

24th February 1938

**THE**  
**LEGISLATIVE ASSEMBLY DEBATES**  
**(Official Report)**

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**Volume II, 1939**

*(16th February to 13th March, 1939)*

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**NINTH SESSION**  
**OF THE**  
**FIFTH LEGISLATIVE ASSEMBLY,**  
**1939**



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**1939**

**9—10**

# Legislative Assembly.

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

SYED GHULAM BHIK NAIRANG, M.L.A.

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

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# LEGISLATIVE ASSEMBLY.

Friday, 24th February, 1939.

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

## MEMBER SWORN.

Mr. Subimal Dutt, M.L.A. (Government of India: Nominated Official).

## STARRED QUESTIONS AND ANSWERS.

### (a) ORAL ANSWERS.

†628\*—683B\*.

#### DIFFICULTIES IN THE CONTROL OF ILLICIT EMIGRATION.

684. \*Mr. S. Satyamurti (on behalf of Seth Govind Das): Will the Secretary for Education, Health and Lands please state:

- (a) whether his attention has been drawn to the annual report on the workings of the Indian Emigration Act for 1937 at Bombay with special regard to the difficulties in the control of illicit emigration;
- (b) whether Government have framed, or do propose framing, the requisite rules to check the evil prevalent among the passenger and passport brokers; and
- (c) when the new rules are likely to be brought into force?

**Sir Girja Shankar Bajpai:** (a) Yes.

(b) and (c). Government have under consideration certain draft rules for the licensing and control of passage brokers in Bombay and hope to publish them in the near future.

**Mr. S. Satyamurti:** Can my Honourable friend give some indication to the House as to the extent of this evil of illicit emigration, through these unlicensed brokers and others?

**Sir Girja Shankar Bajpai:** The evil is limited to the port of Bombay; it does not, as far as we know, exist in other ports. And I am sorry to say that of late it has been rather increasing. These passage brokers persuade intending emigrants to say that they are not emigrants within the meaning of the Act at all.

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†For these questions and answers, see pages 1397-1424 of these debates.

**Mr. S. Satyamurti:** May I know if Government hope to bring these rules into force, in view of the growing evil as my Honourable friend has stated just now?

**Sir Girja Shankar Bajpai:** The rules will have to be published to invite objections in the first instance, but we shall try to enforce them as early as possible.

**Mr. T. S. Avinashilingam Chettiar:** Will these rules be applicable only to Bombay?

**Sir Girja Shankar Bajpai:** No, Sir; they will be applicable to the whole of India, but as a matter of practical administration they will apply only to Bombay.

#### HAJ PILGRIMS STRANDED AT CERTAIN PORTS.

**685. \*Mr. S. Satyamurti:** Will the Honourable the Commerce Member be pleased to state:

- (a) whether his attention has been drawn to the fact that in several ports, especially Karachi, Bombay and Calcutta, several Haj pilgrims found themselves stranded this season because of the Scindia Steam Navigation Company stopping forward booking for the last two steamers, and because the Mogul Line raised its rates to Rs. 140 and above;
- (b) whether the pilgrims expected to obtain their passages for amounts of Rs. 60 or 70 owing to the rate war, and what the latest position is in the matter; and
- (c) whether Government propose to take any steps in the matter and, if not, why not?

**The Honourable Sir Muhammad Zafrullah Khan:** (a) to (c). The attention of the Honourable Member is invited to the answers given by me to question No. 213 and its supplementaries on the 8th February.

**Mr. S. Satyamurti:** In view of the fact that when the Haj season is actually on or very near, it becomes very difficult for Government to settle this thing, may I know if Government will take time by the forelock as early as possible, and settle this before a crisis actually arrives or is very near?

**The Honourable Sir Muhammad Zafrullah Khan:** The trouble is that the shipping companies do not begin to feel any pressure till the Haj season is at hand. I do not think they will be amenable to any suggestions till the Haj season is within sight.

**Mr. S. Satyamurti:** In view of the experience on the last occasion, will Government use their good offices with the two companies concerned, and see if something cannot be done in time?

**The Honourable Sir Muhammad Zafrullah Khan:** Government are always prepared to use their good offices. But the difficulty, as I explained, was to carry into effect any arrangement that may be arrived at. With regard to that I am still awaiting some sort of suggestion which would overcome the difficulty.

