reinstated? If not, why not?

(e) What steps have been taken to realise the money contained in the insured cover?

Sir Guranath Bewoor: (a) and (b). Yes.

(c) The Assistant Sessions Judge, Jessore, delivered judgment in February, 1940, acquitting the accused. The answer to the latter portion of the question is in the negative.

(d) The first part of the question does not arise. As regards the last part, the branch postmaster and the delivery agent were, on departmental enquiry, found to be primarily responsible for the loss, on account of having infringed departmental rules and, therefore, they were removed from service.

(e) A sum of Rs. 657-2-0 has been recovered and a further sum of Rs. 350 is under recovery from a blameworthy official. Further recovery is not possible.

Mr. Lalchand Navalrai: Was this extraction of Rs. 3,000 made during transit or from any post office after the bags were received?

Sir Guranath Bewoor: We have not been able to discover exactly where the loss occurred.

Dr. P. N. Banerjee: With reference to part (d) of the question, is it not right that when the accused persons were let off by the trying judge they should be reinstated?

Sir Guranath Bewoor: Not always, Sir. As the officials were found guilty of breach of departmental rules, action was taken against them under the usual procedure.

Mr. Lalchand Navalrai: Was any departmental inquiry held, or was it based on the judgment?

Sir Guranath Bewoor: A departmental inquiry was made.

DISMANTLING OF BRANCH RAILWAY LINES.

8. ***Mr. Amarendra Nath Chattopadhyaya:** (a) Will the Honourable Member for Railways be pleased to state how many branch railway lines have already been removed and traffic stopped thereby and whether these lines have already been removed from India?

(b) Were these lines which have been removed running at a loss to the State or to the private companies, or were they yielding income?

(c) Which of these lines belonged to the State, and which belonged to private companies?

(d) Were the private companies compensated by Government for stopping these lines and for withholding all traffic? If so, to whom were these compensations paid and on what basis?

(e) Did the removal of such railway lines and stopping of traffic inconvenience commerce, trade and passengers? If so, what arrangements have been made to avoid such inconveniences?

(f) If these railway lines were removed for use in war going on outside India, will the compensation or price of these lines be paid by British Exchequer or by the Government of India? If the latter, why?

The Honourable Sir Andrew Olow: (a) Six branch lines have already been removed and the material is moving towards its final destination.

(b) The Honourable Member is referred to the statement given to the Central Advisory Council for Railways on 2nd December, 1940, in which it was stated that these lines are regarded as unremunerative.

(c) All the six branch lines were State-owned.

(d) Does not arise.

(e) Inconvenience cannot be avoided when railways are closed, but the branches selected for lifting have served areas where there are alternative means of communication by road.

(f) The British Exchequer will accept a debit equivalent to the full value of all materials supplied to them from these dismantled lines.

Pandit Lakshmi Kanta Maitra: May I know what the Honourable Member means by "final destination"?

The Honourable Sir Andrew Olow: I cannot give the particulars. I have already said in the House that it means overseas.

Mr. Lalchand Navarai: Were all the six railways unremunerative?

The Honourable Sir Andrew Olow: That is our view.

TICKETLESS TRAVELLERS ON STATE RAILWAYS.

9. ***Mr. Amarendra Nath Chattopadhyaya:** Will the Honourable Member for Railways be pleased to state the number of ticketless travellers detected within the 1st January, 1940, and the 31st January, 1941, travelling on different State Railways and what punishment has been meted out to them?

The Honourable Sir Andrew Olow: I am unable to supply figures for the calendar year but place on the table a statement giving for the financial year 1939-40 the number of travellers detected travelling without tickets on each Class I Railway, the number who paid the excess fares and penalties and the results of action taken under sections 112 and 113 of the Indian Railways Act. Details of the punishments are not recorded, but under the existing Act these can only be fines under section 112 and penalties under section 113.

*Statement relating to passengers found travelling without proper tickets on Class I Railways (excluding Indian State Railways)
Financial year 1939-40.*

Railways.	Total number of passengers found travelling fares and without penalty on tickets.	Number of passengers who paid excess fares and penalty on detection.	Details of action taken under Indian Railways Act.				Fares and penalty recovered.	Punishment inflicted.	Pending in Courts.	Total.			
			Let off.	Fare and penalty recovered.	Punishment inflicted.	Pending in Courts.					Total.	Let off.	Fares and penalty recovered.	Punishment inflicted.	Pending in Courts.	Total.
			Under section 112.				Under section 113.						
1. A. B.	61,170	48,712	..	..	16	4	20	1,589	591	..	..	8,495	10,675
2. B. & N. W.	348,517	305,766	1,026	199	33	13,940	15,198	635	320½	..	..	18,537½	19,493
3. B. N.	81,560	20,675	151	383	56	931	1,521	1,246	1,266½	37	..	9,297½	11,847
4. B. B. & C. I.	977,365	292,188½	..	109	703	..	812	18	53	..	..	..	71
5. E. B.	258,903	218,722	173	131	1,595	98	1,997	12,135	1,606	..	..	17,835	31,576
6. E. I.	234,088	182,178	861	1,595	7,313	5,259	15,028	5,891	9,947	1,588	..	19,456	36,882
7. G. I. P.	494,086½	209,716½	98½	126	1,519	43½	1,867	247½	403½	142	..	106½	898½
8. M. & S. M.	399,744	198,172	67	291	1,863	60	1,081	133	236	187	..	151	707
9. N. W.	410,278	309,248	912	1,505	2,654	1,001	6,072	2,646	2,093	1,905	..	5,533	12,177
10. R. & K.	55,994	53,919	..	..	..	..	..	387	255	3	..	857	1,502
11. S. I.	158,005	95,243	22	161	923	70	1,176	7,741	2,229	..	..	8,958	18,928

Pandit Lakshmi Kanta Maitra: Does the statement include mendicants and beggars who travel without tickets?

The Honourable Sir Andrew Olow: They are not recorded separately in the statement.

Pandit Lakshmi Kanta Maitra: Do the figures in the statement give any clue as to the categories of people who travel without tickets?

The Honourable Sir Andrew Olow: No, Sir; they are all ticketless travellers.

Dr. Sir Ziauddin Ahmad: Does the statement give the percentage of those who travel without tickets to the total number of passengers?

The Honourable Sir Andrew Olow: No, Sir, I was not asked for that statement. But the number of passengers who travel is given in the annual report of Indian Railways. I cannot give the number of those who travel without tickets; I can only give the number detected travelling without tickets.

Pandit Lakshmi Kanta Maitra: I think the Honourable Member knows that there is a class of professional people who travel without tickets. And as the Honourable Member has got a Bill before the House for checking ticketless travel, did he not think it necessary to show in the statement the percentage of habitual travellers without tickets like mendicants and beggars to the total number of ticketless travellers?

The Honourable Sir Andrew Olow: No, Sir. But I certainly took into consideration the fact that there are habitual offenders, and that is one reason for enhancing the penalty.

Mr. Lalchand Navalrai: Has the number been reduced as compared with what it was the previous year?

The Honourable Sir Andrew Olow: I have not got the figures for the previous year here.

Mr. Lalchand Navalrai: Is the Honourable Member prepared to say that the number has decreased?

The Honourable Sir Andrew Olow: As I have already said, I have no information.

Sir H. P. Mody: Have any regulations been issued as to how often a man can travel without a ticket?

The Honourable Sir Andrew Olow: No.

CATERERS ON THE EAST INDIAN AND NORTH WESTERN RAILWAYS.

10. ***Mr. Amarendra Nath Chattopadhyaya:** (a) Will the Honourable Member for Railways be pleased to state how many caterers have been appointed throughout the East Indian Railway and the North Western Railway lines, and what are their respective jurisdictions?

(b) Will the Honourable Member be pleased to state if complaints have been received against caterers regarding quality of food supplies and the price of food charged?

(c) Are there proper arrangements for inspection regarding (i) quality of food supplied by caterers, (ii) freshness of food, and (iii) proper service and behaviour of caterers?

(d) Have caterers to pay any fees for licences and fares for travelling on trains, and is any dining car arrangement under contemplation under the management of these caterers?

(e) How many stall-holders are appointed for catering tea and confectionery and sweetmeat and milk at junction stations on the East Indian Railway?

The Honourable Sir Andrew Olow: (a) and (e). This information is not available with Government and I have ascertained that no register giving it is maintained at the headquarters of the railways. I regret that I cannot undertake the compilation of a new register, but if the Honourable Member wishes information about any particular station, it can be procured.

(i) Complaints have occasionally been made to Government in this House and elsewhere.

(c) Yes.

(d) Licence fees are paid. Free passes are given to the travelling staff of the Contractors. Dining cars exist on the two Railways mentioned but, as far as Government are aware, there is no proposal to extend their use.

Pandit Lakshmi Kanta Maitra: Do I understand the Honourable Member to say that no register is maintained showing the number of caterers on each railway or on each State-managed railway?

The Honourable Sir Andrew Olow: Government maintain no register. There is no register maintained at headquarters. It is a matter falling within the purview of the Divisional Superintendents.

Pandit Lakshmi Kanta Maitra: Do I understand that the Railway Board do not maintain any such register?

The Honourable Sir Andrew Olow: That is the case.

Mr. Lalchand Navalrai: May I know whether these caterers have been paying license fees and fares for travelling because it was pressed that they should pay something, even nominally. Has that been implemented?

The Honourable Sir Andrew Olow: So far as I know, license fees are paid. As far as I can recollect, a view taken in the Central Advisory Council was that they were in some cases excessive. The recommendations of the Council at the last session were accepted by the Government.

Mr. Lalchand Navalrai: But an inquiry had to be made and certain officers had to be appointed to find out what would be a just charge to make?

The Honourable Sir Andrew Clow: Certain principles were recommended by the Central Advisory Council in respect of these license fees and these were accepted by the Government.

Mr. Lalchand Navalrai: But have the General Managers actually gone into that question and decided how much to charge?

The Honourable Sir Andrew Clow: I presume they have. We did not lay down actual rates of charges: we only laid down certain principles.

Dr. Sir Ziauddin Ahmad: Is it a fact that the General Manager of the North Western Railway has appointed a special officer to inquire what should be the license fees in the case of various restaurants and refreshment rooms? I think the idea behind this appears to be that in future economic rates will be charged and not merely nominal rates as the Council decided?

The Honourable Sir Andrew Clow: I am obliged to the Honourable Member for the information, which was not in my possession.

**AMOUNTS OF SALARY MONEY PAID TO MUSLIM AND NON-MUSLIM
EMPLOYEES OF CERTAIN RAILWAYS.**

†11. ***Mr. Muhammad Nauman:** Will the Honourable Member for Railways be pleased to state:

- (a) the total amount of money paid as salaries to gazetted officers on the East Indian Railway, the Eastern Bengal Railway, and the Great Indian Peninsula Railway, showing separately the amount as paid in 1939-40 on each Railway;
- (b) the amount of the salaries paid to Muslim and non-Muslim officers of gazetted rank on the East Indian Railway, the Eastern Bengal Railway, and the Great Indian Peninsula Railway, separately, under each head for the period 1939-40 financial year;
- (c) the total amount of salaries paid by the East Indian Railway, the Eastern Bengal Railway and the Great Indian Peninsula Railway to their employees receiving Rs. 50 to Rs. 150 (excluding allowances) as their substantial salaries in the financial year 1939-40;
- (d) separately the amounts paid as salaries to Muslim and non-Muslim employees who are receiving between Rs. 50 and Rs. 150 monthly as substantial salaries on each of the railways, viz., the East Indian, the Eastern Bengal and the Great Indian Peninsula; and
- (e) the total amount of salaries paid on each of the following railways showing separately Muslim and non-Muslim shares in the total amount of all employees receiving rupees fifty and

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

upwards and including the highest gazetted officers on (1) the Bombay, Baroda and Central India Railway, (2) Bengal and North Western Railway, (3) Madras and Southern Mahratta Railway, and (4) Rohilkund and Kumaon Railway as shown in the financial year of 1939-40?

The Honourable Sir Andrew Olow: (a) I would refer the Honourable Member to Appendix C-III of Vol. II of the Report by the Indian Railways, 1939-40.

(b), (c), (d) and (e). No statistics on a communal basis relating to salaries or wages are maintained and it is not possible for me to state even the aggregate amounts drawn by subordinates within the particular limits of pay given. As regards gazetted officers, the salary drawn by each officer at the date of publication is given in the Classified List of State Railway Establishment, a copy of which is in the Library of the House.

RENTS COLLECTED FROM REFRESHMENT ROOM CONTRACTORS ON CERTAIN STATE RAILWAYS.

†12. ***Mr. Muhammad Nauman:** (a) Will the Honourable the Railway Member be pleased to state the total rent collected from the different refreshment room contractors on the East Indian Railway, the Eastern Bengal Railway and the Great Indian Peninsula Railway?

(b) Is the Honourable Member aware of the average daily sales in Muhammadan and Hindu refreshment rooms? If not, is the Honourable Member prepared to make necessary enquiries in the matter?

(c) Will the Honourable Member be pleased to state the basic principle for levying such rents?

The Honourable Sir Andrew Olow: (a) I would refer the Honourable Member to the information laid on the table in reply to Mr. Satyamurti's starred question No. 1088 of the 16th September, 1938.

(b) The answer to both parts of the question is in the negative.

(c) Railways have been informed that Government accept the recommendation of the Central Advisory Council for Railways that an economic rent should be charged for refreshment rooms but that, after consultation with Local Advisory Committees, a lower rent or even no rent may be charged in order to avoid the necessity of withdrawing an existing facility.

UNSATISFACTORY WORKING OF THE REFRESHMENT ROOM AND VENDING CONTRACTS ON THE EAST INDIAN RAILWAY.

†13. ***Mr. Muhammad Nauman:** (a) Is the Honourable the Railway Member aware that the contractors for refreshment rooms and for vending are sub-letting parts of their contracts on some stations on the East Indian Railway?

(b) Is he aware that the contractors of refreshment rooms normally avoid keeping books of inspection and only apologise if such books are demanded?

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

(c) Do the food inspectors at all visit the kitchen and examine the food in raw condition?

(d) Do these inspectors of food send any reports to the Railway Board? If not, why not?

The Honourable Sir Andrew Olow: (a) and (b). No.

(c) Yes.

(d) No. The Inspectors make their reports direct to the Administrations concerned.

UNSATISFACTORY WORKING OF THE REFRESHMENT ROOM AND VENDING CONTRACTS ON THE EAST INDIAN RAILWAY.

†14. ***Mr. Muhammad Nauman:** (a) Is the Honourable the Railway Member aware that the quality of food supplied by the contractors of refreshment rooms on the East Indian Railway is very poor and that state meat and vegetables are normally being served to passengers?

(b) Is the Honourable Member aware that the present contractors for refreshment rooms and for vending find out methods to suppress correspondence of the nature of complaints?

(c) Is the Honourable Member prepared to make thorough enquiries into the matter?

The Honourable Sir Andrew Olow: (a) and (b). No.

(c) No. The Divisional Superintendents within whose competence the matter lies are at all times prepared to receive complaints from passengers who have reasonable ground for them, and I am unable to understand how caterers can prevent such complaints from being sent.

DISMANTLING OF BRANCH RAILWAY LINES.

†15. ***Mr. Muhammad Nauman:** (a) Will the Honourable Member for Railways be pleased to state how many of the Railway lines, already dismantled, were unremunerative and for how many years?

(b) At the time when dismantling of lines was suggested for war purposes, were Government aware of any such incident in other parts of His Majesty's possessions, including dominions and protectorates? If not, are Government prepared to make necessary enquiries?

(c) What is the total amount of money which the Railway Department has claimed as price for these rails from the Supply Department, and is any agreement possible as to the Supply Department agreeing to meet the cost of re-installation of such lines which the Railway Board may decide to reinstate after the war is over? If not, why not?

The Honourable Sir Andrew Olow: (a) The Honourable Member is referred to my reply to part (a) of starred question No. 8 by Mr. Amarendra Nath Chattopadhyaya.

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

Of the six lines already lifted, four, which have been constructed in recent years, have been unremunerative since their opening. The remaining two are small branch lines of older construction for which separate statistics have not been kept, but Government have been advised by the General Manager that they are unremunerative.

(b) I understand that a considerable quantity of rails of suitable section has been made available for War purposes from other parts of the Empire, but cannot give particulars of the methods by which they have been provided.

(c) The Honourable Member is referred to part (f) of the starred question No. 8 by Mr. Amarendra Nath Chattopadhyaya. If any of these branch lines is to be relaid after the War, the cost of labour involved in relaying will be recovered.

MEDICAL OFFICERS ON CERTAIN RAILWAYS.

+16. *Mr. Muhammad Nauman: (a) Will the Honourable the Railway Member be pleased to state the total number of medical officers including District Medical Officers and Chief Medical Officers on the East Indian Railway, the Eastern Bengal Railway, the Great Indian Peninsula Railway, the Bombay, Baroda and Central India Railway and the Bengal and North Western Railway and lay on the table a statement showing their names and salaries as shown on the 30th June, 1940?

(b) Is it a fact that the quota of minority communities even in the initial stage of recruitment is not completed on one ground or another, and that the same is made up by appointments in lower grades of Rs. 80 or so?

The Honourable Sir Andrew Clow: (a) The Classified List of State Railway Establishment and Distribution Return of Establishment of all Railways corrected up to 31st December, 1939, gives the number, names and salaries of all medical officers of gazetted rank on the Eastern Bengal, East Indian, Great Indian Peninsula, Bombay, Baroda and Central India and Bengal and North Western Railways. Similar information in respect of Assistant Surgeons on the Eastern Bengal, East Indian and Great Indian Peninsula Railways is contained in the 'Classified Lists of subordinate staff of all Departments on scales of pay rising to Rs. 250 and above' of these Railways. Information regarding the number and the salaries drawn by the Assistant Medical Officers, Assistant Surgeon, Sub-Assistant Medical Officers and Sub-Assistant Surgeons on the Bombay, Baroda and Central India Railway, Assistant Medical Officers and Sub-Assistant Surgeons on the Bengal and North Western Railway and Sub-Assistant Surgeons on the East Indian and Great Indian Peninsula Railways is contained in the Establishment Rolls of these Railways but Government do not maintain lists of the names of officials. Copies of all the publications referred to are in the Library of the House.

(b) No.

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

STATEMENTS LAID ON THE TABLE.

Information promised in reply to part (d) of starred question No. 99 asked by Bhai Parma Nand on the 15th February, 1940.

FIXATION OF PAY OF RETRENCHED STAFF RE-APPOINTED IN THE COMPILATION SECTION OF THE CHIEF ACCOUNTS OFFICE, NORTH WESTERN RAILWAY.

The cases have been examined in the light of the policy followed on all Railway and it has been ascertained that prior to retrenchment these men were employed as substitutes for temporary purposes and were, therefore, wrongly allowed the old scales of pay in the first instance. It is not proposed to alter the decision taken which was in accordance with orders issued by the Railway Board in 1932.

Information promised in reply to parts (a), (b) and (d) of starred question No. 399 asked by Mr. Lalchand Navalrai on the 15th March, 1940.

RACIAL DISCRIMINATION IN THE EQUIPMENTS OF GUARDS' RUNNING ROOMS.

(a) The statements below give the information required.

(b) Such difference as exists between the equipment of European and Indian Running Rooms is due partly to the fact that the European running rooms are intended for guards in higher grades and partly to differences in the mode of living of the communities.

(d) The answer to the first part is in the affirmative and the other parts do not arise.

Scale of furniture, crockery, cutlery, etc., for the European Running Rooms on N. W. Railway.

The lower figure is intended for the Running Room required to accommodate 1 to 3 men and the higher figure for those required to accommodate 10 to 12 men.

