

21st February, 1933

THE
LEGISLATIVE ASSEMBLY DEBATES
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(1st February to 21st February, 1933)

FIFTH SESSION
OF THE
FOURTH LEGISLATIVE ASSEMBLY,
1933



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Legislative Assembly.

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THE HONOURABLE SIR IBRAHIM RAHIMTOOLA, K.C.S.I., C.I.E. (Upto 7th March, 1933.)

THE HONOURABLE MR. R. K. SHANMUKHAM CHETTY. (From 14th March, 1933.)

Deputy President :

MR. R. K. SHANMUKHAM CHETTY, M.L.A. (Upto 13th March, 1933.)

MR. ABDUL MATIN CHAUDHURY, M.L.A. (From 22nd March, 1933.)

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MR. LESLIE HUDSON, KT., M.L.A.

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MR. ABDUL MATIN CHAUDHURY, M.L.A., *Chairman*. (From 22nd March, 1933.)

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MR. ABDULLA-AL-MAMÜN SUHRAWARDY, KT., M.L.A.

MR. B. SITARAMARAJU, M.L.A.

MR. C. S. RANGA IYER, M.L.A.

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LEGISLATIVE ASSEMBLY.

Tuesday, 21st February, 1933.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. Chairman (Sir Hari Singh Gour) in the Chair.

QUESTIONS AND ANSWERS.

IMPORT OF "EDIBLE OIL".

385. ***Mr. S. O. Mitra:** (a) Has the attention of Government been drawn to the news regarding the import of "edible oil" published in the *Daily Tej* of the 26th January, on page 6, column 5?

(b) Is it a fact that a commodity named "edible oil" is being imported in large quantity in India from Japan and Denmark?

(c) Is it true that "edible oil" is prepared from whale or fish fat?

(d) Are Government aware that as it is very cheap and easily mixable with pure ghee, it is being used in many big towns for adulteration purposes?

(e) Are Government aware that as the "edible oil" is not only injurious to health, but, being animal product, is also offensive to the religious notions of millions of vegetarians in India? If so, are Government prepared to take early and effective steps either to totally stop its import or at least check its use as an adulterant?

(f) Do Government propose to get it chemically examined and publish the examiner's report for public guidance and circularise the municipal committees in different provinces to check its sale?

The Honourable Sir Joseph Bhoré: (a) to (c). Yes.

(d) to (f). The Government of India have received representations to this effect. They do not consider that there is ground for prohibiting the import of fish oil as this oil is said to have industrial uses but they will look into the matter with a view to determining whether any action is desirable or feasible in the direction of checking its use as an adulterant of ghee.

Pandit Satyendra Nath Sen: May I know if there is any heavy duty on that article?

The Honourable Sir Joseph Bhoré: I think it is the ordinary revenue duty.

DUTY ON IMPORTED HANDKERCHIEFS.

386. *Mr. Jagan Nath Aggarwal: (a) Has the attention of Government been drawn to a communication published in the *Tribune*, Lahore, dated the 22nd January, 1933, from the Secretary, Handkerchiefs Manufacturing Association, Delhi, re duty on imported handkerchiefs?

(b) Are Government aware that manufactured handkerchiefs imported into India are liable to a duty only of 25 per cent. whereas if the same cloth is imported, it pays a duty of 50 per cent.?

(c) Are Government aware that handkerchief manufacturers, who use imported cloth for making handkerchiefs, are placed at considerable disadvantage as against exporters of the same commodity to this country?

(d) Are Government prepared to consider the desirability of taking steps to stop this unfair discrimination against the Indian manufacturers?

The Honourable Sir Joseph Bhoré: (a) Yes.

(b) I presume the Honourable Member refers to cotton handkerchiefs. These handkerchiefs are imported in two forms, namely, in woven lengths and in the piece. The former are treated as cotton piece-goods and assessed to duty as such—i.e., 25 per cent. *ad valorem* if of British manufacture and 50 per cent. *ad valorem* if not of a British manufacture. When imported in the piece they are assessed to duty at 80 per cent. *ad valorem* if the manufacture of any country other than the United Kingdom or Northern Ireland and at the preferential rate of 20 per cent. *ad valorem* if the manufacture of the countries named.

(c) There is some disadvantage.

(d) No.

AMOUNT SPENT IN CONSTRUCTING THE BRIDGE ON THE BRAHMAPUTRA BETWEEN SHAMBHUGANJ AND MYMENSINGH STATIONS OF THE ASSAM BENGAL RAILWAY.

387. *Mr. D. K. Lahiri Chaudhury: (a) Will Government be pleased to state what amount was spent in constructing the bridge on the Brahmaputra between Shambhuganj and Mymensingh Stations of the Mymensingh-Bhairab Bazar Branch of the Assam Bengal Railway?

(b) Will Government be pleased to state what amount has been realised from the public by the Railway Company as pontage charge on account of the said bridge up to December, 1932?

Mr. P. R. Rau: (a) The cost of the bridge is about 9½ lakhs of rupees.

(b) Government regret that the information asked for is not available and that its compilation would involve a considerable amount of labour and expenditure incommensurate with its value.

Dr. Ziauddin Ahmad: May I just ask if the contract is auctioned to private individuals as is usually done?

Mr. P. R. Rau: This is a charge levied by the Railway Administration and is an addition to the cost of the ticket.

BENGALI INDIAN CIVIL SERVICE OFFICERS IN THE POLITICAL DEPARTMENT.

388. ***Mr. D. K. Lahiri Chaudhury:** Will Government be pleased to state how many Bengali I. C. S. officers are there in the Political Department?

Mr. H. A. F. Metcalfe: None. Only three applications from Bengali officers of the Indian Civil Service have been received. One of the candidates died before his application could be considered and the other two did not apply until after they had passed the limit of service prescribed for candidates from the Indian Civil Service.

LEVEL CROSSING ON EITHER SIDE OF THE RAILWAY STATION AT UNAO.

389. ***Rai Bahadur Lala Brij Kishore:** (a) Are Government aware that there are two level crossings on either side of the railway station of Unao in the Province of Oudh?

(b) Will Government state how many trains during day and night run over this line of the said station, *vis.*, the line between Lucknow and Cawnpore?

(c) Are Government aware that these gates control the two thoroughfares leading to the civil and criminal courts, public offices and to the officers' bungalows in the civil lines and are very much frequented by the public and the litigants from the adjoining villages and the two neighbouring industrial centres, Cawnpore and Lucknow?

(d) Are Government aware that very often these gates remain closed for over half-an-hour causing great deal of trouble and inconvenience to the public travelling by vehicles and, in some cases, when a combined train runs from Cawnpore and is divided at Unao?

(e) Are Government aware that complaints have been made about their closing and the inconvenience to the public in newspapers and, if so, what steps have Government taken to redress those grievances?

(f) Are Government aware that this matter has been brought to the notice of the Railway authorities, but no redress has been given? Are Government prepared to enquire about it and lay on the table a statement on the result of their enquiry?

(g) Having regard to the serious inconvenience and detention of the public, are Government prepared to direct the railway authorities concerned, that steps be taken to remove this inconvenience and that the gate may not remain closed for more than five minutes at one time?

(h) Have Government considered the question whether it is possible to make an underground passage for the passing of the vehicular traffic in order to remove the great inconvenience to the public? What steps do Government propose to take in this matter?

(i) Will Government please state what will be the cost of constructing such a passage?

(j) Are Government aware that an undertaking to provide an underground passage even on one crossing will remove a lot of trouble and inconvenience to the public of the district?

Mr. P. B. Rau: Government have hitherto received no complaints about this matter. I am sending a copy of the question to the Agent, East Indian Railway, for any action that may be necessary.

Rai Bahadur Lala Brij Kishore: This question was also sent in the November Session.

Mr. P. B. Rau: I have sent a copy of the question to the Agent of the East Indian Railway for consideration.

Mr. M. Maswood Ahmad: Has any reply been received?

Mr. P. B. Rau: No.

Dr. Ziauddin Ahmad: Does the Honourable Member expect to get any reply at all?

Mr. P. B. Rau: When I get a reply, I shall be glad to lay a copy of it on the table.

SEPARATION OF JUDICIAL FROM EXECUTIVE FUNCTIONS.

390. *Sardar Sant Singh: Will Government be pleased to state when the demand for the separation of judicial from executive functions was first made? How many times did the question come up before the Executive Council of the Government of India and with what result? At what stage is the question now and is it likely to be settled in favour of separation? If so, when?

The Honourable Sir Harry Haig: As far as my enquiries go I find that the public demand for the separation of judicial and executive functions seems first to have been made in 1886 in a resolution on the subject by the Indian National Congress. In regard to the second part of the question, as the Honourable Member is aware, proceedings of His Excellency the Governor General's Executive Council are confidential and I can give no information. As to the third part of the question, it is not proposed to reach any conclusions until the factors that will condition the problem in the new constitution have become apparent.

Mr. Lalchand Navalrai: Will Government be pleased to state if they have recognised that it is necessary and feasible that there should be the separation of executive from judicial functions?

The Honourable Sir Harry Haig: No, Sir. The Government of India, as at present constituted, do not recognise that.

Mr. Gaya Prasad Singh: Is it not a fact that the separation of executive and judicial functions will weaken the hand of the executive officers in carrying out their administrative work?

The Honourable Sir Harry Haig: It would be a system to which I think there are on general grounds considerable objections.

Mr. Lalchand Navalrai: Apart from the coming of the new constitution, will the Honourable Member be pleased to state what is the opinion of the Government of India definitely on this point?

The Honourable Sir Harry Haig: The Government of India do not propose to take any further action on the matter as I have said until the factors, that will condition the problem in the new constitution, have become apparent.

Mr. S. C. Mitra: Is it not a fact that the Government have accepted the principle of separation as just and equitable and that it is only on grounds of expense that they have not given effect to it?

The Honourable Sir Harry Haig: I should require notice of that. I am not aware that the Government of India have ever accepted the principle.

Mr. Gaya Prasad Singh: Is it not a fact that the Government recognise that it is inexpedient to separate the judicial and executive functions in view of the political agitation, as the present system is likely to impart a bias in the trial of political and police cases?

The Honourable Sir Harry Haig: The Government of India have no intention at the present moment of passing any orders.

Sardar Sant Singh: May. I know if it is a fact that in March, 1927, a question was put in the House of Commons to the effect whether it was proposed to separate the judicial and executive functions in the Government of India or not and that it was replied that the question was still under consideration. Is it also not a fact that the same question was repeated in March, 1928, in the House of Commons and that the reply was given that the matter was still under consideration with the additional remark that the question had been under discussion for the last 90 years. How is it then that the present reply states that the question arose in 1886 and not a century before?

The Honourable Sir Harry Haig: My researches into history may not have been quite complete, but I have been unable to trace the question further back than the year 1886.

Mr. K. Ahmed: A Resolution was passed in this Assembly in the autumn Session at Simla in the year 1923 at the instance of the late Rai Bahadur J. N. Mukherjee, M.L.A., the predecessor of Mr. Amar Nath Dutt, and that Resolution was carried by a majority. Then a Reforms Committee, called the Muddiman Committee, was appointed which considered this question also and now the Round Table Conferences have been considering the same. So the matter is something like *sub judice*. And, therefore, the question does not arise for the present.

The Honourable Sir Harry Haig: I am very glad to note my Honourable friend's conclusion, though I have not been able to follow all the processes by which he has come to his conclusion. (Laughter.)

Mr. B. V. Jadhav: Is it not a fact that the demand for separation of executive from judicial first came from the Indian side in 1886 and that any previous consideration of the question may have been by the Government themselves?

The Honourable Sir Harry Haig: I have never heard that the Government initiated this proposal for the separation of the judicial from the executive.

Mr. M. Maswood Ahmad: Are Government aware of the general feeling in the public that the judicial should be separated from the executive?

The Honourable Sir Harry Haig: It is certainly a demand that comes from certain sections of opinion in this country. It is not a demand that commands itself generally to the public.

Pandit Satyendra Nath Sen: What are the section or sections that do not want this separation?

The Honourable Sir Harry Haig: I do not think it is a matter of great interest to the great majority of the people of this country.

Mr. Lalchand Navalrai: May I know from the Honourable Member what is the opinion of the judiciary about this separation of the executive from judicial functions.

The Honourable Sir Harry Haig: I do not know what my Honourable friend means by the opinion of the judiciary.

Mr. Lalchand Navalrai: The opinion of the High Courts.

The Honourable Sir Harry Haig: I am not sure that the opinion of the High Courts is at the present moment on record.

Mr. Gaya Prasad Singh: May I know, Sir, what steps Government have taken to ascertain public opinion on the subject as to what section of the public is in favour of the separation and what section is opposed to it or is indifferent?

The Honourable Sir Harry Haig: I think, Sir, the Government depend for that on the resolutions of the Indian National Congress and other bodies which have pressed for this change for many years.

Mr. Gaya Prasad Singh: Then, I take it, the Government of India have taken no steps to ascertain public opinion on the subject?

The Honourable Sir Harry Haig: Public opinion, to the extent to which it is interested, has taken measures to declare itself.

Mr. M. Maswood Ahmad: Do Government propose to circulate this matter in order to elicit public opinion on this question?

The Honourable Sir Harry Haig: No, Sir. It is not proposed to take any further steps at the present moment.

Mr. Gaya Prasad Singh: May I know how the Honourable Member says that there are certain sections of the public that are indifferent or opposed to this scheme?

The Honourable Sir Harry Haig: I think that may be inferred from their silence.

Mr. Laichand Navalrai: May I know whether the opinions of the Congress are considered to be full of bad motives?

The Honourable Sir Harry Haig: No, Sir. No question of motives arises. It is a question of policy.

Sardar Sant Singh: Does the Honourable Member know that the lack of confidence in the impartiality of the first Courts is due to this fact that the executive and judicial functions are combined in one and the same gentleman?

The Honourable Sir Harry Haig: No, Sir. I cannot accept that view.

Dr. F. X. DeSouza: In view of the fact, Sir, that at the present stage the question is purely academic and in view of the impending constitutional reforms and of the present financial stringency, is it not the case that the question of such separation at the present time is not practical politics?

The Honourable Sir Harry Haig: That, Sir, is the point which I tried to bring out in my original answer.

Sardar Sant Singh: Do I understand, Sir, that the liberty of the people who are being tried by Magistrates, combining in themselves judicial and executive functions, is at stake here and that this is, therefore, not a purely academic question?

The Honourable Sir Harry Haig: I am afraid I did not quite follow the Honourable Member's argument.

PERSONS ARRESTED, DETAINED WITHOUT TRIAL, PROSECUTED AND CONVICTED UNDER THE CRIMINAL LAW AMENDMENT ACT.

391. ***Sardar Sant Singh:** Will Government kindly state Province by Province, the number of persons arrested, detained without trial, prosecuted and convicted under the Ordinance Act passed in the November Session of the Assembly? How many have been detained under the Ordinances since January, 1932? How many of them are still under detention under the Consolidated Ordinance of June, 1932?

The Honourable Sir Harry Haig: The Criminal Law Amendment Act of 1932 does not give any powers of detention without trial. I expect shortly to have information as to the number of convictions under the Act up to the end of January and will lay a statement on the table in due course. I regret I am unable to give the Honourable Member figures of arrests and prosecutions. As regards the remaining parts of the question, I lay a statement on the table giving the information in my possession.

Detailed statement of action taken under Section 3 of Ordinance II and Chapter II of Ordinance X of 1932.

Province.	January, 1932.		February, 1932.		March, 1932.		April, 1932.		May, 1932.		June, 1932.		July, 1932.		August, 1932.		September, 1932.		October, 1932.		November, 1932.		December, 1932.		Total.	
	Arrests.	No. in jail.	Arrests.	No. in jail.	Arrests.	No. in jail.	Arrests.	No. in jail.	Arrests.	No. in jail.	Arrests.	No. in jail.	Arrests.	No. in jail.	Arrests.	No. in jail.	Arrests.	No. in jail.	Arrests.	No. in jail.	Arrests.	No. in jail.	Arrests.	No. in jail.	Arrests.	No. in jail.
Bombay	883	453	161	264	89	92	74	69	47	57	197	64	155	75	70	77	42	74	62	68	59	91	35	75	1,874	
Bengal	426	253	150	51	40	5	55	20	9	1	72	2	17	9	17	7	59	57	76	29	35	23	31	18	987	
United Provinces	10	10	1	1	..	1	1	1	..	..	1	..	..	..	..	..	..	..	..	..	..	..	..	..	13	
Punjab	3	3	2	5	..	2	3	3	1	4	..	1	..	..	1	1	3	4	1	4	..	1	1	1	14	
Bihar and Orissa . . . . .	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
North-West Frontier	3,701	2,039	24	12	2	37	3	50	..	36	..	33	6	6	5	7	2	4	3	2	1	..	..	..	3,749	
Delhi . . . . .	..	..	10	8	4	12	17	17	2	12	1	5	7	5	3	7	11	4	2	3	1	2	..	..	58	
Total	5,023	2,758	348	341	135	149	153	160	59	110	271	105	185	95	96	99	117	143	144	106	96	117	67	94	6,696	

PERSONS UNDERGOING SENTENCES CONVICTED OF OFFENCES IN CONNECTION WITH THE CIVIL DISOBEDIENCE MOVEMENT.

392. *Sardar Sant Singh: Will Government kindly state the total number of persons on the 1st February, 1933, undergoing sentences convicted of offences in connection with the civil disobedience movement?

The Honourable Sir Harry Haig: The information is being obtained and I will lay a statement on the table in due course.

CONTRIBUTION MADE BY THE GOVERNMENT OF INDIA TO THE LEAGUE OF NATIONS.

393. *Sardar Sant Singh: (a) What was the amount of contribution in rupees made by the Government of India to the League of Nations when it came into existence? What amount has been annually paid since then?

(b) Was any reduction made in the amount of contribution to the League of Nations in 1930, 1931 or 1932 due to the financial stringency and appreciation of the rupee value?

The Honourable Sir Brojendra Mitter: (a) A statement is laid on the table.

(b) The Honourable Member is, I think, under a misapprehension. The amount paid by India is not, as he appears to suppose, a lump amount susceptible of reduction, but that fraction of the total actual expenditure of the League for any particular year which falls to be paid by her under the existing scheme of allocation, while as contributions are payable in gold francs, the rupee cost to India has been increased and not diminished by reason of recent exchange developments.

Statement showing the amount of India's contribution to the League of Nations.

Year.	Amount.
	Rs.
1921-22 (actuals)	5,49,160
1922-23	4,37,480
1923-24	7,77,990
1924-25	7,05,260
1925-26	5,32,880
1926-27	5,44,150
1927-28	6,67,120
1928-29	6,85,530
1929-30	7,56,130
1930-31	8,10,450
1931-32	9,02,790
1932-33 (Budget estimate)	12,58,000

(NOTE.—Up to 1927-28 the sterling payments have been converted in the statement at the statutory rate of 2s. the rupee and from 1927-28 at the statutory rate of 1s. 6d. the rupee)

DEFAULTING MEMBERS OF THE LEAGUE OF NATIONS.

394. ***Sardar Sant Singh**: Is it a fact that many members of the League of Nations have made a default in making their contribution? If so, how many and which of them and since what year? What is the present value in rupees of the arrears standing in the name of each country?

The Honourable Sir Brojendra Mitter: The attention of the Honourable Member is invited to paragraphs 63-65 of the Report of the Delegates of India to the 13th Session of the Assembly of the League of Nations, 1932, which was published in the Gazette of India, dated the 31st December, 1932.

APPOINTMENT OF A COMMITTEE TO INQUIRE INTO THE UTILITY OF MAKING CONTRIBUTIONS TO THE LEAGUE OF NATIONS.

395. ***Sardar Sant Singh**: Are Government prepared to take steps to appoint a committee to inquire into the utility of making contributions to the League of Nations? If not, what is the obstacle in the way of Government? Are the Government of India a free agent in deciding the question whether they should remain a member of this League or not?

The Honourable Sir Brojendra Mitter: The suggestion apparently implicit in the Honourable Member's question to the effect that India should withdraw from the League with a view to saving the amount of her contribution to the League is one which the Government of India are not prepared to entertain. Consequently, they are not prepared to appoint a committee of the nature contemplated by the Honourable Member. As regards the last part of the question, the Honourable Member will observe from paragraph 3 of article I of the Covenant that any member of the League may, after two years' notice of its intention to do so, withdraw from the League.

Dr. Ziauddin Ahmad: May I ask whether the contribution to the League of Nations is a votable demand or non-votable?

The Honourable Sir Brojendra Mitter: I think it is votable. That is my impression.

Dr. Ziauddin Ahmad: So if this Assembly votes against this contribution, then it means that India will be out of it?

An Honourable Member: This Assembly will never vote such a thing.

The Honourable Sir Brojendra Mitter: That is a hypothetical question.

Sardar Sant Singh: In view of the general feeling as to the inability of the League of Nations to bring effective pressure upon Japan in connection with the threatened war in the Far East, are the Government of India prepared to go into the matter with a view to finding out whether there is any useful purpose served by India's continuance of contribution to the League of Nations and not by serving them with a notice after two years?

The Honourable Sir Brojendra Mitter: The Government of India consider that the League of Nations is doing very useful work and they do not intend to withdraw from the League.

CLASSIFICATION IN JAIL OF MEERUT CONSPIRACY CASE PRISONERS.

396. *Mr. S. C. Mitra: (a) What was the total expenditure incurred by the Government of India over the Meerut Conspiracy Case?

(b) Will Government please explain why all the accused in the Meerut Case irrespective of their status in life and education were classed as 'C' class prisoners?

(c) Is it a fact that the Sessions Judge in the case has written on the warrants of prisoners that they should be placed in 'C' class, because they represented the workers?

(d) Will Government please explain why the Meerut Communists Conspiracy Case was initiated and conducted by the Government of India? Will not the Government of India make the final classification of these prisoners? Why is it being still delayed?

(e) Is it a fact that the prisoners were treated as "special" class prisoners when they were under trial on representation to the Government of India?

(f) Is it a fact that these prisoners during their undertrial period had been allowed larger allowance for their food than is ordinarily allowed to "A" class prisoners and many other privileges under the orders of the Government of India?

(g) Is it a fact that these prisoners were sent to Almorah District Jail in September, 1932, and brought back by train to Meerut in November, 1932, in reserved second class compartments?

(h) Is there any objection to place these prisoners in class "A" now?

The Honourable Sir Harry Haig: (a) Rs. 16,67,108 up to the 31st January, 1933.

(b), (c) and (h). The prisoners were recommended for "C" Class by the trying court. I have no information as to the grounds on which this recommendation was made. They have been placed in "B" Class under the orders of the United Provinces Government with whom rests the final responsibility for determining the classification.

(d) The case was initiated by the Government of India as the alleged conspiracy took place in various parts of India and the issue involved in it was one of All-India importance. As regards the second part of this question, I have nothing to add to the reply given by me to part (h) above.

(e), (f) and (g). The facts as regards treatment are substantially as stated; but under the rules in force prisoners, while under trial, may be granted certain concessions to which there can be no claim on conviction, as treatment thereafter must be regulated by the classification as finally determined.

Mr. N. M. Joshi: May I ask whether the Government propose to pay the expenses for the appeal of these accused?

The Honourable Sir Harry Haig: I do not think, Sir, there is any such proposal under consideration.

Mr. N. M. Joshi: In view of the fact that these people have been on trial for more than three years and have spent almost everything that they had, do not Government propose to help them to have effective appeals against their sentences?

The Honourable Sir Harry Haig: Can the Honourable Member tell me whether they were assisted in their defence during the trial?

Mr. N. M. Joshi: I think so. They were given one advocate, at least some of them were given one advocate, paid for by the Government.

The Honourable Sir Harry Haig: I would ask the Honourable Member to give me notice of that question.

Dr. Ziauddin Ahmad: May I ask what are the main items of expenditure in these 16 lakhs?

The Honourable Sir Harry Haig: I am afraid I have not got the details with me.

Mr. N. M. Joshi: May I ask whether the Government are not aware that they pay their own advocate a very large sum of daily allowance, but pay for the accused a very small amount?

The Honourable Sir Harry Haig: It is probable that the Government would spend a larger amount on prosecuting their case than on giving facilities for the defence.

Mr. N. M. Joshi: May I ask whether it is not the duty of the Government to see that the accused are properly defended?

The Honourable Sir Harry Haig: The general principle is that the Government of India put their case into Court with such legal assistance as they think is necessary and that it is for the accused to provide their own defence.

Mr. N. M. Joshi: May I ask whether it is generally the practice that a trial should last for more than a year?

The Honourable Sir Harry Haig: I am glad to say that it is not.

Mr. K. Ahmed: Is it not a fact that in capital sentence cases only the cost for defence is generally maintained by the Government and not in any other cases?

The Honourable Sir Harry Haig: That, I think, is correct.

Mr. Gaya Prasad Singh: Is it not a fact that in the Delhi Conspiracy Case also the Government undertook to pay for the expenses of the defence?

The Honourable Sir Harry Haig: They did, Sir.

Mr. N. M. Joshi: May I ask whether the Government will consider the desirability of giving advocates for the accused when their appeals come up for hearing?

The Honourable Sir Harry Haig: I have already said that if the Honourable Member would give me notice of that question, I would consider it.

Mr. S. C. Mitra: Is the Honourable Member in a position to tell us if the expenditure of 16 lakhs and odds includes the expenses of the pay of the Judge for these three years, the expenditure incurred over the food of the prisoners and their clothing in the jail and similar other items?

The Honourable Sir Harry Haig: I am afraid I have not got the details with me, but I should imagine that the cost would include at any rate the pay of the Judge.

REPAIRS TO MAUDE ROAD IN NEW DELHI.

397. ***Mr. S. C. Mitra:** (a) Will Government please refer to the reply given to Mr. S. G. Jog's starred question No. 1586 in the Legislative Assembly on the 5th December, 1932, regarding repairs to Maude Road in New Delhi and state whether the road has since been properly repaired?