## THREATS FOR BOYCOTT OF INDIAN COTTON.

**686. \*Mr. S. Satyamurti:** Will the Honourable the Commerce Member be pleased to state:

- (a) whether his attention has been drawn to an article in *The Oldham Chronicle* by Mr. Frank Platt, Managing Director of the Lancashire Cotton Corporation, republished in *The Hindustan Times* of the 2nd January, 1939;
- (b) whether the attention of Government has been drawn to the particular statement in the article that "they (Indians) have scared the Government by 'political considerations'";
- (c) whether the attention of Government has been drawn to the threat in the article that "it is not impossible that we will yet see Lancashire refusing to use Indian cotton at all"; and
- (d) whether Government are bearing all these "threats" in mind in negotiating a fresh trade agreement with Great Britain?

**The Honourable Sir Muhammad Zafrullah Khan:** (a), (b) and (c). The attention of Government has been drawn to this particular article.

(d) I would refer the Honourable Member to the answers to the supplementary questions arising out of his question, No. 1960 on the 8th December, 1938, and Seth Govind Das' question No. 204 on the 8th February.

**Mr. S. Satyamurti:** With regard to these threats which are growing in number and volume, may I know whether the Government of India are bringing these things to the notice of the other side of the agreement, i.e., the British Government, so that there may be no weighing of the scales against us by these continual threats in England?

**The Honourable Sir Muhammad Zafrullah Khan:** I have on a previous occasion given the Honourable Member the assurance that no such utterances will affect the merits of the question at all.

**Mr. S. Satyamurti:** May I know whether my Honourable friend's attention has been drawn to a statement made by the Prime Minister in the House of Commons that no trade agreement will be made which does not protect the interests of Lancashire?

**The Honourable Sir Muhammad Zafrullah Khan:** Yes, Sir.

**Mr. S. Satyamurti:** May I know whether the Government of India have made it quite clear that no agreement will be concluded by them which is not in the interests of the Indian textile industry and of Indian cotton growers?

**The Honourable Sir Muhammad Zafrullah Khan:** I do not think His Majesty's Government are under any illusion with regard to that.

**Mr. T. S. Avinashilingam Chettiar:** May I know if recently there has been any hitch in the negotiations about the Indo-British Trade Agreement?

**The Honourable Sir Muhammad Zafrullah Khan:** That depends on the definition of "hitch".

**Mr. T. S. Avinashilingam Ohettiar:** May I know if Government are expecting with the same expectancy which they were having some weeks back to bring forth the agreement before the House before the end of the next month?

**The Honourable Sir Muhammad Zafrullah Khan:** I do not know whether they will bring forth the agreement before the House but the agreement must be brought forth before it is brought before the House.

**Mr. S. Satyamurti:** In view of this somewhat intriguing answer, may I know whether Government hope to be able to place these proposals before this House before the end of this Session?

**The Honourable Sir Muhammad Zafrullah Khan:** Government are hoping that they will be able to place the agreement before the House before the end of this Session because, as the Honourable Member knows, if that is not done, we must revert to the pre-Ottawa position.

#### GOLD FINDS IN PROVINCES.

**687. \*Mr. S. Satyamurti:** Will the Honourable Member for Commerce and Labour be pleased to state whether gold finds have been made in the North-West Frontier Province and/or in any other Province, and, if so, whether Government propose to pursue this matter further?

**The Honourable Sir Muhammad Zafrullah Khan:** Reports of the alleged discovery of gold in the Godhra taluq of the Panch Mahals District, Bombay, have appeared in the press, but Government have no authentic information regarding gold finds in the Provinces of British India beyond what is contained in the section dealing with "gold" in the annual reports of the Geological Survey of India published in Part I of the Records of that Department. As regards the second part of the question, I may state that the development of mineral resources is a provincial concern under the Constitution.