Name of article.	Number of article.	Remarks.
Almirah, office, wooden . . . . .	..	Lockers should be provided.
Pillows and blankets and covers for mattress	6 to 24	
Pillows, pillow cases and sheets	12 to 48	
Mattresses	3 to 12	
Bed, newar	3 to 12	
Board, furniture list	2	
Chairs with arms	4 to 12	
Chairs without arms	1	For each bed room.
Chairs, easy	2 to 8	
Clock, round case	1	For each room.
Cloths, table ordinary	6 to 24	
Table napkins	12 to 48	
Commodes on iron legs	1 to 4	
Glass, looking	1	For each bath room.
Grating for bath rooms	1	Ditto.
Lamps, burner, brass with C. I. S. stand	2 to 6	1 for each room and one spare.
Lamp for bath rooms	1	For each bath room.
Lamp for kitchen	1	For each kitchen.
Lock, iron, galvanised, 2, $\frac{1}{2}$ . . . . .	..	As required.
Matting, coir . . . . .	..	As required for number of rooms allotted.
Pots, chamber	2 to 6	
Pots, commode	1 to 4	
Poultry cages	1 to 2	

Name of article.	Number of article.	Remarks.
Racks for hats	1 to 4	
Bat trap	1	As required.
Stand for sorahis	1 to 2	
Stand for chilamchi and towels	1 to 2	
Tables without drawers	1 to 2	
Stands for chamber pot	1	
Table, dining	1	For each room.
Table, dressing	1	For each dressing room or according to number of rooms allotted for drivers.
Table, cook	1	For each cook.
Tubs, iron, galvanised	1 to 4	
Tea pots	2 to 8	
Towels, wash hand	12 to 48	
Wash hand basins, A. W.	1 to 4	
Wash hand jugs, A. W.	1 to 4	
Wash hand brush dishes	1 to 2	
Wagonnettes for crockery	1 to 2	
Boards knife, cleaning	1	For each cook.
Board, pastry chopper, meat	1	For each dining room.
Hot case	1 or 2	
Grid irons	2 to 4	
Kettles, A. W.	1	
Knife, cook	1	For each cook.
Meat safe	2 to 3	
Mortar and pestle	1 or 2 sets	
Frying pans	2	For each cook.
Pots, cooking, A. W.	1 to 2	
Spoons, cooking	1	For each cook.
Tin openers	1	For each kitchen.
Pins, rolling	1	
Stone, curry	1 to 4	
Basin, sugar	12 to 30 sets.	
Butter pots	2 to 6	
Cups and saucers, tea and coffee	6 to 18	
Trays for tea cups	2 to 4	
Milk jugs, glass	1 to 2	
Water jugs	1 to 4	
Egg cups	12 to 36	
Dishes, vegetables, curry and pudding	1 to 2	
Plates, cheese, dessert, dinner and soup	1 to 4	
Dishes, soup	1 to 2	
Jars, pickle	1 to 4	
Cruet stands	12 to 36	
Forks, dessert, knife, dessert and table	1 to 2	
Knife, fork, carving and bread	1 to 4	
Butter knife and toast rack	12 to 36	
Spoons, dessert and table	2 to 4	
Spoons, mustard and salt	6 to 24	
Spoons, tea	6 to 18	
Spoons, eggs	2 to 4	
Salt cellars	2 to 4	
Tea pots	12 to 36	
Tumblers, glass	1 to 2	
Parat, brass	1 to 2	
Mincing machine	1 to 3	
Country axe		
Cork screws		

Scale of furniture and crockery utensils for Hindu Running Rooms on N. W. Railway.

Name of article.	Number of article.	Remarks.
Almirah, wooden, office	..	Lockers or cupboards should be provided.
Pillow cases and blankets	6 to 24	
Pillows and cots, moonj or string	3 to 12	
Benches, iron legged	1 to 3	
Boards, furniture list	} 1	
Board, sign or notice		
Boxes, wooden, deodar	1 to 2	
Buckets, iron, galvanized	2 to 4	
Chairs without arms or stools, wooden	3 to 12	
Durries, bedding	3 to 12	
Glasses, looking	1 to 3	
Lamp, burner, brass	1	In each room.
Lock, iron, galvanized, 2"	..	As required.
Hat racks	} 1 to 2	
Stands, wooden for sorahis		
Tables with drawers	1 to 3	
Bake, iron or tawa	1	For each cook.
Knife, cook	1	Ditto.
Meat safe	1 to 2	
Mortar and pestle	1	For each cook.
Karahi, iron, small	1	Ditto.
Pots, cooking	1 to 2 sets	
Spoons, cooking, brass	2	For each cook.
Stone, curry	1	Ditto.
Pin, rolling	1	
Thalies, brass	} 3 to 12	
Katoras, brass		
Parats, brass	1 to 3	
Axes, country	1 to 2	
Mugs, brass	3 to 12	
Pots, brass, lotah	2 to 6	
Spoons, tea	3 to 12	
Cups and saucers, tea	4 to 16	
Tea pots	1 to 4	
Kettles, A. W.	1 to 3	

(China plates for rice to be provided in all Indian Running Rooms to the extent of 50 per cent. of the maximum number of men using the Running Room simultaneously.)

Scale of furniture and crockery, utensils for Muhammedan Running Rooms on the N. W. Railway.

Name of article.	Number of article.	Remarks.
Almirah wooden, office	..	Lockers should be provided.
Pillow cases and blankets	6 to 24	
Pillows and cots, moonj or string	3 to 12	
Benches, iron legged	..	
Board, furniture list	} 1 to 2	
Board, sign or notice		
Box, wooden, deodar	1	
Bucket, iron, galvanized	1	
Chairs, without arms or stools, wooden	3 to 12	
Durries	4 to 16	

Name of article.	Number of article.	Remarks.
Glasses, looking	1 to 3	Or according to number of rooms in each.
Lock, iron, galvanized, 2" . . . . .	..	As required.
Lamp, burner, brass	1	In each room.
Hat racks	1 to 4	
Stands, wooden, for sorahis	} 1 to 3	
Tables without drawers		
Bake, irons or tawa	2 to 4	
Knife, cook	1	For each cook.
Meat safes	1 to 2	
Mortar and pestle	1	For each cook.
Karahis, iron, small	1 to 3	
Pots, cooking, A. P.	1 to 2 sets	
Spoons, cooking	2	For each cook.
Stones, curry, without mutter	1 to 2	
Thalis, copper and katoras, copper	4 to 16	
Pins, rolling with chakla	1 to 2	
Parats, copper	1 to 3	
Spoons, tea	3 to 12	
Axes, country	1 to 2	
Pots, copper, with spout	1 to 4	
Cups and saucers, tea	4 to 16	
Tea pots	1 to 4	
Kettles, A. W.	1 to 3	
Tumblers	3 to 12	

N.B.—China plates for rice to be provided in all Indian Running Rooms to the extent of 50 per cent. of the maximum number of men using the Running Room simultaneously.

Information promised in reply to part (d) of unstarred question No. 9 asked by Mr. Lalchand Navarai on the 5th November, 1940.

EXCESS PAYMENTS BY THE EMPLOYEES OF THE NORTH WESTERN RAILWAY TO THE RAILWAY MEDICAL STAFF.

(d) The attention of the Government of India was first drawn to the matter by the question referred to by the Honourable Member.

Information promised in reply to unstarred questions Nos. 10, 11, part (a) of 16, 22 and 27 asked by Dr. P. N. Banerjea on the 5th November, 1940.

DELEGATION OF POWER TO MAKE FIRST APPOINTMENTS IN NON-GAZETTED POSTS ON CERTAIN STATE RAILWAYS.

No. 10.—In respect of all grades of non-gazetted staff. Complete information concerning the dates of such delegations is not available.

GRADES FOR WHICH DIRECT RECRUITMENT IS CONSIDERED DESIRABLE ON CERTAIN STATE RAILWAYS.

No. 11.—The information is given in the appended statement.

Statement showing the grades higher than the lowest fixed by the General Managers of State Managed Railways to which direct recruitment is considered desirable in the interest of administration.

Railway.	Category.	Grade.	Date of fixation.
Rs.			
Eastern Bengal Railway.	Guards, B class . . .	65—5/2—85 .	23rd March, 1938.
East Indian Railway .	Guards, Grade I . . .	100—10/2—120	December, 1937.
Great Indian Peninsula Railway.	No definite grades have been fixed to which direct recruitment is to be made.		
North Western Railway.	1. Guards	65—5/2—85 .	9th October, 1937.
	2. Ticket Collectors	65—5/2—85 .	Ditto.
	3. Special Ticket Examiners.	100—10/2—120	Ditto.
	4. Nurses	160 fixed	Ditto.
	5. Ward keepers	100—10/2—120	Ditto.
	6. Chemists	230 fixed	17th May, 1938.
	7. Clerks	65—5/2—85 .	Ditto.
	8. Stenographers	100—10/2—120	27th April, 1939.

SUBSIDIARY RULES MADE BY THE GENERAL MANAGERS OF CERTAIN STATE RAILWAYS AND RELAXATIONS OR MODIFICATIONS IN THEM.

No. 16—(a) Particulars of the subsidiary Rules so far made by the General Managers of Eastern Bengal, East Indian, Great Indian Peninsula and North Western Railways have been received, but as they run to great length and would in many cases convey no clear meaning apart from the main rules with which they are printed, it is not proposed to lay them on the table of the House. They can, however, be inspected in the office of the Secretary to the Railway Board. Some of the rules made by the General Manager, North Western Railway, in connection with the recruitment and training of Non-Gazetted staff, are contained in the Calendar of the Walton Training School, 1940, a copy of which is in the Library of the House.

DISADVANTAGES OF THE STAFF OF COMPANY-MANAGED SECTION OF THE EAST INDIAN RAILWAY TRAINED AT THE RAILWAY SCHOOL OF TRANSPORTATION, CHANDAUSI.

No. 22—(a) No, except that staff of the old Oudh and Rohilkund who had passed the goods examination at the old Oudh and Rohilkund training school at Chandausi were not required to pass any further examination on that subject.

(b) No; staff appointed after the 1st January, 1925, to the combined undertaking were trained at the School of Transportation, Chandausi.

(c) Yes.

(d) No, but staff who had not already qualified were required to pass the examination before they could be promoted.

(e) As the courses at Chandausi school after the 1st January, 1925 do not afford instruction to the standard required in Goods and Coaching duties, staff are required to pass the Goods Accounts Examination before they are promoted, irrespective of whether they have attended courses at Chandausi or not.

**CIRCULAR INSTRUCTIONS FOR GRANT OF GRATUITY TO NON-GAZETTED STAFF
IN LUCKNOW DIVISION OF THE EAST INDIAN RAILWAY.**

No. 27.—(a) The Divisional Superintendent, Lucknow, issued no circular bearing the number and date cited by the Honourable Member, but a letter bearing this number and date was issued to one employee. As regards the latter part, a gratuity is granted at the discretion of Government as a reward for good, efficient and faithful service. This is not a matter in which it is possible to prescribe any rigid standard; the General Manager is competent to withhold a gratuity in whole or in part if in his opinion the employee's service has not been of this nature.

(b) There is no provision of the kind referred to by the Honourable Member in the State Railway Establishment Code.

(c) Does not arise.

*Information promised in reply to part (d) of starred question No. 15 asked
by Dr. Sir Ziauddin Ahmad on the 7th November, 1940.*

SAVINGS DUE TO PARTIAL EXODUS TO SIMLA.

The following expenditure was incurred on the move to Simla by civil departments of the Government of India in 1940 as compared with that incurred in 1937-38 :

Items.	Expenditure in 1940.	Expenditure in 1937-38.	+ Excess or —Saving.
(1) Travelling allowance and carriage of records at the time of each move from Delhi to Simla and <i>vice versa</i> .	2,99,950	5,90,809	—2,90,859
(2) Allowances	1,95,046	4,88,130	—2,93,084
(3) Hiring of private buildings for office accommodation.	3,767	33,820	—30,053
(4) Transit of daily desk bags between Simla and Delhi.	54,950		+54,950
(5) Telephone trunk calls	44,897	..	+44,897
Total	5,98,610	11,12,759	—5,14,149

NOTE.—While the apparent saving was Rs. 5,14,149 the real saving was greater for the reason that the 1940 figures include the cost of the Supply Department and increases in the staff of the Defence and other Departments owing to war conditions.

*Information promised in reply to starred question No. 48 asked by
Mr. Muhammad Nauman on the 12th November, 1940.*

**WANT OF SHUNTING FACILITIES AT BUKHTIARPUR JUNCTION OF THE EAST
INDIAN RAILWAY.**

(a) (i) I understand that it is only the work train in the Down direction which is at times detained at Bukhtiarpur.

(ii) Work trains are occasionally stabled on the section. This, however, is at times the result of heavy work at stations other than Bukhtiarpur.

(iii) and (iv). No record of this is now available.

(v) I understand the question of improving yard facilities is under consideration and, if the expenditure is thought justified, the work will be included in the programme for 1942-43.

(b) No.

Information promised in reply to starred question No. 56 asked by Mr. Lalchand Navalrai on 12th November, 1940

COMMUNAL CONSIDERATIONS IN THE PROMOTION OF GUARDS FROM GRADE II TO GRADE III ON THE NORTH WESTERN RAILWAY.

- (a) 16; 10 Muslims, 2 Hindus, 2 Sikhs, 2 Anglo-Indians and Domiciled Europeans.
 (b) and (c) There was no general list giving seniority; the men were selected from among lists sent in by Divisional Superintendents.
 (d) The answer to the first part is in the negative, the latter part does not arise.
 (e) Promotion from grade II to grade III is made by selection.
 (f) None, as promotions are not made on communal considerations.

Information promised in reply to part (b) of starred question No. 68 asked by Dr. Sir Ziauddin Ahmad on the 13th November, 1940.

COMPLAINTS ABOUT THE TREATMENT OF PATIENTS IN THE IRWIN HOSPITAL, NEW DELHI.

(b) The posts of Chief Medical Officer and Civil Surgeon, Delhi, and Additional Civil Surgeon, Delhi, are reserved for officers of the Indian Medical Service (Civil) and appointments to these posts are made by the Governor General in Council. Appointments of Assistant Surgeon and Honorary Medical Officers are made by the Chief Commissioner, Delhi, on the recommendations of the Chief Medical Officer and Sub-Assistant Surgeons, House Surgeons and Physicians are appointed by the Chief Medical Officer. The post of Radiologist is a tenure appointment and is filled by an officer of the Indian Medical Department.

Information promised in reply to parts (a) and (b) of starred question No. 99 and starred question No. 100 asked by Dr. Sir Ziauddin Ahmad on behalf of Mr. H. A. Sathar H. Essak Sait on the 16th November, 1940.

MUSLIM OFFICERS EMPLOYED BY THE CALCUTTA PORT TRUST.

No. 99—(a) On the 31st October, 1940, 252 officers held posts on a maximum salary of Rs. 500 and above per mensem. Three were Muslims.

(b) 88 officers were recruited to such posts from 1924-25 to 1939-40. Two were Muslims.

SCHOLARSHIPS FOR SPECIAL TRAINING GIVEN BY THE GOVERNMENT OF INDIA OR THE CALCUTTA PORT TRUST.

No. 100.—(a) The only candidates assisted by the Calcutta Port Commissioners are workshop apprentices. These apprentices receive a small pay during the period of training, and the Commissioners pay their fees for evening classes at the Calcutta Technical School amounting to Rs. 96 per apprentice per annum.

(b) Yes. One of the present apprentices is a Muslim, Ex "Dufferin" Engineer cadet, who is in receipt of a Government of India Marine Engineering Scholarship. Another Muslim apprentice left on 1st October, 1940, but as he had already completed a course at Sibpore College, his attendance at the Calcutta Technical School was dispensed with, and the question of payment of fees did not arise.

Information promised in reply to starred question No. 103 asked by Shaikh Rafiuddin Ahmad Siddiquee on the 16th November, 1940.

RENT RECEIVED FROM INDIAN STALLS BY THE ASSAM BENGAL RAILWAY.

The total receipts from the vending contracts for stalls on the Assam Bengal Railway, for the last three years are:

1937-38.	1938-39.	1939-40.
Ra.	Ra.	Ra.
16,439	16,439	16,724

Information promised in reply to unstarred questions Nos. 51, part (a) of 52, 53 and part (b) of 66 asked by Mr. Muhammad Ashar Ali on the 16th November, 1940.

RULES IN RESPECT OF PAY AND ALLOWANCES, PROVIDENT FUND, ETC., ON THE OUDH AND ROHILKHAND RAILWAY BEFORE AND AFTER AMALGAMATION,

No. 51.—Non-gazetted staff appointed between 1st January, 1925 and 31st March, 1931, are all governed by the appropriate sections of (i) the State Railway Establishment Code, Volumes I and II in matters of Pay and Allowances, Provident Fund and Gratuity, Leave, Transfer and Medical Attendance, and (ii) the State Railway Code for Engineering Department and East Indian Railway Dress Regulations in respect of House rent and clothing, respectively. As regards the School fees, staff appointed on the East Indian Railway area upto 30th June, 1925, as also those appointed on the amalgamated system between 1st July, 1925 and 31st January, 1929, are governed by the old East Indian Railway Rules and the rest by the rules in the State Railway Establishment Code, Volume I. The actual grades and scales are not embodied in rules.

CIVIL SUIT BY AN EMPLOYEE DECREED AGAINST THE NORTH WESTERN RAILWAY.

No. 52.—(a) The answer to the first part is in the affirmative; the latter part does not arise.

ALLEGED SALE OF USED RAILWAY TICKETS.

No. 53.—I have seen the article referred to.

(a) The ticket collector concerned was prosecuted by the Government Railway Police, on their own initiative and no enquiries were made by the Railway Administration into this case.

(b) As the matter was not enquired into by the Railway Administration, this part does not arise.

(c) The case was conducted in Court by the Government Railway Police.

(d) The tickets were in the custody of the police.

COLLECTIVE ASSESSMENT OF WATER RATES ON POSTAL AND TELEGRAPH OFFICIALS OCCUPYING GOVERNMENT QUARTERS IN SIMLA.

No. 66.—(b) Particulars of the excess water charges in respect of the quarters attached to the Central Telegraph Office, Simla, show that in no month did the total excess water charge exceed the assessed water rate for the whole year. The excess water charges varied from Rs. 30 to Rs. 210 per month during the period 4th April, 1940 to 4th October, 1940, while the assessed water rate for the whole year was Rs. 346-14-0. But as, in the case of some of the quarters water charges were distributed with regard to the size of the family of the occupant, the result was that some telegraph officials did pay, in some months, by way of excess water charge more than their share of the assessed water rate for the whole year. Orders are being issued that the excess water charges should, in future, be allocated on a floor area basis.

Information promised in reply to unstarred questions Nos. 72, parts (a) to (e) of 74, 78 and 85 asked by Bhai Parma Nand on the 16th November, 1940.

SANCTIONED STRENGTH OF THE TRANSPORTATION INSPECTORS IN THE MORAD-ABAD DIVISION, EAST INDIAN RAILWAY.

No. 72.—(a) and (b) The sanctioned and actual strength of Transportation and Commercial Inspectors on the Moradabad Division of the East Indian Railway on 31st October, 1940, was as follows :

- (i) Transportation Inspectors (Movement) 4.
- (ii) Transportation Inspectors (Commercial) 2.
- (iii) Transportation Inspectors (Commercial and Movement combined) 1.
- (iv) Claims Inspectors 2.

(c) The four Transportation Inspectors (Movement) are in charge of all Transportation Movement work on their sections, the Division being divided into four sections for this purpose. Each of these Inspectors attends also to the Commercial work at the majority of roadside stations on his section.

The Division is divided into two Commercial sections, each in charge of a Transportation Inspector (Commercial) and these Inspectors are responsible for the commercial work at selected busy stations on their sections.

One Transportation Inspector (Commercial and Movement combined) is posted at divisional headquarters for the purpose of conducting specialised enquiries into either commercial or transportation matters as occasion arises.

The two Claims Inspectors are each in charge of a section, and are responsible primarily for investigating, assessing, and settling claims cases, but also have a few roadside stations allocated to them for the purpose of commercial inspection.

(d) There has been no change in the strength of these Inspectors on the Moradabad division since 1938.

INTRODUCTION OF SENIOR REFRESHER COURSE FOR ASSISTANT STATION MASTERS ON THE EAST INDIAN RAILWAY.

No. 74.—(a) 3rd February, 1939, for the Railway as a whole.

(b) Senior Assistant Station Masters' Refresher Courses were held at the Railway School of Transportation at Chandausi on the following dates :

- From 3rd February, to 23rd February, 1939.
- From 12th April, 1939 to 2nd May, 1939.
- From 9th May, 1939 to 29th May, 1939.
- From 6th June, 1939 to 26th June, 1939.
- From 9th November, 1939 to 29th November, 1939.
- From 5th February, 1940 to 24th February, 1940.
- From 28th February, 1940 to 19th March, 1940.
- From 18th April, 1940 to 8th May, 1940.
- From 12th June, 1940 to 2nd July, 1940.
- From 26th November, 1940 to 16th December, 1940.