(b) Is it a fact that repairs have since been carried out in several thoroughfares of New Delhi?

(c) If the reply to part (a) be in the negative, will Government please state when the road will be repaired?

Mr. G. S. Bajpai: (a), (b) and (c). Repairs to Maude Road have not been carried out yet but provision for this has been included in the next year's programme and work will probably start next April.

INDIAN STUDENTS STUDYING OUTSIDE INDIA.

398. ***Mr. M. Maswood Ahmad:** Will Government be pleased to state the number of Indian students studying outside India with the names of the Universities and countries where they are studying?

Mr. G. S. Bajpai: The attention of the Honourable Member is invited to section II and appendix IV of the Report on the work of the Education Department of the High Commissioner for India, for the year 1930-31, which give all the available information. A copy of the Report has been placed in the Library of the House.

Mr. Lalchand Navalrai: Will the Honourable Member be pleased to state if it is a fact that complaints have been made by Indian students in England and elsewhere in the foreign countries that they are not being given sufficient facilities for prosecuting their studies as they used to get before?

Mr. G. S. Bajpai: I have seen reports in the Press to that effect, but I would submit that it does not arise out of the question which I have been answering.

EXCLUSION OF CERTAIN AREAS FROM THE JURISDICTION OF THE CORPORATION OF CALCUTTA.

399. ***Pandit Satyendra Nath Sen** (on behalf of Mr. C. C. Biswas): (a) Is it a fact that Fort William, the Esplanade and a portion of Haatings are excluded from the definition of Calcutta under the Calcutta Municipal Act (Act III of 1923, Bengal Council), and from the jurisdiction of the Corporation of Calcutta?

(b) If so, in whom is title or jurisdiction vested in respect of such excluded areas?

Mr. G. B. F. Tottenham: (a) Yes.

(b) The areas are under the control and management of Government.

**PORTION OF THE CALCUTTA MAIDAN HELD BY THE ROYAL TURF CLUB
FOR USE AS A RACE COURSE.**

400. ***Mr. C. C. Biswas:** (a) Is it a fact that a portion of the Calcutta Maidan is held by the Royal Calcutta Turf Club for the purposes of a Race Course? Is there any lease under which it is so held by them? If so, what are the terms and conditions of the lease, when is the lease due to expire, and is it intended to renew the lease on more profitable terms in keeping with rents paid for similar lands in the locality?

(b) What are the terms and conditions on which other portions of the Calcutta Maidan are being occupied by Football, Golf and other Sports Clubs, and by the Ronaldshay Hut?

The Honourable Sir Harry Haig: (a) A portion of the Calcutta Maidan is held by the Royal Calcutta Turf Club on a lease which expires in 1936. The terms and conditions of the existing lease may be seen from a copy of it which is in the Library of the House. I understand that the Government of Bengal are considering the question of a new lease.

(b) I have asked the Local Government for the information and will lay it on the table in due course.

**ENQUIRY REGARDING THE TITLE OF GOVERNMENT TO SOME PROPERTIES
IN AND NEAR CALCUTTA.**

401. ***Mr. C. C. Biswas:** (a) Is it a fact that some time ago the Government of India directed an enquiry to be made to ascertain the title of Government to some properties in and near Calcutta, including those mentioned in the preceding questions?

(b) If so, what are the properties in respect of which such inquiry was directed, and what has been the result of such inquiry?

(c) Will Government be pleased to state if a complete report of such inquiry has been obtained? If so, will Government be pleased to lay on the table a copy of such report? If not, will Government please state what steps are being taken to get an early report?

(d) What steps were taken by Government for conducting such inquiry, if any, and what is the amount so far spent on it?

(e) Is it in contemplation to dispose of any of the said properties belonging to Government in and near Calcutta that are no longer required by Government, after ascertainment of Government's title in respect thereof?

(f) Is it a fact that the property known as the Dakshineswar Magazine and a portion of the Dum Dum Cantonment have been already disposed of by Government upon ascertainment of Government's title thereto? If so, for how much?

(g) If an enquiry was directed as suggested above, and if the enquiry has not yet been completed, do Government propose to see that the inquiry should be completed as early as practicable, and Government's title to all the properties in question should be clearly ascertained and established, and not left in any state of doubt or uncertainty?

Mr. G. R. F. Tottenham: (a) An examination was made recently of the records relating to certain military properties in and near Calcutta.

(b) and (c). A list of the properties in respect of which the examination was undertaken is laid on the table. The result was of value, so far as the examination went, in that it brought together in a convenient form a number of records bearing on the history of the sites which might otherwise have been lost sight of. The examination was not, however, completed because it was considered unnecessary to spend further money on it at present; nor do Government consider it necessary to publish the reports already received, as they were compiled entirely for their own information and convenience.

(d) An officer of the Bengal Civil Service was employed on the examination. The amount spent was approximately, Rs. 8,800.

(e) Not at present, except for one plot, the disposal of which was contemplated by Government before the examination began.

(f) The properties at Dakshineswar and certain properties in Dum Dum have been sold by the Government of Bengal, acting on behalf of the Government of India. The amount realised was in the neighbourhood of Rs. 9 lakhs and Government's title was accepted without question by the purchasers.

(g) There is no serious doubt as to the rights of the State in the properties. This being so, although it is certainly of advantage to compile a clear record of the title in each case, Government do not consider that they would be justified in spending further money on such work at the present moment.

List of Military properties in and near Calcutta in respect of which records have been examined.

	Acres.
1. Fort William and B. M. Hospital, Calcutta	
2. Indian Military Hospital, Alipore	7.79
3. Remount Depot, Alipore	36.37
4. I. I. Lines, Alipore	59.44
5. I. C. Lines, Ballygunge	102.64
6. Nos. 49 and 50 Colootola Street, Military Students Quarters (Medical)	0.56
7. Calcutta Scottish Headquarters, excluding land leased from Bengal Government	1.31
8. No. 2 Dockyard Official quarters Kiddarpore (R.I.M. Property)	1.58
9. A. C. 1 Superintendent's quarters, Alipore	1.61
10. A. C. 2 Asstt. Superintendent's quarters, Alipore . . . . .	.74
11. A. C. 3 Commissary's quarters, Alipore . . . . .	.51
12. A. C. 4 A. C. Factory Subordinates quarters, Alipore	1.50
13. A. C. 5 A. C. Factory, Police Guard Quarters, Alipore . . . . .	.08
14. No. 33 Mominpur . . . . .	.74
15. No. 9 Rifle Range Road, Ballygunge	2.11

Lieut.-Colonel Sir Henry Gidney: Will the Honourable Member inform this House whether or not it is a fact that (a) in Hastings, (b) in Dum Dum and (c) in Barrackpore, there are properties (buildings and otherwise) belonging to the Army Department which are superfluous to requirements? If the answer be in the affirmative, will the Honourable Member inform this House whether Government intend to negotiate the sale of all those properties?

Mr. G. R. F. Tottenham: I cannot give specific information about Hastings, Sir, at the present moment. There are certain properties in Dum Dum which belong to the military authorities and which are superfluous to their requirements and we are doing our best to get rid of them at a profit. As I have said in reply to part (f), we have already sold nine lakhs worth of property in Dum Dum.

Lieut.-Colonel Sir Henry Gidney: Arising out of the reply just given by the Honourable Member, will he kindly inform this House whether he will institute inquiries as to whether the buildings in Hastings are such as to be almost six or seven times the requirements of the staff that inhabits those buildings? If it is a fact that they are superfluous to requirements, will the Honourable Member effect a sale or whatever is unnecessary in the interests of Government?

Mr. G. R. F. Tottenham: I will certainly institute inquiries and I can assure the Honourable Member that we are only too anxious to sell any superfluous properties that we may have so as to secure a little much-needed money for the Army Budget.

REVISION OF THE TIMINGS OF THE GRAND TRUNK EXPRESS.

402. ***Diwan Bahadur A. Ramaswami Mudaliar** (on behalf of Mr. Muhammad Muazzam, Sahib Bahadur): (a) Will Government be pleased to state if it is not a fact that the time taken by the Grand Trunk Express between Madras and Delhi is now some three to four hours in excess of that used to be taken some months back?

(b) Will Government state if that is due to stoppages at many small stations on the Itarsi-Nagpur section and in His Exalted Highness the Nizam's territory?

(c) Is it a fact that the Express is made to wait between Muttra and Delhi until the morning mails from Delhi to Bombay have passed?

(d) Are Government aware of the inconvenience thereby caused to through passengers?

(e) Are Government prepared to have the timings so revised that the journey is made within the minimum space of time and that the Express is not delayed on account of other trains having to pass?

(f) Will Government be pleased to state if, on such revision, it is not possible to run the Express from Delhi to Madras and *vice versa* in 46 hours?

Mr. P. R. Rau: (a) The time taken at present by the south-bound Grand Trunk Express trains between Madras and Delhi is 2 hours longer than in March, 1932, by the north-bound Express it is 1 hour 33 minutes longer.

(b) Since March, 1932, the number of stoppages between Itarsi and Nagpur and on the Nizam's State Railway has decreased by two on the south-bound train and increased by three on the north-bound train; the latter would involve a delay of about 20 minutes.

(c) The north-bound Grand Trunk Express is detained at Palwal to cross 6 Up Great Indian Peninsula Mail and at Asaoti to cross 4 Up Bombay, Baroda and Central India Frontier Mail between Muttra and Delhi.

(d), (e) and (f). The inconvenience caused to through passengers has been brought more than once to the notice of Government and they have been considering in consultation with the Agents concerned how far it is possible to avoid or reduce it by revision of the time table; but the question presents difficulties as there is only a single line between New Delhi and Agra. Moreover, owing to the condition of the track and bridges on parts of the Great Indian Peninsula Railway there are certain speed restrictions at present in force. The strengthening of the light track and weak bridges is in hand and the speed restriction on one section will be removed from 1st March, 1933, and on another from 1st October, 1933. From 1st March the time taken on the run over the Great Indian Peninsula Railway will be reduced by 1 hour 20 minutes on the north-bound train, and by 25 minutes on the south-bound train. From 1st October it is hoped it will be possible to reduce still further the time in each direction over the Great Indian Peninsula Railway.

Mr. F. E. James: Is the Honourable Member aware that the upper class carriages of this so-called Grand Trunk Express are invariably very old and that the third class carriages are almost invariably a disgrace to any Railway Administration?

Mr. P. R. Rau: That complaint has been brought to the notice of Government and the Great Indian Peninsula Railway Administration has been asked to look into the matter.

Mr. F. E. James: Would the Honourable Member also direct inquiries to be made to the Madras and Southern Mahratta Railway?

Mr. P. R. Rau: Yes, Sir; I shall send a copy of these questions and answers to the Agent, Madras and Southern Mahratta Railway.

CONFIRMATION OF CERTAIN CLERKS IN THE IMPERIAL SECRETARIAT.

403. ***Mr. S. C. Mitra:** (a) Is it a fact that in the Imperial Secretariat there are clerks who qualified themselves for First or Second Division prior to 1931, but have not yet been confirmed in the Division for which they qualified, while those who qualified in the 1931 (competitive) examination have been confirmed in the vacancies set aside for external recruitment, in preference to the former, under instructions issued by Government regulating recruitment to the ministerial establishment in the Government of India offices?

(b) If the reply be in the affirmative, will Government kindly state the reasons for making external recruitment, even for a specified number of vacancies, when duly qualified candidates coupled with long experience of office work are available?

(c) Are Government aware of the discontent caused by this practice?

(d) Are Government prepared to consider the desirability of amending the aforesaid instructions so as to postpone external recruitment till the qualified candidates already in service have secured confirmation in the Division for which they have qualified? If not, why not?

The Honourable Sir Harry Haig (a) Yes.

(b) I would refer the Honourable Member to the replies given in this House on the 11th February, 1931, and 23rd September, 1931, to questions Nos. 173 and 788, respectively.

(c) and (d). Certain representations were received in 1930 and the orders issued by Government will be found in the Home Department Office Memorandum No. F-94/30-Ests., dated the 18th February, 1931, a copy of which is in the Library of the House. I would invite the attention of the Honourable Member to paragraph 3 of that Office Memorandum which makes adequate provision for the promotion or confirmation of existing qualified men. Government are not aware of any present discontent in the matter and do not see sufficient justification for postponing external recruitment as suggested by the Honourable Member.

REVISION OF SCALES OF PAY FOR NEW ENTRANTS TO THE IMPERIAL SECRETARIAT.

404. ***Mr. S. C. Mitra:** (a) Is it a fact that the Government of India contemplate revising the scales of pay of "new entrants" to the ministerial establishment in the Imperial Secretariat?

(b) If the reply to part (a) above be in the affirmative, will Government please define the term "new entrants" in so far as the application of the revised scales of pay is concerned?

(c) Will Government kindly state what will be the scale (new or old) to which the following categories of the Secretariat establishment will be entitled after the introduction of the revised scales of pay:

- (i) permanent First Division clerks if and when promoted to Superintendentship;
- (ii) clerks permanent in Third or Second Division and officiating in Second or First Division (for which they have qualified) if and when confirmed in the division for which they have qualified;
- (iii) qualified clerks who have not secured permanent posts owing either to lack of vacancies or to the preferential treatment accorded to the candidates recruited against the vacancies set aside for external recruitment?

The Honourable Sir Harry Haig: (a) Yes.

(b) and (c). Government are at present considering the principles which will regulate the application of the new scales of pay and propose to reach conclusions on these at the same time that they reach conclusions about the new scales. These principles will govern the special cases to which the Honourable Member refers in his question.

Dr. Ziauddin Ahmad: Does this inquiry extend to the Railway and Postal Departments?

The Honourable Sir Harry Haig: The inquiry covers all the services under the Central Government, and, as far as I know, includes also the Railway services.

COMMUNAL COMPOSITION OF CERTAIN CADRES ON THE GREAT INDIAN PENINSULA RAILWAY.

405. *Mr. Goswami M. B. Puri: (a) Will Government be pleased to lay on the table a statement showing:

the number of (i) Hindus, (ii) Goanese, (iii) Muhammadans, (iv) Anglo-Indians, (v) Parsis, (vi) Indian Christians, and (vii) Europeans working in the Great Indian Peninsula Railway holding jobs in the Loco. Department as firemen, drivers, Loco. Inspectors and Loco. Foremen; and the number of persons according to each of the above communal classifications working in the Carriage and Wagon Department?

(b) Will Government be pleased to state whether it is a fact that Anglo-Indians have been replaced by Goanese and Parsis on "graded" stations such as Kirkee, Lonavla, Karjat, Narel, Kalyan (Passenger Station), Kurla, Dadar, Amla, Byculla, Poona, etc., as Station Masters and Guards?

(c) Will Government be pleased to furnish a list of names of the Goanese on the Great Indian Peninsula Railway who have changed their British names to get into the "A" grade European scale?

Mr. P. B. Rau: (a) All the available information is contained in paragraphs 194-196 of Mr. Hassan's report on the representation of Muslims and other minority communities in the subordinate Railway Services, which is available in the Library of the House.

(b) I am sending a copy of the question to the Agent of the Great Indian Peninsula Railway and shall lay a further reply on the table in due course.

(c) Government have no information and regret they are unable to collect it in view of the time and labour involved.

Lieut.-Colonel Sir Henry Gidney: With all respect to the Goanese community and with no desire to raise a communal issue, will Government inform this House whether Goanese are Indian British subjects or are they Portuguese subjects?

The Honourable Sir Joseph Bhore: I should like to have notice of that question.

Lieut.-Colonel Sir Henry Gidney: Thank you; I fully expected that reply. Are the Goanese foreigners?

The Honourable Sir Joseph Bhore: I am afraid I cannot distinguish that question from the last.

Lieut.-Colonel Sir Henry Gidney: In view of the reply or rather no reply given by the Honourable Member, I will ask another Department of the Government of India if I may, the Home Department, to answer this question. Is it or is it not a fact that in 1914,—I think that was the year,—the Government of India in the Home Department, issued an order that no foreigners should be employed in any Government post without the special sanction of the Government of India in the Home Department? Moreover, as Goanese—I exclude those domiciled in India—have openly declared themselves as Portuguese subjects, I ask the Honourable Member in charge of the Home Department whether, if such an order exists, is it right to employ the Goanese in any Department of Government?

The Honourable Sir Harry Haig: The Honourable Member can hardly expect me without notice to carry in my mind whether a particular order was issued in the Home Department in the year 1914. If he will allow me an opportunity of consulting the records of the Home Department, I will later on give him an answer.

Mr. K. Ahmed: Is it a fact that many of the Goanese are living in the Indian cities and other places in British India from time immemorial and that they have become residents of India exactly like the Anglo-Indians and domiciled Europeans? (Laughter.)

AUXILIARY FORCE IN INDIA.

406. *Mr. Goswami M. R. Puri: Will Government be pleased to state:

- (a) the number of men in the Auxiliary Force, India,
- (b) the cost of the upkeep of the same, and
- (c) whether there are any Goanese in the rank and file of the same?

Mr. G. R. F. Tottenham: (a) The strength of the Force is approximately 29,000 of all ranks.

(b) The annual expenditure is about Rs. 78 lakhs. A reduction of Rs. 15 lakhs is anticipated if the Auxiliary Force (Amendment) Bill is passed into law.

(c) Goanese are not eligible for enrolment in the Force.

Lieut.-Colonel Sir Henry Gidney: Considering the fact that the Auxiliary Force is meant entirely for European British subjects, is the Honourable Member aware of the fact that many representations have been made to him that there are today many Goanese in its rank and file?

Mr. G. R. F. Tottenham: I was quite unaware of that fact, Sir.

Lieut.-Colonel Sir Henry Gidney: Will the Honourable Member be good enough to make inquiries and ascertain the fact?

Mr. G. R. F. Tottenham: Certainly, Sir.

Dr. Ziauddin Ahmad: May I know if the Goanese who serve in the Railway or Military services of the Government of India are required to take certificates of naturalisation?

Mr. G. R. F. Tottenham: I should like to have notice of that question.

Mr. H. P. Mody: Is the Honourable Member aware that the Goanese are more important to the general community as controllers of our households and kitchens than Anglo-Indian guards and firemen on the Railways?

SUPPLY OF WARM CLOTHING TO THE AUXILIARY FORCE IN INDIA.

407. *Mr. Goswami M. R. Puri: Will Government be pleased to state whether the Auxiliary Force, India, is supplied with warm clothing in the winter to protect themselves when they proceed on military duty at the camp of exercise which is held in the winter season?

Mr. G. B. F. Tottenham: Yes. Jerseys and greatcoats may be issued on the authority of the District Commander.

EMPLOYMENT OF MUSLIMS IN THE CLERICAL STAFF OF THE BALUCHISTAN POSTAL DIVISION.

408. ***Mr. M. Maswood Ahmad** (on behalf of Seth Haji Abdoola Haroon): (a) Will Government be pleased to state how many vacancies in the clerical staff occurred in the Baluchistan Postal Division during the years 1929 to 1931?

(b) How many of them were given to Muslims and how many to non-Muslims?

(c) If none was given to Muslims, was there a majority of Mussalmans in the department concerned and who is responsible for not observing the Government orders issued in Home Department Memo. No. F.-176/25-Ests., dated the 5th February, 1926, and what action do Government propose to take in the matter?

(d) Is it a fact that the officer in charge has now been appointed as Assistant Director, Posts and Telegraphs, Karachi, in which post he will control the whole recruitment in Sind and Baluchistan Circle?

(e) Are Government prepared to transfer him to some other circle and replace him by a Muslim or European officer to safeguard Muslim interests; if not, why not?

The Honourable Sir Frank Noyce: (a) Four of which one was not filled up.

(b) None to Muslims, two to Hindus and one to a Sikh.

(c) The reply to the first part is in the affirmative assuming that by "the department concerned" the Honourable Member means the 'Baluchistan Postal Division'. As regards the 2nd part, Government orders referred to by the Honourable Member have been duly observed. The third part does not, therefore, arise.

(d) and (e). Do not arise.

INADEQUATE EMPLOYMENT OF MUSLIMS IN THE CLERICAL CADRE OF THE KARACHI GENERAL POST OFFICE.

409. ***Mr. M. Maswood Ahmad** (on behalf of Seth Haji Abdoola Haroon): (a) Will Government be pleased to state whether it is a fact that during the years 1929 to 1931, 16 vacancies in the clerical cadre including two of lower grade clerks occurred in the Karachi General Post Office?

(b) Is it a fact that out of these 16 vacancies, only two were given to Muslims?

(c) If so, do Government consider that their orders conveyed in Home Department Memorandum No. F.-176/25-Ests., dated the 5th February, 1926, have properly been observed? If not, what action do Government propose to take in the matter?

The Honourable Sir Frank Noyce: Information has been called for and a reply will be laid on the table in due course.

**APPOINTMENT OF A MUSLIM AS HEAD CLERK, CORRESPONDENCE, IN THE
KARACHI GENERAL POST OFFICE.**

410. ***Mr. M. Maswood Ahmad** (on behalf of Seth Haji Abdoola Haroon): (a) Will Government be pleased to state since when the appointment of Head Clerk, Correspondence (Selection Grade), of the Karachi Head office was created?

(b) Is it a fact that this post has always been held by non-Muslims?

(c) If the reply to part (b) be in the affirmative, are Government prepared to appoint a suitable Muslim to safeguard Muslim interests?

The Honourable Sir Frank Noyce: (a), (b) and (c). Government have no information and do not consider it necessary to call for it as the post in question is not filled on communal considerations and it is no part of the duty of the incumbent to safeguard the interests of any particular community.

**MEAGRE REPRESENTATION OF MUSLIMS IN THE ACCOUNTS AND
CORRESPONDENCE BRANCHES OF THE KARACHI GENERAL POST OFFICE.**

411. ***Mr. M. Maswood Ahmad** (on behalf of Seth Haji Abdoola Haroon): (a) Will Government be pleased to state the number of Muslim and non-Muslim clerks working in the accounts and correspondence branches of the Karachi General Post Office? Is it a fact that Muslims are not adequately represented?

(b) If so, is it a fact that applications of Muslim staff for appointments in these branches have constantly been refused?

(c) Will Government be pleased to state the reason for doing so, and are they prepared to issue orders for an adequate representation of Muslims in these branches in future?

The Honourable Sir Frank Noyce: (a), (b) and (c). Government have no information and do not consider it necessary to call for it since postings of officials in the different branches of an office are not made on the basis of communal representation. Government are not prepared to order any deviation from the normal procedure in the interests of any particular community.

Mr. Lalchand Navalrai: Will the Honourable Member be pleased to say if a Hindu official can safeguard the interests of a Muhammadan and a Muhammadan official can safeguard the interests of Hindus?

The Honourable Sir Frank Noyce: That, Sir, I am glad to say, broadly speaking, has been my experience since I took charge of this Department.

**APPOINTMENT OF A NON-HINDU AS ASSISTANT DIRECTOR OF POSTS AND
TELEGRAPHS IN SIND.**

412. ***Mr. M. Maswood Ahmad** (on behalf of Seth Haji Abdoola Haroon): (a) Is it a fact that the Director, Posts and Telegraphs, Karachi, and Assistant Director, Posts and Telegraphs, in Sind are both Hindus?

(b) Is it also a fact that on making the premature transfer of Mr. Mahomed Saidullah, the late Assistant Director, and thereby making room for Mr. Giandev, the present Assistant Director, Messrs. K.

B. Mahomed Ayub Khukro, M.L.C., and Shaikh Abdulmajid, M.L.C., of Sind protested to the Director General against this action of the Hindu Director, Posts and Telegraphs? And, if so:

- (i) what action did the Director General take in the matter; and
- (ii) are Government aware that Sind and Baluchistan is predominantly a Muslim province, and are Government now prepared to transfer Mr. Giandev to some other circle and replace him by a Muslim or a European officer to look after Muslim interests?

The Honourable Sir Frank Noyce: (a) Yes.

(b) (i) Mr. Saidullah was transferred in the interests of the administration and not in order to make room for Mr. Giandev. On receipt of communications on this subject from certain Muhammadan gentlemen, including those mentioned by the Honourable Member, the Director General personally examined the case and satisfied himself that there were no grounds for interfering with the order of transfer.

(ii) The reply to the first part of this question is in the affirmative and to the second part in the negative; in this connection the Honourable Member's attention is invited to the reply given to part (d) of his starred question No. 1672 on December the 14th, 1932. I may add that it is no part of the duty of an Assistant Director to look after the interests of any one community in particular.

LICENSING OF NEW LIQUOR SHOPS IN NEW DELHI.

413. *Sardar Sant Singh: (a) Has the attention of Government been drawn to a note published in the *National Call* of the 25th January, 1933, on page 6, column 6, under the heading 'Glut of liquor'? If so, is it a fact that new liquor shops are to be licensed in New Delhi? If so, how many? How many licences for the sale of foreign and country liquor are already in existence? What is the need of new licences?

(b) Are Government aware that feeling against the grant of new licences for sale of liquor is very strong and that the popular demand is to reduce the number of such shops rather than to increase them?

The Honourable Sir George Schuster: Government have seen the note. The statistics asked for by the Honourable Member are being collected and will be laid on the table in due course.

DETENTION OF STATE PRISONER FAZAL ELAHI IN THE MUZAFFAR GARH SUB-JAIL.

414. *Sardar Sant Singh: (a) Is it a fact that one Fazal Elahi, Qurban, is detained in Muzaffar Garh Sub-Jail as a State Prisoner, since the 27th August, 1930? If so, has he been informed of the charges which led to his arrest and detention? Has his explanation been called for?

(b) If the answer to part (a) be in the negative, is it not a fact that according to rules made under Regulation III of 1818, the case of such persons is placed before judicial officers within six months of their arrest? If so, why Fazal Elahi's case has not been referred to such officers for their opinion? If it has been referred, what was the opinion of such officers? Was any explanation called for from the prisoner?