#### CONSERVATION OF COAL AND PETROLEUM, ETC.

**688. \*Mr. S. Satyamurti:** Will the Honourable Member for Labour be pleased to state:

- (a) whether his attention has been drawn to the presidential address of Professor S. K. Roy delivered at the Geology section of the Indian Science Congress;
- (b) whether Government are doing anything to conserve India's limited resources in respect of important minerals like coal, petroleum, etc.;
- (c) whether it is a fact that there is no qualification prescribed for the managership of mines except coal mines;
- (d) whether as a result of such lack of definite specification of the qualifications, waste goes on unchecked;

- (e) whether Government have noticed the statement of Professor S. K. Roy that "the most satisfactory method of conservation of coal, and consequent safety in working, has been found to be hydraulic packing, locally known as sand-stowing";
- (f) whether Government propose to take any steps in this behalf;
- (g) whether Government propose to take steps to organise India's position in respect of mica, so that she can command a world market;
- (h) whether Government propose to do the same in case of chromite which is wasted now in Bihar and elsewhere;
- (i) whether it is a fact that several minerals of the country, such as, kyanite, magnesite, manganese, chromite, bauxite, berils, ilmenite, wolfram and tantalum and vanadium minerals, are sold at very low prices outside India after being exported from here;
- (j) whether Government propose to take any steps in this behalf;
- (k) whether Government propose to take any steps to see if zinc deposits can be exploited in our country; and
- (l) whether Government propose to take comprehensive steps for improving the mineral wealth of the country, and, if so, what they are?

**The Honourable Sir Muhammad Zafrullah Khan:** (a) Yes.

(b) A Bill providing for stowing in coal mines, which will incidentally result in greater conservation of coal, is under consideration in this House. Government are not aware that there is any appreciable wastage of petroleum.

(c) Only a competent person of not less than 21 years of age can be appointed as manager of a metalliferous mine. If any question arises whether a person so appointed is competent to perform the duties of manager, the decision of the Chief Inspector of Mines is final.

(d) No.

(e) and (f). Yes.

(g) In view of the considerable improvement both in the production and exports of mica in recent years, no special steps to organise India's position in the world markets seem to be called for.

(h) Government are not aware of any wasteful methods of mining chromite in Bihar or elsewhere and India's share of the world's production of chromite is so small that no useful purpose will be served by organising or controlling its production.

(i) India shares with other producing countries the disadvantage of the low prices for these minerals in the world market.

(j) No.

(k) No. The only known zinc deposits of any importance are in Mewar and Chital which are both outside British India.

(l) No. Mineral development is a provincial subject.

**Mr. S. Satyamurti:** With regard to clause (c) of the question, may I know whether and how the competency of these various managers of mines, except coal mines, is decided, and by whom?

**The Honourable Sir Muhammad Zafrullah Khan:** Primarily by those who employ them, *i.e.*, the owners of the mines. But if any question arises whether a person is or is not competent,—by the Chief Inspector of Mines.

**Mr. S. Satyamurti:** But, in view of the great importance of the mineral wealth of this country being properly conserved and used, will Government consider the question of prescribing by statute or otherwise some minimum qualifications for these posts of managers of valuable mines in this country?

**The Honourable Sir Muhammad Zafrullah Khan:** I am willing to look into the suggestion, but of course the Honourable Member will realise that it will not do to make these matters too rigid because then the development of the particular industry itself might be affected.

**Mr. S. Satyamurti:** With regard to clause (g) of the question, can my Honourable friend give some information to the House as to the increase of exports of mica from this country in recent years?

**The Honourable Sir Muhammad Zafrullah Khan:** I regret I have not got the figures here, but after notice was received of the Honourable Member's question I looked into the figures and my impression is that there had been a considerable increase last year over the previous year's exports.

**Mr. S. Satyamurti:** With regard to clause (l) of the question, in view of the fact that it is a provincial subject, may I know if the Government of India do not propose to take some steps, as they are doing in some other matters, with a view to co-ordinating the efforts of the Provincial Governments and of the Government of India, in view of the great importance to the country as a whole of the proper conservation and development of the mineral resources of this country?

**The Honourable Sir Muhammad Zafrullah Khan:** Whenever the necessity of co-ordination arises, Government will certainly look into it.

**Dr. Sir Ziauddin Ahmad:** The Honourable Member said that metals are found in places outside British India. What are the places in India outside British India where these mineral ores are found?

**The Honourable Sir Muhammad Zafrullah Khan:** I said with regard to zinc that the only zinc deposits of any importance are in Mewar and Chitral which are both outside British India.