(c) The following syllabuses have been laid down for the Senior Assistant Station Masters' Refresher Course :

I. Transportation.

General and Subsidiary Rule Book—chapters I to VI complete with select portions of chapter VII and complete chapters IX, X and XI. (With corresponding orders from the standing order book). Block Working Manual—complete.

Accident Manual—rules 1 to 22 and rules 30, 31, 38 to 63. Uses and method of preparation of different forms.

Interlocking and cabin working.

Practical train passing in the model room with the operation of single and double line block instruments, also full demonstration and practice in shunting trains at different classes of stations. Elements of vacuum brake system with action of release valve and passenger alarm apparatus.

II. Commercial (Coaching).

- (i) Coaching Tariff—I. R. C. A.
- (ii) Conference Regulations—selected portions only.
- (iii) Uses and methods of consulting different reference books, etc.
- (iv) I. R. C. A. Red Pamphlet.
- (v) E. I. Railway time table and guide.

III. Telegraphy.

Telegraph traffic rules and regulations.

(d) The appended statement gives the qualifications of the three Instructors who teach the Senior Assistant Masters' class at the Railway School of Transportation, Chandausi.

(e) All Senior Assistant Station Masters, Controllers, Assistant Yard Masters, Platform Assistants and Guards.

EAST INDIAN RAILWAY.

Particulars regarding qualifications, etc., of Instructors who lecture to the Senior Assistant Station Masters, class at the Railway School of Transportation, Chandausi.

Railway qualifications.

Academic qualifications.	Examinations passed.	Practical experience.
No. 1. Passed Senior Cambridge.	(1) Guard (2) Assistant Station Master (3) Control (4) Lower Goods Audit (5) Senior Goods Audit (6) Chandausi Refresher Course twice with Honours in Transportation.	Worked in following capacities: (1) Assistant Yard Master. (2) Guard. (3) Assistant Station Master. (4) Station Master. (5) Transportation Inspector.
No. 2. B. A.	(1) Coaching with credit (2) Lower Goods Audit	(1) Travelling Ticket Examiner. (2) Crew-in-charge. (3) Assistant Line Inspector. (4) Claims Inspector.
No. 3. Studied upto Matric.	(1) Assistant Station Master (2) Coaching (3) Goods (4) Telegraphy. (5) Control. (6) Goods Accounts (Lower standard). (7) Signallers Refresher Course at Chandausi. (8) Duplex Course at Chandausi.	(1) Assistant Station Master. (2) Assistant Head Signaller. (3) Head Signaller.

CADRES OF GUARDS ON CERTAIN STATE RAILWAYS.

No. 78.—(a) and (b). The attached statement gives such information as is readily available.

(c) On the East Indian, Great Indian Peninsula and North Western Railways promotions are made according to seniority coupled with fitness and on the Eastern Bengal Railway, by selection.

(d) No maxima and minima have been prescribed.

Category of guards.	Scales of pay.	Sanctioned strength on 31st October, 1940	Actual strength (permanent) on 31st October, 1940.
Rs.			
<i>Eastern Bengal Railway.</i>			
A Class . . .	45—5—100 (Old)	} 340	316
	30—3—45—5—60 (Revised)		
B Class . . .	110—10—210 (Old)		
	65—5/2—85 (Revised)	} 86	77
C Class . . .	100—10/2—120 (Revised)		
<i>East Indian Railway.</i>			
Grade I . . .	105/110—10—210 (E. I.)	} 509	503 (a)
Grade D . . .	140—10—210		
Grade C . . .	100—10—130 } O. and R.		
Grade I . . .	90—10—180 (Revised 1928)	} 648	713 (b)
Grade I . . .	100—10/2—120 (Revised 1934)		
Grade II . . .	45—5—100		
Grade B . . .	60—5—80 } O. and R.	} 66	53 (a)
Grade A . . .	35—5—55		
Grade II . . .	30—5—70 (Revised 1928)		
Grade II . . .	30—3—45/5—60 (Revised 1934)	} 91	82 (a)
Pilot Guards . . .	130—10—210 (E. I.)		
	120—10—180 (Revised 1928)		
	100—10/2—120 (Revised 1934)	} 91	82 (a)
Gunner Guards . . .	85—10—125 (E. I.)		
	85—10—115 (Revised 1928)		
	30—3—45/5—60 (Revised 1934)		
<i>Great Indian Peninsula Railway.</i>			
Passenger grade . . .	170—15—10—15—210 (Old)	158	153
A. . .	160 (Revised).		
Grade A . . .	113—15—10—15—155 (Old)	84	80
	120 (Revised).		
Grade B . . .	70—10—15—10—15—10—130 (Old)	359	357
	70—5—90 (Revised).		
Grade C . . .	50—5—70 (Old)	186	185
	50—5—60 (Revised).		
Grade D . . .	35—3—50 (Old)	43	41
	30—4—50 (Revised).		

Category of guards.	Scales of pay.	Sanctioned strength on 31st October, 1940.	Actual (permanent) on 31st October, 1940.
Rs.			
<i>North Western Railway.</i>			
Grade IV	125—10—185—200—210 (Old)	208	187
Grade III	75—5—105—10—115 (Old)		
Class I, grade II	65—5/2—85 (Revised)		
Class II, grade I	100—10/2—120 (Revised)	825	773
Grade II	40—3—52—4—60—8—68 (Old)		
Class I, grade I	35—5—50—5/2—60 (Revised)		
Grade I, Second guard.	30—1—35	47	47

(a) The shortage is due to men having been engaged as guards, grade II, against vacancies in these grades.

(b) The excess is due to men having been engaged against vacancies in higher grades and temporary sanctions.

RELIEVING GUARDS IN CERTAIN DIVISIONS OF THE EAST INDIAN RAILWAY.

No. 85.—(a) and (b) The number of sanctioned and actual posts of 'Relieving Guards' on the various Divisions of the East Indian Railway is as follows:

Howrah Division	15
Asansol Division	11
Dinapore Division	12
Allahabad Division	15
Lucknow Division	Nil.
Moradabad Division	Nil.

(c) Station Masters, Assistant Station Masters, Controllers, Inspectors, etc.

(d) On running duty in charge of trains.

Information promised in reply to starred questions Nos. 117 part (a) (iii) and part (a) (iv), 124 and 136 asked by Sardar Sant Singh on the 18th November, 1940.

OFFICERS AND MINISTERIAL STAFF OF THE DEPARTMENT OF EDUCATION, HEALTH AND LANDS AND ITS ATTACHED AND SUBORDINATE OFFICES WHO MOVED UP TO SIMLA LAST SUMMER AND EXPENDITURE INCURRED IN THE MOVE.

No. 117 (a) (iii):—

Staff called to Simla for temporary duty.	Period of stay in Simla.	Reasons for going to Simla.
MAY, 1940		
<i>Office of the Director General, Indian Medical Service.</i>		
One Assistant	5 days	Indian Medical Department Selection Board.
One Assistant	4 days	Required for the examination of an urgent and important case.

Staff called to Simla for temporary duty.	Period of stay in Simla.	Reasons for going to Simla.
One Assistant	8 days	Indian Medical Service Selection Board at Simla.
One Assistant	13 days	Writing of port quarantine portion of the Public Health Commissioner's report and disposal of other urgent files.

JUNE, 1940.

Office of the Director General, Indian Medical Service.

One Superintendent	13 days	In connection with urgent cases of the All-India Institute of Hygiene and Public Health, Calcutta.
One Superintendent	9 days	In connection with Selection Board for selection of Indian Medical Service officers for promotion.
One Assistant	4 days	Work in connection with selection of candidates (Military Medical Students) for interview by Selection Board.
One Assistant	10 days	Selection Board for the recruitment of candidates as Military Medical Students for Assistant Surgeon Branch of the Indian Medical Department.

Office of the Imperial Council of Agricultural Research.

One Superintendent	21 days	} In connection with the meetings of the Advisory Board of the Imperial Council of Agricultural Research and its Sub-Committees.
Two Assistants	18 days each	
One Assistant	19 days	
One Assistant	20 days	
One Assistant	21 days	
One Clerk	16 days	
One Clerk	17 days	
Two Clerks	21 days each	

Office of the Surveyor General.

One Clerk	3 months	In connection with mobilization and other matters arising from the war.
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Staff called to Simla for temporary duty.	Period of stay in Simla.	Reasons for going to Simla.
JULY, 1940.		
<i>Office of the Director General, Indian Medical Service.</i>		
One Assistant	11 days	To complete the Statistics required regarding manufacture of Drugs in India.
One Assistant	21 days	To take the place of an Assistant absent on tour.
<i>Office of the Surveyor General.</i>		
One Assistant	2 months and 26 days.	In connection with mobilization and other matters arising from the war.
AUGUST, 1940.		
<i>Office of the Director General, Indian Medical Service.</i>		
One Superintendent	17 days	Preparation of papers for the meeting of the Recruitment and Appointment Board for the All-India Institute of Hygiene and Public Health, Calcutta.
One Assistant	30 days	For work in connection with the recruitment of nurses, dentists, etc.
One Clerk	5 days	Disbursement of pay and allowances to the Camp Office Establishment.
One Clerk	16 days	For work in connection with recruitment of Dentists and Nurses.
<i>Office of the Imperial Council of Agricultural Research.</i>		
One Superintendent	10 days	} In connection with the meetings of the Governing Body of the Imperial Council of Agricultural Research and its two sub-committees.
Two Assistants	9 days	
Two clerks	9 days	

Staff called to Simla for temporary duty.	Period of stay in Simla.	Reasons for going to Simla.
SEPTEMBER, 1940.		
<i>Office of the Director General, Indian Medical Service.</i>		
One Assistant	6 days	Selection Board on the 19th September, 1940.
One Assistant	28 days	For work in connection with the recruitment of Dentists, Nurses, etc.
<i>Office of the Surveyor General.</i>		
Two Clerks	1 month and 11 days each.	In connection with mobilization and other matters arising from the war.
No. 117 (a) (iv) :		
Officers and staff attending duties at Simla and New Delhi.	Period of duty during the course of the Season.	Number of times each went to Simla.
<i>Officers.</i>		
Deputy Director General, Indian Medical Service.	12 days	Once (before his move to Simla in June, 1940).
Assistant Director General, Indian Medical Service (Stores).	3, 5 and 5 days	Thrice (before his move to Simla in June, 1940).
Officer on Special Duty in the office of the Director General, Indian Medical Service.	7 days	Once.
Chief Advisory Chemist	5 days	Once (before his being permitted to recess in Simla in June, 1940).
Assistant Director General, Indian Medical Service (Additional).	3 and 3 days	Twice.
Officer Supervisor, office of the Director General, Indian Medical Service.	6, 5, 6 and 7 days	Four times.
Assistant Public Health Commissioner with the Government of India.	19, 7 and 28 days	Thrice.

Officers and staff attending duties at Simla and New Delhi.	Period of duty during the course of the Season.	Number of times each went to Simla.
Assistant Agricultural Expert, Imperial Council of Agricultural Research.	24 and 8 days	Twice.
Assistant Animal Husbandry Expert, Imperial Council of Agricultural Research.	21 days	Once.
<i>Staff.</i>		
One Superintendent (Office of the Director General, Indian Medical Service).	8 days	Once.
One Superintendent Ditto	12 and 16 days	Twice.
One Superintendent (Office of the Imperial Council of Agricultural Research).	21 and 10 days	Twice.
One Assistant (Office of the Director General, Indian Medical Service).	4 days	Once.
One Assistant Ditto	3, 3 and 9 days	Thrice.
One Assistant Ditto	7 days	Once.
One Assistant Ditto	12 and 20 days	Twice.
One Assistant Ditto	10, 28 and 27 days	Thrice.
One Assistant Ditto	5 days	Once.
One Assistant (Office of the Imperial Council of Agricultural Research).	18 and 9 days	Twice.
One Assistant Ditto	18 days	Once.
One Assistant Ditto	19 days	Once.
One Assistant Ditto	20 days	Once.
One Assistant Ditto	21 days	Once.
One Assistant Ditto	9 days	Once.
One Clerk (Office of Director General, Indian Medical Service).	2 days	Once.
One Clerk Ditto	4 days	Once.
One Clerk Ditto	17 days	Once.
One Clerk Ditto	24 days	Once.
One Clerk (Office of the Imperial Council of Agricultural Research).	17 days	Once.
One Clerk Ditto	16 days	Once.
One Clerk Ditto	21 and 9 days	Twice.
One Clerk Ditto	21 days	Once.
One Clerk Ditto	9 days	Once.
One Stenographer (Office of the Director General, Indian Medical Service).	12 days	Once.
One Stenographer (Office of the Imperial Council of Agricultural Research).	24 days	Once.
One Stenographer Ditto	20 days	Once.

CONFERENCE, COMMITTEES OR SUB-COMMITTEES HELD AT SIMLA LAST SUMMER UNDER THE CONTROL OF THE COMMERCE DEPARTMENT.

No. 124.—Statement showing particulars of conferences, committees, sub-committees held at Simla during the last Summer Season.

(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)
1. Conference of Insurance in-terests.	The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar, Com-mun-icative Member.	H. C. Prior, Esq.	No. 20. Cost Rs. 439-14.	Nil. Nil as Com-mer-cial Mem-ber Secy. would have had to come to Delhi.	The conference was held in Simla because the matters discussed were urgent and two out of four of the Commerce Department representatives con-cerned were already in Simla.	It is not always economical to hold these con-ferences etc. in New Delhi.	Moreover some-times in the in-terest of ex-peditious dis-posal of the matter and administrative convenience it is expedient to hold the con-ferences, etc. in Simla or elsewhere.
2. Shipping Confer-ence.	Do.	Sir Alan Lloyd, H. C. Prior, Esq. A. C. Turner, Esq. Sir Guthrie Rus-sell.	No. 13 Cost nil.	Nil.	The Conference was held in Simla because the matters discussed were urgent.		
3. Sugar Conference	Do.	Sir Alan Lloyd, Dr. T. E. Gregory, Sir David Meek, P. M. Kharegat, Esq. M. Slade, Esq. G. S. Bozman, Esq. T. S. Pillay, Esq. P. Mukherji, Esq.	No. 21. Cost Rs. 500 ap-proximately.	Nil.	Owing to the crisis in the sugar industry resulting in large sur-plus stocks of sugar produced at a high cost and which was unsaleable in the market, the in-dustry and the Pro-vincial Govern-ment mainly concerned in the production of cane and sugar requested the Government of India to convene the conference. It was held in Simla as the Government of India officials for whom it was necessary to partici-pate therein were in Simla.		

CONFERENCES, COMMITTEES OR SUB-COMMITTEES HELD AT SIMLA LAST SUMMER UNDER THE CONTROL OF THE COMMERCE DEPARTMENT.

No. 124.—Statement showing particulars of conferences, committees, sub-committees held at Simla during the last Summer Season.

(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)
4. Export Advisory Council.	The Honourable Sir Alan Lloyd, Diwan Bahadur N. R. Pillay, Esq., Sir A. Ramaswami Dr. T. E. Gregory, Mudaliar, Com- merce Member, E. S. Krishna- moorthy, Esq.	No. 19. Cost Nil.	Approximately Rs. 1,300.	The meeting of the Council was held at Simla as all the Government officers for whom it was necessary to participate in it were in Simla at the time.			
5. War Risks (Goods) Insurance Conference.	Do.	No. 4. Cost Ap- proximately Rs. 1,950.	There would have been no saving if the Conference had been held in Delhi.	The Conference was held at Simla as all the Government officers for whom it was necessary to participate in it were in Simla at the time.			
6. Second meeting of the Board of Scientific & Industrial Research.	Do.	No. 9. Cost Rs. 3,633-6	There would have been no savings but an additional expenditure of about Rs. 100.	For administrative convenience.			

FAILURE TO NAME OR LIGHT STREETS IN THE NAIWALA AREA OF KAROL BAGH,
DELHI.

No. 136.—(a) The streets have not so far been named, but they have been given numbers. The main streets have been provided with electric lights; the bye-lanes are lit with kerosene oil lamps.

(b) No complaints appear to have been received by the local authority.

(c) The Delhi Municipal Committee already has the matter under consideration.

Information promised in reply to starred question No. 149 asked by Haji Chaudhury Muhammad Ismail Khan on the 18th November, 1940.

MUSLIM REPRESENTATION IN OTHER CLASSES OF SERVICE NOT TO BE AFFECTED
BY HIGHER PERCENTAGE OF MUSLIMS IN THE POSTS OF DRESSERS.

(a) No. The posts have been held by members of other communities from time to time.

(b) Dressers and Veterinary Inspectors are included under the same heading for purposes of communal representation, but the high percentage of Muslims in posts of dressers has not affected Muslim representation in the rank of Veterinary Inspector. At present four out of 15 Veterinary Inspectors are Muslims.

Information promised in reply to unstarred question No. 87 asked by Mr. Muhammad Ashar Ali on the 18th November, 1940.

RULES OR BYE-LAWS OF THE DELHI JOINT WATER AND SEWAGE BOARD.

(a) 28th July, 1937. There are no bye-laws specifically under sub-section (j) of section 28.

(b) 14th December, 1937.

(c) A copy is laid on the table.

(d) They were not published; the Act does not require publication.

(e) All matters required by rule to be referred to the Board appear to have been so referred.

(f) Section 28 of the Act is permissive; there is no question of validating any acts of the Board.

DELHI JOINT WATER BOARD.

RULES FOR REGULATION OF BUSINESS.

1. The Board shall meet at such place and time as shall, from time to time be determined on but not less than once a month.

2. A notice of a meeting shall be sent or circulated to every member not less than 3 days before the time fixed for the meeting.

3. To every notice of a meeting shall be attached a list of agenda. No business not on the agenda shall be considered at any meeting without the sanction of the President.

4. The notice to attend a meeting shall specify the place, the day and the hour of the meeting.

5. The quorum necessary for the transaction of business at a meeting shall be three.

6. No member may be represented at a meeting by a proxy.

7. All business shall be conducted in English or Urdu.

8. No motion if opposed shall be entered as passed until it has been put to the vote and any member dissenting shall be entitled to have his name recorded.

9. No member except the proposer of a resolution shall speak more than once, except with permission of the President on that resolution. The proposer after hearing all others who wish to speak may again address the Board.

10. All other points of procedure at any meeting shall be decided at the discretion of the President.

11. Any member may demand a week's notice of any matter brought up for consideration at any meeting if such notice has not already been given.

12. No important motion shall be discussed at any meeting unless notice of the same in writing shall have been delivered to the Secretary at least three clear days before such meeting.

13. No resolution duly carried shall be altered or rescinded, unless seven days' notice, that its alteration or recession is to be proposed, shall be given to every member of the Board.

14. The President may adjourn any meeting from time to time but no business shall be transacted at an adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place, unless due notice that such business will be brought forward has been given.

DELHI JOINT WATER BOARD.

PROVIDENT FUND RULES.

1. In the following rules:—

- (1) "Salary" means monthly salary including acting allowances, but not including personal or overtime allowances or allowances granted to meet specific expenditure such as travelling, horse, conveyance, or house rent allowances or bonus or commission.
- (2) "Servant" means every whole time servant of the Board on the permanent establishment and every temporary servant to whom the Board may by Resolution apply their rules.
- (3) "Depositor" means a servant on whose behalf a deposit is made under these rules.
- (4) "Interest" means the interest which is credited by the Board to a subscriber's Provident Fund account at rates to be sanctioned from time to time by the Local Government.

2. Every servant appointed or promoted by the Board on or after the date from which these rules come into effect in the Board, to an Office of which the salary is in excess of Rs. 20 per mensem, shall be required to subscribe at the rate of 6½ per cent. or one anna in the rupee on his salary to a Provident Fund, of which an account will be opened at the Post Office Savings Bank. A servant, appointed or promoted previous to the coming into effect of these rules to an Office of which the salary is in excess of Rs. 20, may be permitted by the Board to subscribe to the fund. The deduction shall be made by the Board upon every salary bill presented, and shall be credited at once to the fund.

In making this deduction fractions of a rupee of salary shall be omitted.

3. The Board shall make a contribution to the deposit account of each depositor, equal to the amount of the deduction made from his salary under the preceding rule; such contribution shall be credited to the fund, month by month, in favour of such servant together with the deduction from his salary.