(c) Is it a fact that Fazal Elahi is suffering from some trouble in the right side of his abdominal region and that a stiff cord has been formed which disease has not been diagnosed by the local medical men? Is it a fact that the Deputy Commissioner of the District was informed of it by the prisoner? Is it also a fact that the Deputy Commissioner has not cared to send any reply and that no steps have been taken to help the prisoner? If so, what steps do Government propose to take to relieve this trouble of the prisoner?

The Honourable Sir Harry Haig: (a) and (b). Fazal Elahi has been detained as a State Prisoner since the 28th August, 1930.

There are no rules made under Regulation III of 1818, requiring the submission to judicial officers of cases of persons detained under that Regulation, and no such action has been taken in this case.

(c) The State Prisoner complained last month of some abdominal trouble, but the Civil Surgeon was unable to discover anything wrong with him. The Local Government have already made arrangements to obtain the opinion of a second doctor with a view to suggest future treatment for the prisoner.

NON-DELIVERY OF CERTAIN BOOKS SENT FOR FROM LONDON BY STATE PRISONER FAZAL ELAHI.

415. ***Sardar Sant Singh:** Is it a fact that Fazal Elahi, Qurban, a State Prisoner, sent for certain books on Socio-Economical subject from London after obtaining permission from the Inspector General of Prisons? Is it a fact that books have come, but have not been delivered to the prisoner? If so, why? Is it a fact that these books have not been kept in the prisoners' private property as "objectionable literature"?

The Honourable Sir Harry Haig: With your permission, Sir, I will reply to questions Nos. 415, 416 and 417 together. I am ascertaining the facts from the Local Government and will lay a statement on the table in due course.

AREA OF THE WARD IN WHICH STATE PRISONER FAZAL ELAHI IS KEPT.

†416. ***Sardar Sant Singh:** Is it a fact that the ward in which Fazal Elahi, a State Prisoner, is kept is too small? How many detenus are living in this ward? What is its area? Is the ward big enough to allow strolling? What exercise is provided for the detenus?

LATE DELIVERY OF CORRESPONDENCE OF STATE PRISONERS IN THE MUZAFFAR GARH SUB-JAIL.

†417. ***Sardar Sant Singh:** Is it a fact that the correspondence of the State Prisoners in Muzaffar Garh Sub-Jail is delivered to them after the lapse of a month or so? If so, why?

CONSTITUTION OF BALUCHISTAN INTO A GOVERNOR'S PROVINCE.

418. ***Mr. M. Maswood Ahmad** (on behalf of Seth Haji Abdoola Haroon): (a) Will Government be pleased to state whether their attention has been drawn to a resolution passed by the All-India Baluch Conference recently held at Jacobabad on the 27th, 28th and 29th December, 1932, demanding that Baluchistan be constituted into a Governor's Province?

†For answer to this question, see answer to question No. 415.

(b) Are Government prepared to do so and thus fulfil the long cherished aspiration of the Baluch masses as well as of the Mussalmans of India? If not, why not?

Mr. H. A. F. Metcalfe: With your permission, Sir, I will answer questions Nos. 418 and 427 together.

The All-India Baluch Conference represented no body of public opinion in Baluchistan and Government see no necessity to take any action on its resolutions in this connection.

PUBLICATION OF CONVENTIONAL AND TRADITIONAL LAW IN A BOOK-FORM FOR USE OF BALUCHISTAN OFFICIALS.

419. ***Mr. M. Maswood Ahmad** (on behalf of Seth Haji Abdoola Haroon): Will Government be pleased to state whether they intend to publish the conventional and traditional law in a book-form so as to enable the officials of Baluchistan and *Jirgas* to conduct their activities in the light of conventional Statute Book, as demanded in the fifth Resolution of the All-India Baluch Conference?

Mr. H. A. F. Metcalfe: A "Manual of Customary Law" already exists and is at the disposal of officers dealing with cases which go before *jirgas*. This manual is regarded as authoritative on all questions of *riwaj* or custom and is consulted when occasion arises.

MEASURES TAKEN IN RESPECT OF FEMALE EDUCATION, ETC., IN BALUCHISTAN.

420. ***Mr. M. Maswood Ahmad** (on behalf of Seth Haji Abdoola Haroon): Will Government be pleased to state what measures they intend to take in Baluchistan in the matter of female education, as also to uplift the moral, educational, social, and economic advancement of the masses?

Mr. G. S. Bajpal: The 10 Girls' schools which already exist in Baluchistan are considered sufficient to meet the present demand for the education of women in the province.

REDUCTION OF LAND REVENUE AND GRANT OF *TAKAVIS* TO AGRICULTURISTS IN SIND AND BALUCHISTAN.

421. ***Mr. M. Maswood Ahmad** (on behalf of Seth Haji Abdoola Haroon): (a) Has the attention of Government been drawn to Resolution No. 20, passed by the All-India Baluch Conference, urging the authorities of Sind, Baluchistan and States Confederation of Baluchistan to reduce the land revenue charges by 50 per cent. for one year and to grant *takavis* to agriculturists, in view of the economical depression?

(b) What step do Government propose to take in the matter in respect of Baluchistan?

Mr. G. S. Bajpal: (a) Yes.

(b) Only five tahsils in Baluchistan pay land revenue in cash and the Local Administration is always ready to consider applications from these areas for remissions on their merits. In fact considerable remissions have

already been granted this year. Elsewhere in Baluchistan land revenue is paid in kind, being a fraction of the agricultural produce actually harvested. Consequently with a fall in the value of the produce the cash value of the share paid by the cultivators automatically decreases in the same proportion. Even so, cases of special hardship receive generous consideration. As for *takavi* loans, the normal annual amount distributed has been augmented by roughly 75 per cent. this year.

Mr. M. Maswood Ahmad: What proportion of the produce is realised from these Baluchis?

Mr. G. S. Bajpai: I think, Sir, that it varies from Tahsil to Tahsil, and if my Honourable friend wishes to have detailed information, I shall collect it and supply it to him.

Mr. M. Maswood Ahmad: Will the Honourable Member be pleased to lay on the table the information on this supplementary question?

Mr. G. S. Bajpai: If the House wishes the information to be laid on the table, I shall do so with pleasure.

Sir Cowasji Jehangir: What will it cost to get the answer to the supplementary question?

Mr. G. S. Bajpai: I should think that it will mean the reproduction of one whole chapter from the Land Revenue Manual of Baluchistan.

Dr. Ziauddin Ahmad: The Honourable gentleman in his reply might refer us to the particular chapter by mentioning the pages and the number of the chapter.

Mr. G. S. Bajpai: My Honourable friend raises that point in a supplementary question, and I hope the House will agree that it is impossible for me to carry references like that in my head.

DELETION OF THE SPECIAL CLAUSE OF THE FRONTIER REGULATION.

422. ***Mr. M. Maswood Ahmad** (on behalf of Seth Haji Abdool Haroon): (a) Will Government be pleased to state whether their attention has been drawn to Resolution No. 22, passed by the All-India Baluch Conference, requesting that the special clause of the Frontier Regulation be deleted?

(b) If so, are Government prepared to consider the question whether it is advisable to delete the said clause?

The Honourable Sir Harry Halc: (a) Government have seen the resolution.

(b) The terms of the resolution are somewhat obscure. It is not clear what is meant by "special clause of Frontier Regulation". In any case the matter appears to be primarily for the consideration of the Government of Bombay, and the Conference has no doubt taken steps to bring it to their notice.

**APPOINTMENT OF A SELECTION BOARD FOR THE PURPOSE OF RECRUITMENTS
TO GOVERNMENT DEPARTMENTS OF BALUCHISTAN.**

423. ***Mr. M. Maswood Ahmad** (on behalf of Setk Haji Abdoola Haroon): Are Government prepared to appoint a Selection Board, as has been demanded by the All-India Baluch Conference in their Resolution No. 24, for the purpose of recruitment to the Government Departments of Baluchistan and to see that every vacant post is properly advertised by the authorities when required to be filled in?

Mr. H. A. F. Metcalfe: The resolution expresses a desire that all Government appointments in Baluchistan should be filled by a Selection Board presided over by an official and consisting of eight members, of whom apparently only three would be nominated by Government. Government are not prepared to adopt the suggestion. Nor are they prepared to advertise every vacant post in Baluchistan Government service.

Mr. M. Maswood Ahmad: The Government have said that only three are nominated and that the total number is five. How are these five men taken in the Board or Committee.

Mr. H. A. F. Metcalfe: I do not think that the resolution explains that at all as far as I remember.

Mr. Lalchand Navalrai: What is the present system of recruitment in Baluchistan?

Mr. H. A. F. Metcalfe: I should like that question to be put a little more definitely. There are various posts in Baluchistan which are recruited in a variety of different ways.

Mr. Lalchand Navalrai: What about the Agent and other Commissioners relating to the Civil Administration?

Mr. H. A. F. Metcalfe: The Agent to the Governor General is selected by His Excellency the Viceroy. The other officers are taken from the Foreign and Political Department which is recruited in a manner which is known to the Honourable Member.

Mr. Lalchand Navalrai: How is the subordinate staff recruited?

Mr. H. A. F. Metcalfe: If the Honourable Member refers to the ministerial staff, I am afraid I must ask for notice of that question. I cannot give him any details.

Mr. M. Maswood Ahmad: Will the Honourable Member be pleased to state in which papers these advertisements are published?

Mr. H. A. F. Metcalfe: I am not sure what advertisements the Honourable Member refers to.

Mr. M. Maswood Ahmad: There is in this question mentioned that every vacant post is properly advertised. I want to know in which papers it is advertised or whether it is not advertised at all?

Mr. H. A. F. Metcalfe: If posts are advertised at all, I imagine they would be advertised in papers published in the Punjab. I am not sure whether any papers are published in Baluchistan. I think that there are none.

Dr. Ziauddin Ahmad: Are these persons of the ministerial staff appointed by the Agent to the Governor General, or are they appointed by the relevant Department of the Government of India?

Mr. H. A. F. Metcalfe: It would depend entirely upon what the particular post was. I imagine that subordinate ministerial appointments are made in accordance with the rules laid down by the Agent to the Governor General. That would be purely in the Civil Administration. In other Departments which are directly administered by the Government of India, appointments would presumably be made in the ordinary way by the Government of India.

Mr. Lalchand Navalrai: Does the Honourable Member know that Sindhis are also recruited in the ministerial service in Baluchistan? Why should, therefore, advertisements be put only in the Punjab papers and not in Sind papers?

Mr. H. A. F. Metcalfe: I did not say that advertisements were published only in the Punjab papers. They are probably published in the Sind papers, but I have no definite information on the subject.

Mr. S. O. Mitra: What is the population of British Baluchistan? Is it only a few lakhs?

Mr. H. A. F. Metcalfe: The population of the entire province is 800,000. Of that province only a very small portion is strictly speaking British Baluchistan, since a greater part of it consists of either the Kalat State or what is known as the Agency Area.

Mr. Muhammad Yamin Khan: Are there no Baluchis available for appointment in Baluchistan, and is that the reason why Government take recruits from Sind?

Mr. H. A. F. Metcalfe: That is probably largely the case. But actually the term "Baluch" is applicable strictly only to a number which is about 175,000, of whom probably the greater portion is illiterate.

Mr. S. O. Mitra: Do Government consider it very unfair to recruit people from outside Baluchistan? As a matter of fact, a large portion of the expenditure for Baluchistan is met from the Central Revenues and not covered by the revenues realised in Baluchistan?

Mr. H. A. F. Metcalfe: The Honourable Member is asking for an opinion, which I am not prepared to give.

RECRUITMENT OF BALUCHIS IN THE POLICE AND MILITARY IN BALUCHISTAN.

424. ***Mr. M. Maswood Ahmad** (on behalf of Seth Haji Abdool Haroon): Are Government prepared to recruit in Baluchistan the police and the military in future purely from Baluchis as has been demanded by the All-India Baluch Conference in their Resolution No. 25? If not, why not?

Mr. H. A. F. Metcalfe: The resolution referred to by the Honourable Member reads as follows:

"The Conference demands that the recruitment of the Police and Militia should be purely from the Baluchis and not from the outsiders."

It is presumed that the mention of "Military" in the question is an error for "Militia". The Mekran Levy Corps and Chagai Levy Corps are at present recruited exclusively from Baluchis and Brahuis, but Baluchis are not considered suitable for employment in the Zhob Militia. Baluchis are eligible for recruitment in the Police service but few if any offer themselves for enlistment. Government are, therefore, not prepared to concede the demand made by the Conference.

SAFEGUARDING THE INTERESTS OF BALUCHIS IN THE RAILWAY AND POSTS AND TELEGRAPHS DEPARTMENTS OF BALUCHISTAN.

425. *Seth Haji Abdoola Haroon: (a) Has the attention of Government been drawn to Resolution No. 32, passed by the All-India Baluch Conference, urging on Government that the interests of Baluchis should be safeguarded in the Railway and Posts and Telegraphs Departments of Baluchistan?

(b) If so, what action do Government propose to take in the matter?

Mr. H. A. F. Metcalfe: (a) Yes.

(b) The resolution referred to reads as follows:

"The Conference urges upon the Government of India that the railway, post and telegraph and all other departments which are under the Government of India should be either transferred to the Baluchi Government or the Government should safeguard the rights of the Baluchis."

The first alternative suggested is clearly impracticable since centrally administered departments cannot be partially provincialised for the benefit of one small province.

The second alternative is unintelligible, since the resolution does not state in what respects the rights of Baluchis should be safeguarded. Government accordingly do not propose to take any action on the resolution.

WAYS AND MEANS FOR EDUCATIONAL DEVELOPMENT IN BALUCHISTAN.

426. *Mr. M. Maswood Ahmad (on behalf of Seth Haji Abdoola Haroon): What measures do Government propose to take with regard to Resolution No. 39, passed by the All-India Baluch Conference, suggesting ways and means for educational development by opening institutions, providing scholarships and making primary education compulsory in Baluchistan?

Mr. G. S. Bajpai: The Honourable Member's attention is invited to the reference to education in Baluchistan made by the Honourable the Education Member in his speech in the Council of State on the 3rd March, 1932, on a resolution moved by the Honourable Khan Bahadur Chaudri Muhammad Din. Government are alive to the educational needs of Baluchistan which Honourable Member may rest assured will receive sympathetic attention. The most urgent need of this area is for an Intermediate College at Quetta and Government will endeavour to meet it as soon as finances permit.

ELECTION OF MEMBERS TO THE QUETTA MUNICIPALITY.

†427. ***Mr. M. Maswood Ahmad** (on behalf of Seth Haji Abdoola Haroon): With reference to reply given by Mr. H. A. F. Metcalfe to starred question No. 1264 on the 16th November, 1932 (*vide* Legislative Assembly Debates, dated the 24th November, 1932, page 2470), what action do Government propose to take in the matter, in view of the All-India Bahuch Conference Resolution No. 45 demanding that Municipal Commissioners be elected by votes in the Quetta Municipality?

PUNJAB POSTAL CIRCLE OFFICE AND THE GOVERNMENT TELEGRAPH OFFICE, LAHORE.

428. ***Mr. M. Maswood Ahmad** (on behalf of Mr. Muhammad Anwar-ul-Azim): (a) Has the attention of Government been drawn to pages 8, 9 and 11 of *The Muslim Advocate*, dated the 25th January, 1933, a weekly paper of Lahore?

(b) Have Government gone into the allegations contained in the said article?

(c) Will Government be pleased to state which of the allegations were found to be well-grounded and which of them groundless?

(d) What action, if any, have Government taken or propose to take to set matters right in the Punjab Postal Circle office and in the Government Telegraph Office, Lahore?

The Honourable Sir Frank Noyce: (a) Government have seen the article in question.

(b) No

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

APPOINTMENT OF MUSLIMS IN THE SIND AND BALUCHISTAN POSTAL CIRCLE.

429. ***Mr. M. Maswood Ahmad** (on behalf of Mr. Muhammad Anwar-ul-Azim): (a) Will Government be pleased to state whether the undermentioned vacancies occurred during the years 1929 and 1930 in Sind and Baluchistan Postal Circle and whether they were filled up as stated against them?

Office or Division.	No. of vacancies.	Filled up by—		
		Hindu.	Muslim.	Christian.
(i) Quetta G. P. O.	1	1	..	..
(ii) Baluchistan Division . . .	4	4	..	..
(iii) Karachi G. P. O.	10	4	2	4
(iv) Upper Sind Division . . .	11	7	4	..
(v) Lower Sind Division . . .	14	8	6	..
Total	40	24	12	4

(b) If the figures stated in part (a) above are not correct, will Government be pleased to state the correct figures?

(c) Is it a fact that the rule reserving third vacancies for the members of minority communities was not observed in Sind and Baluchistan Circle?

†For answer to this question, see answer to question No. 418.

(d) Is it a fact that the Postmaster, Quetta, passed orders to "give two-third appointments to members of the majority community and one-third to members of any of the minority communities", viz., Muhammadans, Sikhs, Parsis, Indian Christians, etc.?

(e) Will Government be pleased to state whether any action was taken to cancel the orders referred to in part (d) above? If so, what?

(f) Will Government be pleased to state the names of the Postmaster and Town Inspector responsible for the issue of orders referred to in part (d) above?

(g) Is it a fact that the Muslim population in Sind is 77 per cent., and in Baluchistan 90 per cent. and 88 per cent. or thereabout in the Postal Circle?

(h) Will Government be pleased to state the percentage of Muslims in the postal clerical cadres including Selection Grades in Sind and Baluchistan Circle?

The Honourable Sir Frank Noyce: (a) On the presumption that the Honourable Member refers to vacancies in the clerical cadre, the reply is in the negative.

(b) A statement showing the correct figures is laid on the table. The totals are: vacancies 37 appointments; 22 Hindus, 11 Muslims, 1 Sikh and 3 Indian Christians.

(c) The fact is not as stated, as the Honourable Member will see from the figures just given.

(d) to (h). Information has been called for and will be placed on the table in due course.

Statement.

Office or Division.	No. of vacancies.	Filled up by				
		Hindus.	Muslims.	Sikhs.	Indian Christians.	Other communities.
(i) Quetta G. P. O. . . .	1	1	..	..	..	..
(ii) Baluchistan Division . .	3	2	..	1	..	..
(iii) Karachi G. P. O. . . .	12	7	3	..	2	..
(iv) Upper Sind Division . .	9	6	3	..	..	..
(v) Lower Sind Division . .	12	6	5	..	1	..
Total .	37	22	11	1	3	..
			15			

EMPLOYEES OF THE POSTS AND TELEGRAPHS DEPARTMENT.

430. ***Mr. M. Maswood Ahmad** (on behalf of Mr. Muhammad Anwar-ul-Azim): (a) Will Government be pleased to state the names and full particulars of the employees of the Posts and Telegraphs Department with less

than 25 years service at their credit who have since been retrenched in the following tabular form?

Name.	Designation.	Postal Circle.	Length of Service.	Reasons for Retrenchment.

(b) Will Government be pleased to state which of the officials stated in reply to part (a) above appealed against their retrenchment and with what result?

(c) Will Government be pleased to state whether the appointments held by the officials stated in reply to part (a) above were all abolished or converted?

Sir Thomas Ryan: (a) and (b). Government regret that the information asked for is not readily available. In order to obtain it an expenditure of time and labour would be required which Government do not consider would be commensurate with the value of the result.

(c) It is an essential condition of the retrenchment rules that the holder of a post is not to be retrenched unless a post in *what*, for the purpose of these rules, is considered as being the same cadre, is either abolished or converted and Government have no reason to believe that these instructions are not being carefully followed.

DEPARTMENTAL OFFICIALS NOMINATED FOR THE SUPERINTENDENT'S EXAMINATION FROM THE CENTRAL POSTAL CIRCLE.

431. ***Mr. M. Maswood Ahmad** (on behalf of Mr. Muhammad Anwar-ul-Azim): (a) Will Government be pleased to state the total number of departmental officials nominated for the Superintendent's Examination from the Central Postal Circle during the last 12 years?

(b) Is it a fact that only one Muslim departmental official was nominated for the Superintendent's Examination from the Central Circle during the last 12 years?

The Honourable Sir Frank Noyce: (a) and (b). The Honourable Member's attention is invited to the reply given to Mr. M. Maswood Ahmad's starred question No. 1493 on the 28th November, 1932.

COMMUNAL COMPOSITION OF THE STAFF IN SIND AND BALUCHISTAN POSTAL CIRCLE.

432. ***Mr. M. Maswood Ahmad** (on behalf of Mr. Muhammad Anwar-ul-Azim): (a) Will Government be pleased to state whether the communal composition of the staff in Sind and Baluchistan Circle, given on pages 7 and 8 of the *Postal Advocate*, January, 1933, issue is correct, and, if not, will Government be pleased to state the correct figures?

(b) Is it a fact that the percentage of Muslim employees in Sind and Baluchistan Circle, with 83 per cent. Muslim population, is nearly 26 per cent. on the Postal side and 1.72 per cent. on the Telegraph side?

(c) Is it a fact that with the exception of 80—250 and 70—160 grade, with 1 Muslim out of 117, there is not a single Muslim in the other seven upper and lower scales on the Telegraph Traffic Branch in the said Circle?

The Honourable Sir Frank Noyce: I regret that I am not in a position readily to check the figures to which the Honourable Member refers; but I notice that they refer both to cadres to which direct recruitment is made and to cadres which are filled by promotion; whereas the orders of Government regarding the recruitment of members of minority communities refer only to the former.

The actual communal composition of any existing cadre is the result of recruitment over a great many years. If the Honourable Member is in possession of information indicating that either recently or at present recruitment has been or is being effected in a manner at variance with the Government orders bearing on this matter, and will furnish it to me, I shall be happy to make the necessary enquiries.

TRANSFER OF THE POSTMASTER AND THE APPOINTMENT CLERK, SIMLA POST OFFICE.

433. ***Mr. M. Maswood Ahmad** (on behalf of Mr. Muhammad Anwar-ul-Azim): (a) Is it a fact that the Postmaster, Simla, and the Appointment Clerk, Simla, have both been transferred from their appointments? If so, why?

(b) Is it a fact that transfer of the officials stated in (a) above was due to the pressure brought to bear upon the Director General, Posts and Telegraphs, *vide* starred questions Nos. 1056 to 1058, dated the 9th November, 1932, of Bhai Parma Nand?

(c) Is it a fact that the Muslim Appointment Clerk has been replaced by a Hindu clerk?

The Honourable Sir Frank Noyce: (a) and (c). Government are aware of the transfer of the Postmaster, Simla, but have no information as to the transfer of the clerk referred to as the Appointment Clerk (a designation which was misleading and has been abolished).

(b) No.

Mr. M. Maswood Ahmad: Will the Honourable Member be pleased to state the reasons for this transfer?

The Honourable Sir Frank Noyce: The reasons were administrative reasons. It was considered desirable that the officer in question should be transferred, and I am not prepared to explain further than that. One point that I should like to emphasise is that the transfer had nothing whatever to do with any pressure brought to bear on the Director General. Neither I nor the Director General can be subjected to any pressure in matters of this kind.

**COMMUNAL COMPOSITION OF SORTERS AND PORTERS IN CERTAIN
RAILWAY MAIL SERVICE DIVISIONS.**

434. ***Mr. M. Maswood Ahmad** (on behalf of Mr. Muhammad Anwar-ul-Azim): (a) Will Government be pleased to state the number of (i) Hindu, (ii) Sikh and (iii) Muslim R. M. S. sorters and porters in the D. and L. Divisions, separately?

(b) Is it a fact that Sikhs and Hindus are over represented in the cadres of sorters and porters in the D. and L. Divisions on population basis?

(c) Is it a fact that Muslims who are 56 per cent. in population are very inadequately represented in the cadres of R. M. S. sorters and porters in the D. and L. Divisions? Was there any order of Major Angelo about this with regard to the recruitment of Muslims?

(d) Will Government be pleased to state the communal composition of R. M. S. sorters and porters in the C. Division?

(e) Will Government be pleased to state the communal composition of the number of candidates on the waiting list of R. M. S. sorters and porters in the C., D. and L. Divisions?

(f) Is it a fact that enlistment of candidates of the majority community in the C., D. and L. Divisions, *vide* (e) above, shall perpetuate preponderance of only one community, which is against Government policy indicated by Sir Malcolm Hailey in 1923, on behalf of the Government of India in the Legislative Assembly?

The Honourable Sir Frank Noyce: (a) to (f). I am not in possession of the information for which the Honourable Member asks, but would refer the Honourable Member to the latter part of my reply to question No. 432.

**REPRESENTATION OF MUSLIMS IN THE OFFICE OF THE DIRECTOR GENERAL
OF POSTS AND TELEGRAPHS.**

435. ***Mr. M. Maswood Ahmad** (on behalf of Mr. Muhammad Anwar-ul-Azim): (a) With reference to reply to starred question No. 182, dated the 26th September, 1932, will Government be pleased to state whether the Director General, Posts and Telegraphs requisitioned for candidates belonging to the minority communities, while addressing the Public Service Commission on the subject and, if not, why not?

(b) Will Government be pleased to state the number of clerical vacancies in the office of the Director General, Posts and Telegraphs, filled up by candidates sent by the Public Service Commission according to communities?

(c) Will Government be pleased to state the existing clerical vacancies in the office of the Director General, Posts and Telegraphs, and whether Government are prepared to take steps to secure increased representation of Muslims in filling up the vacancies?

The Honourable Sir Frank Noyce: (a) Yes; the latter part does not arise.

(b) Hindus 10, Muslims 4, Anglo-Indians 2 and Indian Christian 1; of these 2 Hindus, 1 Muslim and 1 Anglo-Indian have since left the Department.

(c) Ten. The Government orders regarding the representation of minority communities, including Muslims, will of course be observed in recruiting for these vacancies.

RECRUITMENT OF SONS AND NEAR RELATIVES OF POSTAL EMPLOYEES IN THE POST OFFICES.

436. ***Mr. M. Maswood Ahmad** (on behalf of Mr. Muhammad Anwar-ul-Azim): (a) Will Government be pleased to place on the table the revised instructions issued by the Director General, Posts and Telegraphs, about the recruitment of the sons and relations of postal employees, *vide* reply to starred question No. 718, dated the 23rd September, 1932?