The contribution will be charged in the Board's account to ——— Miscellaneous Sub-head ——— Provident Fund. The Board shall also transfer to the Provident Fund account of any servant any amount which a servant had to his credit in the Provident Fund of another local fund on receipt of the amount from the local fund.

NOTE.—A depositor resigning the service of the Board before 10 years service except on account of illness or other necessary cause, shall only be entitled to one half of the contribution made on his behalf by the Board with the interest thereon. A depositor retiring as above before 5 years' service shall be entitled to none of the contributions made on his behalf by the Board.

In the case of depositors who have served under more than one local body, the period of service for the purpose of this rule shall be counted as the combined continuous service under these local bodies.

A depositor whose services have come under reduction may, if the Board thinks fit, be paid the full Board's contribution to his Provident Fund.

4. The sums credited monthly under rules 2 and 3 to the Provident Fund Ledger maintained by the Board shall be paid duly into the Post Office Savings Bank. Such payment should, whenever possible, be made into the Bank between the 1st and 4th of each month, in order that interest may accrue.

5. Every depositor shall on admission to the Provident Fund or when these rules come into force make a declaration in the form shown and shall deposit such declaration with the Secretary. But nothing herein contained shall prevent him from at any time revoking such declaration and making a new declaration.

6. (a) No final withdrawal from the fund will be allowed until the subscriber quits the service or dies. But when the pecuniary circumstances of subscriber are such that the indulgence is absolutely necessary a sum may be advanced to him temporarily not exceeding his subscription and the interest thereon, nor, ordinarily, exceeding 3 months' pay at the President's discretion.

(b) Such advances shall not ordinarily be given except—

(I) to pay expenses incurred in connection with the illness of a subscriber or a member of his family for whose support he is directly responsible,

(II) to pay expenses in connection with marriage, funerals, and ceremonies which by the religion of the subscriber it is incumbent on him to perform and in connection with which it is obligatory that expenditure should be incurred,

(III) to pay for urgent repairs to the subscriber's dwelling house provided that he is the sole occupier thereof and none of it is let out on rent.

(c) When one or more advances have already been granted to a subscriber a subsequent advance shall not be granted except for strong reasons to be recorded in writing by the President until at least 12 months have elapsed since the complete repayment of the last advance taken.

(d) Advances will be recovered at the discretion of the President in not less than 12 or more than 24 instalments. Recoveries will be made monthly by compulsory deductions from the subscriber's pay, beginning from the 1st payment of a full month's pay after the advance has been granted; these deductions shall be in addition to the usual subscriptions. A subscriber may at his own option make repayment in less than 12 instalments or may repay 2 or more instalments at the same time.

When 2 or more advances are made, each advance shall be treated separately and a monthly deduction of not less than one twenty-fourth of each advance shall be made until that advance has been repaid.

7. If any depositor shall die leaving any share not exceeding two thousand rupees standing to his credit in the Provident Fund, the Board may at its discretion at any time after a period of six weeks has elapsed from the date of his death:—

(a) pay the same or the balance thereof, after making any payment thereout herein before provided for, to the person nominated in the form of declaration provided for in clause 5 in writing by such depositor to receive the same; or

(b) in any case not provided for under clause (a), pay and divide such amount or the balance thereof as aforesaid, amongst the widow or widows and children of the deceased depositor, to the exclusion of adult sons and married daughters whose husbands are alive;

(c) in any other case the amount standing to the credit of a deceased depositor shall, subject to any deductions hereinbefore provided for, be paid to the executor or administrator only, on production to the Secretary of the probate of the will or letters of administration to the Estate or effects of the deceased subscriber or certificate under Act VIII of 1839.

NOTE.—On the death of a depositor, the full amount standing to his credit shall be paid without any of the deductions mentioned in rule 3 (note) being made.

8. The deposits and contributions subject to the conditions of rule 3 (note) with interest thereon, at the credit of any servant, may be withdrawn by the depositor on his ceasing to be a servant of the Board either by resignation or by transfer to service under some other local fund or to Government service, when the amount shall be paid to the servant himself, except in the case of transfer to service under a local fund for which a provident fund has been constituted, when the amount shall be transferred to the credit of the servant with that Provident Fund.

On withdrawal of any money as above the amount, if any, deducted in accordance with rule 3 (note) shall be withdrawn from the Savings Bank and credited to the Water Board Funds as a miscellaneous receipt.

9. If a servant is dismissed, the Board may with the sanction of the Chief Commissioner, withhold all or any part of the contributions allotted to him with the interest accrued thereon, and pay to the servant only the balance at his credit without such contribution and the interest thereon. In the case of there being any outstandings against a servant who may have resigned or been dismissed, the Board may deduct the amount of such outstandings from his deposits, and pay to him the balance after such deduction.

10. Any contribution and interest thereon withheld from a dismissed servant shall belong to the Board and shall be withdrawn from the Savings Bank and credited to the Water Board's Funds as a miscellaneous receipt.

11. A separate account in form A, appended, shall be kept and written up in the Office of the Board, on account of every depositor, and a copy of this account, which shall show every payment credited, with the interest thereon, shall be furnished to every depositor, as soon as possible, after the close of the financial year to which the account relates.

12. Amounts credited or debited to the Provident Fund shall on the same day be posted into the Provident Fund Ledger, in form B, appended, in full detail.

13. No voluntary deposits from servants will be credited to the Provident Fund.

14. Servants shall subscribe to the Provident Fund while absent on leave including furlough, leave on medical certificate and privilege leave.

15. On a depositor leaving the service his account shall be closed and unless the amount at his credit be withdrawn a certain period, viz., for balance of Rs. 10 or under, one year; for balance over Rs. 10, three years; the amount shall be written off as a dead account and shall be repaid only under the orders of the Board.

16. When accounts become "dead" they must be removed from the Provident Fund Ledger and be credited to the Water Board Funds as a miscellaneous receipt, the money being drawn out of the Savings Bank. On an amount being thus written off, it shall be entered in a "dead account register", in which subsequent repayment shall be noted in order to avoid a double payment.

17. Servants appointed or promoted previous to the coming into effect of these rules to an Office of which the salary is in excess of Rs. 20 per month, may be permitted to contribute to the fund, it being understood that this will not affect their claim to pension or gratuity for the period for which they have not subscribed.

DELHI JOINT WATER BOARD

FORM OF DECLARATION.

(For married/unmarried depositor.)

I hereby declare that in the event of my death the following persons shall be entitled to receive payment of the amount to my deposit in the Water Board Provident Fund in the proportions noted against their names and I make this my will so far as regards such deposits.

I also request that the amount payable as above to the minors be paid to the person named below :—

Name and address of Relationship with the subscriber.	Whether major or minor. If minor state his/her age.	Share of the deposits payable to the nominee.	Name and address of the person referred to in previous column 4., of whom share is to be paid on behalf of the minor.	Sex and parentage of the nominee.	Percentage of share to be paid to the nominee.
1	2	3	4	5	6

Signature

Two witnesses to signature

NOTES.

1. When the nominee is the subscriber's wife her personal name need not be given in column 1. Mrs. is sufficient unless the subscriber has more than one wife in which case the names or names of the wives to benefit must be given. Where the nominee is a minor only the name (and not the address) should be stated in column 1.
2. When the nominee is a major columns 5 and 6 need not be filled in.
3. All the entries in this form must be in English or transliterated into English.

DELHI JOINT WATER BOARD.

RULES FOR REGULATION OF BUSINESS.

1. The Board shall meet at such place and time as shall, from time to time be determined on but not less than once a month.
2. A notice of a meeting shall be sent or circulated to every member not less than 3 days before the time fixed for the meeting.
3. To every notice of a meeting shall be attached a list of agenda. No business not on the agenda shall be considered at any meeting without the sanction of the President.
4. The notice to attend a meeting shall specify the place, the day and the hour of the meeting.
5. The quorum necessary for the transaction of business at a meeting shall be three.
6. No member may be represented at a meeting by a proxy.
7. All business shall be conducted in English or Urdu.
8. No motion if opposed shall be entered as passed until it has been put to the vote and any member dissenting shall be entitled to have his name recorded.
9. No member except the proposer of a resolution shall speak more than once, except with permission of the President on that resolution. The proposer after hearing all others who wish to speak may again address the Board.
10. All other points of procedure at any meeting shall be decided at the discretion of the President.
11. Any member may demand a week's notice of any matter brought up for consideration at any meeting if such notice has not already been given.
12. No important motion shall be discussed at any meeting unless notice of the same in writing shall have been delivered to the Secretary at least three clear days before such meeting.
13. No resolution duly carried shall be altered or rescinded, unless seven days' notice, that its alteration or recession is to be proposed, shall be given to every member of the Board.
14. The President may adjourn any meeting from time to time but no business shall be transacted at an adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place, unless due notice that such business will be brought forward has been given.

DELHI JOINT WATER BOARD.

PROVIDENT FUND RULES.

Resolution No. 7, dated the 21st December 1926.

1. In the following rules :—

- (1) "Salary" means monthly salary including acting allowances, but not including personal or overtime allowances, or allowances granted to meet specific expenditure such as travelling, horse, conveyance, or house rent allowances or bonus or commission.
- (2) "Servant" means every whole time servant of the Board on the permanent establishment and every temporary servant to whom the Board may by Resolution apply their rules.
- (3) "Depositor" means a servant on whose behalf a deposit is made under these rules.
- (4) "Interest" means the interest which is credited by the Board to a subscriber's Provident Fund account at rates to be sanctioned from time to time by the Local Government.

2. Every servant appointed or promoted by the Board on or after the date from which these rules come into effect in the Board, to an Office of which the salary is

in excess of Rs. 20 per mensem, shall be required to subscribe at the rate of 6½ per cent. or one anna in the rupee on his salary to a Provident Fund, of which an account will be opened at the Post Office Savings Bank. A servant, appointed or promoted previous to the coming into effect of these rules to an Office of which the salary is in excess of Rs. 20, may be permitted by the Board to subscribe to the fund. The deduction shall be made by the Board upon every salary bill presented, and shall be credited at once to the fund.

In making this deduction fractions of a rupee of salary shall be omitted.

3. The Board shall make a contribution to the deposit account of each depositor, equal to the amount of the deduction made from his salary under the preceding rule; such contribution shall be credited to the fund, month by month, in favour of such servant together with the deduction from his salary.

The contribution will be charged in the Board's account to—Miscellaneous Sub-head—Provident Fund. The Board shall also transfer to the Provident Fund account of any servant any amount which a servant had to his credit in the Provident Fund of another local fund on receipt of the amount from the local fund.

NOTE.—A depositor resigning the service of the Board before 10 years service except on account of illness or other necessary cause, shall only be entitled to one half of the contribution made on his behalf by the Board with the interest thereon. A depositor retiring as above before 5 years' service shall be entitled to none of the contributions made on his behalf by the Board.

In the case of depositors who have served under more than one local body, the period of service for the purpose of this rule shall be counted as the combined continuous service under these local bodies.

A depositor whose services have come under reduction may, if the Board thinks, fit, be paid the full Board's contribution to his Provident Fund.

4. The sums credited monthly under rules 2 and 3 to the Provident Fund Ledger maintained by the Board shall be paid duly into the Post Office Savings Bank. Such payment should, whenever possible, be made into the Bank between the 1st and 4th of each month, in order that interest may accrue.

5. Every depositor shall on admission to the Provident Fund or when these rules come into force make a declaration in the form shown and shall deposit such declaration with the Secretary. But nothing herein contained shall prevent him from at any time revoking such declaration and making a new declaration.

6. (a) No final withdrawal from the fund will be allowed if the subscriber quits the service or dies. But pecuniary circumstances of subscriber are such that the indulgence is absolutely necessary a sum may be advanced to him temporarily not exceeding his subscription and the interest thereon, nor, ordinarily, exceeding 3 months' pay at the President's discretion.

(b) Such advances shall not ordinarily be given except—

- (I) to pay expenses incurred in connection with the illness of a subscriber or a member of his family for whose support he is directly responsible,
- (II) to pay expenses in connection with marriage, funerals, and ceremonies which by the religion of the subscriber it is incumbent on him to perform and in connection with which it is obligatory that expenditure should be incurred,
- (III) to pay for urgent repairs to the subscriber's dwelling house provided that he is the sole occupier thereof and none of it is let out on rent.

(c) When one or more advances have already been granted to a subscriber a subsequent advance shall not be granted except for strong reasons to be recorded in writing by the President until at least 12 months have elapsed since the complete repayment of the last advance taken.

(d) Advances will be recovered at the discretion of the President in not less than 12 or more than 24 instalments. Recoveries will be made monthly by compulsory deductions from the subscriber's pay, beginning from the 1st payment of a full month's pay after the advance has been granted; these deductions shall be in addition to the usual subscriptions. A subscriber may at his own option make repayment in less than 12 instalments or may repay 2 or more instalments at the same time.

When 2 or more advances are made, each advance shall be treated separately and a monthly deduction of not less than one twenty fourth of each advance shall be made until that advance has been repaid.

7. If any depositor shall die leaving any share not exceeding two thousand rupees standing to his credit in the Provident Fund, the Board may at its discretion at any time after a period of six weeks has elapsed from the date of his death :—

(a) pay the same or the balance thereof, after making any payment thereout herein before provided for, to the person nominated in the form of declaration provided for in clause 5 in writing by such depositor to receive the same; or

(b) in any case not provided for under clause (a), pay and divide such amount or the balance thereof as aforesaid, amongst the widow or widows and children of the deceased depositor, to the exclusion of adult sons and married daughters whose husbands are alive;

(c) in any other case the amount standing to the credit of a deceased depositor shall, subject to any deductions hereinbefore provided for, be paid to the executor or administrator only, on production to the Secretary of the probate of the will or letters of administration to the Estate or effects of the deceased subscriber or certificate under Act VIII of 1889.

NOTE.—On the death of a depositor, the full amount standing to his credit shall be paid without any of the deductions mentioned in rule 3 (note) being made.

8. The deposits and contributions subject to the conditions of rule 3 (note), with interest thereon, at the credit of any servant, may be withdrawn by the depositor on his ceasing to be a servant of the Board either by resignation or by transfer to service under some other local fund or to Government service, when the amount shall be paid to the servant himself, except in the case of transfer to service under a local fund for which a provident fund has been constituted, when the amount shall be transferred to the credit of the servant with that Provident Fund.

On withdrawal of any money as above the amount, if any, deducted in accordance with rule 3 (note) shall be withdrawn from the Savings Bank and credited to the Water Board Funds as a miscellaneous receipt.

9. If a servant is dismissed, the Board may with the sanction of the Chief Commissioner, withhold all or any part of the contributions allotted to him with the interest accrued thereon, and pay to the servant only the balance at his credit without such contribution and the interest thereon. In the case of there being any outstandings against a servant who may have resigned or been dismissed, the Board may deduct the amount of such outstandings from his deposits, and pay to him the balance after such deduction.

10. Any contribution and interest thereon withheld from a dismissed servant shall belong to the Board and shall be withdrawn from the Savings Bank and credited to the Water Board's Funds as a miscellaneous receipt.

11. A separate account in form A appended, shall be kept and written up in the Office of the Board, on account of every depositor, and a copy of this account, which shall show every payment credited, with the interest thereon, shall be furnished to every depositor, as soon as possible after the close of the financial year to which the account relates.

12. Amounts credited or debited to the Provident Fund shall on the same day be posted into the Provident Fund Ledger, in form B, appended, in full detail.

13. No voluntary deposits from servants will be credited to the Provident Fund.

14. Servants shall subscribe to the Provident Fund while absent on leave including furlough, leave on medical certificate and privilege leave.

15. On a depositor leaving the service his account shall be closed and unless the amount at his credit be withdrawn a certain period, viz., for balance of Rs. 10 or under, one year; for balance over Rs. 10, three years; the amount shall be written off as a dead account and shall be repaid only under the orders of the Board.

16. When accounts become "dead" they must be removed from the Provident Fund Ledger and be credited to the Water Board Funds as a miscellaneous receipt, the money being drawn out of the Savings Bank. On an amount being thus written off, it shall be entered in a "dead account register", in which subsequent repayment shall be noted in order to avoid a double payment.

17. Servants appointed or promoted previous to the coming into effect of these rules to an Office of which the salary is in excess of Rs. 20 per month, may be permitted to contribute to the fund, it being understood that this will not affect their claim to pension or gratuity for the period for which they have not subscribed.

DELHI JOINT WATER BOARD.

FORM OF DECLARATION.

(For married/unmarried depositor.)

I hereby declare that in the event of my death the following persons shall be entitled to receive payment of the amount to my deposit in the Water Board Provident Fund in the proportions noted against their names and I make this my will so far as regards such deposits.

I also request that the amount payable as above to the minors be paid to the person named below :—

Name and address of the nominee.	Relationship with the subscriber.	Whether major or minor.	Share of the deposits payable to the nominee.	Name and address of the person to whom share is referred to in column 1.	Sex and percentage of person referred to in column 1.
		state his/her age.		to be paid on behalf of previous column, i.e., of the minor.	the minor's guardian.

1	2	3	4	5	6
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Two witnesses to signature

Signature

NOTES.

1. When the nominee is the subscriber's wife her personal name need not be given in column 1. Mrs. is sufficient unless the subscriber has more than one wife in which case the name or names of the wives to benefit must be given. When the nominee is a minor only the name (and not the address) should be stated in column 1.
2. When the nominee is a major columns 5 and 6 need not be filled in.
3. All the entries in this form must be in English or transliterated into English.

Information promised in reply to unstarred questions Nos. 104 and 107 asked by Bhai Parma Nand on the 18th November, 1940.

CONNECTING OF DRAINS WITH SEWERS IN KAROL BAGH, DELHI.

No. 104.—(a) Notices under section 136 of the Punjab Municipal Act as applied to Delhi were served on persons residing in Karol Bagh requiring them to connect the drainage of their buildings with the main sewer in accordance with the Municipal bye-laws. The bye-laws require submission of plans. The Improvement Trust appointed a Public Works Department staff to assist residents in complying with the notices and those persons who had the work carried out under the supervision of the Public Works Department were not required to submit plans. That staff, however, was not available until about a fortnight after the issue of the first batch of notices and persons who took action on the notice during this period were, therefore, obliged to submit plans.

(b) Yes, as notices are issued in batches.

(c) Yes.

PROVIDING OF ELECTRIC LIGHTS IN KAROL BAGH, DELHI.

No. 107.—(a) Yes.

(b) Electric light in these areas has been planned but for financial reasons the scheme has not yet been carried out.

Information promised in reply to parts (a) and (c) of starred question No. 177 asked by Khan Bahadur Mian Ghulam Kadir Muhammad Shahban on the 20th November, 1940.

NON-SINDHI MUSLIMS IN CLERICAL POSTS IN THE OFFICE OF THE DIVISIONAL SUPERINTENDENT, NORTH WESTERN RAILWAY, KARACHI.

(a) No.

(c) Certain posts were filled by Muslim candidates secured from the Headquarters Office and the Multan division; as recruitment is not on provincial basis, and there was no difficulty in securing Muslim candidates, there was no occasion to consult any local association.

Information promised in reply to unstarred question No. 116 asked by Bhai Parma Nand on the 20th November, 1940.

ERECTION OF A WALL ON THE SOUTH OF MORADABAD RAILWAY STATION YARD, EAST INDIAN RAILWAY.

(a) The wall was completed on 31st March, 1940, at a cost of Rs. 1,126.

(b) It closed no crossings provided for the convenience of any persons living outside railway land.

Information promised in reply to unstarred question No. 123 asked by Mr. Lalchand Navalrai on the 20th November, 1940.

HOLDING IN ABEYANCE ORDERS IN RESPECT OF CERTAIN BRIDGE STAFF MEMORIALISTS OF THE NORTH WESTERN RAILWAY.

(a) Yes, the orders cited by the Honourable Member were issued in the name of the Chief Engineer.

(b) No.

(c) The orders were held in abeyance in June, 1940, in consequence of certain difficulties in their execution. The instructions holding the orders in abeyance were issued by an authority competent to do so. There are no specific delegations to individual officers in such matters but Government have no reason to believe that the system obtaining on the North Western Railway is defective.

(d) The matter is under consideration and fresh orders will issue in due course. The latter part does not arise.

Information promised in reply to starred questions Nos. 201 and 203 asked by Bhai Parma Nand on the 21st November, 1940.

METALLING OF ROADS, ETC., IN KAROL BAGH, DELHI, BY THE DELHI IMPROVEMENT TRUST.

No. 201.—(a) In 1938.

(b) The answer to the first part of the question is in the negative. The lanes and streets require only the usual maintenance, involving some re-metalling.

(c) Rs. 1,95,400.

(d) Yes.

(e) The specifications for the larger streets provide 7" soling and 4½" metalling and for the lanes 4" soling and 3" metalling. The streets and lanes were completed according to these specifications.

CASES OF INFRINGEMENT OF BUILDING BYE-LAWS OF THE DELHI IMPROVEMENT TRUST.

No. 203.—(a) and (c). Since the Trust came into existence 323 cases have been sent to court under the municipal law. Out of these 17 were withdrawn and 301 were decided in favour of the Trust.

(b) Rs. 3,107-6-0.

(d) 3,169, out of which 1,429 were sanctioned.

Information promised in reply to starred question No. 213 asked by Maulvi Muhammad Abdul Ghani on the 21st November, 1940.

CASES OF DEVIATIONS IN THE CONSTRUCTION OF BUILDINGS REPORTED BY THE BUILDING INSPECTOR, DELHI IMPROVEMENT TRUST.

(a) and (b). As a check on deviations from the sanctioned plans the Building Inspector inspected many uncompleted buildings and in a number of cases observed and reported deviations during the period of construction. 87 cases were sent up for trial during the calendar year 1939. The time and labour involved in the collection of the other information asked for by the Honourable Member will not be commensurate with results.

Information promised in reply to starred questions Nos. 230 and 231 asked by Mr. M. S. Aney on the 22nd November, 1940.

BURGLARIES AND DACOITIES IN NEW DELHI.

No. 230.—(a) and (b). The number of offences against property in New Delhi has for some time past been on the increase and proposals have been made and are under consideration for increasing the local police forces. But it is an exaggeration to suggest that a feeling of great insecurity prevails. The difficulties of the police in dealing with burglaries and dacoities are greatly increased by the carelessness of many property-owners in leaving their houses unguarded and unlocked or ineffectively locked; and also by the negligence of some residents in employing servants without any attempt to verify their antecedents, in spite of the declared willingness of the police to assist employers in this respect.

(c) Yes. In most cases these reports are based on material supplied to the press by the police in the hope that the public will gradually come to appreciate the need for proper precautions.

(d) The following are the figures of burglary and theft cases registered at the New Delhi Police Station from the 1st January last up to the 18th November :

Burglaries	(by day)	55
Do.	(by night)	58
Thefts	(379 I. P. C.)	256
Do.	(380 I. P. C.)	62
Do.	(381 I. P. C.)	36

(e) Arrests have been made and property recovered in about one-third of the cases.

(f) Yes, on the 24th September last.

(g) No, but investigation is still proceeding.

BURGLARIES AND DACOITIES IN NEW DELHI.

No. 231.—(a) No. I would refer the Honourable Member to my reply to question No. 230.

(b) A few cases of this kind have occurred.

(c) Arrangements are already in force for patrolling the areas mentioned. It is doubtful whether results of value would be secured by increasing the strength of the patrols.

(d) During the current year there has been no detected case of burglary by Pathans. The criminals arrested and convicted in a number of cases have been from other provinces.

(e) There are undoubtedly a certain number of Pathan moneylenders abroad in New Delhi, but there is no reason to connect them with these offences against property. The movements of bad characters belonging to other parts of Delhi are observed in the normal course of police working.

(f) Yes.

(g) Yes, whenever this action is appropriate.

(h) I would refer the Honourable Member to my reply to part (a) of Question No. 230.

Information promised in reply to starred questions Nos. 234, 235, 236 and 237 asked by Mr. Muhammad Ashar Ali on the 22nd November, 1940.

BURGLARIES AND DACOITIES IN NEW DELHI.

No. 234.—(a) Yes. The rise of crime in Delhi Province corresponds to that in the neighbouring districts of the Punjab and the United Provinces. No clear reason for the increase can be assigned, but agricultural scarcity has undoubtedly had some effect. In New Delhi, the carelessness of house-owners in leaving their premises unguarded and the negligence of some residents in employing servants without any attempt to verify their antecedents, has made the task of the police more difficult and undoubtedly accounts in part for the increase in the number of offences against property.

(b) A statement is annexed.

(c) Yes: property of the value of Rs. 31,404-12-4 was recovered.

(d) Yes. A gang of 44 Bauriyas was arrested.

(e) Yes.

(f) The members of the gang were operating in Delhi under the guise of labourers at brick kilns and in quarries and as agricultural workers. The statements of all the members of the gang were fully verified.

(g) Three cases relating to the year 1937, one to the year 1938, and eight to the year 1939.

(h) Property valued at Rs. 2,207 was recovered.

(i) No.

Statement.

Burglaries reported from 1st January, 1939 to 1st October, 1940	1284
Thefts reported from 1st January, 1939 to 1st October, 1940	2331
Property stolen in burglary cases	Rs. 2,00,927
Property stolen in theft cases	Rs. 2,31,640

ARREST OF A GANG OF THIEVES OF BAURIYA CRIMINAL TRIBE.

No. 235.—(a) I cannot say that each member of the gang was interrogated in respect of every single untraced case, but they were all subjected to a most thorough questioning.

(b) Yes.

(c) No such report was made, but one of the officers assisting the investigation suggested in a case diary that a larger staff was required. The staff was accordingly increased.

(d) No. Members of the gang were interrogated with regard to the offences committed in three of the seven City Police stations and two of the five rural police stations as well as the New Delhi Police station.

INFORMATION GIVEN TO THE KAROL BAGH POLICE STATION, DELHI, ABOUT THE PRESENCE OF A GANG OF CRIMINALS CALLED BAURIYAS.

No. 236.—Yes. This information was given in June.

STEPS TO REDUCE THE NUMBER OF THEFTS AND OTHER CRIMES IN DELHI.

No. 237.—Yes: all possible action is being taken and an increase in the investigating staff of the Delhi Police is now under the consideration of Government.

Information promised in reply to starred question No. 241 asked by Bhai Parma Nand on the 25th November, 1940.

UNRECOMMENDED EMPLOYEES ALLOWED TO APPEAR AS RECRUITS FOR APPOINTMENT AS GUARDS ON THE NORTH WESTERN RAILWAY.

(a) Staff already in service who possessed the requisite qualifications were permitted to compete along with outsiders for appointments to Class I, grade II of guard.

(b) Yes.

(c) No, because Grade II, Class I is an intermediate grade thrown open to a measure of direct recruitment only recently and it was not thought equitable to place employees with the requisite qualifications at a disadvantage compared with outsiders.

(d) Students who fail are ordinarily discharged from the school, but not from their appointments. The Board of Direction during the course of their usual review of the work of the candidates considered that certain candidates could become proficient by a further short training and therefore they were given a fortnight's extension.

Information promised in reply to starred question No. 246 asked by Maulvi Muhammad Abdul Ghani on the 25th November, 1940.

PROVISION OF TUMBLER SWITCHES FOR CONTROLLING LIGHTS IN INTERMEDIATE CLASS CARRIAGES.

(a) and (b). The proposal is being carried out on these railways and the work of providing switches in inter class compartments is approaching completion. When completed all inter class compartments on the North Western Railway and all inter class compartments in mail, express and class IV coaching rakes on the East Indian Railway will have been provided with switches.

(c) Similar switches are already provided in inter class carriages on two Company-managed Railways and are being provided in new and rebuilt stock by three other Railways.

(d) Government has issued orders requiring tumbler switches to be provided in all intermediate class compartments in new and rebuilt coaching stock.

Information promised in reply to parts (b) to (f) of starred question No. 251 asked by Mr. H. M. Abdullah on the 25th November, 1940.

SELECTION FOR APPOINTMENT TO SELECTION POSTS IN THE DEPARTMENTS OF THE EAST INDIAN AND EASTERN BENGAL RAILWAYS.

(b) to (e). A statement giving such information as is readily available is placed on the table.

(f) No. It was due to the paucity of Muslims in the grades from which selections were made.

Statement showing particulars of Selection Boards held on the East Indian and Eastern Bengal Railways during the year 1940.

	Eastern Bengal Railway.	East Indian Railway.
No. of Selection Board held	47	86
No. of Selection Boards containing at least one Muslim officer	23	15
No. of Muslim candidates examined	191	67
No. of Muslim candidates declared suitable	147	18
No. of Muslims actually promoted	91	3

Information promised in reply to part (a) of starred question No. 257 and starred question No. 258 asked by Shaikh Rafuiddin Ahmad Siddiquee on the 25th November, 1940.

DENIAL OF FACILITIES FOR BETTERING THEIR PROSPECTS TO MUSLIM GRADUATE EMPLOYEES ON THE EAST INDIAN RAILWAY.

No. 257.—(a) I have been unable to verify the allegations.

MUSLIM GRADUATES IN ESTABLISHMENT OFFICES AND SUPERVISORY POSTS ON THE EAST INDIAN AND EASTERN BENGAL RAILWAYS.

No. 258.—Statement showing the number of Muslim graduates employed in the establishment offices of the East Indian and Eastern Bengal Railways.

Category.	East Indian.	Eastern Bengal.
Personal Assistant to the Deputy General Manager	1	..
Sub Heads . . . . .	..	1
Dealing clerks in the Staff branches	4	12

DEATHS OF PANDIT KRISHNA KANT MALAVIYA AND PANDIT PYARE LAL SHARMA.

The Honourable Sir Muhammad Zafrullah Khan (Leader of the House): Sir, it is my melancholy duty to remind the House that since we last met, we have suffered the loss of two Honourable Members by death, namely, Pandit Krishna Kant Malaviya and Pandit Pyare Lal Sharma. Pandit Krishna Kant Malaviya had been an elected member of this House since 1923. He was a very active and energetic member of this House, and in addition to his duties here he took a great deal of interest in matters of general public importance. He was a Hindi scholar and writer of considerable repute and he was also a journalist of standing and of very vigorous and independent views. Latterly he had taken a great deal of interest in the promotion of gliding in India—he was the general secretary, founder and organiser of the All-India Gliding Association. Pandit Pyare Lal Sharma had been elected to this House in 1939. The greater part of his activities had previously lain in the provincial field. He was a very active Congressman and was, I believe, the first Education Minister in the Congress Ministry in the United Provinces. Sir, I am sure the House feels the loss of both these Honourable Members very keenly and I would request you to convey the sincere condolences of the House to the members of the respective bereaved families.

(Syed Ghulam Bhik Nairang rose to speak.)

Mr. President (The Honourable Sir Abdur Rahim): I think I ought to remind the House that the convention was arrived at in respect of a matter of this nature that in all cases of the death of a sitting member, only the Leader of the House, the Leader of the Opposition and in the case of a member belonging to any of the recognised parties of the Assembly, the leader of that party if he so wishes, will be allowed to make obituary references.

Syed Ghulam Bhik Nairang (East Punjab: Muhammadan): Sir, on behalf of my Party, I wish to associate

Mr. President (The Honourable Sir Abdur Rahim): Did any of the deceased members belong to the Honourable Member's Party?

Sir Muhammad Yamin Khan (Agra Division: Muhammadan Rural): The Muslim League Party is at present the Opposition Party.

Mr. President (The Honourable Sir Abdur Rahim): As Leader of the Opposition? Yes.

Syed Ghulam Bhik Nairang: I associate myself with the condolence motion. Pandit Krishna Kant Malaviva was personally known to me, and I had a very high idea of his qualities, both as a politician and as a colleague, and particularly as a man of literary culture. He was a gentleman of great culture and very high literary attainments, and I particularly remember his participation in the great *Mushaira* at Simla which he enlivened both by the quality of his contributions to the *mushaira* and by the melodious tone in which he recited his compositions. He was very

[Syed Ghulam Bhik Nairang.]

popular with all sections of this House, and it is really a great loss that he is no more with us.

As regards Pandit Pyare Lal Sharma, after his election to this House there was very little chance for him to take any active part in the deliberations of this House and make any contributions to it; but his public life is well-known, and certainly the passing away of a figure like that of Pandit Pyare Lal Sharma is a great loss to the community. I, therefore, Sir, request you to convey the sense of loss of this House to the bereaved families of Pandit Krishna Kant Malaviya and Pandit Pyare Lal Sharma.

Mr. M. S. Aney (Berar: Non-Muhammadan): Sir, it is with a very heavy heart that I stand here to associate myself with what has been said with regard to the death of Pandit Krishna Kant Malaviya by the Honourable the Leader of the House and also by the Leader of the Opposition. Sir, Pandit Krishna Kant Malaviya was a Member of this House for a pretty long time. He joined the Swaraj Party, and when he first came to this House he came as a member of that party. After he completed his education, he took up the profession of journalism and very ably edited the Hindi paper *Abhyudaya* which was started by Pandit Madan Mohan Malaviya. It was not an easy job to be the editor of a paper like that, because the paper had attained a reputation as being the organ of Pandit Madan Mohan Malaviya, and that he had to follow and maintain the high traditions of the paper, and it was, therefore, a matter of great satisfaction to note that when this youngman took up that onerous duty he proved himself equal to it, and his work as a journalist was very widely appreciated. He was not merely a journalist, but as has been well pointed out by the Honourable the Leader of the House, he was also an author of great eminence. His literary works, particularly *Sohagrat* and others are widely appreciated by the critics of Hindi literature. As a poet also he occupied a place of eminence among the Hindi poets. He was no doubt a congressman from the very beginning, but in him there was something more than being a mere follower of a particular set of opinions or a particular institution. Whenever he found that his personal convictions militated against the programme of any party or organization, he had the courage to assert its views, and it was because of that that he joined the Swaraj Party started by the late Pandit Motilal Nehru, and also came out on the ticket of the Congress Nationalist Party to this House, notwithstanding the fact that he was on both occasions a member of the Congress organization. That means that he was a man of principle and conviction. We are too familiar here with the work that he has done and the contributions he has made to the deliberations of the various questions that came up for consideration before this House during the last so many years. Particularly he was interested in the question of military education of Indian youths, and he had recently taken up the formation of the All-India Gliding Association to complete which, unfortunately, he did not live. Sir, in Pandit Krishna Kant Malaviya we lose a patriot, a scholar and a gentleman of high attainments. I am sure you will convey the deep sense of loss which this House feels to the members of his family who are left behind.

As regards Pandit Pyare Lal Sharma, I endorse everything that has been said of him. Unfortunately, owing to the attitude of the Congress Party to which he belonged, we were not able to see him actively doing

any work in this House after he became a Member of this House, but we knew his public life outside, and I am sure that the country has lost in him a sincere and ardent worker.

Sir, here I may be permitted to make a reference to the death of a friend of mine, who was also a Member of this House, I mean Sir Campbell Rhodes. He was a Member of this House in 1926, and I had the privilege of being his colleague. I read with sorrow the news of his death last night. In him I found a European member with wide sympathies for the Indian people. I am sure that I express the views of those who had worked with him in those days, when I say that in him also we have lost a sympathetic European and a friend of India.

Mr. President (The Honourable Sir Abdur Rahim): I associate myself with the tributes that have been paid to the memory of the two deceased members, Pandit Krishna Kant Malaviya and Pandit Pyare Lal Sharma. Pandit Krishna Kant Malaviya took a very active interest in the proceedings of this House and he made very valuable contributions especially on important debates. As has been said by the Honourable the Leader of the House, he was a man of varied attainments, and occupied a considerable position in the literary world of this country. It will be my duty to convey the sympathy of this House to the bereaved families of the two Members.

MOTIONS FOR ADJOURNMENT.

PROHIBITION OF THE FILLING OF CENSUS FORMS IN URDU AND INSISTING UPON FILLING THOSE FORMS IN HINDI IN SHEIKHPURA DISTRICT, BIHAR.

Mr. President (The Honourable Sir Abdur Rahim): I have received several notices of motions for adjourning the business of the House.

The first one is in the name of Mr. H. A. Sathar H. Essak Sait. He wishes to move the adjournment of the House to discuss a definite matter of urgent public importance, namely, the order of the in-charge Magistrate of Sheikhpura, District Monghyr (Bihar), given on behalf of the Census Officer addressed to all Census Enumerators and Census Supervisors prohibiting the filling of census forms in Urdu and insisting upon filling those forms in Hindi alone. (This order is reported in *Manshoor*—the official organ of the All-India Muslim League—in its issue, dated the 29th December, 1940.)

Is there any objection to this motion being made?

The Honourable Sir Reginald Maxwell (Home Member): Yes, Sir, the incident referred to is not a matter of recent occurrence. It took place in September and November of last year, that is to say, before the last Session of the Assembly ended.

Mr. President (The Honourable Sir Abdur Rahim): When was it?

Mr. H. A. Sathar H. Essak Sait (West Coast and Nilgiris; Muham-madan): The order itself is dated the 15th December.

The Honourable Sir Reginald Maxwell: My information is that the incident at Sheikhpura began in September and concluded in November. I might also explain that the Census Commissioner visited the province subsequently and cancelled all orders of that kind that had been issued, in fact the cause of the grievance does not now exist.

Mr. H. A. Sathar H. Essak Sait: If, that were so. I will have nothing to say, but this morning I have received a telegram from Patna from the President of the Muslim League, in which he says that this order is being enforced even now, and he says that Muslim enumerators are feeling difficulty in filling up forms in Hindi.

Mr. President (The Honourable Sir Abdur Rahim): Feeling difficulty, but there is no prohibition?

Mr. H. A. Sathar H. Essak Sait: Because the order is that the forms should be filled in Hindi. Not only that, Sir. I have got a copy of the Census Code of Bihar which my Honourable friend had been good enough to place in the Library of the House, and there also I find, it is stated that forms should be filled in Hindi. But if that order has been changed now, I have nothing to say.

The Honourable Sir Reginald Maxwell: It is only a matter of the language in which these forms should be filled. I have it in writing from the Census Commissioner that Enumerators are permitted to fill in any forms in Urdu now, if they wish to, although it causes a certain amount of inconvenience.

Mr. H. A. Sathar H. Essak Sait: If that is so, then it partially meets my difficulty

Mr. President (The Honourable Sir Abdur Rahim): They are permitted to fill the forms in Urdu.

Mr. H. A. Sathar H. Essak Sait: Urdu forms are not available. If the Honourable Member says Urdu forms are made available to them, then I have nothing to say.

The Honourable Sir Reginald Maxwell: It has nothing to do with the forms. Every enumerator knows the forms by heart. It is only a matter of what script is to be used in filling them up.

Mr. H. A. Sathar H. Essak Sait: The complaint is that the enumerators there,—and there are a number of them who know only Urdu,—cannot read the Hindi forms, and Urdu forms have not been supplied. The first difficulty was that there was prohibition against filling those forms in Urdu. Now, the complaint is that the forms are in Hindi alone.

Mr. President (The Honourable Sir Abdur Rahim): I do not know if in the circumstances, the Honourable Member wishes to press this motion.

Mr. H. A. Sathar H. Essak Sait: Yes, Sir.

Mr. President (The Honourable Sir Abdur Rahim): As objection has been taken, those Honourable Members, who are for leave being granted, will rise in their places.

As less than twenty-five Members are in favour of leave being granted, leave is refused.

REFUSAL OF THE TELEGRAPH AUTHORITIES AT SARGODHA IN THE PUNJAB TO TRANSMIT CERTAIN TELEGRAMS.

Mr. President (The Honourable Sir Abdur Rahim): The next motion is in the name of Sardar Sant Singh. It is in these words:

"I hereby give notice that I intend to ask for leave of the House to make a motion for an adjournment of the business of the Assembly for the purpose of discussing a definite matter of urgent public importance, namely, the refusal of the Telegraph authorities at Sargodha in the Punjab to transmit telegrams of complaints against the highhanded action of the Deputy Commissioner on the occasion of the birthday of Guru Gobind Singh on 5th January, 1941, to H. E. the Governor of the Punjab, Premier of the Punjab, Inspector General of Police, Chief Secretary to the Punjab Government and others and thereby depriving the public of the services of the Department and causing loss to the Central revenue".

I wish to know, was it under any law that the telegrams were withheld? I understand that there is a statutory rule to that effect in the Telegraph Code.