(b) Are Government aware that in view of the overwhelming majority of the members of only one community in the Posts and Telegraphs Department, the sons and near relatives of the said employees will further swell the numbers of that very community, if recruited?

(c) Are Government aware that for want of definite ratios for various communities, the majority community has been unduly benefited and will be further benefited if the instructions of the Director General are followed?

(d) Will Government be pleased to state whether it is under contemplation to devise means whereby in the future recruitment all communities should get their due share?

The Honourable Sir Frank Noyce: (a) The instructions referred to in the reply to question No. 718, dated the 23rd September, 1932, were in the first instance issued to the Postmaster-General, Bengal and Assam only; they were subsequently incorporated in the Director-General's letter to all Heads of Circles No. Es.-B.-214-6/32, dated the 23rd December, 1932, on the subject of preference to be given to certain categories of persons including sons and relations of employees in recruitment to the Posts and Telegraphs clerical cadres. A copy of this letter is laid on the table.

(b) No, as the preference to be given is subject to the observance of the orders regarding communal representation as will be seen from the Director-General's letter referred to in the reply to part (a) of this question.

(c) As regards the first part of this question, Government are not prepared to express any opinion. The reply to the second part is in the negative.

(d) As has been repeatedly stated in this House, the Government of India have already accepted the principle that there should be no undue preponderance of any community in the public services under their control. The question whether the orders so far issued to achieve this end require modification is under examination.

No. Es. B.-214-6/32.

INDIAN POSTS AND TELEGRAPHS DEPARTMENT,

From

The Director-General of Posts and Telegraphs,

To

All Heads of Circles including the Director of Posts and Telegraphs, Sind and Baluchistan,

The Director of Wireless,

The Electrical Engineer-in-Chief, Alipore, Calcutta,

The Controller of Telegraph Stores, Alipore, Calcutta,

The Superintendent of Telegraph Workshops, Calcutta,

The Accounts Officer, Telephone Revenue, Stores and Workshops, Alipore, Calcutta,

The Superintendent of Postal Seals, Aligarh.

New Delhi, the 23rd December, 1932.

SUBJECT :—Order of preference to be observed in the recruitment for the clerical service.

SIR,

I am directed to say that the Director-General will be glad if the following order of preference is observed by recruiting officers as far as possible in direct recruitments to the clerical service, due regard being, of course, paid to the fulfilment of the prescribed conditions regarding the fitness and suitability of recruits and to the observance of the orders regarding the adjustment of communal inequalities :

- (1) Retrenched junior permanent clerks with satisfactory records.
- (2) Sons and dependents of officials who have lost their lives (e.g., by murder or as a result of attack by dacoits, etc.), in the performance of their duty.
- (3) Dependents of deceased officials.
- (4) Dependents of retrenched or retired officials of the Department.
- (5) Dependents of serving officials.
- (6) Outsiders.

2.* This disposes of your letter No. SB/R.-181, dated the 15th November, 1932.

I have the honour to be,

SIR,

Your most obedient servant,

J. R. T. BOOTH,

Senior Deputy Director-General.

No. Es. B.-214-6/32.

Copy forwarded to the General Secretary, All-India (including Burma) Postal and Railway Mail Service Union, Delhi, with reference to his letter No. A. I.-6/X, dated the 20th August, 1932.

MOHD. AL HASAN,

Asstt. Deputy Director-General.

NEW DELHI;

The 23rd December, 1932.

*For P. M. G., Punjab, only.

COMMUNAL COMPOSITION OF THE INSPECTORS OF POST OFFICES AND INSPECTORS OF RAILWAY MAIL SERVICE.

437. ***Mr. M. Maswood Ahmad** (on behalf of Mr. Muhammad Anwar-ul-Azim): (a) Will Government be pleased to state circle by circle the communal composition of the Inspectors of Posts Offices and Inspectors of R. M. S.?

(b) Is it a fact that candidates for Inspectors' Examination are nominated regardless of seniority by Postmasters General?

(c) Will Government be pleased to state whether they are prepared to see that Muslim candidates are nominated for Inspectors' Examination in a larger number compared with candidates of majority community in order to secure adequate representation of Muslim Inspectors?

The Honourable Sir Frank Noyce: (a) A statement is laid on the table, showing the communal composition of the staff of Inspectors of Post Offices and of Railway Mail Service, as it stood on the 31st March, 1932, which is the latest date for which accurate figures are in possession of Government.

(b) Yes, candidates are selected under regulations bearing on their fitness for the work to be done, and not on considerations of seniority.

(c) No, Government do not propose to introduce communal considerations into the regulations.

Statement.

Name of Circle.	Euro- pean.	Anglo- Indian.	Hindu.	Muham- madan.	Other classes.	Total.
Bengal and Assam	86	2	1	89
Bihar and Orissa	35	3	..	38
Bombay	..	1	50	..	6	57
Burma	1	8	17
Central	35	11	..	46
Madras	1	3	63	3	4	74
Punjab and N.-W. F.	50	29	9	88
Sind and Baluchistan	10	6	..	16
United Provinces	..	1	40	10	1	52

RETRENCHMENT IN THE CALCUTTA GENERAL POST OFFICE AND THE BENGAL AND ASSAM POSTAL CIRCLE.

438. ***Mr. M. Maswood Ahmad** (on behalf of Mr. Muhammad Anwar-ul-Azim): (a) With reference to replies to starred questions Nos. 534, 536, 540, 543 and 544, dated the 21st September 1932, will Government be pleased to state separately the number of appointments on the 31st December, 1926, and the number of Muslims in each cadre separately?

(b) Will Government be pleased to state the total number of permanent vacancies separately for each cadre referred to in the replies to the questions mentioned above and the number given to Muslim candidates in each cadre separately?

(c) Will Government be pleased to state whether the rule, reserving third vacancies for members of minority communities, was not observed in the Calcutta General Post Office and Bengal and Assam Circle?

(d) If the reply to part (c) above be in the affirmative, will Government be pleased to state whether the small number of Muslim employees are proposed to be spared from retrenchment and whether they are prepared to take action against non-observance of orders?

The Honourable Sir Frank Noyce: (a), (b) and (c). I regret that I am not in possession of the information for which the Honourable Member asks, but I would refer in this case also to the second part of the reply which I have just given to question No. 482.

(d) Government regret that they cannot undertake to modify their existing orders regarding the manner in which retrenchment should be effected.

PRINCIPLE FOR RETRENCHMENT OF PERSONNEL ON COMMUNAL BASIS.

489. ***Mr. M. Maswood Ahmad** (on behalf of Mr. Muhammad Anwar-ul-Azim): (a) Will Government be pleased to state whether the principle for retrenchment of personnel on communal basis was enunciated by the Finance Department of Government?

(b) Is it a fact that according to the said formula, Government servants belonging to minority communities with less service were retrenched whereas those of majority community with more service retained?

(c) Is it a fact that due to this formula, Government servants belonging to minority communities have almost been swept clean from the senior positions, leaving members of the majority community exclusively eligible for promotion according to seniority lists?

(d) Is it a fact that Government never intended to adhere so rigidly to the said formula so far as minorities were concerned, particularly in the cadres in which the percentage of minorities was already below the requisite standard?

(e) Are Government prepared to review the said formula?

The Honourable Sir Harry Haig: (a) The orders issued in regard to retrenchment of personnel made it clear that as far as practicable the existing ratio between the communities in each category of service should be maintained. Retrenchment was to be effected, firstly, by the acceptance of voluntary resignations or retirements, secondly, by the discharge of inefficient officers, and, thirdly, by the discharge of selected officers in a certain order based on the length of service.

(b) This has happened in some cases.

(c) I am unable to accept this as a correct statement of the position, and I would refer the Honourable Member to the statement laid on the table in reply to starred questions Nos. 504, 155 and 440 on the 24th February, 8th September and 19th September, 1932, respectively, regarding the effect of retrenchment on the communal composition of the staff of the various departments of the Government of India Secretariat.

(d) The object of the orders was to provide a reasonable principle in accordance with which all communities would receive fair treatment in the process of retrenchment.

(e) I am not aware of any grounds that would justify a revision of the formula.

Dr. Ziauddin Ahmad: May I ask whether the function of the Government is limited to issuing orders or whether seeing them carried out is also included in the function of the Government?

The Honourable Sir Harry Haig: So far as the Home Department is concerned, their main task is to see that the orders are issued, but it is the responsibility of the other Departments to see that they are properly carried out.

Dr. Ziauddin Ahmad: The function of the Home Department is simply to issue orders?

The Honourable Sir Harry Haig: I did not say that it was their sole function, but primarily it is the duty of the other Departments to see that the orders are carried out in the proper spirit.

SHORT NOTICE QUESTION AND ANSWER.

REPORT OF THE TARIFF BOARD ON THE COTTON TEXTILE INDUSTRY.

Mr. H. P. Mody: Will Government be pleased to state whether they propose to publish the report of the Tariff Board on the Cotton Textile Industry and to place proposals for the protection of that industry before the Legislative Assembly during its present Session?

The Honourable Sir Joseph Bhore: The Tariff Board's Report was received later than Government had originally hoped and the pressure of urgent public business has left insufficient time for the full consideration by Government of a matter of such great importance and complexity. A final decision with regard to the Report has not yet been reached and it has, therefore, become necessary to take steps to meet the situation which will arise when the Cotton Textile Industry (Protection) Act, 1930, and the Notification under sub-section (5) of section 3 of the Indian Tariff Act, imposing increased rates of duty on cotton piecegoods not of British manufacture, expire on the 31st of March next. Government have accordingly decided to propose to the Legislature the extension up to the 31st October next of the aforementioned Act and Notification pending formulation of their decision in the matter of continued protection to the Cotton Textile Industry. I shall take the earliest suitable opportunity to introduce a Bill for the purpose I have indicated. In accordance with usual practice, the Report of the Tariff Board will not be published until a final decision has been taken by Government.

Mr. B. Sitaramaraju: Has the mill industry of Bombay any special claim on the Government of India for expediting this matter?

The Honourable Sir Joseph Bhore: I did not quite follow the Honourable Member. Will he please repeat his question?

Mr. B. Sitaramaraju: Has the mill industry of Bombay any special claim on the Government of India for expediting this matter?

Mr. H. P. Mody: I will tell you all about it.

The Honourable Sir Joseph Bhoré: Does my Honourable friend think that I am proceeding with undue celerity in this matter?

Mr. B. Sitaramaraju: Did or did not the Tariff Board say that the inquiry which they were asked to make by the Government of India was very much limited in its scope?

The Honourable Sir Joseph Bhoré: Sir, I am not prepared to disclose anything as yet which is contained in the Report.

Mr. Gaya Prasad Singh: Do I understand the Government to say that they will put forward proposals in this Session even before the Report of the Tariff Board is published?

The Honourable Sir Joseph Bhoré: No, Sir; I am afraid my Honourable friend has misunderstood my reply. What I said was that proposals would be put before the Legislature during the current Session to continue the existing protection until Government were in a position to place before the Assembly new proposals as a result of examination of the Report of the Tariff Board.

Mr. H. P. Mody: Are Government prepared in the meantime to revise the scale of special duty imposed in August last if a case is made out to their satisfaction?

The Honourable Sir Joseph Bhoré: Sir, if a case is made out to their satisfaction and they are definitely of opinion that further protection is necessary, then they have the necessary powers and they will undoubtedly use those powers.

Mr. H. P. Mody: Thank you.

Mr. S. C. Mitra: Will Government consider the case of the consumers also so that there may not be any necessity for extending this privilege to the favoured few?

The Honourable Sir Joseph Bhoré: I can assure my Honourable friend that the interests of the consumers will be most carefully borne in mind by the Government.

Mr. Gaya Prasad Singh: Is it because my friend, Mr. Mody, has been persistently going round with his beggar's bowl that Government are extending this special privilege to the Bombay mill industry?

Diwan Bahadur A. Ramaswami Mudaliar: Does the Honourable Member realise that his statement that he will bring forward legislation to extend the operation of the Act till October, 1933, involves that the Tariff Board has recommended the continuance or perhaps the extension of the protection so far given to this industry?

The Honourable Sir Joseph Bhoré: My Honourable friend may draw any conclusion he likes.

Mr. B. Das: May I ask if this extension of six months protection to the Bombay mill industry is done in the interest of the Finance Member or it is done in the interests of the public at large?

The Honourable Sir Joseph Bhoré: I think my Honourable friend must realise that if we are not in a position to put revised proposals before this House at once, we could not allow the existing protection to lapse.

Mr. B. Das: May I ask the Honourable the Commerce Member whether he is personally satisfied that the Bombay millowners have satisfied the condition that Sir Frank Noyce laid down in his admirable Report?

The Honourable Sir Joseph Bhoré: I am not prepared to anticipate the decisions of the Government of India on the Tariff Board's Report.

Mr. B. Das: Was it not the first and essential duty of the Honourable Member before he extended the period to have satisfied himself that the Bombay millowners are not extravagant?

The Honourable Sir Joseph Bhoré: I have not yet extended the Act, Sir.

Sir Cowasji Jehangir: Will the Honourable Member please state what objection there is to publish the Tariff Board's Report even if Government have not come to a decision on the matter?

The Honourable Sir Joseph Bhoré: It is not the usual practice for the Government to publish such Reports in advance of their decisions, because there is always room for anticipatory action which may lead to evasion.

Mr. S. C. Mitra: In view of the fact that the consuming public is in a far worse position than a few millowners, will Government consider the desirability of publishing the Report of the Tariff Board so that the consuming public may place their views before the Government before they come to a final decision?

The Honourable Sir Joseph Bhoré: Sir, I will certainly consider how far it is possible to publish the Report in advance of the consideration of this question by this Assembly, so that a fair opportunity may be given to everybody to examine the question before definite proposals are put before the Legislature.

MESSAGE FROM THE COUNCIL OF STATE.

Secretary of the Assembly: Sir, the following Message has been received from the Council of State:

"Sir, I am directed to inform you that the Council of State has, at its meeting held on the 20th February, 1933, agreed, without any amendments, to the following Bills which were passed by the Legislative Assembly at its meetings held on the 6th and 7th February 1933, namely:

1. A Bill to prohibit the pledging of the labour of children;
2. A Bill further to amend the Indian Marine Act, 1887, for a certain purpose;
and
3. A Bill further to amend the Indian Forest Act, 1927, for a certain purpose."

BILL PASSED BY THE COUNCIL OF STATE.

Secretary of the Assembly: Sir, in accordance with the provisions of rule 25 of the Indian Legislative Rules, I lay on the table a Bill further to amend the Negotiable Instruments Act, 1881, for a certain purpose, which was passed by the Council of State on the 20th February, 1933.

THE RAILWAY BUDGET—LIST OF DEMANDS.

SECOND STAGE.

Expenditure charged to Revenue.

DEMAND No. 1—RAILWAY BOARD.

The Honourable Sir Joseph Bhore (Member for Commerce and Railways): Sir, I move:

"That a sum not exceeding Rs. 8,31,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1934, in respect of the 'Railway Board'."

Mr. Lalchand Navalrai (Sind: Non-Muhammadan Rural): Sir, I rise to a point of order. Last year a ruling was given by the Chair that when a cut like No. 1 stood in the names of Honourable Members, the discussion under the cut could be carried on only by those Members who desired that the whole demand should be rejected. In other words, only those Members, who were of the opinion that the whole of the Railway Board should be abolished, could move this cut in which it is asked that the demand under the head Railway Board be reduced to Re. 1. The ruling is already known to Honourable Members of this House and also to the Chair. That prescribed that if a Member had a grievance and he wished to draw the attention of the House only to that particular grievance, then the discussion on that could not take place under cut No. 1. It is only when the Member wishes on general principles and on general points that the Board should be abolished that he could discuss it on this motion. I think it is necessary to read a portion of that ruling which is given at page 1321 of the debates for 1932. This is what it says:

"Honourable Members are no doubt aware that cut motions are usually divided into three categories. One is to reduce the amount of the demand to a nominal figure of one rupee or less. Such motions are intended to refuse supplies for redress of grievances, and no motions of cuts of that character can be entertained except for that purpose. There are two ways of dealing with refusal of supplies with regard to each Demand. One is to oppose the whole grant and reject it; the other is to move a motion of reducing the Demand to a nominal figure. Motions for practical elimination of the whole grant cannot be moved for the purpose of drawing attention to any specific grievance."

Later on, it is stated:

"All motions for practical elimination of the whole Demand will be entertained on the only ground that the Honourable Member wishes to refuse supplies, because he does not approve of the whole policy underlying that Demand. In no other case such cut motions will be allowed."

My point of order now is that if the Chair agrees with this ruling, I wish to abide by the spirit of that ruling and to discuss the whole policy and ask for the elimination of the whole demand. In that case I should like to know whether the three Honourable Members whose names appear before me on this motion also wish to abide by the spirit of that ruling and ask for the elimination of the whole demand.

Mr. Chairman (Sir Hari Singh Gour): How does the Honourable Member distinguish his own cut from that of Mr. Ghuznavi's?

Mr. Lalchand Navalrai: My cut is plain enough. Mr. Ghuznavi's cut mentions "policy and administration". That does not make it clear whether it wants the whole grant to be taken away on the ground of drawing attention to certain grievances. In my cut I have asked for the abolition of the Railway Board. Of course, I have also referred to Divisional Offices, in the present form, being abolished; but that is only incidental in order to draw attention to certain points in connection with the abolition of the Railway Board. My cut is absolutely clear. I do want that the whole Demand should not be given to the Railway Board.

Mr. Chairman (Sir Hari Singh Gour): That is exactly what the Honourable Member wants. He should wait and hear Mr. Ghuznavi before he raises any objection.

Lieut.-Colonel Sir Henry Gidney (Nominated Non-Official): May I rise to a point of order. Hitherto the practice has always been, and the House is trying to build up its own tradition, first to take those cuts which are the largest, and dispose of them before the one rupee cuts or the censure cuts are taken up. I do not say this with a desire to place my cut before the Honourable Member's but I simply want to bring to your notice that hitherto the practice has always been for the largest cut to be taken and disposed of, almost *en masse*.

Mr. C. S. Ranga Iyer (Rohilkund and Kumaon Divisions: Non-Muhammadan Rural): I should like to say that the largest cut is the cut which reduces the entire demand to rupee one, and the practice has been to give precedence to the largest cut, namely, the reduction of the demand to rupee one. You will re-call that originally the practice was to move that the whole demand be omitted. Later on, owing to the advice of the Chair, it was suggested that a positive cut should be moved reducing the demand to rupee one instead of the negative motion for omission.

Mr. S. C. Mitra (Chittagong and Rajshahi Divisions: Non-Muhammadan Rural): I think before the motion was moved at all, it was premature to raise any point of order. The House does not know in what way Mr. Ghuznavi will support his motion or even whether he will move it at all. A similar motion, exactly in the same form, stands in my name and I shall make it clear that I intend to move for the abolition of the Railway Board and I shall give my reasons for it.

Mr. Lalchand Navalrai: Last year the procedure adopted was that before a motion like this came up for debate, the Chair asked the Honourable Member moving the cut whether he was abiding by the spirit of the ruling which I have quoted. I request that the Chair should ask the Honourable Member what his intention is.

General Policy and Administration of the Railway Board.

Mr. A. H. Ghuznavi (Dacca cum Mymensingh: Muhammadan Rural): Sir, I beg to move:

"That the demand under the head 'Railway Board' be reduced to Rs. 1."

[Mr. A. H. Ghuznavi.]

I think I shall be able to make out a case that the whole of the Railway Board should be scrapped. Its policy and administration does not justify its existence. Mismanagement and want of effective control and supervision have caused and are causing loss of lakhs and lakhs annually which have now run into crores. They have no imagination at all. Their short-sighted policy and thoughtless actions have led the Railways to the verge of bankruptcy. Let us remember what was the position years ago. In those years one President ran the whole show, just as the other Departments of the Government of India are run by their members. The administration of railways should be under a Department of the Government of India, such as the Home Department, or the Political Department or the Foreign Department which are run by a Member with a Secretary. Now, Sir, let us see what is this Board composed of. It has one Chief Commissioner drawing Rs. 5,000, one Financial Commissioner drawing Rs. 4,000 and four Members (it has now been reduced by one), five Directors,—goodness knows what they have been directing,—one Secretary, five Deputy Secretaries, one Assistant Secretary, six Superintendents, 96 Assistants, 15 Stenographers and 83 servants.

Well, Sir, I have just said that inefficiency and want of control are responsible for such losses running into crores. I shall take, Sir, with your permission, the coal purchase policy. (Hear, hear.) I showed yesterday that they have saved 20 lakhs this year on their coal purchases. I am not aware what quantity they have bought this year, but last year they bought 21,67,000 tons. If they bought about 22 lakhs tons this year, the saving of these 20 lakhs must have been due to the acceptance of the lowest tenders. Now, Sir, who is responsible for the loss of this 20 lakhs a year? Take the period during which the present Railway Board's Chief Mining Engineer has been conducting the purchases. I believe he has been purchasing for the railways, or put it as you like, for the Railway Board under his guidance since 1920. Now, for all these 12 years, if I take these figures as the basis of my argument, the public have been losing 20 lakhs a year. In 12 years, Sir, the figure would come to two crores 40 lakhs. But what about the good years when they bought between 30 and 40 lakhs of tons? What about the interest on this money that we have lost? Roughly calculating that, it will be amounting to a figure of nine crores. That is what the paper *Business* said. But, Sir, this loss is only on account of the coal purchased for the State Railways. What about the purchases for the Company Railways? They also employ the Railway Board and its Chief Mining Engineer to make their purchases. Last year the B., B. and C. I. Railway purchased four lakhs of tons. I have said that last year the M. and S. M. Railway purchased about four lakhs. They have been purchasing under the good advice and the efficient advice of the Railway Board's Chief Mining Engineer. Now, if the State Railways have been losing 20 lakhs a year, what have the Company Railways been losing? Take this as the basis that four lakhs of tons were purchased for the B., B. and C. I. Railway and four lakhs were purchased for the M. and S. M. Railway and two lakhs for the S. I. Railway; well, that comes to ten lakhs tons a year, and if, on 20 lakhs of tons, we have been able to save Rs. 20 lakhs a year, surely they would also have saved Rs. 10 lakhs. And this Rs. 10 lakhs a year, if you take it for the entire period of 12 years, would run up to one crore 20 lakhs. Then, what about

interest? Well, Sir, the B., B. and C. I., I know for a fact, after I raised a discussion last year in this House and again repeated it in September, have refused to accept the advice of the Chief Mining Engineer and have been making their purchases themselves this year.

Now, I shall show how the Railways have been able to save this 20 lakhs. Sir, last year I brought to the notice of the House the present system of coal purchase. I said, according to that system, this policy of the Railway Board is responsible for huge losses to the Railways, inasmuch as higher prices were given to the favoured tenders and that though coal of the same quality was tendered at lower prices by others, such tenders were not accepted. My Honourable friend, Mr. Jadhav, remarked: "Is it really true?" I replied, "Yes, and I will prove it". And I have proved it. There is a tabular statement here which I have prepared. There I have given the names of the collieries and the rates of the tenders which were accepted last year. Now, the same parties have been offering this year 12 annas to one rupee cheaper. My point is this: Last year they tendered at a certain rate. The table will show that that was accepted. This year they discovered that there is no more favouritism going on and that the lowest tender would be accepted and that that would be the only test, provided the coal was of the same grade and of the same quality and that no more higher prices would be given if lower prices were available.

Mr. F. E. James (Madras: European): You see the prices have also dropped.

Diwan Bahadur A. Ramaswami Mudaliar (Madras City: Non-Muhammadan Urban): What was the lowest tender last year?

Mr. A. H. Ghuznavi: I will give you that also.

Diwan Bahadur A. Ramaswami Mudaliar: Please do.

Sir Cowasji Jehangir (Bombay City: Non-Muhammadan Urban): What is the main point you are trying to make?

Mr. A. H. Ghuznavi: My point is that they did not accept the lowest tender. They want to know, Sir, what is my point. My point is that I have been insisting upon the acceptance of the lowest tender and that, if they had accepted my advice and accepted the lowest tender, in respect of the same class of coal, they would have saved an enormous amount of money. The same graded coal was offered at lower rates, but they paid and would pay higher prices and accept the higher rates.

Sir Cowasji Jehangir: That is what you said last year?

Mr. A. H. Ghuznavi: Now, Sir, I will take European Companies only, so that there may be no doubts in our minds. I will take first Balmer Lawrie and Company. Last year they were given the price of Rs. 4-12-0 for their coal. May I ask, why did they offer their coal this year at Rs. 4-4-0? It was because they knew that unless their tender was the lowest, they would not get the contract. I am only proving it, least it may be said that the statement which appeared in the *Hindustan Times* is not correct. The Honourable Member did not say anything about it yesterday or I would not have submitted this again to the House.

Mr. N. N. Anklesaria (Bombay Northern Divisions: Non-Muhammadan Rural): Mr. S. C. Sen had completely answered the Honourable Member last year.

Sir Cowasji Jehangir: The Honourable Member proves nothing by saying that last year Government accepted a tender of Rs. 4-12-0 and this year the same firm has quoted Rs. 4-4-0 and Government have accepted it. By that he proves nothing. It may be that the price of coal has gone down. What I am trying to point out to the Honourable Member is that he must drive his point home. He has proved nothing up to now. What does he infer from that?

Mr. A. H. Ghuznavi: Your point is that the coal trade has gone down. I will show it to the House by quoting from the *Capital* that it has not gone down. What else can I do? Shares have not been quoted at a lower rate this year than they were quoted last year and they indicate the condition of the market.

Sir Cowasji Jehangir: Now you have got to prove that the market has not gone down and that this firm had to quote a lower rate because of your agitation and speeches in this House.

Mr. D. N. O'Sullivan (Bombay: European): He has demonstrated that the Railway Board must be done away with.

Some Honourable Members: We want a clearer demonstration!