Sardar Sant Singh (West Punjab: Sikh): Yes. There is a circular, no doubt, of the Department

An Honourable Member: There is a rule.

Sardar Sant Singh: There is a rule of the Department that telegrams of an alarming nature can be

Mr. President (The Honourable Sir Abdur Rahim): . . . of an objectionable character—I think that is the wording.

Sardar Sant Singh: I think the wording is, "of an alarming character"—can be prevented by the telegraph office. Here, in the present instance, the text of the telegram does not show anything of an alarming nature.

Mr. President (The Honourable Sir Abdur Rahim): Objectionable nature

Sardar Sant Singh: or of an objectionable nature. The telegram says:

"Unarmed religious procession anniversary of Sri Guru Govind Singh using customary route lathi charged by police. Over 20 persons injured. Condition of a few serious. About 12 arrests made so far. Lorry carrying Guru Granth Sahib taken by police. Gurdwara prevented by authorities from raising pandal in front of Gurdwara for holding anniversary Diwan. Sikhs feeling perturbed."

Mr. F. E. James (Madras: European): Very alarming.

Sardar Sant Singh: You can see for yourself that such telegrams of complaint addressed to H. E. the Governor, the Premier, the Inspector General of Police—all the big authorities who should have been approached in this connection—have been prevented. My second point is that it was not done by the Department itself. It was done by the order of the Deputy Commissioner because it was his action that was being challenged in this telegram and it was undue interference

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member cannot criticise the action of the Deputy Commissioner here because this is not the place for it. It is the Punjab Assembly.

Sardar Sant Singh: My submission is that the telegraph authorities, instead of doing their duty by themselves, have allowed themselves to be interfered with by a local authority and thus deprived the public at large of the use of telegraph lines, to which they are legitimately entitled. Rs. 98 were received on the telegrams and then refunded to the persons who sent the telegrams.

Mr. President (The Honourable Sir Abdur Rahim): Is there any objection?

The Honourable Sir Andrew Olow (Member for Railways and Communications): I have very little to add to what you have said, Sir, but perhaps I might read the actual rule—that is, rule 15 of the Indian Telegraph Rules. The rule runs thus:

“Telegraph Offices shall refuse to accept or forward any telegram or any part of a telegram of a plainly objectionable or alarming character. In cases of doubt the matter shall be referred by the officer in charge of the Telegraph Office to a Secretary to Government or other officer nominated by the Provincial Government from time to time for this purpose, if the office is located at a seat of Government, or to the Chief Civil or Military Officer if the office is located elsewhere”.

It was under this rule that action was taken. The telegraph authority, apparently entertaining some doubt whether the telegram was of an objectionable or alarming character, referred it to the District Magistrate and acted, as he was bound to do, in accordance with the advice tendered. I need not go over the rulings which have fallen from the Chair, but I would only refer to the one which you gave on the last day of the last Session, when the Chair said:

“There is a ruling of mine with reference to a certain order passed under section 144. This is what I said:

‘It is a well established parliamentary rule that an order passed in the ordinary administration of the law, whether by a judicial authority or by a Magistrate or by any other lawfully constituted authority, cannot be the subject of an adjournment motion.’”

I would only add that this adjournment motion is designed really to call in question the action of the District Magistrate for which I am not responsible.

Mr. M. S. Aney (Berar: Non-Muhammadian): May I know whether the Honourable Member means to say that the District Magistrate is one of the authorities empowered by the Local Government to censor these telegrams?

The Honourable Sir Andrew GLOW: The authority is actually referred to in this rule. The rule says: ". . . or other officer nominated by the Provincial Government from time to time for this purpose, if the office is located at a seat of Government—that is, Lahore—or to the Chief Civil or Military Officer if the office is located elsewhere." He was the chief civil officer of the district.

Sardar Sant Singh: No.

Mr. President (The Honourable Sir Abdur Rahim): The telegraph authorities in question acted according to the rules laid down for their guidance. As they apparently entertained a doubt as to whether the telegrams which are referred to in the notice were of an objectionable character or not, they referred the matter to the chief civil authority; that is, the District Magistrate, of the place. In the circumstances the motion is out of order as has been ruled by the Chair in similar cases on more than one occasion.

MISUSE BY THE GOVERNMENT OF INDIA OF THEIR POWERS UNDER THE DEFENCE OF INDIA ACT.

Mr. President (The Honourable Sir Abdur Rahim): The next one is in the name of Qazi Muhammad Ahmad Kazmi. It runs as follows:

"That the House do now adjourn to discuss a definite matter of urgent public importance, namely, the mis-use by the Government of India of its powers under the Defence of India Act in persecuting people for a mere expression of an article of their faith in respect of the war".

Is this correct—"persecuting people", or is it a slip for "prosecuting people"?

Qazi Muhammad Ahmad Kazmi (Meerut Division: Muhammadan Rural): I want "persecuting".

Mr. President (The Honourable Sir Abdur Rahim): I wish to point out to the Honourable Member that the terms of this notice seem to be very wide and also indefinite. I believe that under the Defence of India Act the Magistrates in each province are empowered to act under the rules under that Act. The notice of motion is in very general terms unless the Honourable Member can satisfy the House that the Government of India ordered the persecution of the people for expressing certain opinion. Is that the case of the Honourable Member?

Qazi Muhammad Ahmad Kazmi: Not order the persecution, but in actual practice they are persecuting.

Mr. President (The Honourable Sir Abdur Rahim): That is the local authority itself?

Qazi Muhammad Ahmad Kazmi: Yes.

Mr. President (The Honourable Sir Abdur Rahim): Then you cannot complain here. You have to go to the Assembly and the Government of the province concerned. The motion is out of order.

Qazi Muhammad Ahmad Kasmi: This happened actually in Delhi itself.

Mr. President (The Honourable Sir Abdur Rahim): That is not the notice. The notice is not confined to Delhi.

Qazi Muhammad Ahmad Kasmi: It includes Delhi.

Mr. President (The Honourable Sir Abdur Rahim): That won't do. This is too wide. It must be definite.

Qazi Muhammad Ahmad Kasmi: Then, I will move only in respect of Delhi.

Mr. President (The Honourable Sir Abdur Rahim): Then, he must have mentioned it in the notice itself.

Mr. N. M. Joshi (Nominated Non-official): May I say a word on this point?

Mr. President (The Honourable Sir Abdur Rahim): No, the Honourable Member cannot.

FAILURE OF THE GOVERNMENT OF INDIA TO SUPPLY CENSUS FORMS IN URDU IN BIHAR AND THE COMPULSION TO FILL UP THESE FORMS IN ENGLISH OR HINDI ONLY.

Mr. President (The Honourable Sir Abdur Rahim): The next one is in the name of Mr. Essak Sait. That is practically the same thing.

Mr. H. A. Sathar H. Essak Sait: This is different in this way. . . .

Mr. President (The Honourable Sir Abdur Rahim): Is it the same?

Mr. H. A. Sathar H. Essak Sait: No, Sir.

Mr. President (The Honourable Sir Abdur Rahim): He wishes to discuss a definite matter of urgent public importance, namely, the failure of the Government of India to supply Census Forms in Urdu in Bihar and the compulsion to fill up these forms in English or Hindi only. Is there any objection to this motion?

The Honourable Sir Reginald Maxwell: My objection is exactly the same.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member need not give any reason at all, if he objects to leave being granted.

As objection has been taken, will those Honourable Members who are in favour of leave being granted rise in their places?

As less than 25 Members have risen, leave is refused.

STANDARD AGMARK GRADES IN LEATHER CONTRACTS.

Mr. President (The Honourable Sir Abdur Rahim): The next motion is in the name of Sir Ziauddin Ahmad. He wishes to move a motion for adjournment of the House to discuss a matter of urgent public importance of recent occurrence, namely, the incorrect advice given by the Government of India to specify the standard Agmark grades in their contracts of leather. I do not quite follow this.

Dr. Sir Ziauddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): Recently a pamphlet was published and in the title page it was put down that it was published under the direction or advice of the Commerce Department of the Government of India. It was explicitly put down there that persons in England should purchase only those hides on which the Agmark is put down. The Agmarks are put only in some slaughter houses under the direction of the Government of India and all those animals which are slaughtered at places other than those slaughter houses or which die a natural death will have no Agmark on their hides according to this pamphlet. So, buyers in Europe are put on the wrong track and they will refuse to buy a very large number of hides on which the Agmark has not been put and cannot be put, and, therefore, it is wrong to have a pamphlet of this kind issued under the patronage of and at the expense of the Government of India.

Mr. President (The Honourable Sir Abdur Rahim): When was this pamphlet circulated?

Dr. Sir Ziauddin Ahmad: It was published recently—in December, 1940.

Mr. President (The Honourable Sir Abdur Rahim): Since the last meeting of the Assembly?

Dr. Sir Ziauddin Ahmad: Yes.

Mr. President (The Honourable Sir Abdur Rahim): I should like to know the facts.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar (Member for Commerce and Labour): The facts are these. Certain pamphlets were published. The cost of it was borne by the Government. It dealt with the various manufactures and raw products of this country in connection with the Eastern Group Conference. They were intended for circulation to the members of the Conference and to the countries from which they had come. These pamphlets were prepared by private individuals who are in a position to know something of the trade but the frontispiece specifically stated that the Government of India was responsible neither for the facts contained in the pamphlets nor, much less, for any opinions expressed in these pamphlets. Therefore, there was no question of the Government of India giving any advice on this point.

Mr. President (The Honourable Sir Abdur Rahim): How came this to be inserted in the pamphlet? Was it under the Government of India's order?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: The pamphlets were written by private individuals. They made the statements but in the frontispiece it was specifically put down that the Government of India was not responsible either for the facts contained in the pamphlet or, much less, for the opinions.

Mr. President (The Honourable Sir Abdur Rahim): I want to know whether this statement was made on behalf of the Government of India,

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: It was not made on behalf of the Government of India at all. The disclaimer was by the Government of India, certainly.

The Honourable Sir Muhammad Zafrullah Khan (Leader of the House): When was this published?

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: They were published about November.

Dr. Sir Ziauddin Ahmad: It was published under the patronage of the Government of India. If the Commerce Department has nothing to do with it, then it is desirable to issue a communiqué about it; otherwise the buyers would be put on the wrong track.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: The printing was done at the instance of the Commerce Department of the Government of India but in the pamphlet itself a notice was put, saying that the Government of India was not responsible for any of the facts mentioned in the pamphlet or the opinions expressed therein. I am prepared to have a further communiqué issued on this particular subject as my attention has been drawn, at the last meeting of the Export Advisory Council, to what are alleged to be certain incorrect statements in this pamphlet.

Mr. President (The Honourable Sir Abdur Rahim): Will that satisfy the Honourable Member?

Dr. Sir Ziauddin Ahmad: If a communiqué is issued, then that will satisfy me.

Mr. President (The Honourable Sir Abdur Rahim): Then the Honourable Member does not move this motion?

Dr. Sir Ziauddin Ahmad: I do not want to move.

NON-GRANT OF DEARNESS ALLOWANCE TO CENTRAL GOVERNMENT SERVANTS.

Mr. President (The Honourable Sir Abdur Rahim): The next one is also in the name of Sir Ziauddin Ahmad who wishes to make a motion of urgent public importance of recent occurrence, namely, the failure of

the Government of India in granting the dearness allowance to all servants employed by the Central Government and restricting the allowance to the employees of certain Railways. I want to know what the facts are.

Dr. Sir Ziauddin Ahmad: I understand that the Government of India are giving a dearness allowance only to the employees of certain railways. I submit that it is wrong to grant it only to railway employees and to deny it to other employees in other Government Departments. It is wrong to choose one particular department.

Mr. President (The Honourable Sir Abdur Rahim): When was this granted?

Dr. Sir Ziauddin Ahmad: It would be granted this Session and with retrospective effect. It would probably be in the Budget. I should like to know.

The Honourable Sir Muhammad Zafrullah Khan: Which Member of the Government did the Honourable Member give notice of this motion to?

Dr. Sir Ziauddin Ahmad: I gave it to the Commerce Member.

The Honourable Sir Muhammad Zafrullah Khan: What has the Commerce Member got to do with it?

Dr. Sir Ziauddin Ahmad: It was initiated by the Labour Department of the Government of India. They considered this particular problem.

The Honourable Sir Muhammad Zafrullah Khan: They have not granted an allowance to anybody.

Mr. President (The Honourable Sir Abdur Rahim): Who is the Member concerned?

The Honourable Sir Jeremy Raisman: The question of dearness allowance would normally be dealt with by me.

Dr. Sir Ziauddin Ahmad: Is it not a fact that the Labour Department appointed this committee of inquiry and the Labour Department are now giving a dearness allowance to railways? At least they are proposing to give this allowance.

Mr. President (The Honourable Sir Abdur Rahim): The Finance Member is responsible for these allowances. Perhaps this is a *bona fide* mistake on the part of the Honourable Member. If he wishes to pursue this matter, he had better give notice to the Finance Member.

Dr. Sir Ziauddin Ahmad: All right.

The Honourable Sir Muhammad Zafrullah Khan: No dearness allowance has been granted to anybody.

Dr. Sir Ziauddin Ahmad: I want to raise this question in time, so that we may avoid the difficulties which may follow.

Mr. President (The Honourable Sir Abdur Rahim): No dearness allowance has been given to anyone. The motion is disallowed.

REMOVAL OF MUSLIM OFFICERS FROM THE RAILWAY BOARD.

Mr. President (The Honourable Sir Abdur Rahim): The next one is in the name of Mr. Muhammad Azhar Ali. He wishes to discuss a matter of urgent public importance of recent occurrence, namely, the policy of the Government of India in gradually removing the Muslim Officers from the Railway Board.

When was this policy laid down?

Mr. Muhammad Azhar Ali (Lucknow and Fyzabad Divisions: Muhammadan Rural): Sir, it was about September, 1940, when the Railway Member said, in reply to a question, that the number of Muslim officers was five in 1937 and it was reduced to three in 1940. That was the statement.

Mr. President (The Honourable Sir Abdur Rahim): Did he say that the Muslim officers would be removed from the Railway Board?

Mr. Muhammad Azhar Ali: No, Sir.

Mr. President (The Honourable Sir Abdur Rahim): That is the notice of the motion? If the Honourable Member laid down the policy of the Government of India to gradually remove Muslim officers from the Railway Board, did he ever say that?

Mr. Muhammad Azhar Ali: In practice, Sir, it is like this.

Mr. President (The Honourable Sir Abdur Rahim): That won't do. The motion is disallowed.

DISALLOWANCE OF THE USE OF URDU IN MONEY ORDERS AND REGISTERED LETTERS BY THE CALCUTTA POST OFFICE.

Mr. President (The Honourable Sir Abdur Rahim): The next one also is in the name of Mr. Muhammad Azhar Ali. He wishes to discuss a matter of urgent public importance of recent occurrence, namely, the disallowance of the use of Urdu in Money Orders and Registered letters by the Calcutta Post Office.

When was this done?

Mr. Muhammad Azhar Ali: It came to my knowledge in December.

Mr. President (The Honourable Sir Abdur Rahim): Is it of recent occurrence? Something may have happened two years ago and the Honourable Member may have heard of it only recently. When was this order made?

Mr. Muhammad Azhar Ali: It came to our knowledge, as I said, in December?

Mr. President (The Honourable Sir Abdur Rahim): Supposing it is five years old, and the Honourable Member came to know of it last December.

Mr. Muhammad Azhar Ali: It won't be five years back, but this came to our knowledge in Calcutta in December.

Mr. President (The Honourable Sir Abdur Rahim): Was this order ever made, and when was it made?

The Honourable Sir Andrew Olow: The order which, I understand, the Honourable Member is referring to is to be found in the Post and Telegraph Guide in which it is stated that "money orders have got to be filled in either in English or in the local Indian language of the district". There has been no change, so far as I have been aware, in any recent orders.

Mr. President (The Honourable Sir Abdur Rahim): Is that the order the Honourable Member is referring to?

Mr. Muhammad Azhar Ali: Sir, in Calcutta a local language is Urdu also.

Mr. President (The Honourable Sir Abdur Rahim): I cannot go into all that. That is an old order. The motion is disallowed.

NON-SUPPLY OF URDU CENSUS FORMS IN BIHAR.

Mr. President (The Honourable Sir Abdur Rahim): The next one is in the name of the Honourable Member, Syed Ghulam Bhik Nairang, who wishes "to discuss a matter of urgent public importance of recent occurrence, namely, the failure of the Government of India to supply Urdu Census forms in Bihar and the compulsion to fill up these forms either in English or Hindi only." That is barred.

STATEMENT RE ALLEGED FORCIBLE OCCUPATION OF THE IDGAH AT BURHANPUR IN THE CENTRAL PROVINCES.

Mr. President (The Honourable Sir Abdur Rahim): I understand the Honourable Member, Mr. Ogilvie, wishes to make a statement.

Mr. O. M. G. Ogilvie (Defence Secretary): Sir, I have an explanation to offer to the House in respect of an adjournment motion moved by Maulana Zafar Ali Khan on the 19th of November last, in which it was stated that certain troops had forcibly occupied the *Idgah* at Burhanpur in the Central Provinces. On receipt of the notice of the adjournment, I telegraphed to the local military authorities and received the reply that the tents in question had been pitched close to the *Idgah* but did not actually impinge upon it. I, accordingly, in objecting to the adjournment motion, gave that information. Since then, an inquiry has been conducted by the

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Central Provinces Government, and, as a result, the explanation which I gave to the House has been found not to be strictly correct. The facts are as follows. The *Idgah* is a wall, and has, in front of it, an old camping ground. On the ground there is nothing to show where the camping ground ends and the *Idgah* plot begins, except that the *Idgah* plot is said to be slightly raised. The local civil officials allowed the officer commanding the troops to have tents pitched upon this slightly raised piece of ground, which, on further investigation, has been found to be part of the *Idgah* plot. The facts were not known at the time of occupation to the military officer commanding, who only learnt of them the next day after the troops had left Burhanpur. The Brigadier has expressed his regret for the unintentional error to the Imam of the Jama Masjid of Burhanpur and, I understand, that the Deputy Commissioner has also expressed regret to the *Idgah* authorities.

NOMINATION OF THE PANEL OF CHAIRMEN.

Mr. President (The Honourable Sir Abdur Rahim): I have to inform the House that under sub-rule (1) of rule 3 of the Indian Legislative Rules, I nominate Dr. Sir Ziauddin Ahmad, Mr. M. S. Aney, Mr. L. C. Buss and Mr. N. M. Joshi on the Panel of Chairmen for the current Session.

COMMITTEE ON PETITIONS.

Mr. President (The Honourable Sir Abdur Rahim): I have to announce that, under sub-order (1) of Standing Order 80 of the Legislative Assembly Standing Orders, the following Honourable Members will form the Committee on Petitions, namely:

- (1) Syed Ghulam Bhik Nairang,
- (2) Mr. L. C. Buss,
- (3) Sir Abdul Halim Ghuznavi, and
- (4) Sir H. P. Mody.

According to the provision of the same Standing Order, the Deputy President will be the Chairman of the Committee.

GOVERNOR GENERAL'S ASSENT TO BILLS.

Secretary of the Assembly: Sir, information has been received that the following Bills, which were passed by both Chambers of the Indian Legislature, during the Autumn session, 1940, have been assented to by His Excellency the Governor General under the provision of sub-section (1) of section 68 of the Government of India Act, as continued by section 317 of the Government of India Act, 1935:

- (1) The Indian Works of Defence (Amendment) Act, 1940,
- (2) The Indian Navy (Discipline) Amendment Act, 1940,
- (3) The Indian Navy (Discipline) Second Amendment Act, 1940,
- (4) The Cantonments (Amendment) Act, 1940,

- (5) The Repealing and Amending Act, 1940,
- (6) The Indian Registration (Amendment) Act, 1940,
- (7) The Code of Civil Procedure (Amendment) Act, 1940,
- (8) The Code of Criminal Procedure (Amendment) Act, 1940,
- (9) The Indian Companies (Amendment) Act, 1940,
- (10) The War Donations and Investments (Companies) Act, 1940,
- (11) The Reserve Bank of India (Third Amendment) Act, 1940,
- (12) The Motor Spirit (Duties) Amendment Act, 1940,
- (13) The Indian Income-tax (Amendment) Act, 1940,
- (14) The Indian Sale of Goods (Amendment) Act, 1940, and
- (15) The Excess Profits Tax (Amendment) Act, 1940.