Mr. K. C. Neogy (Dacca Division: Non-Muhammadan Rural): But Mr. S. C. Sen should not be abolished along with the Railway Board.

Sir Cowasji Jehangir: Have the rates for coal gone down now? Prove that.

Mr. A. H. Ghuznavi: They have not gone down. I can only show it to you by a quotation from the *Capital*.

Some Honourable Members: You go on.

Mr. Lalchand Navalrai: I rise on a point of order, Sir. I would submit that if the Honourable Member is confining himself only to the grievances of the collieries, then his discussion does not come under the spirit of the aforesaid ruling.

Mr. Chairman (Sir Hari Singh Gour): The Honourable Member is perfectly right. It was laid down by the Honourable the President in a ruling given last year at page 1321 that grievances to be ventilated in connection with the grants under the Railway Budget may be sub-divided into three classes: First, attacking the general policy and administration of the Railway Board, in which case the whole grant is to be cut or reduced to a nominal figure of Re. 1 or Rs. 100. The second class of cuts confined to the redress of grievances may be tabled by a token cut. The third class draws the attention to specific and particular grievances. If the Honourable Member has a grievance with regard to the coal purchase policy of the Railway Board, his cut would fall under the second category

and not the first. If he wishes to attack the general policy and administration of the Railway Board under this head and gives the instance of coal purchase policy as only one illustration for that purpose, then he is perfectly in order.

Mr. S. C. Sen (Bengal National Chamber of Commerce: Indian Commerce): I rise to a point of order, Sir. The Honourable Mr. Ghuznavi has tabled also three other cut motions, namely, Nos. 45, 46 and 47, and they relate to these specific questions. Cut No. 45 relates to coal purchase policy and cut No. 46 to the administration of railway collieries, which he is now ventilating. So, having regard to the fact that he has already tabled these specific motions, is he entitled now under the guise of this general clause to ventilate these specific grievances?

Mr. Chairman (Sir Hari Singh Gour): It all depends what the Honourable the Mover has in mind. He can use the question of the coal purchase policy to illustrate the general point he is making, namely, that the Railway Board has forfeited the confidence of the public. If he has done that and he is going to do that, he is perfectly in order. (Hear, hear.)

Mr. A. H. Ghuznavi: I will not take any further time of the House by going through all these details. But the test will be when the list will come out showing at what rates they have purchased. We shall be able to find out then that the lowest tender has been accepted. There may have been higher tenders, but we will see that they have not been accepted. I would not go through this list except in regard to one point that I wanted to place before the House. Even my Honourable friend, Mr. S. C. Sen, who got the contract last year at Rs. 8-8-0 was obliged to quote at Rs. 2-14-0 this year.

Mr. S. C. Sen: And even then he has not got it!

Mr. A. H. Ghuznavi: If he had quoted Rs. 8-8-0, he would not have got the contract: so he had to quote Rs. 2-12-0. That is the test that I am going to place before this House. Mr. Sen did realise that this year his friend would not come to his rescue as there was no longer the old favouritism and, therefore, he had to cut down the price of his tender to Rs. 2-14-0 from Rs. 3-8-0.

I will now take up another point to show why the Railway Board should be abolished. This point is about the shipment of coal by ship instead of by rail. Sir, the Railway Board is there to look after the interests of the Railways. What business have they, may I ask, to ship the coal to Madras for the M. & S. M. Railway and pay Rs. 14,80,000 to the foreign shipping firm?

Mr. N. M. Joshi (Nominated Non-Official): But if it is cheaper?

Mr. A. H. Ghuznavi: I think my Honourable friend, Mr. Joshi, was not here yesterday when I said that it was not cheaper and I demonstrated that fact; and even if it is cheaper, what right have you, sitting here, to deprive the Railways of their freight? Sir, in this connection I will read a letter from Sir Trevelyan Wynne. He says:

"I enclose the note regarding the loss to Government by sending Railway coal to Madras by the sea instead of by rail."

[Mr. A. H. Ghuznavi.]

Then he goes on to give the note which I have placed before the House already.

An Honourable Member: Why not read it?

Mr. A. H. Ghuznavi: Very well, I will read it. The note says:

"Recently tenders have been called for by the M. and S. M. Railway for 400,000 tons of coal to be delivered at Madras.

Tenders are to be made for—

	Tons.
Railborne	215,000
By sea	185,000 "

They have got their own collieries somewhere in the Central Provinces, so they get that by rail:

"Railway coal despatched to Calcutta for shipment to Madras is treated as export coal and a rebate of 37½ per cent. of the ordinary rate is given.

In addition, Steamship Companies are not bound to charge standard rates and can reduce them to any figure that will make the total cost of carriage of the coal by sea less than the carriage by rail

From the point of view of the Government of India, which is very largely interested in both the B. N. Railway and the M. and S. M. Railway, carriage by sea, instead of by rail, even at a slightly lower cost by sea, is a dead loss.

For the carriage by sea actual cash has to be paid. If sent by rail, Government is saved the cash expenditure incurred by using the sea route.

For carriage over the B. N. Railway section of the route, the M. and S. M. Railway pays the B. N. Railway, but this payment, so far as Government is concerned, is only out of one pocket into another.

For the carriage of the coal over the M. and S. M. Railway from Waltair to Madras, the M. and S. M. Railway avoids expenditure in cash as the Railway pays the freight to itself and the actual cost of carriage is only the cost of the coal, oil and water used by the trains carrying it over the M. and S. M. Railway Company's line.

As regards the M. and S. M., coal for 1932-33, the financial effect of sending 185,000 tons of coal by sea, instead of by rail, is approximately as follows:—

Then, he gives these figures which show, as I have said, that by rail it would cost Rs. 13-2-0 and by sea, Rs. 11-7 0. But, as I have pointed out, 30 per cent. of the whole coal will be converted to dust by six times loading and unloading and will be wasted. That will make the rail freight cheaper than sea freight.

Then he goes on to say:

"It will be seen that of the rail *cum* sea rate, Rs. 8 lakhs represents a definite cash expenditure on the part of the Government of India and in the case of the M. and S. M. coal would amount of Rs. 14,80,000. The all rail route, although Rs. 1-11-0 per ton more than the rail *cum* sea route, does not involve any cash expenditure on the part of the Government of India except the comparatively insignificant sum on the coal, oil and water consumed on the journey."

Then, Sir, what about the South Indian Railway? There you find the same thing,—shipping, and putting lakhs and lakhs into the pockets of the British India Steam Navigation Company and the Railways are losing their freight, and the Railway Board is here, enjoying the bracing climate of Delhi and Simla. Now, Sir, bear this in mind; this shipment business

has been going on for the last 12 years. Even assuming that this has been the quantity they wanted every year, which is not a fact, because, in better years, they must have required much more coal, the Railways have been losing freight to the tune of Rs. 14,80,000 a year which, for the last 12 years, works up to two crores. Thanks to the Railway Board, they have made the Railways lose two crores during the last 12 years.

Mr. K. O. Neogy: What would Lord Inchcape have said if they did not do it?

Mr. A. H. Ghuznavi: My Honourable friend, Sir Joseph Bhore, is not only the Railway Member, but he is also the Commerce Member, and that is the trouble. That is the reason why we did not get the Dacca-Aricha line.

Then, Sir, I will take the rates, not the surcharge, but the extraordinary freight they have put on coal. The coal required in Madras for trade, for the public and for others, excepting the Railways, is a very huge quantity, which, I am told, is 20 to 30 lakhs tons. They are shipped. If they lower the freight, they can carry this coal by rail to Madras. The same thing also applies as regards Bombay. Coal is being sent from Calcutta to Bombay by sea. If they reduce their freight, they can capture the freight again. And, as I have shown, it does not cost them anything at all at the moment, because they have nothing to carry. They are simply adding to the unemployment. Why not reduce the rate and get back the freight and recover the losses. It is no use sitting here and passing confidential circulars as to what to do and what not to do.

Then, Sir, I will come to the losses in the railway stores. Yesterday I gave the House the figures—how the Public Accounts Committee discovered that there were 54 lakhs of stocks in the stores not shown in the books. I believe, five years ago, Mr. C. A. Meade, Controller of Stores, Eastern Bengal State Railway, had retired and, just at the time of his retirement, Mr. Hayman wanted to appoint him to go through these stores business in the E. I. Ry., and he was there for three years. I have heard from him that he found that obsolete stores worth crores were lying in stock useless. On the top of that, you have this report that 54 lakhs worth of stock is not shown in the Books at all. If that was so in the E. I. Ry., what would be the condition of the stores purchased throughout all the Railways. This is only one instance of the E. I. Ry. Honourable Members are aware—and particularly my friend, Dr. Ziauddin Ahmad, who raised, I believe, a debate either by a Resolution or by a question—about the Hayman-Mohindra punch. I should like to say that amongst Honourable Members here I travel the most, almost every month, and one very high official of the Railways told me that they had got to buy the Hayman-Mohindra punch which would last them for the next two hundred years. In order to popularise the sale of the Hayman-Mohindra punch, it was found that the crew system was the best system in the world for checking the tickets. So a very large number of crews were appointed with the consequential acceleration of the sale of the Hayman punch, and, after the completion of the sale, the crew system now is not found to be good. I pity the poor crews and ticket checkers who have to carry with them this heavy bulky punch weighing about 2½ seers. I am not sure whether the Hayman-Mohindra Company have also a share in the Little's Oriental Balm. These poor wretched fellows—the ticket collectors—no longer

[Mr. A. H. Ghuznavi.]

crews—have to carry in their right hand that heavy punch and it aches them and so they must be applying Little's Oriental Balm to alleviate the pain.

Mr. S. C. Sen: Does the Stores Department buy Oriental Balm?

Mr. A. H. Ghuznavi: Why should they buy Oriental Balm? They should buy the Hayman punch and nothing else.

Then, Sir, I said yesterday that the East Indian Railway and the Eastern Bengal State Railway had their offices situated across the street. One could understand it while the Eastern Bengal State Railway was a State Railway and the East Indian Railway was a Company Railway. But what is there now not to be able to amalgamate the two Railways and save, as was pointed out by my Honourable friend, Sir Henry Gidney, yesterday, between 30 and 40 lakhs of rupees? The two lines taken together will be much less than the North Western Railway line mileage. Why should you have two Agents, two Chief Medical Officers at this time of much needed economy? Mr. Hannay, who has the experience of the East Indian Railway, had been with the Eastern Bengal State Railway and he has also the experience of the Railway Board work. Dr. Sir Hasan Suhrawardy, the Chief Medical Officer of the Eastern Bengal State Railway, has also worked as the Chief Medical Officer of the East Indian Railway, and he has got both the experience. Therefore, my suggestion is to combine these two offices and save 40 lakhs of rupees, as was pointed out by my Honourable friend, Sir Henry Gidney, yesterday.

Mr. B. R. Puri (West Punjab: Non-Muhammadan): I do not understand the Honourable Member's argument. Mr. Yamin Khan, who has got the experience as a Member of the Council of State, is now a Member of the Legislative Assembly. Does my Honourable friend mean to say that, therefore, the two Houses should be combined?

Mr. A. H. Ghuznavi: The question is that he has been running the East Indian Railway and also he has the experience of running the Eastern Bengal State Railway. You cannot, therefore, compare this instance with a Member of the Legislative Assembly.

Diwan Bahadur A. Ramaswami Mudaliar: May I understand that because the Railway Board have not amalgamated these two Railways, they should be abolished?

Mr. A. H. Ghuznavi: Certainly.

Dr. Ziauddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): Are you not pressing upon the Honourable Member to reduce the overhead charges by amalgamating these two?

Mr. A. H. Ghuznavi: Certainly. Sir, I will now take the collieries.

Mr. M. Maswood Ahmad (Patna and Chota Nagpur cum Orissa: Muhammadan): Why did not my Honourable friend raise this question in the Standing Finance Committee for the Railways?

Mr. A. H. Ghuznavi: I am a member of the Railway Standing Finance Committee, but I was at that time in England.

Mr. Lalchand Navalrai: Might I know why the Honourable Member is so fond of colliery? Is he interested in it?

Mr. A. H. Ghuznavi: I do not possess one single inch of coal land. I have nothing to do with the collieries. By a misfortune I was the Director of three collieries and have tendered my resignation from all of them. I have nothing to do with the management of collieries. I have never been a managing agent, nor have I got any collieries, nor have I got any shares in collieries, and I want to make myself clear on that point.

Mr. Lalchand Navalrai: Is it the past sympathy of the Honourable Member that induces him to discuss the collieries?

Mr. A. H. Ghuznavi: Well, Sir, there is a history behind these collieries. Tons of money have been wasted and I will tell
 1 P.M. you how it has been wasted. They did not call for public tenders to raise their coal. What further condemnation can you have against the Railway Board? What have they been doing here? They did not know that there was no public tender called for raising coal, not until I had brought the matter to their notice; and they are supposed to be supervising and exercising all caution. I gave the result yesterday. Once they called for public tenders where they were paying Rs. 1-6-0 they have now to pay thirteen annas. Taking that figure alone, there is a saving of nine annas a ton. According to my Honourable friend, Mr. P. R. Rau, they raised eleven lakhs tons of coal and, on that figure, you would have saved Rs. 5½ lakhs. I shall show that you have saved even more. Here is a list which I will place on the table—the names of the contractors and their rates. One contractor, K. Worah & Co., gets Rs. 1-8-0, not Rs. 1-6-0: according to that, there should be a saving of eleven annas. The next is the Chief Mining Engineer's *chaprassi*, Rambilas Sing, and he gets Rs. 1-8-0. The third man is K. C. Thapar, and his rate is Rs. 2-0-0. The next is Jatasundar Dossa, and his rate is Rs. 1-6-0. Then, again, Worah & Co. come in with the rate of Rs. 1-6-0. Then, there is one Mr. A. B. Searge, and his rate is Rs. 1-6-0. Then come Madhabji Mapa, Mr. Simon, and the brothers of Madhabji Mapa, all with the rate of Rs. 1-6-0; and, then, again, Rambilas Sing, who gets Rs. 1-12-0; then Ladha Singh, who gets Rs. 1-6-0; and A. L. Ojha, who gets Rs. 1-12-0; and A. L. Ojha's minor son is another firm which gets Rs. 2-2-0. All these rates are merely for raising coal and they were given these rates without calling for public tenders; they cannot deny that they have not called for public tenders until last year when I raised a debate; and then only they sent a circular that in future they cannot give to any contractor without calling for public tender for raising coal.

An Honourable Member: What is your complaint then?

Mr. A. H. Ghuznavi: My complaint is that they were losing 30 to 40 lakhs over this raising alone

Mr. S. O. Sen: The Honourable Member forgets that last year the collieries raised only 12 lakhs of tons.

Mr. A. H. Ghuznavi: Yes, I will come to that; last year they have raised only 12 lakhs tons: and they would have saved 12 lakhs on that; but that is not the only figure. That is only for the raising contract. What is the complete average cost? It is Rs. 4 a ton and what is the cost of the private companies of raising their coal that they can sell them at Rs. 4 or Rs. 3? Here is a company . . .

Mr. S. O. Sen: Of which you were a Director.

Mr. A. H. Ghuznavi: I was: I am no longer a Director of the company . . .

Mr. N. N. Anklesaria: May I know from the Honourable Member whether the Railway Board have not benefited by his advice tendered in this House last year? And, if so, what is his complaint about the Railway Board in this connection?

Mr. A. H. Ghuznavi: My complaint is that I am moving the cut to abolish the Railway Board . . .

Mr. N. N. Anklesaria: For following your advice?

Mr. A. H. Ghuznavi: For not following my advice until last year. I want them to be abolished; they have no business to be there . . .

An Honourable Member: Then who will call for the tenders?

Sir Cowasji Jehangir: I rise to a point of order: we are not sitting in Committee; we are sitting in the House and I think that the Honourable Member should be allowed to proceed with his speech and the proceeding should be that of the House and not of a Committee.

Mr. Chairman (Sir Hari Singh Gour): The Honourable the Mover of this cut has announced to the House that he wishes to raise a debate on the general policy and administration of the Railway Board and it is on that understanding that the first cut was allowed; and I hope Honourable Members on both sides will indulge him to that extent and, I am quite sure, that the Honourable Member will realise that what he said yesterday need not be repeated today, and that that leads to a considerable amount of interjections and interruptions.

Mr. A. H. Ghuznavi: Thank you, Sir. I am closing this debate. I have stated why the Railway Board should be abolished. I have given you reasons: the coal purchase policy, the way in which they run their collieries; not amalgamating the East Indian Railway and Eastern Bengal Railway and not amalgamating the medical services on both these Railways; their short-sighted policy in not reducing their coal freight to enable coal to be carried cheaper and to enable them to earn more freight: depriving the Railways of their legitimate share of freight by sending coal by steamships to Madras. Sir, I move.

Mr. Chairman (Sir Hari Singh Gour): Motion moved:

"That the demand under the head 'Railway Board' be reduced to Re. 1."

Mr. S. C. Mitra: Sir, I support the motion of my Honourable friend, Mr. Ghuznavi, for the abolition of the Railway Board. In his speech Mr. Ghuznavi concentrated his main attention to only one side of the railway policy. I think he was right to do so; it will not be possible for any Member in this House to deal exhaustively with all the various defects and deficiencies and maladministration of the Railway Board even if he speaks for hours together. Last year, the Honourable Mr. Ghuznavi, in his speech, made certain very serious allegations. I am glad that gradually he had occasions to substantiate those charges and, in further stages of this debate, I hope, if anything is left to prove the case completely, the Honourable Mr. Ghuznavi will do it. On those considerations I do not like at all to say anything about the coal contract policy of the Railway Department, though I know fully well that a large sum of money, estimated to be about 25 lakhs of rupees, have been saved this year from the coal contracts alone. It has been rightly said that to show it conclusively, it shall have to be proved that the coal rate in the market is more or less the same as in the last year, and that the principle of accepting the lowest tender, so far as possible, has conduced to have the reduction of such a large sum as 25 lakhs in the Railway Budget of this year.

I should like to devote the few minutes that I have at my disposal to the question of the policy of Indianization of the Railway Board. To make myself particularly relevant to this motion, I say that I want the abolition of the Railway Board. By that I do not mean to suggest that the posts of the Chief Commissioner of Railways or of the Financial Commissioner should be abolished altogether; but I would like to press upon the attention of the Government that if the other departments of the Government of India can be managed by a Member with his Secretary, Deputy Secretary and one or two Assistant Secretaries, wherever necessary, why should the Railway Department have the luxury of not only having a Chief Commissioner who holds the position analogous to that of a Secretary to Government, but also a Board and a Directorate consisting of six Members, Secretaries, Deputy Secretaries, Assistant Secretaries and a large host of officers. It was a fashion in olden days to have Directors-General and, I think, it is a legacy of those olden days that we see in the Railway Board. Though it has ceased in other departments, it is being persisted in the Railway Department, because there is enough money to waste. If we look at the demand for grants, we find that we pay to the Chief Commissioner Rs. 5,000 a month, and not Rs. 4,000 which other Secretaries are paid. The Financial Commissioner is paid Rs. 4,000 a month, and there is provision for three Members, though now we are carrying on with only one Member on Rs. 4,000 a month. Other posts are held in abeyance, and that shows that all these posts are really not necessary. I shall show a little later that the Member who is now retained is the last Member who was added to the Board, that is the Member for Staff and Labour. When the whole scheme was contemplated in 1921, there was no question of a Member in charge of Staff and Labour, while there were recommendations for two Members for traffic and engineering. There is also provision for five Directors, and their pay ranges from Rs. 2,100 to Rs. 3,180 per month. Looking to the demand for grants, I find that in 1932-33 there was provision for four Directors, and now they have added one more. There is also a Secretary drawing Rs. 2,500 to Rs. 2,980; then, there are five Deputy Directors drawing a scale of pay Rs. 550 to Rs. 2,130.

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There is a Deputy Secretary, one Assistant Secretary drawing Rs. 1,000 to Rs. 1,250 and several Superintendents. My main contention is, as we found in the Local Governments as well, there is no necessity of these Boards. We have here also a Central Board of Revenue in the Finance Department. It was suggested by the Retrenchment Committee that, instead of a Central Board, there should be only one man in charge as it would be conducive to economy and efficiency. It is for the Government of India to show that the work cannot be carried on by one man as it is being carried on in all the other big Departments, say, in a Department like the Home Department which deals with so many branches and so many offices through the regular Secretariat. When any question is put in this House, the usual reply is to the effect that the question will be sent to the Agent.

Mr. Chairman (Sir Hari Singh Gour): How long will the Honourable Member take?

Mr. S. C. Mitra: I will take a little more time. Sir.

Mr. Chairman (Sir Hari Singh Gour): The Assembly will adjourn till Half Past Two.

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

The Assembly re-assembled after Lunch at Half Past Two of the Clock, Mr. Chairman (Sir Hari Singh Gour) in the Chair.

Mr. S. C. Mitra: At the time the House rose for Lunch, I was discussing the question about the position of the Agents of the different Railways. I was saying that innumerable questions were raised in this House and the usual reply that we got from Government was that they were within the exclusive jurisdiction of these Agents. I do not grudge that position. I fully appreciate that, in the routine administration of the Railway Department, nobody in this House will care to interfere, but I like to infer from this point of view that all these really important matters are decided by the Agents. that the Railway Board is a mere co-ordinating body and that that was the purpose for which it was originally created. These Agents have their complete paraphernalia,—Divisional Superintendents in all the important junctions. They have got, my friend, Dr. Ziauddin, tells me, Operating Superintendents and Accounts Officers, and all the staff that is necessary to carry on the Railway Administration. The real responsibility for the Railways lie with these Agents. If that is so, then what is the necessity of having such a big body like the Railway Board? It is almost a third wheel in the Railway Administration and it merely hampers the work. Later on I shall show how the third Member, instead of encouraging Indianisation, is merely impeding it. Referring to the Railway Convention, which is in Appendix D of the

Railway Board's report, Vol. I, page 98, I find that there was a specific condition for acceptance by this House of that Convention. It reads thus :

"Apart from the above Convention, this Assembly further recommends that the Railway services should be rapidly Indianised and, further that Indians should be appointed as Members of the Railway Board as early as possible."

I shall presently quote figures about this process of Indianisation. Last year I was quoting figures to prove how the process of Indianisation, not only amongst the minority communities like the Muslims, was going at a very unfavourable pace. I find in Mr. Hasan's report it is stated on the very first page :

"It was subsequently decided by the Railway Board that I should in the first instance confine my investigation to the subordinate staff only."

Later on, there may be some inquiry about higher gazetted officers. I do not know if, afterwards, any inquiry was made. I find even the Acworth Committee in 1921 on page 58 saying this :

"Until recently opportunities for the technical training of Indians were lacking and, owing to the absence of opportunities, few Indians were able to reach the standard required for the superior posts. Certain opportunities are now being provided."

Now, the latest figures that are available show that for gazetted officers in the year 1932, there were a total of 1,949, of which Europeans comprised 1,270, Anglo-Indians 130,—that is, out of a total of 1,949, 1,400 posts go to Europeans and Anglo-Indians, Hindus 430, Muslims 73, and Sikhs, Parsis and other minority communities account for 63. Then as regards the next class, which draws Rs. 250 and over, the total is 8,591,—of which Europeans comprise 1,855, Anglo-Indians 3,629, Hindus 2,059, Muslims 375 and others 673. If we are to judge about Indianisation, it should not be by counting the heads of clerks and menials that are employed all over India. The real strength of Indianisation must be judged by these superior posts and who enjoy these posts. I shall now show that Government made certain provision for training some of the apprentices who could aspire, after getting training for several years, to get these highly paid jobs, so that it may not be said that there were no qualified men found in India. Here is the Railway Board's Notification, dated the 7th September, 1930. Here it is stated :

"The permanent establishment of the Mechanical Engineering and Transportation, Power Departments of the Superior Revenue Establishment of State Railways is recruited from the following sources, (i) persons of non-Asiatic domicile appointed by the Secretary of State by selection from the United Kingdom, (ii) persons of Indian domicile appointed in India by the Government of India by selection under these regulations and (iii) by promotions of special qualified subordinates of the department concerned, and (iv) occasional appointments of other qualified persons."

Looking at it, it will be clear how perverse is the idea of recruitment in this country. In recruiting for the higher railway services, firstly the Railway Board is anxious for the recruitment from persons of non-Asiatic domicile. Every man, with ordinary common sense and an idea of decency, will be ashamed to hear that the Government are anxious, in the first place, to recruit men of non-Asiatic domicile. I think these days will shortly be over.—now that we have a sympathetic Member who is responsible for Indian Railways, and I certainly hope that there should be at

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least some decency in these circulars, and that it should never be claimed that Indians should be considered as helots in their own motherland, and that in the first place, for recruitment for the Railway services, account should be taken of non-Asiatic, and not only non-Indian, but non-Asiatic domicile. Then there was an arrangement made that a dozen boys should be recruited through the Public Service Commission from the provincial quotas from the whole of India who were to be trained at the Government Technical School at Jamalpur and that those who were found qualified were to be sent to England for further training for a period of two years. Now, I would ask the House to consider what happened this year particularly. Out of 12 boys that were taken, 10 boys were found fully qualified by their Professors. But the Railway Board, in their wisdom—and I shall try to show why we have particularly a Staff Officer to look after these things—found that only six boys would be sent though 10 boys were found to be qualified. Sir, throughout the whole of India, they say, they can provide room only for six boys. Then, there is a further contention, I understand, that the High Commissioner might have failed to secure facilities for training in workshops in England for more than six. Sir, we buy each year crores of rupees worth of stores from England. Well, if the High Commissioner nevertheless cannot provide facilities in English workshops for more than six men, why is this High Commissioner for? If England, I ask, fails to give training facilities to our boys, then there are other countries of the world who are willing. I really wonder, Sir, that any country that gets the great privilege to sell crores of rupees worth of stores to India should hesitate to provide for the training of only 10 Indian boys in their Railway Workshops! Anyway, I know the Honourable the Commerce Member is very sympathetic and he knows that lots of money have been spent in giving a stipend of Rs. 100 a month to each of these boys selected from the whole of India on a provincial quota basis. If, after we have spent over Rs. 5,000 on each of these boys, they are thrown out, not only the money but the career of these promising boys will be utterly ruined. I fully expect that the Honourable the Commerce Member will try to convince the House that he really means that India's money is not wasted, whatever may be the opinion of the Railway Board in these matters. I think it is for one of these reasons that the Europeans here are anxious for a Statutory Railway Board—not only are they not satisfied with a Railway Board which they already dominate and with which they use their influence as they like, but they want a Statutory Railway Board which will not encourage in any way Indianization, but will put impediments there and do all such things. I now see why through the Round Table Conference they want a Statutory body, not in any way to help the better administration of Railways, but merely to put a stop to all the aspirations of Indians to be masters in their own house. So, Sir, I submit, that the question of Indianization should not be judged merely by reference to the aggregate numbers of all sorts of Indians in the Railway service. If Government honestly want to do justice to this issue, then they should find out how much money is paid to the high European officials, and then the real measure of Indianization will be judged by these high posts carrying a salary of over Rs. 250 a month, and not by counting the heads of all coolies and clerks throughout India who are in the Railway Department. I say, the Railway Board have thoroughly failed to satisfy Indian expectations in this field and that is one of the reasons why we want the abolition of this sham Railway Board.