CERTAIN HOME DEPARTMENT DECLARATIONS OF EXEMPTION
LAID ON THE TABLE.

The Honourable Sir Reginald Maxwell (Home Member): Sir, I lay on the table:

- (i) a copy of the Home Department Declaration of Exemption, No. 21/38/40-Political (E), dated the 27th November, 1940;
- (ii) a copy of the Home Department Declaration of Exemption, No. 21/37/40-Political (E), dated the 21st December, 1940; and
- (iii) a copy of the Home Department Declaration of Exemption, No. 1/1/41-Political (E), dated the 28th January, 1941.

No. 28/38/40-Political (E).

GOVERNMENT OF INDIA

HOME DEPARTMENT

New Delhi, the 27th November 1940.

DECLARATION OF EXEMPTION.

In exercise of the powers conferred by section 6 of the Registration of Foreigners Act, 1939 (XVI of 1939), the Central Government is pleased to declare that the provisions of the Registration of Foreigners Rules, 1939, except rule 8 and such of the provisions of rules 4, 14, 15 and 16 as apply to, or in relation to, passengers and visitors who are not foreigners, shall not apply to, or in relation to, Miss Evelyn Phyllis Feld, an American national.

*No. 21/37/40-Political (E).

GOVERNMENT OF INDIA

HOME DEPARTMENT

New Delhi, the 21st December 1940.

DECLARATION OF EXEMPTION.

In exercise of the powers conferred by section 6 of the Registration of Foreigners Act, 1939 (XVI of 1939), the Central Government is pleased to declare that the provisions of the Registration of Foreigners Rules, 1939, except rule 8 and such of the provisions of rules 4, 14, 15 and 16 as apply to, or in relation to, passengers and visitors who are not foreigners, shall not apply to, or in relation to, Mr. Naoyosi Abe, an official attached to the Japanese Consulate at Bombay, so long as he holds a post in that Consulate.

No. 1/1/41-Political (E).

GOVERNMENT OF INDIA

HOME DEPARTMENT

New Delhi, the 28th January 1941.

DECLARATION OF EXEMPTION.

In exercise of the powers conferred by section 6 of the Registration of Foreigners Act, 1939 (XVI of 1939), the Central Government is pleased to declare that the provisions of the Registration of Foreigners Rules, 1939, except rule 8 and such of the provisions of rules 4, 14, 15 and 16 as apply to, or in relation to, passengers and visitors who are not foreigners, shall not apply to, or in relation to, Mr. K. Ohta, an official attached to the Japanese Consulate General at Calcutta, so long as he holds a post in that Consulate-General.

REPORT ON THE INDO-CEYLONESE SITUATION

Mr. J. D. Tyson (Secretary, Department of Education, Health and Lands): Sir, I lay on the table:

- (i) Report of the Ceylon Delegation to the Ceylon State Council on the informal Indo-Ceylon conversations;
- (ii) *The verbatim record of the conversations;
- (iii) The Government of India Press Communiqué on the subject.

Mr. F. E. James (Madras European): May I raise a point for your consideration, Sir? My Honourable friend has laid three documents on

*Not printed in these Debates, but a copy has been placed in the Library of the House.—*Ed. of D.*

the table. One is the report of the Ceylon Delegation to the Ceylon State Council on the informal Indo-Ceylon conversations. The other is a verbal record of the conversations, but the third is a Press Communiqué on the subject. I understand that only certain Members of this House have copies of the Press Communiqué. The subject-matter of the Communiqué is extremely important. I should like to ask the Government whether it would not have been more appropriate and certainly more fitting for them to have made a statement on this subject to the House. If they wish to issue a Press Communiqué, nobody can stop them. They are entitled to do so. But surely there seems to be no point in laying on the table a Press Communiqué which is issued at the same time and the contents of which are not available to all Honourable Members. Last Session, the Member in charge of the Department was asked by me on two occasions whether he was in a position to make a statement on this subject, and he said that he was not then but would make a statement at a more favourable opportunity. I suggest, therefore, that it is not treating this House with the consideration that it deserves for my Honourable friend, the Secretary of the Department, to come here and place on the table a Press Communiqué, which presumably has already been sent to the press and which will not, therefore, be in the hands of the Honourable Members until they see it in the papers tomorrow.

Mr. President (The Honourable Sir Abdur Rahim): Does it necessarily follow that a statement cannot be made by the Honourable Member on the subject?

Mr. F. E. James: I presume that the statement that the Honourable Member would normally make is the statement which has now been issued to the press.

Mr. President (The Honourable Sir Abdur Rahim): I do not know if the Honourable Member wishes to make any statement in addition to laying these documents on the table.

Mr. F. E. James: My point is that if the Honourable Member was going to indicate anything to this House at all it should have been by means of a statement to the House and not by placing on the table a Press Communiqué, the contents of which will not be available to Honourable Members until tomorrow.

Mr. President (The Honourable Sir Abdur Rahim): Supposing he makes a statement also. I do not know whether it will be open to any objection.

Mr. F. E. James: If the Honourable Member wishes to do that we should have no objection.

Mr. President (The Honourable Sir Abdur Rahim): I do not know if he wishes to do that. It is for him to say.

Mr. F. E. James: I would certainly prefer the Honourable Member to make a statement to the House rather than lay a Press Communiqué on the table.

Mr. J. D. Tyson: I am perfectly prepared to read the Communiqué, but it is in the Library of the House as well.

Mr. President (The Honourable Sir Abdur Rahim): Will the Honourable Member make a statement on another occasion or is he prepared to make a statement now?

Pandit Lakshmi Kanta Maitra (Presidency Division: Non-Muhammadan Rural): He has not got a copy: it is in the Library.

Mr. President (The Honourable Sir Abdur Rahim): I do not know what Mr. James wishes in these circumstances. Does he want the Honourable Member to make a statement on some other date which may be convenient to the Government?

Mr. F. E. James: I certainly consider that the statement should be made today to this House and that it should not be placed on the table in the form of a Press Communiqué and I would ask you to permit the Honourable Member to read to the House the statement which he has now laid on the table.

Mr. N. M. Joshi (Nominated Non-Official): May I say a word on this point? I am fully in support of the point raised by Mr. James

An Honourable Member: He is now Sir Frederick James.

The Honourable Sir Muhammad Zafrullah Khan (Leader of the House): Not yet. Mr. James is correct.

Mr. N. M. Joshi: I have found on various occasions that the Government of India do not show proper respect to the Legislature. On many occasions

Mr. President (The Honourable Sir Abdur Rahim): I do not want to know what may have happened before, but the question now is whether a statement should be made by Mr. Tyson.

Mr. N. M. Joshi: I suggest that the statement should be made.

Mr. President (The Honourable Sir Abdur Rahim): Very well; Mr. Tyson is going to make that statement.

Mr. J. D. Tyson: It is somewhat long, but I will read it out:

“Following a suggestion made by the Government of Ceylon and accepted by the Government of India, a mission from Ceylon visited New Delhi in November, 1940, to discuss in informal conversations with representatives of the Government of India, matters outstanding between the two countries and to explore and prepare the way for formal negotiations later on. The Ceylon delegation consisted of the Hon'ble Mr. D. S. Senanayake, the Hon'ble Mr. H. J. Huxham, C.M.G., the Hon'ble Mr. S. W. R. D. Bandaranaike and the Hon'ble Mr. G. C. S. Corea. The Government of India were represented by the Hon'ble Sir Girja Shankar Bajpai, K.B.E., C.I.E., I.C.S., the Hon'ble Dewan Bahadur Sir A. Ramaswami Mudaliar, the Hon'ble Sir Alan Lloyd, C.I.E., I.C.S., Mr. G. S. Bozman, C.I.E.,

I.C.S., assisted by Mr. T. G. Rutherford, C.S.I., C.I.E., I.C.S., and Mr. A. Vittal Pai, O.B.E., I.C.S. The main subjects which it was agreed should come under discussion were:

- (a) the control of immigration into Ceylon;
- (b) the dismissal of Indian daily paid workers;
- (c) the question of Indian franchise and domicile; and
- (d) certain restrictions on Indian rights and opportunities now imposed or sought to be contemplated.

It was hoped that if satisfactory results were reached as a result of the discussion on these points the question of trade relations with Ceylon might also be examined.

2. At the opening meeting it was agreed that the first subject for examination should be the status of Indians now resident in Ceylon. This would have largely covered (b), (c) and (d) above and, in the event of agreement being reached upon principles that should regulate the status of resident Indians, the way would have been opened towards a satisfactory understanding upon other questions, such as the control of immigration into Ceylon and trade relations between the two countries.

3. The Ceylon delegation, while agreeing to the discussion of matters of principle, explained that the discussion must take into account the peculiar circumstances of Ceylon. At an early stage one of the Ceylon ministers said ".....We cannot absorb the full number of Indians in Ceylon. It is of course difficult to decide off-hand the particular quantum, but obviously the absorption of what corresponds to one-sixth of the total population of the country.....would undoubtedly lead to the possible result, as many of us see it, of the extermination of our own people.....It is really becoming now a stark question of survival.....Their (the Indians') absorability, in the sense of all privileges being extended to the Indian population of Ceylon, must be so strictly limited as to prevent the dangers of that submergence which is going on very fast.....". At the closing stages another Ceylon minister observed "We realise that however willing we may be to arrive at an agreement still our position is such that the number of Indians who are settled in that country (Ceylon) has to be reduced". The Ceylon delegates, therefore, approached the problem from the point of view of reducing the Indian population in Ceylon. The following proposals, which they put forward, were framed on this basis:

- (1) Persons of Indian descent who possess a Ceylon domicile of origin (i.e., those born in Ceylon, if legitimate, of a father having a Ceylon domicile of origin or of choice and, if illegitimate, of a mother having a domicile of origin or of choice, in Ceylon) should be considered Ceylonese and be entitled to all the rights and privileges accorded to the Ceylonese.
- (2) Other persons of Indian descent now resident in Ceylon should be entitled to the rights and privileges normally accorded to British subjects, and those within this class who possessed a Ceylon domicile of choice (which must include 5 years' residence) were to be entitled to the State Council franchise but they were not to possess certain privileges reserved to Ceylonese under certain enactments and regulations such as

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(a) the grant of Crown land under the Land Development Ordinance, (b) rights under the Fisheries Ordinance and (c) the right to apply for posts under the Ceylon Government. Persons in category (2) were to be entitled on application to certificates of residence. Such a certificate was to entitle the holder to reside and earn his living in Ceylon subject to such conditions as might be set out in the certificate.

4. After discussion it was agreed that the substance of these proposals was as follows:

- (i) Indians in Ceylon in the third generation, as also Indians in the second generation whose parents had a domicile of choice, would have a domicile of origin and be treated as Ceylonese in all respects;
- (ii) Indians in Ceylon with a domicile of choice would be entitled to the State franchise but all other rights over the whole field of employment would be subject to such restrictions as the Ceylon Government might find it necessary to impose;
- (iii) Indians in Ceylon with no domicile of origin or of choice, that is, with less than 5 years' residence on a date to be specified, would be entitled to earn their living but would have no citizenship rights and could not at any time acquire them.

As regards (ii) above, children of such persons would ultimately qualify to be included in (i), but persons in (iii) could never qualify for inclusion in (ii) with the result that they and their children would be excluded from Ceylon citizenship for ever.

After very careful consideration of the Ceylon Delegates' proposals, the Indian Delegation took the view that, on the question of status, the claim of Indians to equality of citizenship should be based upon the same principle, the application of which they had consistently urged in respect of other countries in the British Commonwealth of nations where Indians have settled, namely, that full citizenship rights, covering the whole political and economic field, could legitimately be claimed by all Indians who could establish proof of a prescribed period of residence and of a permanent interest in that country. As regards Ceylon, they suggested, (a) five years' residence, (b) a permanent interest in Ceylon, "both tests to be satisfied by some set of easily ascertainable facts". The Indian delegation recognised, however, that certain specific reservations might have to be made in the special circumstances of Ceylon and were prepared to consider provisions regarding the right to enter Government service and the right to acquire land already mapped out under the Crown Lands Development Ordinance. It was on this basis that they proposed:

- (1) That full citizenship should be conferred on all Indians who could furnish proof (a) of 5 years' residence in Ceylon, and (b) of a permanent interest in the island, both tests to be satisfied by some set of easily ascertainable facts. For example, as regards (b) the fact that a married person lived in Ceylon with his wife and children, if any, should suffice to raise the presumption of permanent interest. Any other factual tests that might be suggested were to be discussed at a later formal conference.

- (2) That persons who did not complete 5 years' residence on the prescribed date would, on fulfilment of this requirement and also of the tests that might be laid down of a permanent interest in Ceylon, acquire domicile of choice and be on an equal footing with those in category (1) above.

The Indian delegation were prepared to concede that persons with domicile of choice as proposed above (a) should not claim the right to appointment to Ceylon Government service or under quasi-Government bodies, provided, however, that Indians already serving under Government or quasi-Government bodies would be entitled to continue in such service without discrimination, and (b) should not participate in the benefits of the Land Development Ordinance so far as land already mapped out and reserved for Ceylonese was concerned but should have full equality as regards land which might be so reserved in future. The children of such persons would, however, be entitled to both these privileges. The Indian delegation further proposed that Indians now resident in Ceylon who did not exercise or qualify for the domicile of choice should be entitled to engage in or continue to engage in any lawful vocation or calling without discrimination.

Subject to acceptance of the fundamental principle that full rights of citizenship over the whole political and economic field on a footing of equality with Ceylonese should be conceded to Indians resident in Ceylon on an agreed date, on their furnishing proof of residence for a prescribed period and of permanent interest, the Indian delegation were prepared to consider any modifications in detail of their proposals that the delegation from Ceylon might put forward.

5. The Ceylon delegation, however, found themselves unable to accept the principle underlying the proposals of the Indian delegation. As already stated, they had, even before their proposals were put forward, hinted at the necessity, from their point of view, of substantially reducing the numbers of the Indian population resident in Ceylon. From an early stage, the discussions had revealed that the Ceylon delegation laid great emphasis upon the necessity, however unpleasant, of restricting the employment of Indians in all spheres, including estates. For example, on the second day of the Conference, even in regard to persons possessing a domicile of choice, the Leader of the Ceylon delegation admitted that these might be subjected not only to restrictions that now operate in favour of Ceylonese but also to fresh restrictions in the future. The discussions that followed the presentation of the Indian proposals merely served to bring out the unwillingness of the Ceylon delegates to make any commitment, beyond an expression of their willingness to consult the Government of India, that would hamper their freedom to impose restrictions on Indian employment in favour of the Ceylonese. One of the Ceylon delegates observed "Your proposals would bring full citizenship to a much larger number of Indians than we can possibly consider.....it would confer full rights upon a much larger number than we can absorb". At a later stage, when asked for a list of possible future restrictions, he said "It may be perhaps difficult for us, with reasonable accuracy, to supply you with the range of possible restrictions even now". It thus became clear that not only persons who would be eligible for the Ceylon domicile of choice under the proposals made by the Ceylon delegates but even their children might in fact have little

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opportunity of obtaining a domicile of origin as their parents might have to leave Ceylon under economic pressure and restrictions and thereby lose their domicile of choice. It was argued by the Ceylon delegates that India had already accepted something similar in South Africa in the scheme for repatriation formulated at the Cape Town Conference in 1927. The Indian delegation, however, pointed out firstly that that scheme was entirely voluntary in character and secondly that it arose from the fact that there were in South Africa a number of Indians who had no wish to accommodate themselves to Western standards of life. There was, therefore, no analogy in either respect between that scheme and the present proposals of the Ceylon delegation. Reference was also made to action taken by certain Provincial Governments in India regarding the employment of persons from outside the Province, but the Indian delegation explained that here also no analogy could be drawn as the action taken referred only to future recruitment and was confined to Government service. The Ceylon delegates also mentioned that by the definition given to the term 'foreigner' India had taken the power to apply special restrictions to every person other than an Indian and a British subject domiciled in the United Kingdom. The reference appears to have been to the Foreigners Registration Act XVI of 1939. This Act is a measure designed solely to keep track of undesirables and was passed in April 1939 under the threat of war. It refers only to provisions for registration. In the result, while reiterating their good will towards India, and their desire to reach an agreement, they found themselves unable to modify their objective of substantial reduction of the size of the Indian population by such measures, including economic pressure, as might serve to achieve it.

6. It was with profound regret that the Indian delegates were forced to the conclusion that the angles from which the two delegations approached the vital question of the status of the resident Indian population in Ceylon were so divergent as to offer no basis for continuing the exploratory talks. While fully appreciating the desire of the Ceylon delegation to secure the maximum opportunity for employment for their own people in Ceylon, the Indian delegation were unable to agree to any method of achieving that purpose which would involve discrimination against, or pressure upon, Indians resident in Ceylon who, in their opinion, could legitimately claim full equality of citizenship. The conversations were, therefore, discontinued. The desire of the Government of India that relations between the two countries should be placed on a firm basis of friendship and co-operation has in no way diminished and should a prospect of a resumption of negotiations with greater possibilities of success appear in the future, they will be found ready to take advantage of it."

I would only add that there was no intention to be disrespectful to the House in any way. This Press Communiqué has not actually appeared in the press yet at all. It has been issued to the press for publication after presentation here—sometime after midday today, the date and time being chosen with reference to the fact that similar documents are being presented to the Ceylon Council this afternoon. I do not know how many copies of this have been printed but, speaking without any opportunity of referring, I believe we can make copies available to the Members of the House at once.

THE REPORT.

Indo-Ceylon Relation, Exploratory Conference Report.

THIS report contains an account of the conference that took place between representatives of the Government of India and Ministers from Ceylon.

2. On a request made by His Excellency the Governor of Ceylon, the Government of India agreed to a conference the objects of which were set out as follows in a joint communiqué :

“At the request of the Government of Ceylon, the Government of India have agreed to an informal conference between Ministers from Ceylon and representatives of the Government of India.

“The meeting which is expected to take place in India early in November will be entirely informal and exploratory in character and is intended to secure a satisfactory basis for formal negotiations at a later date on all problems of common interest which require adjustment.

“It is hoped that a frank preliminary discussion such as the one proposed by the Government of Ceylon will serve to remove any misunderstanding which may exist and will assist the promotion and maintenance of those friendly relations between the two countries which both Governments so earnestly desire.”

3. In pursuance of this arrangement, the following were selected to be the representatives from Ceylon :

The Hon. Mr. D. S. Senanayaka, Minister for Agriculture and Lands.

The Hon. Mr. H. J. Huxham, C.M.G., Financial Secretary.

The Hon. Mr. G. C. S. Corea, Minister for Labour, Industry and Commerce.

The Hon. Mr. S. W. R. D. Bandaranaike, Minister for Local Administration.

Messrs. F. C. Gimson, C.C.S., Controller of Labour, and D. H. Balfour, C.C.S., Director of Commerce and Industries, accompanied the delegation as Advisers.

Mr. L. J. Seneviratne, C.C.S., was Secretary to the delegation.

The representatives of the Government of India were :

Sir Girja Shankar Bajpai, K.B.E., C.I.E., I.C.S., Member for Education, Health and Lands.

Sir Ramaswami Mudaliar, Member for Commerce.

Sir Alan Lloyd, C.I.E., I.C.S.

Mr. G. S. Bozman, C.I.E., I.C.S.

Mr. G. T. Rutherford, C.S.I., C.I.E., I.C.S.

Mr. Vital Pai, O.B.E., I.C.S.

Mr. S. Dutt, I.C.S., was the Secretary.

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4. The conference began on November 4 and ended on November 12. There were altogether five sittings.

5. In reply to an inquiry made by the Ceylon delegation, the Government of India had proposed a series of subjects for discussion at the conference, namely, the control of immigration into Ceylon, the dismissal of Indian daily-paid workers, questions of franchise and domicile and certain restrictions of rights and opportunities imposed or said to be contemplated in the case of Indians now in Ceylon, and possibly trade negotiations.

6. At the outset of the conversations Sir G. S. Bajpai stated that for them the most important question of all was the status of Indians at present in Ceylon, and the principles by which their economic and their political rights were to be regulated. He suggested that if an agreement was reached on certain principles regarding this question, other subjects such as Indian franchise, immigration, labour, &c., could be easily adjusted in the light of the agreed principles.