Sir, my friend, Mr. Ghuznavi, said much about coal contracts. I do not like to say anything about that, but the other question about the State collieries is a matter in which also this Railway Board has hopelessly muddled. That is a matter which was before the Public Accounts Committee, but I do not understand why the Railway Board, delaying that evil day, did not place all these matters before the Public Accounts Committee during all these months after the Simla Session, and that is a matter which, I hope, they will fully explain. I will only say here now that I find, by making calculations from the books supplied, about collieries belonging to the Railway Department that the cost comes to Rs. 3-15-0 per ton for raising alone, but that perhaps takes no account of the large interest on Rs. 3,35,57,000 that have been invested as capital for collieries; and even this year, there is a provision for spending another eight lakhs on the development of some collieries,—the Talcher and others. From these it is evident that the cost of raising alone of these State collieries is Rs. 3-15-0 per ton, not taking into account the huge interest on Rs. 3,35,00,000, invested. I further understand that this cost per ton of coal will be further increased if slack and ashes, which account for about 25 per cent., are also excluded. In that case it will go up to a higher figure; and then most of these collieries are producing only second class coal and the price of second class coal, in the market, is about Rs. 2-12-0. If that be the condition, then—I speak subject to correction on this point because I am not so sure about the figures,—the position is very unsatisfactory; this, of course, is what I infer from Government's colliery publications. If my assumptions are correct, if, by omitting that material element of the huge interest charges and the question of slack and ashes, the cost comes to Rs. 3-15-0, then it is time for Government, I say it is the duty of the so-called Railway Board which has been supposed to look after the interest of the Indian tax-payers for all these years, to close up, if necessary, these collieries or to give them out on lease. That is a mere suggestion and I do not like to develop that point now, because I still hope that the Railway Board will delay no more in placing all these facts before the Public Accounts Committee as they had promised last time during the Simla Session they would do, but which they have failed to do up till now.

Now, I should like to say a few words about the Railway Board performing their duties towards the third class passengers. I do not fully agree with my friend, Mr. Joshi, that the first class or the second class Railway carriages should be done away with. I know the well-known railway principle that these passengers may be taxed to the tune of what the "traffic will bear"; it is no use, because, on a strict arithmetical calculations, the first or second class may not pay, saying that the first and second class should be abolished altogether. But there was much in the contention of my friend, Mr. Joshi, that the third class passengers are not properly treated. It is a common saying that the holders of the yellow tickets are very rudely treated by our Anglo-Indian officials. I have often seen at stations like the Ambala Cantonment, Saharanpore and Hardwar where third class passengers are stopped from getting into the train nor are they permitted to come to the station platform, before their more fortunate brothers, holding second and first class tickets, have taken their seats in the train. They are put in a cage and are let out only when the ticket holders of the favourite classes have been comfortably seated. Sir, I would like to tell the Honourable the Commerce Member that in these days of growing competition with motor buses, it will not pay the

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Railway Board to neglect the third class passengers. It is the same fare for the third class passengers whether they travel by train or by bus. In fact, in the case of a motor bus, they have the facility of taking their own time, because there is a bus every 15 or 20 minutes. Apart from all these things, if the railway officials (particularly the Anglo-Indian officials) do not improve their manners as regards the treatment of the Indian third class passengers, I am afraid the Railways will undergo a great loss. But in spite of hundreds of reports of Mitchell-Kirkness, they will not be able to improve the Railway revenue. I have another suggestion about the treatment of third class passengers. Formerly, we used to have small compartments for 8 or 12 passengers. But now they have made it a principle to have big railway carriages providing for 40 or 50 passengers with a small latrine in one corner, which is so small that a bulky man like my friend, Mr. K. Ahmed (I am sorry he is not in his seat), or even my Honourable and gallant friend, Lieut.-Colonel Sir Henry Gidney, cannot get in.

Lieut.-Colonel Sir Henry Gidney: Is there any necessity for the Honourable Member, being one of Pharoah's lean kind, to make any anatomical reference to me? (Laughter.)

Mr. S. C. Mitra: If my friend has any objection to it, I beg to withdraw my remarks.

Lieut.-Colonel Sir Henry Gidney: I have no objection at all: I am from the Round Table Conference!

Mr. S. C. Mitra: My suggestion is that the compartments should be smaller and, in each such small compartment, there should be provision for a latrine with sufficient accommodation in it.

I would also like to make a few remarks with regard to the reserved accommodation for third class passengers. Last year at Simla some persons approached me and I had the occasion to write and also to speak to the Financial Commissioner. It was brought to my notice that at Kalka it was impossible to reserve third class accommodation for 10 or 12 men. I have already said that the Railway Board must justify its existence. In the very beginning there was only one gentleman who used to look after the State Railways. He was known as the Consulting Engineer when all the Railways were under the Public Works Department. Afterwards, the post of the Director of Railways was created. Subsequently, posts of some other Directors were added, but all that time the work was done by the Secretary and the Under Secretary as is the case in the other Departments of the Government of India. The advice of technical experts was taken only in the case of Railway construction. I think the creation of the Railway Board as such was recommended by the Acworth Committee in 1921. The idea of this Committee was that there should be a Chief Commissioner and a Financial Commissioner and the whole of the Railway system should be divided into three divisions, Western, Eastern and Southern and that there should be three Members of the Railway Board like the Agents of these Railways. But, in giving effect to their recommendation, the Railway Board decided that there should be a

Chief Commissioner and a Financial Commissioner and two Members,—one, who will be responsible for technical subjects, and another, for the general administration. Gradually, a third Member was added to look after the staff and labour. But I think it is well known to the House that there are at present as many as five Directors with six Deputy Directors to look after the works, bridges, stores and traffic. There is one Assistant Director, and there are Deputy Directors, Director of Finance, Assistant Director of Statistics. Now, in the Railway Board the post of the Member for Traffic has been kept in abeyance since 29th March, 1932, and the post of the Member for Engineering has also been in abeyance since 5th March, 1932. That shows that the real experts either in the technical or in the general line are not there. So it must be admitted that they are not so essential. Nobody contends that the post of the Chief Commissioner or that of the Financial Commissioner should be abolished, but what is the necessity for keeping a third Member who is to look after the staff and labour? Is he there only to look after the interests of Europeanisation and Anglo-Indianisation? So, I suggest that Government should do away with the Railway Board and make the Chief Commissioner responsible for the Railways as is the case with any other Secretary in the Government of India. Of course, he will be helped on the financial side by the Financial Commissioner and there may be Deputy Secretaries, Joint Secretaries and Under Secretaries to give him help, for it is expected that it is the Agents who are really responsible for the running of various lines. It is these Agents who ought to be held responsible for the day to day administration, and a huge sham like this Railway Board which costs 12 lakhs of rupees should be done away with. Sir, with these words, I support the motion of my friend, Mr. Ghuznavi.

Mr. Lalchand Navalrai: Sir, I am not interested in coal or collieries—neither at present, nor in the past. I will, therefore, not touch on the question of collieries, but I will attack the Railway Board for their general policy and points of view. Sir, there should be no surprise at this bold cut having been moved for removing the Railway Board. It is not the first time that such a cut motion has been moved. Last time it was moved by Mr. Bhuput Singh and supported by Dr. Ziauddin Ahmad and myself. Sir, on this point, before I give my own reasons, I must say that Dr. Ziauddin Ahmad is nowadays recognised as taking the utmost interest in the Railways and is considered one of the experts. Therefore, I will quote him as an authority and say what he urged on the last occasion. He said:

“Sir, this motion practically means that the Railway Board should be abolished; and from what we have been discussing during the last two years, I for myself do not find any reason for its existence in the present form. I have been trying to find out whether the responsibility for efficiently running the lines rests with the Agents or the Railway Board. I put this question definitely in the Assembly, but I got no reply; and if the Railway Board do not take the responsibility upon themselves for the efficient working of the Railways, I do not see any reason for their existence, and the motion of my Honourable friend is quite to the point.”

A similar motion is now before the House and I submit that a great deal has been said in this House in favour of the acceptance of this destructive proposition. The constructive part of it has also been put forward, and I will also put that before the House more clearly. To begin with, I will give my own reasons for the Railway Board being done away with. The first of my reasons is that it is uneconomical to maintain

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such a huge Board with such a large body of staff. If I call it a "white elephant", the name will be very appropriate. My second reason is that the Board does not hold itself responsible for the working and action of its Agents. My third point is that so far as the Company-managed Railways are concerned, the Board maintains an attitude of indifference. Then, Sir, the fourth is that there is maladministration and lack of supervision of the Board generally.

Now, Sir, I will take the first point first. So far as economy is concerned, I think the Board does not know what economy is. In those prosperous days when the Board had large amounts of money and there were surpluses in the Budgets, the Board did not think of the rainy days when they would require money even to meet their ordinary expenses. In those days, they went on increasing their officers and they have made the Board top-heavy—not only the Board, but even their Divisional Offices and the Agents' Offices. If you look at them, you will find a maze of offices and a battalion of unnecessary officers. The work which can be done by one man is being done by three and that is being done in a piecemeal fashion which takes so much time. With regard to this, it has been shown how the Board is at present constituted and I think it is claimed that two Members of the Board have been done away with. But I should like the Honourable the Railway Member to make it clear whether these two posts have really been reduced or merely kept in abeyance. If they are in abeyance, there is no reduction at all. In that case, these two officers must be enjoying their leave and other allowances in England without doing any work. If that is so, it is a very deplorable state of the Railway Board.

Mr. P. R. Rau (Financial Commissioner, Railways): May I say, Sir, that it is not so?

Mr. Lalchand Navalrai: May I know how it is?

Mr. P. R. Rau: The number of Members have been reduced from three to one. The two officers reduced are at present holding other posts.

Mr. Lalchand Navalrai: May I know if these were new posts created for them?

Mr. P. R. Rau: They were not created for them.

Mr. Lalchand Navalrai: May I know which are these two posts?

Mr. P. R. Rau: The two officers are Mr. Brayshay and Mr. Hannay. One is the Agent of a Company-managed Railway and the other is the Agent of a State-managed Railway.

Mr. Lalchand Navalrai: Anyway, both these officers have been provided for and that does not mean that the numbers have been reduced; they may have been reduced as such in the Railway Board.

Then, Sir, it should be considered why such a large body of officers should now be retained in the Railway Board, and this leads me to the question of Indianisation. I thought that the Railway Board would take it that the services of the Board should be Indianised. If this is done, it is also a way to economy; and the question is, have the Board taken notice of the warning that has been given to them for a very long time? Sir, I do not in the least wish to cast any aspersion on Mr. Colvin who has now been put in the place of Mr. Hayman; but I do say that the post was held by an Indian and should have been given to an Indian. I do not understand why that post was not given to an Indian. It was reported that an Indian was going to occupy that post, but that hope has not been fulfilled.

Then, Sir, I need not go into the details to show how much is being spent by the Railway Board on the staff. It has been sufficiently shown in the past that the salaries that are being given in the Railways are too high and that they ought to be minimised. I submit that the Railway Board should have taken a warning when they were told for a long time that they should keep their own house in order, but they have certainly not done so. The tendency seems to be to increase the number of officers and to appoint more and more so-called experts. We see that the whole policy is that the Railway Board only wants to keep under their own check the making of the policy which may guide the Agents, but they are not actually supervising and paying particular attention to the very work of the Agents. That leads me to the second point that they are not holding themselves responsible for the working of their Agents. Sir, is it not a deplorable feature that whenever we have asked questions in this House about what the Agents have been doing, and represented grievances of the Railway officers or of the public, and asked the Treasury Benches to give relief to those public servants and the public, we have always received the stereotyped reply that it was not the concern of the Railway Board, but that it was within the competence of the Agent? Sir, it is really a matter for very serious consideration whether the Board should exist. It is not only that we have been getting such replies with regard to small matters of detail, but it is so even on matters of policy. I must mention of two instances that occurred when I had put questions to the Assembly in regard to subordinate officials. The first question was with regard to the policy of the Government or the Agents with regard to the transfer of subordinate servants from one district to the other, and I presented in those questions the case of two ticket collectors who had been transferred long ago from the Quetta Division to the Delhi Division. Their grievance was that, according to the rule of the Agent, they had to remain at one place outside their district for three years only, and that though they had remained there for more than three years, the Agent of the Division had refused their transfer. There was another point in it, i.e., that they had been for the last three years, away from their home district and that that was causing them great inconvenience in providing facilities for the education of their children, etc. I asked in my interpellation about the policy of transferring such people from their home Division. The usual reply was that the question was being sent to the Agent. The Agent is the deciding authority. He has given his ruling, yet the question was being sent to him. The rule should at least be that such cases be considered by the Board, to find out whether it was a right decision or a

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wrong one, and not to plead irresponsibility for the decision of the Agents. If they feel so, the Board must die rather than live. I asked another question of a similar nature last year with regard to the Assistant Controllers having been put into trouble. Some 51 Assistant Controllers were appointed by the Agent, and, after their working for about two years, these Assistant Controllers were actually confirmed by the Agent. After about 9 months, those very Assistant Controllers' confirmation was actually cancelled. Sir, I raised this question in this Assembly and the same stereotyped reply was given that the Board had got no information on it. If the Board has no information on points as these, I think they have not justified their existence. I must here mention it to the credit of the Honourable Mr. P. R. Rau that he took some interest in the case and we found that the confirmation of 37 Assistant Controllers which was cancelled was restored. There still remain 14 Assistant Controllers. On the question put in this House again this year with regard to these 14 Assistant Controllers, I submit, the self-same reply came that the Board was not concerned with it and that the papers were being sent to the Agent. From this it is proved that injustice has been done to these 14 men. Why should not their case be investigated into by the Railway Board? I submit that things like this prove to the very hilt that they do not recognise their responsibility—and not recognising their responsibility means that they should not exist.

Then, Sir, we find the same fate is awaiting us when we put questions in the Assembly in regard to the working of the Company-managed Railways. Company-managed Railways have contracts with the Government. The Government have been of help to them. Government have made all facilities for them and they are even advancing money to them in the way of loans. Why should the Railway Board show themselves so indifferent as to say that they have no concern with them? It is their business in regard to their policy as well as in the matters of their administration. Sir, when grievances develop into such a state, they must be redressed even if it requires the Railway Board to spend some time.

Then, passing to the administration generally, I will record one or two matters. Sir, the first is with regard to the question of economy. We find at present that 7.77 crores is the deficit that has been shown in the Railway Budget. It is, as my learned friend from Karachi, Mr. Sullivan, said, an optimistic view of the learned Railway Member that from rates and freights he will make an increase of two crores of rupees. The state of affairs shows the reverse and the facts of the case all prove to the contrary. Then, Sir, we see that the Railways are not popular now at all. It is clearly the fault . . .

Captain Sher Muhammad Khan Gakhar (Nominated Non-Official): On a point of order, Sir. Is the Honourable Mr. K. Ahmed in order in reading newspapers in the House?

Mr. K. Ahmed (Rajshahi Division: Muhammadan Rural): I am looking for authority to quote in my speech: if the Honourable Member had intelligence enough to understand that, he would not have raised the point.

Mr. Lalchand Navalrai: I hope my Honourable friend, Mr. K. Ahmed, was not reading for some irrelevant remarks for me. Now, coming to the question of the maladministration, I said that the Railway Board was responsible for the unpopularity of the Railways at present. What do we find? We find that they have not taken care to put their house in order or given those facilities and conveniences to the public which would make their Railways popular. In the first place, the Railways have not given the services as desired by the people; they have got very slow trains and, besides that, there are no direct trains where they ought to be. May I not quote the instance of the Delhi-Karachi route? Karachi is an air port as well as a sea port; but there is no direct train either *via* Lahore or *via* Bhatinda from Karachi to this Imperial Capital City of Delhi.

An Honourable Member: What about the Karachi Mail?

Mr. Lalchand Navalrai: It does not come direct: it comes to Lahore, and then one has to wait three or four hours and then take another train to Delhi. On the Bhatinda side it is still worse.

An Honourable Member: Go by air.

Mr. Lalchand Navalrai: And get stranded like Mr. Gaya Prasad Singh while he was going to Karachi by air? I will not risk that. I was saying that if wisdom had been used and conveniences had been given to the people, then you would not have found this road transport by motor buses and cars. If anybody is responsible for that and for the loss caused on that account to the railway, it is the Railway Board.

Taking another point, which is also an economic point of view, the Railway is responsible for not even affording conveniences to people by giving them sufficient number of wagons for transporting their goods. People have been complaining since long, and I am in possession of a telegram which I received today from Sind which complains that the Railway has not been able to give them sufficient number of wagons and that the transport cannot, therefore, be carried on. Yet they say, there is a deficit and yet they claim that they are carrying on their administration properly! That telegram comes to me from representative merchants of Shahdadkot in Sind: they say:

“Administration, Larkana, Jacobabad Railway unsatisfactory Shahdadkot merchants dissatisfied complaints since ten years no remedy ten thousand bags now lying station town goods wagons great shortage trade diverted by carts. . . .”

Now, it is the bullock carts that are going to fight with the Railway Board (Laughter): it is not the motor cars, but the bullock carts. . . .

Mr. M. Maswood Ahmad: They will bring in a Bill to stop the bullock cart competition!

Mr. Lalchand Navalrai: They will have to do that if they persist in their policy. The telegram goes on:

“trade diverted by carts, camels. Railway losses seventy-five thousand annually pray appoint inquiry committees redress grievances reply.”

An Honourable Member: What is the date of the telegram?

Mr. Lalchand Navalrai: It is dated the 20th, but I got it only this morning. This is by the merchants of Shahdaskot represented by one Bachomal Anshiram. I, therefore, submit that it is high time that the Railway Board should cease to exist. The last time this motion was before the House, Mr. Maswood Ahmad said:

"But what about a central body? A central body is needed for the Railway Board."

Indeed a central body is needed, but the central body already exists. The Government of India are the central body and the constructive suggestion that I will make is to simplify the complicated and the cumbrous state of the Railway Board. I hope the Honourable the Railway Member, an Indian as he is, with the ability which he has shown, will be able to cope with the work of the Railway Board with the help of the Financial Commissioner and certain Secretaries. Is not that work going on in like manner in the other Departments of the Central Government? Is not that work going on with Secretaries? If we refer to the old days, we find that there was such a system: it has been made clear in the House today that in former days when there was a Public Works Department to manage, there was a Director under the Public Works Department with certain Managers and others to carry on the Railways. Formerly, we know, that there used to be one Manager on a State Railway: the Manager had only a Traffic Superintendent under him with some staff. Then, in the districts, there used to be a District Traffic Superintendent and an Executive Engineer. Yesterday, my Honourable friend, Dr. Ziauddin Ahmad, put it vehemently and very forcibly that you must revert to the old District system and abolish this Divisional system. I personally know of the Karachi Division as to how many officers there are in the Divisional Office and how the work is carried on. It is a very sorry tale to tell that the head of the office leaves the whole business into the hands of his personal assistant who rules also over the departments, say, the department of commerce, loco, and so forth. Therefore, I submit that the old system should be reverted to with certain modifications. In this connection I must now refer to what the Honourable the Commerce Member said with regard to the investigation for economy that is being done by Mr. Pope. No doubt Mr. Pope may be a very clever man and an expert; but he does not belong to India and has no experience of Indian Railways; he comes from outside and he may be said to know the systems of those countries well; and though we have been told that certain officers and Agents have been associated with him in finding out and scrutinising the business, yet I must say that unless and until you associate with him one or two non-official Indians of experience in Railways, you will find that the sum total of his investigations will not be sufficient and will not be viewed with any approval. It is said that too many cooks spoil the broth. That is what is happening in the Railway Board. I would submit that the Railway Board should not only sit here to put on paper certain rules and policies, but they should take care to see that their policies are carried out. They should not leave things in the sole hands of the Agents.

One more thing to which I shall refer is this. Sir, we find at present that recruitment through the Public Service Commission is received with approval by the general public

Mr. M. Maswood Ahmad: No, not at all.

Mr. Lalchand Navalrai: Exceptions there may be, but I am speaking of recruitment to higher services by the Public Service Commission. What I want to point out to the House is this. There is a rule in the Departments of the Secretariat that the ministerial services should be recruited through the Public Service Commission, however small the appointments may be, but as far as I am aware, that system is not in vogue in the Railways, where the ministerial officers are taken without any examination. That naturally leads to favouritism, and to no purity of service. It is, therefore, high time, Sir, that the ministerial services even in the Railways should be recruited through the Public Service Commission by open competitive examinations. We all know that there is now keen competition even among Muhammadans themselves for posts. Hitherto the bitter question of communal representation has been disturbing not only this House, but even the outside public, but now, there being competition among the Muhammadans themselves, the time has come when even Muslim candidates should be selected by means of a competitive examination. Personally, I am not in favour of communal representation at all, and this policy should be done away with at the earliest possible moment. Efficiency and efficiency alone should be the sole test, and, in that sense, I submit, the policy of "divide and rule" should be given up by the Government

Mr. M. Maswood Ahmad: What is the efficiency that you have in mind?

Mr. Lalchand Navalrai: Efficiency test is this. If a post is vacant, you hold an open competitive examination and select the best candidate, irrespective of his caste, creed or religion; but if a man, who is a mere matriculate or who has studied only up to the 6th standard, is recruited for the services in the face of so many well qualified graduates, that would be a suicidal policy. I do not want to offend my Muslim friends in this respect, but I am appealing to them to help the administration by insisting on the efficiency test for recruitment. I will just give an example of what recently happened in the Karachi Customs House. There arose a question between the Muhammadans themselves with regard to the recruitment of a particular individual. A man, who was said to have been helped by some people, and on account of certain pressure that was brought to bear on the authorities on behalf of this man, was taken in the preventive service on Rs. 200. He was only a matriculate, and then a cry came from a lot of Muhammadan graduates, and they asked on what grounds this post had been given to that individual. I asked a question about it in this House, and I do not know if the man who was then said to have been appointed only temporarily still exists or has ceased to hold the appointment; but I think the sooner he goes, the better. I, therefore, submit, Sir, that it is high time that the open competitive examination system is introduced for filling up all vacancies in the Railway services, and the Public Service Commission can be fully utilised for the purpose.

Sir, I think I have sufficiently made out a case for the abolition of the Railway Board. I do not want to waste any more time of the House, but I hope I have convinced the House

Mr. Gaya Prasad Singh (Muzaffarpur *cum* Champaran: Non-Muhammadan): The House is also convinced.

Mr. Lalchand Navalrai: I do not know whether the House is convinced or not, and it is for them to decide, but I have placed before the House very clearly all the relevant matters to justify the abolition of the Railway Board, and I hope the House will give earnest consideration to this motion

Mr. M. Maswood Ahmad: The motion will be withdrawn by the Mover.

Mr. Lalchand Navalrai: If that is withdrawn, I am not affected by it at all. I have ventilated the grievances. I do not want it to be said that this motion was put forward with a view to ventilating a particular grievance. This motion has been put forward for the purpose of getting sheer justice, as my friend, Mr. Ghuznavi, put it,—I have placed my case from a general point of view. I hope the House will accept this motion.

Rai Bahadur Lala Brij Kishore (Lucknow Division: Non-Muhammadan Rural): Sir, on this motion I would first draw the attention of the Railway authorities to the comforts of the third class passengers. From the Budget that has been presented to us, it appears that out of the total revenue of 92 crores, over 26 crores are contributed by the third class passengers. The third class passengers are the best customers of Railways, and it is the duty of the Railway Administrations to look after the interests of these third class passengers. But, in practice, we find that they are most neglected. In the first place, I am much against the increase of the third class fares. Now, this increase has transferred the traffic from the Railway to motor buses, and I assure the House from my experience that in short traffic this increase of fare would only mean the diminution in traffic and consequently the ultimate diminution in the income. The position is the same as in the post office. The increase of 25 per cent. in postal charges does not mean the increase of 25 per cent. in the revenue. The same is the case here. On the other hand, I believe that if the rates are slightly diminished, the Railway authorities would be able to compete more effectively with road motors, and their income would ultimately increase.

It is very regrettable that in his Budget speech the Honourable Member made no mention of the efforts which the Railway authorities are making to increase their income and to increase the traffic. In fact, we ought to make our traffic more attractive, and then the income will surely rise. The complaint against overcrowding in third class compartments is very general. In case of heavy traffic on the occasion of fairs, it is the duty of the Government to increase the number of special trains, and overcrowding should be avoided at all costs. The supply of good food at moderate cost is an essential element for the comfort of passengers. In many stations the vendors charge exorbitant prices and in many cases they supply articles of inferior quality. Sir, it is said that the Divisional Superintendent is responsible for the supervision of these vendors, but everybody will admit that he is a very busy man and it is impossible for him to do it. The prices of commodities differ in many different stations, but they should substantially be the same as the prices prevailing in the local markets.

I also do not like the present practice of giving large contracts of tea, cups and other articles to one man who, in his turn, gives sub-contracts to petty vendors. The contract should be given to one person and he should not be permitted to give sub-contracts to any other person. As far

as practicable the vendors must be drawn from the same locality and the supervision work should be entrusted to a small Committee consisting of the Station Master, the convener and four other members selected from local authorities who know the local conditions very well. If the local authorities are associated in supervising the prices and in giving contracts to local persons, I am certain that the situation will substantially improve. It is a conspicuous fact that the connections at junctions are not so good as they used to be in old days. Whether it is due to the vendors who have personal interest in bad connections or to absence of co-ordination among various lines, I cannot definitely assert, but the result of these bad connections is that these vendors have good sales at the junctions from passengers who are travelling long distances, but the persons going to short distances prefer going by road motors to save time. Railway companies thus lose money.

The next point to which I would like to draw the attention of the Government is the question of closing the gates at level crossings near Railway stations. In a large number of towns the civil population inhabit on both sides of the Railway lines, and it very often happens that clerks and litigants have to attend the Courts at fixed hours lying on the other side of the Railway lines. These gates are very often closed half an hour before the arrival of the train and people are put to very great inconvenience, and very often they miss their attendance in Courts. I, therefore, strongly advocate that in places where the Railway traffic is large and where the road traffic on level crossings is equally great, then overhead and underground crossings should be provided for the benefit of the public. The public at present is not sufficiently educated to bring civil action against the Railway authorities for damages, but if the authorities persistently refuse to look after their interests, the people will gradually be educated.

I would also press that the Railway authorities should also pay special attention to reduction of freight on wheat to the absolute minimum. The free movement of wheat from one place to another will help to stabilize the prices and it will also help the agriculturists. It is a self-evident principle that small profit, repeated many times, pays in the long run better than big profits which are not repeated. I, therefore, believe that reduction in freight will certainly help to increase the income.

Mr. Chairman (Sir Hari Singh Gour): I wish to point out to Honourable Members that Seth Haji Abdoola Haroon has given notice of a very large number of cuts printed on pages 7 and 8, amendments Nos. 91 to 100 raising the question of policy. They are all wholesale cuts of the same kind, and with Seth Haji Abdoola Haroon's cut No. 6 and the allied cuts, all the cuts dealing with the question of policy and administration are exhausted. The remaining cuts are all token cuts raising specific grievances.

Lieut.-Colonel Sir Henry Gidney: Mr. Speaker, I think the only thing left for me is to advise this House to ask that the rails be uprooted from all railway lines and so stop all trains.

Mr. Lalchand Navalrai: Where will the Anglo-Indians go then?

Lieut.-Colonel Sir Henry Gidney: They will come to you, Sir. We have had a very serious indictment repeated today against the Railway Board by my Honourable friend, Mr. Ghuznavi. He has, against

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ungenerous and unfair interjections, tried to prove his point. I think he has proved certain points and as the proof of the pudding is in the eating thereof, we see the benefit of his doings in this year's Railway Budget—a saving of 20 lakhs under coal. I do believe this House will join in giving Mr. Ghuznavi credit for what he has done and the money he has saved. I also feel that Mr. Ghuznavi's exposure will be taken seriously by the Railway Board and that it will continue to economise on coal in future Budgets. I repeat, the Railway Board and this House should be much grateful to Mr. Ghuznavi for all he has done. He has really rendered a great service to the country and to the Railway Board and, besides that, he has shown how inefficient the Railway Board has been in the past or rather how badly they have looked after the financial resources of the country.

Sir, there are some other points I wish to deal with in particular. One question is of very old standing. It refers to the separation of Audit from Accounts. It is a question, I believe, as far as the Railway Board is concerned, that has been put aside as settled, but I do not think the House should take it lying down. The separation of Audit from Accounts was introduced into this House a few years ago, I believe, with an assurance from the then Financial Commissioner that it would entail no extra expense except an initial increase of a lakh or so and that in the end it would result in economy. I speak subject to correction by the Financial Commissioner, Mr. Rau. I repeat, I believe that the separation cost the Railway Board nearly 20 lakhs. I submitted a very exhaustive note to the Railway Retrenchment Committee on this matter in which I explained the exact position and how this deficit has taken place. The Financial Commissioner had a copy of this note from me. I want to know what action has been taken on that matter.

Now, Sir, I come to another very important matter indeed. I am not a railway expert, so I will leave aside the question of uniting the various Railway Agents in towns where the termini of various Railways exist. I will take Calcutta as my example. In Calcutta, we have three Railways who have their termini there. One is Company-managed and the other two are State-managed Railways. The Company-managed Railway could easily be asked and I have no doubt it would agree to associate itself with any campaign of economy which is the desire of everybody in this House and the Railway Board, but I will, for the sake of convenience and for the sake of obtaining an answer from the Railway Board confine my remarks to the two State-managed Railways in Calcutta, the Eastern Bengal and the East Indian Railways. I may tell those Members, who are not familiar with Calcutta, that these two Railways run parallel with each other in places and in some places cross each other. Their head offices are almost in the same street and the shadow of one building all but falls on that of the other, and yet each of these two Administrations have palatial separate buildings, employ hundreds of clerks, hundreds of, I mean many, Deputy Agents, Chief Commercial Managers, Deputies, i.e., officers in charge of commerce, traffic and other departments drawing salaries from Rs. 3,000 downwards. These two Railways have totally separate organisations and yet one Railway, the Eastern Bengal, which is about a third of the size of the other, is being run independently. They have two enormous Stores Departments and we have the Indian Stores Department which

could easily have a central supply depôt in Calcutta and supply these three Railways with all their requirements and so abolish these separate Stores Departments entirely. Not only would this encourage local endeavours, but would encourage the Indian Stores Department and help it to show a credit balance and not a debit balance as it does annually. But the Railway Board thinks otherwise. I have no doubt they have their reasons for it. I have yet to know what these reasons are. Hitherto I have not been given any reasons why no serious action has been taken in this matter. Let me boil down the question to one small item of expenditure.

I will take the department with which I am closely familiar, for I may tell the House that, among the multifarious offices I have held in my active service in the Indian Medical Service, one was that of the Chief Medical Officer of a Railway, and here in Calcutta we have two separate Chief Medical Officers in these two State Railways. Until recently the Eastern Bengal Railway had a Chief Medical Officer with one District Medical Officer under him. Today it has three or four and six or seven Assistant Surgeons. The Chief Medical Officer of the East Indian Railway has about 12. This has, I understand, been reduced to 10 and the Railway Board is trying to make him stick to 10 who are in charge of Railway hospitals. I may tell the House with all the emphasis I can command and with all the responsibility I possess that the position of the Chief Medical Officer in any Railway is almost a sinecure—a hollow sham. The real duty is done by the District Medical Officers and the Chief Medical Officer is nothing else but a post office. He sits down in his office and, armed with a big staff, pretends to work by issuing reams of orders. Now, the two Chief Medical Officers in these two State Railways, I am talking of control, organisation, staff,—do about $\frac{1}{50}$ th of the control done by the Surgeon General to the Government of Bengal. Let us compare the duties and responsibilities of the Surgeon General of Bengal with these two Chief Medical Officers combined. They are incomparable, yet there is very little, if any, difference in their respective salaries. The Surgeon General with the Government of Bengal has a staff of 500 to 600 medical men under him with thousands of hospitals and dispensaries and yet he alone does it and he is denied even a deputy,—and if you please, some Chief Medical Officers have got a deputy, personal assistants and other hangers on to hallow their glory and importance. But to crown everything, which amounts almost to an absolute sinecure of the appointment I am talking about, the Chief Medical Officer of the biggest Railway in India, the East Indian Railway, is also the Vice-Chancellor of the biggest University in India. Now, Sir, one cannot serve two masters; the work of the Vice-Chancellor of the biggest University in India, as is the Calcutta University, cannot be done in an hour or two. There are Committee meetings to attend and I know these are attended with extreme punctuality and to the great credit to the Vice-Chancellor. There are Senate meetings to attend and there are other things to be done by the Vice-Chancellor, yet the present Officer does this in addition to his duties as a doctor, *i.e.*, the Chief Medical Officer. Sir, how is that possible? How is it possible for one Officer to efficiently perform these two distinct duties which demand wholtime services? I say, it is absolutely impossible, and for the Railway Board to tolerate and encourage it reflects to their discredit and is evidence of their inability to control this Chief Medical Officer. He should be at once told to serve one or the other master, and not two. Because, at

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present, one of the two offices—Medical Service or the Calcutta University—must be the sufferer. This state of affairs cannot continue a day longer, and I ask the Honourable Member to take immediate action—indeed I advise an early amalgamation of these two Chief Medical Officerships.

Now, Sir, I have another matter that has been brought up by my friends on the other side. My Honourable friend, Dr. Ziauddin Ahmad, was very severe in his criticisms on the Divisional and the District systems of Railway Administration. Sir, here again I occupy the position of a lay man, but I claim the position of a man who does observe things, for I am a son of a Railway man, and I have grown up in the atmosphere of the Railway administration, indeed I have mixed with Railway men more than any other Members of this House for the last fifteen years, and, when I speak of the Divisional as against the District systems, I am talking with a little practical experience. Sir, I remember the time when the Railways were run at a profit under Company-management and their shares were well quoted in the share market, a time when they had an Agent and a Traffic Manager and the District system was in force. At that time the Agent knew almost every man on his Railway, most of them by name. There was the personal, human touch between official and servants. Today with the Divisional system, you have replaced that by the importation into this country of some system introduced from Germany and adulterated with Americanism. I mean the Divisional system which has replaced the District system a change that has entailed about 20 times the number of the officials employed at an inordinate cost. You have by this change of systems not only incurred very heavy expenditure, but you have by your Budget shown inefficiency of work in your returns for your work, and what is the most important of all, you have lost that most essential requirement—the human touch; the Railway official today has no time for the human touch, as was confessed by a Railway Agent in his Presidential speech, to the Indian Railway Conference. In short, there is today no human touch between the employer and the employee; and that is the reason why there is so much distrust and that is the reason why there is so much unrest and so many Railway unions in your railways today. Apart from these considerations, Sir, there is not the slightest doubt that the Railway system was run well in times gone by under the District system and I think there is every reason why we should revert to that system again.

Then, there is another question which affects the Railway people considerably and that is the question of appeals sent to the Railway Board. My friend, Mr. Lalchand Navalrai—with whom unfortunately I very seldom agree, but, I do agree with him now—raised the question of certain Train Controllers, on the North Western Railway.

Mr. Lalchand Navalrai: Thank you.

Lieut.-Colonel Sir Henry Gidney: Sir, I brought up that very matter also year before last before the Railway Board. I had many interviews with the Railway Board on this question. Here is a matter in which a certain number of Railway subordinates were confirmed as Controllers by the permanent Agent of the North Western Railway, but the acting Agent of the Railway, when he went there, altered those orders. He then on being confirmed as Agent, and at a much late date, issued an order cancelling

this confirmation and confirming a new list of Controllers including many juniors. In other words, the men who were originally confirmed were arbitrarily deprived of their confirmation in violation of article 15 of the Fundamental Rules. Sir, it was the grossest piece of injustice ever perpetrated on subordinates on a Railway by a Railway Agent and I am surprised the Railway Board has not had the courage to turn round to this Railway Agent and say: "You must alter your wrong orders—and let the original list remain, because you have no authority, to violate Fundamental Rules, and we insist on these men being given justice, otherwise we must charge you with mismanagement of your Railway". Why is the Railway Board afraid to issue this order? Is it a case of justice *versus* the *izzat* of a Railway Agent—why only the Secretary of State can alter these Fundamental Rules. (Laughter.) You may laugh, but you laugh in ignorance. Sir, my friends know as well as I do that in grievances brought to the notice of the Railway Board the cases are again returned by the latter to the Agent and through him to the servant with the stereotyped reply: "The Railway Board regrets that it cannot interfere with the orders passed by the Agent". Sir, I stand here and say that I do not believe in the infallibility of any Railway Agent. A Railway Agent, after all, is but a mere man, he is not infallible. Does the Railway Board consider the Railway Agents or the Heads of Departments who act for the Agents to be infallible? Are their orders on any matter, however small or big, not subject to the scrutiny of, and alteration by, the Railway Board as a matter of equity if it is called for, or is the prestige and *izzat* of a Railway Agent of prime consideration to the Railway Board? Sir, I submit with all the emphasis that I can command that there are many cases of gross injustice which loudly call for the personal attention of the Railway Board as a matter of sheer justice and equity. I know several cases which my Indian friends have brought to me. I can recall one case in particular for which I have to thank the Railway Board—it was a Hindu-Muhammadan case—a case of gross injustice which I pressed for two years; and in that case the Railway Board assisted me and justice was given. Sir, these are cases that, if inquired into, must end in justice, but, if not inquired into, encourage "Zoolum" and lead to the present condition of grave unrest in the minds of the employees and often end in strikes. There are cases that I could quote *ad libitum* and of which the Railway Board is aware but I do not want to take up the time of the House. Then there is another point—that of adverse confidential reports. I remember a late Member of the Railway Board, it was Mr. Hayman, telling this House that when anything adverse was said in a confidential report on a subordinate, he was generally informed. I know of several cases on State Railways, and I particularly quote a case on the Eastern Bengal Railway in which the Divisional Superintendent, or what is still called the District Officer, made a statement in the confidential report on a man, a Traffic Inspector, without telling him of it for four years and then he wrote and told him: "Your confidential reports have been bad for some years and unless you improve, I must refuse you promotion and reduce you to the lower grade." This so-called system of warning subordinates of bad reports is a myth and is only exercised when punishments are to be inflicted and the man is suddenly stabbed in the back, mainly, by a demi-official letter, which is still the curse of the Railway Administration, and is still carried out *ad libitum*. I think the Railway Board should really take serious action, because, after all, what has a subordinate got as his remedy when he is suddenly told he is inefficient after years of solid good work. If he protests, he is told to shut up—or

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he is told to resign or is compulsorily transferred. If he dares to contradict the official, he is generally charged with insubordination.

Then another point is the right of appeal. There are many matters which concern the future of a subordinate. Sir, the future of a subordinate is to him as important as is the future of any official. Now, appeals made by subordinates are often kept by Heads of Departments and Divisional Heads, because there is some order from the Railway Board to say that an appeal can be kept if the officer thinks it unnecessary to send it on to the Agent or Heads of Departments. Now, I consider that all appeals should be sent on for enquiry. A man can be punished if he makes a frivolous appeal, but why do you punish a man by withholding his appeal? It only leads to acts of oppression or Zoolum by some officials and who use this power of suppressing appeals as a concealment of their acts of tyranny and injustice and the poor subordinate is powerless. This must be altered by the Railway Board. This House will remember that for three consecutive years we defeated Government in a demand for an Enquiry Committee for Railways, and asked that Complaints Committees should be appointed on all Railways. Ultimately the Murphy Committee was appointed and exposed many injustices. Sir, on the floor of this House I now make an earnest appeal to the Honourable Member. Will he, in order to satisfy these many cases of unredressed injustices of which he hears nothing and which never come to his knowledge but which do exist adjudged from the thousands of appeals received by the Railway Board, appoint, on each Railway, a Complaints Department to deal with such matters. Every servant has the inherent right to justice and to appeal against an injustice. A sweeper enjoys this in all other Departments of Government. Let your humblest servant feel that he can get, if he wants, a full and honest hearing. Let these Complaints Committees be worked on the Whitley system which is working so splendidly in England. Why do you deny it?

4 P.M. Why do you give to your official such autocracy and make him a little tin-god and allow him to say: "I have spoken and I must be obeyed" and the poor subordinate has to sit down and humbly take it. I ask the Railway Member, who, I know, is a just man, who has the interests of every employee at heart, to consider the advisability of establishing a Complaints Department on every Railway so that they may be able to consider these cases and save the Railway Board the trouble. I myself have before the Railway Board today now at least a dozen serious cases about which I have received no information so far. I have before the Agent of the E. I. Railway a case in which a superior officer illegally used a special train in the performance of an illegal duty—the unlawful hounding of a humble subordinate. This officer was the Divisional Superintendent, Moradabad. A most serious charge was made against that officer by me for a most cowardly attack on a subordinate and his parents and I consider that the Agent of that Railway ought to have severely punished that officer and other officials concerned. He should have been suspended and reduced in grade for this heinous offence. This would have certainly been done had the offender been a subordinate. But what has he done? I ask the Railway Board to call for all papers in this matter and deal with the official. These rights of appeals, I think, can only be countered by the appointment of a Complaints Committee and I again appeal to the Honourable Member to sanction such bodies or to alter the appeal rules.

Now, I come to another very important question, namely, indebtedness. This House knows as well as I do and I shall not labour the point that the greatest curse of the Railway Administration from top to bottom, with very few exceptions, is the curse of indebtedness. A person who is in debt cannot be a good worker and there cannot be two opinions about it. (Interruptions.) I am not going to answer any questions as to why Railway servants get into debt and borrow or why do they steal. I only desire to state, which my Honourable interrupter knows to be a fact, that they are in debt for causes avoidable and unavoidable. I am not going into those causes, but I may tell you that, amongst many of the causes, there is the high cost of sickness and the high cost of education. Those are the causes with which I am personally familiar and, of course, when you have a large family your expenses increase. In this connection, possibly, it might do more good to the Railway Board if, instead of having Statistical and Sports Officers, they appointed Birth Control Officers and sent them to the various villages in India and their Railway Stations. However, the fact that indebtedness is rampant is undeniable. There are people who do not draw even an anna as their salaries. And why? Because their expenses are high. I am saying this of my own community and the case of the Indians is just the same. The result is that these employees go to the various railway organisations that lend money and, after they exhaust all the money that they can obtain there, they next go to the Kabuli money-lender and get money at exorbitant rates of interest from 60 or 70 per cent. I can assure the House that I have myself seen on pay days a dozen Kabuli money-lenders standing at the gates of Railway houses waiting for their money. Now, this question must be seriously considered by the Railway Board. It can no longer be toyed with. I myself went into this matter carefully two years ago, and I submitted a very exhaustive note to the Railway Board. I have been told by the Railway Board that my note was to be discussed at the Agents Conference; I have also been told that the matter is under consideration. I do not know, Sir, where the Railway Board keep their caps of consideration. Everything seems to be placed under their consideration. Then, Sir, there is the question of the report of the Labour Commission. The Chairman of the Labour Commission has himself made a definite statement on the seriousness of this indebtedness and has made certain recommendations and he told me personally that he had left with the Government of India two clauses of an Act which he recommended Government to pass to prevent any salaries of any officer of any grade being legally attached for indebtedness. I said that such a measure would amount to commercialising dishonesty, but he turned round and said: "If you pass this Act, you will prevent the money-lenders from lending money which is the root cause of the evil and which will at once stamp it out". I beg of the Railway Board to consider the scheme which I put before them some time ago. It might be possible under that scheme to do something that may be of benefit to these unfortunate employees. For Heaven's sake do not shelve the matter any longer and go on saying that you are still considering it. You have to interest yourself in this matter, otherwise you are not doing your duty and you rightly deserve the censure that has been so vociferously advocated by my Honourable friend, Mr. Lalchand Navalrai.

Mr. Lalchand Navalrai: I do not wish to censure Government for this indebtedness.

Lieut.-Colonel Sir Henry Gidney: Sir, I have one or two other matters I wish to talk about. My Honourable friend, Mr. S. C. Mitra, has again dragged a red herring across my way and the floor of this House and pointed out figures that I think he has extracted from Mr. Hassan's book. He pointed out those figures to show the comparative favourable position of the Europeans and also the position of the Anglo-Indians in certain select departments. But he conveniently forgot the fact that in these days of Indianization, Anglo-Indians are as much entitled to posts as the Indians are. He has apparently forgotten the fact that there is a new mentality in this country today. Sir, he has always tried to drag this red herring across my path to irritate me into saying something that I do not wish to say. But I do want to say to this House, with all the emphasis that I can command, that the question of communal representation as portrayed and emphasised by Mr. Mitra has, I am afraid, misled this House. His facts are absolutely misleading and comparatively incorrect. Mr. Mitra referred to appointments carrying a pay of Rs. 250 and above. Now, Sir, this House must realise that these appointments are today held by Anglo-Indians, Europeans and domiciled Europeans, 60 per cent. of whom are nearly 50 years of age today and will, after five years, become superannuated. You will then have the opportunity to take off their shoes. But do not try to deprive them of their shoes, before they have actually finished their careers. Those appointments are naturally occupied by persons who have rendered long service to the State and when Mr. Mitra was a youngster they carried him in his Railway journeys. They for years waved the green signal and drove the locomotive whenever he left Calcutta. The Bengalees did not venture on such employment as had the dangers of a driver; and so it was the venturesome Anglo-Indian who alone carried on the work of the guard and the engine driver. It is because of his long and efficient service that he has risen to the top and he is now reaping the benefit of it. Your time will soon come—you have but to wait. But in frequently quoting 70 or 80 per cent. of Anglo-Indians in these few appointments, my friend, Mr. Mitra, has cunningly concealed the percentage of Hindus, especially Madrasis, who form over 90 per cent. of certain sections in the Audit and Accounts in the Railways and in which Anglo-Indians barely hold 1 per cent.—why expose one and hide the other? Sir, the Railways are best administered by those who have brain and brawn . . .

Sir Muhammad Yakub: And brown colour too.

Lieut.-Colonel Sir Henry Gidney: And brown colour too if you so like—the colour you and I possess,—and the Railway Agents are instances of that. Tell me of one Railway Agent today who is a B.A. or B.Sc., not to mention an M.A. or M.Sc. They are generally Junior Cambridge or Senior Cambridge men, and have the Railway Board demanded B.A.'s, M.A.'s and M.Sc.'s from them for these posts and yet they are in most cases efficiently doing their work. Is a B.A. a better guard and does a man use a Hayman-Mohindra punch better if he is a matriculate or an I.Sc.? What you want is men with brain and brawn. The Anglo-Indian possesses these qualities in abundance; he has not got locomotives in his blood, rather he has imbibed these qualities in his mother's milk; he has for a century served the country and the Railways well; indeed he has helped to build the Railways of today, and it ill becomes my Honourable friend, Mr. Mitra, to put up his figures in the insidious and misleading way that he did

merely to show to the House that Anglo-Indians have a monopoly of certain jobs. After all, we only have about 14,000 jobs out of nearly one million Railway appointments. If efficiency is taken as the test, and efficiency in this country means knowledge of English, and the knowledge of English for these jobs means knowledge of the secondary standard, you will find that the statistics of the standard of English education in this country will show that of the total educated in this country in English the Anglo-Indian community forms seven per cent. Therefore, he is entitled to seven per cent. of the jobs in this Government. I say: Give the community seven per cent. and they will have 58,000 jobs for the taking; today they only have 26,000. I offer this fact for the serious consideration of my Honourable friend, Mr. Mitra. But I would ask him for goodness' sake, do not again draw that herring across the floor of this House when I want to be your friend and you want to be mine; and if you are going to make any good out of India, we will and we must do it together. If you are going to improve matters and make the Railways pay, you and I will do it together and the only way to do it is to stop drawing of any more red herrings across my path. Let us grasp hands and, as friends, endeavour to ameliorate the lot of our Railway workmen—Europeans, Anglo-Indians, Hindus, Muslims alike—and let us no longer think, criticise or act, in term of antipathy or antagonism. Indeed, let co-operation be our slogan for the good of the Railways, and the good of our common motherland—India.

Mr. P. R. Rau: Sir, my Honourable friend who moved this motion began his diatribe against the Railway Board by accusing them first and foremost of a lack of imagination. I am sure the charge cannot be levelled against my Honourable friend. The figures that he gave to you today are proof positive of his imagination. When I heard him repeat,—good politician as he is, he knows the advantage of repetition,—when I heard him repeat his statements of yesterday about the lakhs of rupees that have been lost to the Railways through the coal policy of the Government of India,—lakhs which by a certain mysterious process suddenly turned into crores,—I was reminded of the story of the ardent but unlucky angler who being ashamed of telling his friends of his ill success bethought him of a plan of every day multiplying his catch by ten before announcing it. That, however, did not succeed on every occasion, because sometimes his catch was nil. So he improved his original plan by adding ten to his original catch and then multiplying it by ten. The figures that my Honourable friend has given seemed to me to be based on some such plan.

Let us take the various figures that he has given today. First, Sir, he told us about the coal purchase policy of Government and he quoted from a press report to the effect that a saving of 20 lakhs had been made on purchase this year. Now, Sir, it will be found from the memorandum on the Budget, placed before this House, that we expect a saving of 25 lakhs next year as compared with this year. This is not due entirely to a saving in the price of coal. It is due to various factors; it is due to lower consumption; it is due to certain reductions in sea freight that we have; it is due to the fact that for consumption on the Great Indian Peninsula Railway we have purchased coal nearer the place of consumption, the source of supply being in the Central Provinces. For all these reasons we have saved about 25 lakhs. The fall in the price of coal has of course something to do with it. I believe that on

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the average we have paid this year about seven annas lower than we paid last year. But, Sir, I do not think that my Honourable friend is justified in claiming that any fall in the price of coal is entirely due to the attacks he made upon the Chief Mining Engineer last year. (A Voice: "Partially.") Sir, it has to be proved that the fall in the price of coal is the direct result of these attacks. There have been falls in the prices of various materials. For instance, in our sleeper contracts, that we let this year, we have saved over one rupee per sleeper. Is that due to my Honourable friend's attack on the Chief Mining Engineer? These are due to economic causes, due to the operation of the law of demand and supply. The coal trade is in a bad position and, in order to retain their custom, they had to tender at lower prices than they ever tendered in the past. And, if I may say so with reference to certain remarks that fell from Mr. Mitra, the fact, that we have at our back a number of collieries which are enough to meet all our requirements if we chose to work them to their full capacity, is one of the reasons why we got prices at this level.

Mr. S. O. Mitra: It may be due to the principle of accepting the lowest tender now, which you did not do before.