In this the Ceylon delegation acquiesced, making it clear, however, that in the discussion of those principles the particular conditions existing in Ceylon must receive full consideration. The Indian delegation agreed.

7. The Ceylon delegation explained at some length the economic conditions prevailing in their country, e.g., the increasing population, the rapidly growing unemployment, the falling standard of living, the extremely limited opportunities for further employment, the difficulty already experienced by the Ceylon Government in providing unemployment relief works and in alleviating distress caused by the growing poverty of the people due primarily to unemployment as well as under-employment.

In spite of these difficulties the delegation was prepared to recognize the claims to full rights and privileges of citizenship of those Indians, who have no connection with India and have a genuine and abiding interest in Ceylon.

8. In view of the foregoing considerations, the following proposals for determining the status of resident Indians were submitted by the Ceylon delegation:

- (i) Persons of Indian descent who possess a Ceylon domicile of origin, i.e., those born in Ceylon, if legitimate, of a father having a Ceylon domicile of origin or of choice, and, if illegitimate, of a mother having a Ceylon domicile of origin or of choice. These will be considered Ceylonese and be entitled to all the rights and privileges of Ceylonese.
- (ii) Other persons of Indian descent now resident in Ceylon. These will be entitled to the rights and privileges normally accorded to British subjects and those within this class who possess a Ceylon domicile of choice (which must include 5 years' residence) will, as now, be entitled to the State Council franchise, but they will not possess privileges reserved to Ceylonese under certain enactments and regulations such as—
 - (a) grant of Crown land under the Land Development Ordinance,
 - (b) rights under the Fisheries Ordinance,
 - (c) right to apply for posts under the Ceylon Government.

They will be entitled, on application, to certificates of residence. Such a certificate will entitle the holder to reside and earn his living in Ceylon, subject to such conditions as may be set out in the certificate.

9. The proposals in brief are, the grant of full citizenship to Indians possessing a Ceylon domicile of origin while other Indians are given the rights and privileges normally accorded to all British subjects, with additional rights and privileges in the case of those possessing a domicile of choice.

10. It was pointed out by the Ceylon delegation that other countries, including India herself, have had to adopt, under pressure of circumstances prevailing in those countries, measures which amount to the denial of citizenship rights to immigrants. The following instances were quoted:

(a) The agreement reached between South Africa and India, to the following effect:

“South Africa and India have concluded an agreement of a special character; its purpose is to facilitate the repatriation, not only of Indian immigrants who have settled in the Union for considerable periods, but also the emigration of persons of Indian origin in the Union. This agreement was concluded as a result of the Conference held in 1926-27 by delegates from the two countries, in order to arrive at a solution of the difficulties created by the presence in South Africa of a large number of Indians who have not easily adapted themselves to the European civilization that is developing in that country and who are constantly regarded by the South African authorities as an element making for economic instability. It was agreed that South Africa would organize a scheme of assisted emigration for such Indians to other countries where Western standards of living were not required and particularly to India.”

(Migration Laws and Treaties.—Vol. 3, 1929. Geneva International Office).

(b) The definition of “foreigner” in the Foreigners Act of 1939 of India which runs as follows:

“ ‘Foreigner’ includes every person other than—

- (1) a British subject domiciled in the United Kingdom;
- (2) a British Indian subject;
- (3) a Ruler or a subject of an Indian State; and
- (4) a Consul General, Vice-Consul or a person appointed by a foreign Government to exercise diplomatic functions.”

By this measure, all non-Indians including British subjects domiciled in various parts of the British Empire (with the sole exception of those domiciled in the United Kingdom) are treated as foreigners.

11. Whatever the circumstances may be which led to the above quoted instances, the former shows that India has acquiesced in an arrangement which in effect amounts to discrimination against Indians, and the latter proves that India herself is prepared to discriminate as between British subjects including Ceylonese.

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12. It was also mentioned that even within India pressure of circumstances had necessitated the taking of discriminatory measures, and one of the proposals put forward to meet the difficulties created by the influx into Bihar of Indians from the adjoining province of Bengal was to the following effect :

no person should be regarded as domiciled in the Province unless he can produce a certificate to that effect from the District Officer of the District in which he claims to be a resident. Before granting a certificate of domicile to any person, the District Officer should satisfy himself that his family is permanently settled in the Province and that he has adopted Bihar as his home and has no intention of returning to his country of origin.

13. The Ceylon delegation further pointed out that in actual practice a large number of Indians including many of those born in Ceylon keep their families in India, visit that country frequently and, in other ways, maintain close contact with it.

14. Ceylon has already reached the point, it was observed, where she cannot support a reasonable standard of living for her people; her population is rapidly increasing with all the attendant economic problems and difficulties. Placed in these circumstances Ceylon has no alternative but to restrict the number of non-Ceylonese to whom full rights of citizenship can be extended. The position in which Ceylon finds herself now was envisaged sometime ago by the League of Nations, which recommended that, in circumstances similar to those of Ceylon, all labourers from other countries should be recruited on definite agreements providing for repatriation in later years.

15. The counter-proposals made by the Indian representatives were as follows :

"We suggest an expansion of your (that is, the Ceylon delegation's) second category on the following basis, namely, that full citizenship should be conferred on all Indians who can furnish proof (a) of five years' residence in Ceylon, and (b) of a permanent interest in the Island, both tests to be satisfied by some set of easily ascertainable facts. For example, as regards (b) the fact that a married person lives in Ceylon with his wife and children, if any, should suffice to raise the presumption of permanent interest. This proposal will not cover the case of those Indians who are not married. The test to be applied to them as also any other factual test that you may wish to suggest can be the subject of discussion at our later formal conference. What we are anxious to ensure is that such tests should be specifically set out and not left to the judgment of individual officers, which is the case at present.

We should, however, be prepared to agree that Indians falling in this class may not claim (1) the right to appointment in the Ceylon Government Service or under quasi-Government bodies provided, however, (a) that Indians now serving under Government or quasi-Government shall be entitled to continue in such service without discrimination and (b) that the

descendants, including adults, of Indians who are either now resident in Ceylon or at the time of death were so resident and who themselves normally reside in Ceylon, should be eligible for such appointments without discrimination.

- (2) With regard to the grant of Crown land under the Land Development Ordinance, we would not claim that the policy of the Ceylon Government in regard to lands already declared to be reserved for Ceylonese should be disturbed but we would urge that the equality of rights claimed by us for this category of Indians should include all other Crown land.
- (3) Finally, as regards Indians now resident in Ceylon who do not qualify for citizenship as defined above, we suggest that they should be entitled to engage in or continue to engage in any lawful vocation or calling which they now exercise or may hereafter exercise, without discrimination."

16. The first point to be noted regarding these proposals is that, although they purported to be a modification of those made by the Ceylon delegation, they are in fact based on an entirely different principle. This principle was explained by the Indian delegation as follows:

"The problem of the status of Indians facing us is not peculiar to Ceylon. This problem exists wherever Indians are resident in all parts of the world. Once we concede any qualification in the matter of citizenship, we open the door to similar claims all over the British Commonwealth of Nations. Even the different States of India would have different classes of citizens measured in terms of political and economic rights. It is not very easy for us therefore to envisage a definition which would really meet the different circumstances that you have just now stated—circumstances which have to be taken into consideration. But broadly stated our position is this: That Indians who have been resident for an agreed period of years in a particular territory under the British Government acquire equality with the indigenous inhabitants of the territory—acquire equality of rights over the whole field of rights. That is the principle we have all along continued to insist upon."

This means that the Indian delegation, after considering the special circumstances of Ceylon as explained by the Ceylon delegation, were not prepared to agree, in the light of these special circumstances, to any modification of the claims made by India on behalf of Indian nationals in other countries. Their attitude was further clarified by a statement at a later stage to the effect that every Indian now in Ceylon must be allowed to settle in Ceylon permanently if he so wishes.

17. The next matter calling for attention is the inadequacy of the tests contemplated for ascertaining whether or not there exists in the case of any particular Indian a "permanent interest" in the Island. This can only be ascertained by questioning each individual carefully and considering the special circumstances of his case. The Indian proposals, apparently in the interests of simplicity, attempt to replace this procedure by an artificial rule which might have little relation to actual facts. The presumption.

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suggested for married persons shows the unreality of the proposal. While it would not be unfair to presume that a person who leaves his family in India means to return to India, it would seem illogical to say that because an Indian lives in Ceylon with his wife and children it is not his intention to go back to India. In fact, the pith of Ceylon's contention, based on actual experience of Indian labour, is that in the great majority of instances the contrary is the case. In this question of permanent interest, simplification can be achieved only at the expense of accuracy.

18. It should also be observed in passing that the Indian proposals involve (a) the amendment of such Ordinances as the Land Development Ordinance, the Village Communities Ordinance and the Fisheries Ordinance, and (b) a reversal of the policy hitherto adopted by Government in attempting to secure greater employment for Ceylonese in occupations previously almost wholly monopolized by non-Ceylonese.

19. The Ceylon delegation urged that the transfer of citizenship from one unit of the Empire to another should approximate, as closely as possible, to the conditions for naturalization between two political independent countries—a position impliedly adopted by India herself in passing the Foreigners Act referred to earlier. Now, naturalization requires stricter conditions than are necessary for domicile. And yet the Indian delegation in their proposals contemplated domicile (less strictly defined than domicile in its full legal sense) as sufficient for the acquisition of full rights of Ceylonese citizenship.

20. The Indian proposals not only widen the category of those who are entitled to full citizenship, but also grant the opportunity to acquire a domicile of choice to Indians now resident in Ceylon who have not completed five years' residence. In effect, therefore, Ceylon is to resign herself to the absorption of about a million Indians. With their descendants of course that number will be greatly increased in the future.

21. The fourth day's sitting was taken up principally in examining the implications of the two sets of proposals. It became clear that the grant of full rights to Indians possessing merely domicile of choice, which was demanded by the Indian delegation, could not be accepted by the Ceylon delegation. Resident Indians falling within this category could, it was pointed out, obtain the franchise, and if they could, by their own endeavours, establish themselves in the country. Their children born in Ceylon would automatically enjoy full rights of citizenship. The concession, therefore, of full citizenship to the children of Indians possessing a domicile of choice, was a substantial one.

22. It was urged that Ceylon must be free to take such steps as are necessary, even to the disadvantage of resident Indians, to create wider opportunities for Ceylonese. For this purpose, the Ceylon Government would be prepared to negotiate with India regarding a repatriation scheme whereby Indians might voluntarily return to India with a suitable monetary grant.

23. Ceylon, finally, would not be prepared to extend the franchise to those resident Indians who did not exercise their right of choice of Ceylon domicile by a fixed date.

24. The Indian delegation was earnestly requested to suggest a solution acceptable to them and at the same time calculated to meet the difficulties pointed out by the Ceylon delegation.

25. To this, the reply was given at the final sitting that the Indian delegation found it impossible to suggest any method of achieving the purposes which the Ceylon delegation had in view "which did not involve either discrimination against, or pressure on, those Indians who could legitimately claim full equality of citizenship".

26. As no agreement could be reached on the question of the status of Indian immigrants in Ceylon, the Indian delegation was unwilling to proceed to the consideration of the other questions noted for discussion. The talks thus came to an end.

27. The Ceylon delegation would like to take this opportunity of recording their appreciation of the courtesy and hospitality shown to them in India both officially and unofficially.

(Sgd.) D. S. SENANAYAKE.

(Sgd.) H. J. HUXHAM.

(Sgd.) S. W. R. D. BANDARANAIKE.

(Sgd.) G. C. S. COREA.

Colombo, December 14, 1940.

Mr. M. S. Aney (Berar: Non-Muhammadan): May I know whether it is the desire of Government, in view of the importance of this subject, to give us a day for discussing the Indo-Ceylonese situation?

Dr. Sir Ziauddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): I support that proposal. It is very desirable that we should have an opportunity of discussing this question. In fact, I wanted to table an adjournment motion on it, but I did not actually move it, because it might complicate matters.

The Honourable Sir Muhammad Zafrullah Khan: Sir, Government will be prepared to consider the suggestion made by the Honourable Members.

THE INDIAN RAILWAYS (AMENDMENT) BILL.

PRESENTATION OF THE REPORT OF THE SELECT COMMITTEE.

The Honourable Sir Andrew Clow (Member for Railways and Communications): Sir, I present the Report of the Select Committee on the Bill further to amend the Indian Railways Act, 1890, with the Bill as amended.

THE INDIAN MERCHANDISE MARKS (AMENDMENT) BILL.

PRESENTATION OF THE REPORT OF THE SELECT COMMITTEE.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar (Member for Commerce and Labour): Sir, I present the report of the Select Committee on the Bill further to amend the law relating to fraudulent marks on merchandise.

ELECTION OF TWO MEMBERS FOR THE COMMITTEE ON PUBLIC ACCOUNTS.

The Honourable Sir Jeremy Raisman (Finance Member): Sir, I move:

"That the non-official members of the Assembly do proceed to elect, in the manner required by rule 51 of the Indian Legislative Rules, two members to be members of the Committee on Public Accounts in place of the late Mr. S. K. Som and Captain Sardar Sir Sher Muhammad Khan who has ceased to be a member of the Assembly."

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

"That the non-official members of the Assembly do proceed to elect, in the manner required by rule 51 of the Indian Legislative Rules, two members to be members of the Committee on Public Accounts in place of the late Mr. S. K. Som and Captain Sardar Sir Sher Muhammad Khan who has ceased to be a member of the Assembly."

The motion was adopted.

ELECTION OF A NON-OFFICIAL MEMBER TO SERVE ON THE STANDING COMMITTEE TO ADVISE ON SUBJECTS, OTHER THAN "ROADS" DEALT WITH IN THE DEPARTMENT OF COMMUNICATIONS.

The Honourable Sir Andrew Glow (Member for Railways and Communications): Sir, I move:

"That this Assembly do proceed to elect in such manner as the Honourable the President may direct, a non-official member to serve on the Standing Committee to advise on subjects, other than 'Roads' dealt with in the Department of Communications during the financial year 1940-41, in the vacancy caused by the death of Pandit Krishna Kant Malaviya."

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

"That this Assembly do proceed to elect in such manner as the Honourable the President may direct, a non-official member to serve on the Standing Committee to advise on subjects, other than 'Roads' dealt with in the Department of Communications during the financial year 1940-41, in the vacancy caused by the death of Pandit Krishna Kant Malaviya."

The motion was adopted.

ELECTION OF FOUR MEMBERS FOR THE COURT OF THE UNIVERSITY OF DELHI.

Mr. J. D. Tyson (Secretary, Department of Education, Health and Lands): Sir, I move:

"That the elected members of this Assembly do proceed to elect, in such manner as may be approved by the Honourable the President, four persons from among their own numbers to be members of the Court of the University of Delhi in pursuance of clause (xiv) of sub-section (1) of Section 18 of the Delhi University Act, 1922 (VIII of 1922), read with clause (5) of Statute 2 of the First Statutes of the University set out in the Schedule to the Act."

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

"That the elected members of this Assembly do proceed to elect, in such manner as may be approved by the Honourable the President, four persons from among their own numbers to be members of the Court of the University of Delhi in pursuance of clause (xiv) of sub-section (1) of Section 18 of the Delhi University Act, 1922 (VIII of 1922), read with clause (5) of Statute 2 of the First Statutes of the University set out in the Schedule to the Act."

The motion was adopted.

Mr. President (The Honourable Sir Abdur Rahim): I may inform Honourable Members that for the purpose of election of members for the Committee on Public Accounts, Standing Committee for the Department of Communications, and the Court of the University of Delhi the Notice Office will be open to receive nominations up to 12 Noon on Friday, the 14th February, 1941. The elections, if necessary for the Committee on Public Accounts and the Standing Committee for the Department of Communications will take place on Monday the 17th February while the election for the Court of the University of Delhi will be held on Tuesday the 18th February, 1941. The elections which will be conducted in accordance with the principle of proportional representation by means of the single transferable vote will be held in the Assistant Secretary's room in the Council House, New Delhi, between the hours of 10-30 A.M. and 1 P.M.

THE INSURANCE (AMENDMENT) BILL.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar (Member for Commerce and Labour): Sir, I introduce the Bill further to amend the Insurance Act, 1938.

THE INSURANCE DEPOSITS (TEMPORARY REDUCTION) BILL.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar (Member for Commerce and Labour): Sir, I introduce the Bill to provide for the reduction temporarily of the amounts payable as instalments of the sum to be deposited by an insurer under section 7 of the Insurance Act, 1938.

Sir, I move:

"That the Bill to provide for the reduction temporarily of the amounts payable as instalments of the sum to be deposited by an insurer under section 7 of the Insurance Act, 1938, be taken into consideration."

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

"That the Bill to provide for the reduction temporarily of the amounts payable as instalments of the sum to be deposited by an insurer under section 7 of the Insurance Act, 1938, be taken into consideration."

Mr. Lalchand Navalrai (Sind: Non-Muhammadan Rural): Sir, ordinarily I would not object to the consideration of this Bill which is said to be beneficial to the insurer. But I do not see why there should be this

[Mr. Lalchand Navalrai.]

hurry and the Bill taken into consideration immediately after introduction today. Sir, I do not say that this Bill, as it is being hurried through, will not cause some inconvenience and disadvantage to those to whom it has to apply

Mr. President (The Honourable Sir Abdur Rahim): Perhaps he may allow some time to the House and to the Honourable Member to discuss the Bill.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: That is true, but there are two considerations which I respectfully venture to put forward for the consideration of the House and then I shall leave the matter in the hands of the House. In the first place, there is the Statutory obligation on the part of the Superintendent of Insurance to take certain penal action against companies which do not by a certain date deposit a certain amount. That statutory obligation cannot by any means be prevented so far as the Government of India is concerned. It is cast on the Superintendent of Insurance and he is bound to take that action. That is the reason why I have come forward with this enabling provision for a retrospective clause. Every day that this Bill is not on the statute book it means that the Superintendent of Insurance is at liberty to take this action and there is no power on the part of the Government of India to prevent him from taking that action. On the other hand he would be looked upon as having been guilty of dereliction of duty on his part if he were not to take that action. That is the reason why this Bill has been published in the gazette and a communique has been issued to the young life insurance companies that as far as possible the Superintendent of Insurance might take notice of the fact that this Bill has been already published and stay his hands, but that the Government of India is not in a position to prevent him from taking that action. Therefore the sooner this Bill is on the statute book the better for those insurance companies.

There is only one point that has been raised by my friend, Dr. Sir Ziauddin Ahmad, which probably will be placed before this House, that after all, if this Bill is passed today in this House it will still have to go to another place and the meetings there will not begin till the 18th or 19th of this month and therefore it is quite possible to take up the further consideration of this Bill on the next official day. In that connection I would like to put forward a personal matter. As the House is aware, we are engaged in negotiations with the Burmese delegation over the Indo-Burma Agreement, and it has become extraordinarily difficult for me who am connected with those negotiations to find time for visitors who are here for this specific purpose, if as today I have to be in the House and if I cannot get a day off when I can be free to deal with them. I am placing this quite frankly before the House and I must leave it at that.

Mr. N. M. Joshi (Nominated: Non-Official): May I suggest that this motion be taken on the next official day? I have no doubt that the House will take it then into consideration.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has given his reason why he wants it to be taken up today.

Mr. N. M. Joshi: Our reason is that we are not prepared to do so.

Mr. President (The Honourable Sir Abdur Rahim): If it is the general desire of the House that the consideration of the Bill should not be taken up today, I will let it stand over to the next official day. Is that the general desire of the House?

Honourable Members: Yes.

Honourable Members: No.

The Honourable Sir Muhammad Zafrullah Khan (Leader of the House): I wish only to add that the Bill, apart from being published in the Gazette, has already been circulated to Honourable Members simultaneously with its publication in the Gazette.

Mr. President (The Honourable Sir Abdur Rahim): Apparently, Members have not had time to consider the Bill, this being the first day of the Session. I think it will be better to take this up on the next official day.

The Honourable Sir Muhammad Zafrullah Khan: I may inform the House that on Friday, the 14th, after the disposal of any official business that may be set down for disposal on that day, the House will be invited to discuss the documents laid on the table this morning by the Secretary, Education, Health and Lands Department, relating to Indians in Ceylon.

The Assembly then adjourned till Eleven of the Clock on Wednesday, the 12th February, 1941.