Mr. P. R. Rau: To the best of my recollection, the policy of the Railway Board this year has been exactly that followed in the past.

Sir Cowasji Jehangir: May I ask another question? Is bought coal cheaper by seven annas? Is the market rate of coal lower by seven annas all over India?

Mr. P. R. Rau: Sir, I can only speak about the prices at which we purchased; I have not made any inquiries at which other people purchase.

Sir Cowasji Jehangir: Then you are making the same mistake that Mr. Ghuznavi made. You want to disprove Mr. Ghuznavi and you say you bought cheaper because of a fall in the price of coal, but you do not make inquiries about the market price. Your cheaper price may have been due to a change of policy.

Mr. P. R. Rau: My point is that there is no change of policy.

Mr. S. O. Sen: Sir, is it not a fact that the price of market coal this year is less by about 12 annas than last year?

Mr. P. R. Rau: I have no information on that point, but I can inquire.

Sir Cowasji Jehangir: I can tell the Honourable Member that it is a fact that the market rate of coal is lower today.

Mr. P. R. Rau: I am obliged to my Honourable friend. When we call for tenders for purchases of coal to the extent of about 22 lakhs, I think we have a right to expect as reasonable prices as the trade can give us.

Next, incidentally, my Honourable friend said that the Bombay, Baroda and Central India Railway had refused to take the advice of the Chief Mining Engineer this year and purchased their own coal. To the best of my information, this is not correct.

Then, the second point raised by my Honourable friend was about the shipments of coal to the M. & S. M. and the South Indian Railways from Calcutta. He estimated that we were losing about 15 lakhs a year on this account. Now, Sir, that point was raised by the Railway Board about two years ago and it was because of the fact that we had to convince the Railway Companies that were concerned that the conveying of coal by sea was not cheaper to them than by rail and we had to give them inducements to take their entire coal by rail that a certain delay had occurred. I am glad to tell the House that we have from this year arranged that the railway rates on the B. N. Ry. should be reduced to a certain extent, and, after considerable pressure from the Board, and an assurance that if there is any definite loss to any of the Railway Companies concerned, we will reimburse them for it, it has been arranged that practically all the M & S. M. and South Indian coal which is not covered by contracts already entered into shall be taken by rail.

The third point raised by my Honourable friend was that of the coal raising contracts. I am perfectly prepared to give him full credit for bringing to the notice of the Railway Board and everybody concerned this question of tenders not being called for coal raising contracts, and I may also inform the House that we have taken action to see that, as soon as the present contracts permit us, we shall call for tenders for these contracts, and we hope that we shall get certain definite advantages out of it. But, Sir, the figures given by my Honourable friend are quite incomprehensible. He talks of 30 lakhs—today I think it was suddenly increased to 40 lakhs—30 to 40 lakhs of rupees by a reduction in the rates that we pay for coal raising contracts. Now, 40 lakhs of rupees divided by 11 lakhs of tons is over Rs. 3½ a ton. At present we pay for quarry coal at Kargali, for instance, about Re. 1-3-0 a ton for raising. Now, if we can get it Rs. 3-8-0 cheaper it means that the poor contractor has not only to do the work for us, but to pay Rs. 2 in addition for the privilege.

Mr. A. H. Ghuznavi: What is your actual cost? If you take into account all the cost incurred in the collieries and you take your coal raising contracts, then, as is shown in the books, your cost is four rupees per ton.

Mr. P. B. Rau: My friend says that he does not refer to the cost of raising alone, but to the whole cost of the coal. As he has pointed out, our average cost for last year was four rupees per ton. That includes all interest charges, sinking fund and every other conceivable item. Now, Rs. 4 per ton for 11 lakhs of tons is Rs. 44 lakhs. If, as he says, we save Rs. 40 lakhs out of that, then it means that our actual cost will be four lakhs of rupees for 11 lakhs of tons.

Mr. A. H. Ghuznavi: What could you save when you had to raise 20 lakhs of tons and 30 lakhs of tons?

Mr. P. R. Rau: At that time our cost of raising coal was very much less. In 1927-28, when we raised nearly 20 lakhs of tons, our cost was Rs. 3-5-4 per ton. It seems to me that it is not really necessary to follow my Honourable friend in all his adventures into these figures. I shall leave him to be dealt with by Dr. Ziauddin Ahmad.

There is one further point which I want to refer in connection with this coal raising contracts. My Honourable friend read out a list of figures which showed that the price of raising coal in different collieries was different. That is due to the fact that conditions are different in different collieries. We have got, for instance, at Kargali both quarry coal and pit coal and the rates are different. I am informed by the Chief Mining Engineer that the present rates do not compare unfavourably with the rates that are charged by private collieries, near-by, but that it is obvious that these will have to be tested by calling for tenders.

My Honourable friend, Mr. S. C. Mitra, said that we were trying to delay the evil day when the Public Accounts Committee will look into our accounts. I must explain that we had no desire at any time to delay that Committee. We have prepared a complete memorandum on the subject for the Committee and I believe it is only the difficulty of arranging for a meeting of the Committee with the business of the House in its present condition that is delaying this meeting. I for my part shall be glad of the day when the Public Accounts Committee will have completed its investigation, so that the sword of Damocles will cease to hang over my head.

There is one more point that my Honourable friend raised, namely, the stores accounts of the East Indian Railway, on which I think I should just take one or two minutes of the House. Now, I do not wish to minimise to any extent the seriousness of the position, but, at the same time, I think members of the Public Accounts Committee will remember that the memoranda placed before them explain fully the reasons of this difference of Rs. 54 lakhs in the stores transaction that Mr. Ghuznavi refers to. The position is—I may read from paragraph 2 of the Memorandum of adjustment which was placed before the Public Accounts Committee. It says:

"It will be remembered that, in order to bring order speedily out of the chaos which was existing in the stores accounts of the East Indian Railway before the recent re-organisation, it was decided to start the accounts on a clean sheet, as it were, by taking actual stock of materials lying at depots as on a particular date, bring them on to account at proper prices and then adjust any difference which may arise between the value arrived at thus and the total value remaining at debit of general stores account on that date. The 54 lakhs referred to above represents this difference. When this general stock-taking was taken and the new price ledgers were opened, the main object was to build up the account on a sure basis of fact, so that all subsequent accounting may proceed in a systematic and regular manner."

The point was, Sir, that this represented, to the best of my recollection, only a breakdown in the stores accounting organisation of the East Indian Railway due to the amalgamation of the E. I. R. and O. and R. Ry. accounts and the fact that two different accounts of stores accounting had to be reconciled as best they could, and that there is no clear evidence that there were any frauds perpetrated or anything of that sort, and that the difference of 54 lakhs was, partly at least, due to re-valuation of stores. I do not think, Sir, I have really anything more to say on the questions raised by my Honourable friend, Mr. Ghuznavi, but, as the figures that he gave with regard to the coal policy of Government were likely to lead to misunderstanding, I had to intervene in this debate.

Mr. O. S. Ranga Iyer: Sir, I am sorry in one sense to have intervened between Mr. Satish Sen and Mr. Rau, for I recognise that Mr. Sen has expert knowledge of coal, but I did not look behind before I stood up; otherwise I would have postponed my talk on this subject till tomorrow, when I could have prepared my speech.

Mr. N. M. Joshi: What subject?

Mr. O. S. Ranga Iyer: Mr. Joshi asks "what subject". It is a very legitimate question. I myself, Sir, am not clear in my mind as to what subject we are discussing and if I am not quite clear in my mind as to what is the subject we are discussing today, it is because we are discussing not a token cut—though sometimes some have talked in the manner meant for a token cut—but we are discussing on the contrary the throwing out of the demand on the Railway Board! Let there be no mistake about it. In our party, Sir, we discussed the matter very carefully yesterday and left it as an open question.

Mr. Amar Nath Dutt: Over a cup of tea.

Mr. O. S. Ranga Iyer: My friend, Mr. Amar Nath Dutt, says we discussed it over a cup of tea. That is perfectly true.

An Honourable Member: Poor consolation.

Mr. O. S. Ranga Iyer: Whether it is poor consolation or some consolation, I shall presently indicate to the House, for the House must not mince matters when a motion for the wholesale rejection of the Budget on the Railway Board is brought forward. We must be guided in regard to the wholesale throwing out of the demand under the Head "Railway Board" by the experience of this House. When was this motion brought forward first? It was brought forward by the late lamented Pandit Motilal Nehru, who was opposed at that time by men like Mr. Muhammad Ali Jinnah, Sir Furshotamdas Thakurdas and others, because they said they would not practise obstruction. Mr. V. J. Patel, sitting on this side of the House, before he was hushed in the glorious silence of the Chair, said, they had a right to go into obstruction at every stage and they were not going to make an exception of the Railway Board. He was out to obstruct, he said, and that is why his party brought forward a legitimate motion of obstruction on the Railway Board. He did not mince matters; he did not discuss the subject under the guise of coal or the grievances of railway passengers; and, if we are to press this motion to a division, let us not mistake the fact that we are following the lead given by the late Pandit Motilal Nehru.

Sir Cowasji Jehangir: And you will go into the lobby against it?

Mr. C. S. Ranga Iyer: My friend over there asks, whether I will go into the lobby against it: that question will arise when and if you press it to a division. . . .

Mr. N. M. Joshi: I do not think they will do it!

Mr. C. S. Ranga Iyer: That reduces the sublime to the ridiculous. Here you are bringing forward a motion for the rejection of the entire demand on the Railway Board, a motion which could have been taken on a Rs. 100 cut. For pride of place, to secure priority of place, if obstruction is not your intention, you have given notice of this motion.

[Mr. C. S. Ranga Iyer.]

When Pandit Motilal Nehru moved that this demand be totally rejected, just as my friend over there, with all the energy and all the eloquence with which he has spoken, moved that the entire demand be reduced to one rupee—he is not so ungenerous, he wants to carry on the administration of the Railway Board with one rupee—the intention was obstruction and if obstruction is the intention, let us make it quite clear. I have practised obstruction in the past, but those were stormy days when our demands were refused for a Round Table Conference. It is interesting to see Round Tablers coming forward in this House and talking the old language. (Laughter.) Let them go out into the country if they dare and denounce the Government as the Congress people have the courage to denounce. Mr. V. J. Patel said, when he moved this motion of obstruction, that he would obstruct here at every stage; he explained to Mr. Jinnah why they brought forward the motion for the total rejection of the Railway Board demand. He said:

"We would obstruct the Government at every stage and at every step and, if we could help it, we would compel the Viceroy to certify everything that comes up before this Assembly, the Bills, the Resolutions and every thing also. We would compel the Government to carry on this administration not with our consent, but merely by veto and certification, and having done that, it would be our duty to go to our people and tell them 'Here we are; we have done what we can. It is now for you to go in for a non-payment of taxes campaign'."

The Congress people were honest. I will not associate myself, I may say, with a policy of dishonesty. If you are here for obstruction, if you are prepared to carry on a no-tax campaign out in the country after forcing the Viceroy to certify and to restore the grant, then say so. Do not mince matters. Do not play with words. Otherwise take the usual, the honest, the straightforward course of bringing forward token cuts and say everything that you have got to say, as we have said, if not in the remote past, in the recent past, coal, grievances of passengers and matters of that kind. I do not blame any single Member on this side who has taken part in this debate. What are Honourable Members to do? They must take the opportunity as it presents itself, and express their grievances. When a Round Tabler comes forward and says "Reject the demand", it may not be that every one who spoke on this side had the intention of forcing the Viceroy to carry on the administration by restoration and certification: they merely availed themselves of this opportunity, because they had no other opportunity. (Hear, hear.) It was not possible for them to go on to the token cut: no arrangements have been reached; but speaking for myself, if this motion is to be pressed to a division, I propose to go into the opposite lobby. (Cheers.) We discussed the matter yesterday: we did not arrive at a conclusion that we should throw out this Railway Board Demand. I am bound by the decision of my Party. With all respect to an individual Member of the Party, who wanted to raise a debate on this issue and who had already given notice, because others of other parties and detached Members had given, we did not stand in his way; but, if we are honest about it, let us understand that the implication of this motion can only be what was contained in the statement that the great Pandit Motilal Nehru made while moving it. He said:

"The motion, as Honourable Members will have observed, is intended to draw attention to the general railway policy pursued in this country, and to condemn it in the strongest possible manner that is open to this House. I fully realise. . . ."

(Interruption).

I hear that the Honourable gentleman (Sir Cowasji Jehangir) has something to say

Sir Cowasji Jehangir: Not to you: I can speak to my friends, I suppose.

Mr. C. S. Ranga Iyer: But I hope the Honourable gentleman will not be audible enough for me. I do not want to hear him when speaking

Sir Cowasji Jehangir: I have no desire whatever to interrupt him.

Mr. C. S. Ranga Iyer: I see Sir Cowasji Jehangir, the Deputy Leader of the Independent Party, is getting quite excited. I would rather like to hear what he has to say on this motion. To continue my quotation: the late Pandit Motilal Nehru went on:

"I fully realise, Sir, the grave responsibility which rests upon me in adopting this course, but I do so with the confidence born of a deep-rooted conviction that it is the right course to follow. The motion is based upon grievances as old as the railway system itself in this country, and the persistent disregard by the authorities of the best interests of the people. I know, Sir, I am inviting a storm of opposition not only from the treasury benches, but also from more friendly quarters."

Mr. Muhammad Ali Jinnah, Sir Purshotamdas Thakurdas, Pandit Madan Mohan Malaviya—(*A Voice*: "Jala Lajpat Rai and others.")—I am grateful to my friend, Mr. Amar Nath Dutt, for reminding me of their names. They could not agree with the Pandit. To continue the quotation:

"We are little disturbed by the rise and fall of the official barometer, but when the centre of disturbance is shifted to other parts of the House it does become a matter for serious consideration. Let me assure the House"—*said the great Pandit with his usual courage, reasoning and eloquence*—"that we have given the matter our most anxious and most serious consideration and that nothing but a compelling sense of duty to the country could have induced us to take this extreme constitutional course":

because Pandit Motilal Nehru had then demanded a Round Table Conference, but he got the Simon Commission in return—or was going to get it: his constitutional demands had been rejected. He continued:

"Sir, the grievances that I have spoken of have been accumulating for the past three-quarters of a century and they have now reached the stage at which *nothing short of a complete refusal of supplies would meet the situation*. We are not adopting the usual course" (*mark these words*) "of moving small cuts of Rs. 100 or so which is done with the intention of drawing attention to some matter of policy or to convey a mild censure for something which has been wrongly done or omitted to be done. We think that the matter is far too serious to be dealt with in that way and that the only proper way of dealing with it is to apply most strictly the principle, '*grievances before supplies*'."

Sir, I regret the turn the debate has taken. I regret the motion. I associate myself with many of the grievances that have been mentioned by Honourable Members. I also wholeheartedly associate myself with some of the grievances referred to by my friends, Mr. Mitra and others. I believe my friend, Mr. Joshi, will speak on the railway passengers' grievances, labour grievances and others of that kind, and I may be very much in agreement with him. But, Sir, I do not agree with the purpose of this motion; I do not agree with the proposal for the wholesale rejection of this grant, for the very simple reason that such a thing can only be done by concerted action and consultation. *The circumstances do not ask for*

[Mr. C. S. Ranga Iyer.]

that concerted action. At any rate, if some Honourable Members had thought that there was necessity for that concerted action, leaders of parties would have met and decided the matter. I oppose the motion as it stands. I associate myself with much of what has been said about the grievances.

Mr. S. O. Sen: Sir, I do not wish to tire the House with a long speech, nor do I wish to pose as a disinterested party, having only to espouse the public cause in this matter. I may say at once that I am a person interested in coal. I have a coal mine and I am a member of the Indian Coal Mining Federation, and I have, as a Solicitor, about 90 per cent. of the Indian coal mine owners as my clients. I have led deputations to the Honourable the Commerce Member on behalf of the coal merchants, and, therefore, I am in a position to say something about the position of the coal trade from practical experience and practical knowledge

Captain Sher Muhammad Khan Gakhar: Not with any personal interest?

Mr. S. O. Sen: My friend, Mr. Ghuznavi, said that he had no personal interest. Sir, he was for some time a Director of several Companies, and it will be very interesting to know whether he paid for his shares with which he qualified himself as a Director.

Mr. A. H. Ghuznavi: That is for the auditors to find out, and not for you.

Mr. S. O. Sen: I know the facts, Sir, because I was present at the meetings of these Companies when this question was raised.

Now, Sir, it is quite true that the rates quoted this year for tenders are much lower than last year, but the reason for it is not what was stated by Mr. Ghuznavi in this House, that is to say, by reason of his public spiritedness in bringing these matters for discussion last year; it is because the coal trade is in a very bad way; the industries which alone can take coal in large quantities are in a very bad way, and, therefore, the coal market fell considerably during the year. I may say from personal experience that the person to whom I sold coal last year at Rs. 3-8-0 now demands coal for Rs. 2-14-0, and today I have received a letter from him asking me to further reduce my price to Rs. 2-12-0. That is the position of the coal trade. Slack coal was sold last year at Rs. 2-10-0, and this year you can get it in any quantity at Re. 1 or Rs. 1-14-0

Mr. G. Morgan (Bengal: European): Lucky even if we can get that.

Mr. S. O. Sen: Lucky even if we get that, as Mr. Morgan says. That is the reason why there has been a fall in the price of coal offered to the Railways. That much, Sir, shows how far the Honourable Mr. Ghuznavi has saved the country from further losses. Of course, he was disinterested as he himself stated in the House, and so something ought to be done to convey the thanks of the House to him for his public service in connection with the coal purchase, in addition to what has been done for him by conferring at his instance the title of Rai Sahib on one of his patrons.¹⁰

Mr. N. M. Joshi: Who is that?

Mr. S. C. Sen: He is the son of one Mr. Shuklal Karnani, the proprietor of the firm

Mr. A. H. Ghuznavi: I did not make any personal attacks in my speech.

Mr. S. C. Sen: He is the son of one Mr. Shuklal Karnani, the proprietor of the firm in which Mr. Ghuznavi was a Director for some little time.

Then, Sir, we have heard something about the B., B. and C. I. Railway contract, and Mr. Ghuznavi said that in this matter they, *viz.*, the Railway did not take the advice of Mr. Whitworth. I accept the statement of Mr. Ghuznavi, and if that be so, what is the result? They purchased coal at Rs. 8-6-0 from one of the Companies of which Mr. Ghuznavi was a Director and this particular Company has now quoted Rs. 2-12-0 for their coal. That is the result of not taking the advice of Mr. Whitworth.

Then, Mr. Ghuznavi said something about railway collieries, and I believe my friend Mr. S. C. Mitra, also said something to the same effect, about the railway collieries, and I fully agree with them that the railway collieries are now run at a huge loss. Three crores and 56 lakhs have been invested by the Railways in these collieries. These collieries last year produced coal to the extent of about 11 lakhs of tons, and the price comes to about Rs. 4 per ton. This coal could be purchased from the market for Rs. 2-12-0 or Rs. 2-8-0 as the coal is of an inferior quality. But what is the Railway Board to do? They have either to look to the interest of the ordinary colliery owners and coal trade or to look after their own interests. They have this year taken one-third coal from the railway collieries and two-thirds from the public for the Railway, for which they deserve the thanks of the public, because, if the Railway Board had not taken from the public collieries, all the collieries in Bengal would have been closed by now. If they had not taken the one-third quantity of the coal from their own collieries, the market price of coal would have gone up; on the other hand, as these collieries are fitted to raise an annual output of 50 lakhs tons, if they had taken all the coal produced, the balance, after their requirement, would have been sufficient to flood the market with cheap coal but they took only 11 lakhs tons with a view to keeping alive the public coal trade. The logical conclusion of all this criticism which has been made here would be this, that either they should shut down their collieries or go on at full speed. If they go on at full speed, they know perfectly well that all the collieries in Bengal will have to be closed down, and, therefore, with a view to preserving these collieries, to preserving the coal owners and coal trade of Bengal, they have to suffer a slight loss, and for that loss we hear so much criticism in this House. Instead of thanking the Railway Board for the loss which they have inflicted on themselves simply for the purpose of preserving the collieries and the coal trade of Bengal or, keeping alive, I should say, the colliery-owners of Bengal, they are being criticised and their whole existence has been sought to be taken away

Mr. A. H. Ghuznavi: We are here to look after the Railway interests, and not the interests of the colliery-owners.

Mr. S. C. Sen: What is the Railway interest? Is it not the interest of the whole country?

An Honourable Member: Tax-payers.

Mr. S. C. Sen: The colliery-owners are also tax-payers. Are they not tax-payers?

Mr. Muhammad Yamin Khan (Agra Division: Muhammadan Rural): Not individuals.

Mr. S. C. Sen: I do not say individuals, but the colliery-owners and dealers in coal are tax-payers and they are as much entitled to be protected by the State as any other trade and specially as in this case the competition is with the State. Take the principle of the Tariff Board recommendations. What are they for? Are they not for the protection of the trade and commerce of the people of the country, to preserve the existence of the people who deal in certain kinds of commodities?

Mr. B. Das (Orissa Division: Non-Muhammadan): Capitalists.

Mr. S. C. Sen: Not capitalists. Capitalists must exist in every country.

An Honourable Member: Not the Bombay millowners.

Mr. S. C. Sen: I do not care whether they are for the Bombay mill-owners or for anybody else

Mr. S. C. Mitra: Our suggestion was that the Government coal mines might be given out on lease and the whole quantity of coal might be purchased from the Bengal coal mine-owners. That was our whole point.

Mr. S. C. Sen: The question then comes back to the same point. If there is over-production and there is nobody to purchase it, there will be difficulty again. Who can take 50 lakhs of tons of coal raised from these collieries in addition to the coal produced from private collieries? What will be the general position of the coal trade?

Mr. G. Morgan: Very bad.

Mr. S. C. Sen: The only remedy will be to close down the collieries, but what about the royalties which the state collieries have to pay? These are the points that I wish to raise and these are the difficulties which are to be faced in this matter and I do not think that any person is justified, having regard to the difficulties I have explained, to ask that the whole demand for the Railway Board should be reduced to the absurd figure of rupee one.

Sir Cowasji Jehangir: It is a great pleasure to hear my friend, Mr. Ranga Iyer's speech and when he was quoting extracts from his old leader's speeches in this Honourable House, what impressed me most was the great change that has taken place not only in my Honourable friend's political views, but also in his personal appearance.

Mr. Chairman, we have had a most interesting debate and I agree with my Honourable friend that this has been a continuation of yesterday's debate. It has been a debate practically on the whole railway administration in India. I have only one point to bring to the attention of my Honourable friend who is in charge of this Department. We have heard a good deal about Indianisation. But what attention has been paid to Indianisation when the Department was compelled to retrench some officers? That is the question I propose to ask my Honourable friend. Instances have been brought to my notice of young Indians with the highest qualifications obtained in England who have been retrenched after seven or eight years service in the Railway Department. I would ask my Honourable friend whether a searching inquiry has been made, whether he himself has gone into the question, as to whether such men who were retrenched were retrenched justly, whether officers were not retained in the Department who had a lesser claim on the Department than these young Indians with English qualifications and with eight or ten years service to their credit. When we talk so much of Indianisation, I do think that the Railway Board itself ought to have paid greater attention to the question of retrenchment. I have not been able to examine these cases with the thoroughness with which I would like to have done, but my examination, so far as it goes, shows that there was some injustice done. When I say this, I do not mean that they should have been kept on, because they were Indians, and others retrenched, because they were not Indians. I do think that a closer examination of these questions should have been made by the Railway Board itself. It is causing a considerable amount of dissatisfaction, dissatisfaction which the Railway Board will come to hear of later on in a much more pronounced form than it has assumed today. I trust that the Honourable Member in charge of the Department will look into this question when the Railway Board itself maintains that Indianisation is their policy.

Mr. N. M. Joshi: I should like to speak, but there are only five minutes left. People are not standing up, because it is late and it would be much better to adjourn the House. I should like to have your ruling, Mr. Chairman.

Mr. Chairman (Sir Hari Singh Gour): I should sit till five o'clock. The Honourable Member can begin his speech and continue it next day.

Mr. N. M. Joshi: Before I go to the main points of my speech, I should like to say a word with regard to the method by which we have proceeded to discuss the demands for grants. I feel, Mr. Chairman, that it would have served the purpose of discussion and the ventilation of grievances much better if we had not spent this day in general discussion which we had carried on yesterday. But unfortunately as the two Parties in this House, which are supposed to be organised, but which, Mr. Chairman, I regret to say, are more disorganised than organised, do not come to an agreement, there is absolutely no alternative to a Member like myself who has no Party to back up, but to take part in this general discussion again. The question which I propose to place before this House at the outset is the question of the grievances of the third class passengers. When I spoke yesterday, I gave one or two figures and today I shall begin by quoting a few more figures. These figures are given in Vol. II of the Report published by the Railway Board. I shall first take

[Mr. N. M. Joshi.]

some figures given on page 10 as regards the number of seats which the Indian Railways possess for their passenger traffic. The Indian Railways have at present in stock 40,000 first class seats. They have got 65,000 second class seats, and 1,160,000 third class seats. This is the rolling stock for the passenger traffic. With this rolling stock the Indian Railways carried during the year 1931-32 508,000 first class passengers, 5,937,000 second class passengers and 487 million third class passengers. Now, Mr. Chairman, if we manipulate these two sets of figures, namely, the number of seats available and the number of passengers carried, we get approximately this result—the Railway Board has in its possession one first class seat for every 12 first class passengers. One seat is used during 865 days 5 P.M. only 12 times. Then, as to a second class seat,

Mr. Chairman (Sir Hari Singh Gour): How long is the Honourable Member going to take?

Mr. N. M. Joshi: I think, Sir, I shall take more than half an hour.

Mr. Chairman (Sir Hari Singh Gour): The House stands adjourned till 11 o'clock on Thursday morning.

The Assembly then adjourned till Eleven of the Clock on Thursday, the 23rd February, 1933.