**Mr. K. Santhanam:** With reference to the answer to clause (c) of the question, may I know whether Government will arrange for special courses for managers who have had no degrees in mining?

**The Honourable Sir Muhammad Zafrullah Khan:** I am afraid that is rather a large question. The need would first have to be established.

## IMMIGRATION OF JEWS INTO KENYA.

**689. \*Mr. S. Satyamurti:** Will the Secretary for Education, Health and Lands be pleased to state:

- (a) whether his attention has been drawn to a leading article entitled "More Disabilities in Kenya" in *The Hindu* of the 4th January, 1939;
- (b) whether Government have considered that allowing immigration of Jews to portions of Kenya, access to which is denied to Indians, is exacerbating feelings in the country;
- (c) whether Government have considered the fact that the immigration of Jews will affect the position of Indians in regard to trade, commerce and service;
- (d) whether the Government of India are prepared to take steps, or say what steps they have taken, to protest against His Majesty's Government's policy in respect of this matter; and
- (e) what the latest position in the matter is?

**Sir Girja Shankar Bajpai:** (a) Yes.

(b)–(e). The attention of the Honourable Member is invited to the reply given by me on the 8th February 1939, to Mr. T. S. Avinashilingam Chettiar's starred question No. 188.

**Mr. S. Satyamurti:** May I know if my Honourable friend's attention has been drawn to a news item in this morning's paper, in which the local association have protested against the Order in Council being passed reserving these highlands for non-Indians?

**Sir Girja Shankar Bajpai:** I saw the newspaper report this morning and I have instructed my office to make inquiries.

## IMPORT OF PAPER.

**690. \*Mr. S. Satyamurti** (on behalf of Mr. Manu Subedar): (a) Will the Honourable the Commerce Member please state what is the importation of paper (figures of different kinds of paper to be shown separately) during the last three years and how does it compare with the importation during the same period of the year after the removal of the revenue surcharge on paper?

(b) Is it a fact that, on account of the removal of this surcharge, foreign paper has been imported in large quantities and during the period the prices of foreign paper, which were high, have not been maintained?

(c) Is it a fact that the expectation of the Tariff Board in connection with the maintenance of the level of imports as hitherto, in spite of the removal of this surcharge, has not been realised?

(d) What steps do Government propose to take in connection with this matter?

**The Honourable Sir Muhammad Zafrullah Khan:** (a) The attention of the Honourable Member is invited to the Accounts of the Sea-borne Trade and Navigation of British India which contain the required information.

(b) No, Sir.



(c) The Tariff Board Report dealing with the removal of the surcharge on paper duties expressed no opinion on the point raised by the Honourable Member.

(d) Does not arise.

**Mr. S. Satyamurti:** With reference to clause (b) of the question, may I know that the high prices have been maintained in spite of the removal of this surcharge?

**The Honourable Sir Muhammad Zafrullah Khan:** In spite of the removal of the surcharge, the import of these qualities of paper has not gone up: on the other hand, it appears to have gone down.

**Mr. S. Satyamurti:** May I know whether my Honourable friend has got any information in regard to prices specifically?

**The Honourable Sir Muhammad Zafrullah Khan:** With regard to printing paper I have got the prices here: the prices have been lower in 1938 than in 1937.

**Mr. S. Satyamurti:** May I know by how much the import has fallen on the whole—the import of foreign paper into this country?

**The Honourable Sir Muhammad Zafrullah Khan:** Taking printing paper the imports of printing paper in 1937 were 72,068 cwts. and after removal of the surcharge 37,876 cwts. The total import of paper was 161,078 cwts. in 1937 before the removal, and after removal 133,441 cwts. I have also got the figures of value if the Honourable Member wants them.

**Mr. Mohan Lal Saksena:** Is it not a fact that the increase is partly due to the fear of war?

**The Honourable Sir Muhammad Zafrullah Khan:** There has been a decrease of imports.

#### BOSE RESEARCH INSTITUTE, CALCUTTA.

691. **\*Mr. C. N. Muthuranga Mudaliar:** With reference to the answer to question No. 1981, dated the 8th December, 1938, will the Secretary for the Department of Education, Health and Lands please state:

(a) whether suitable measures have been devised to ensure a high standard of research in the Bose Institute at Calcutta, and, if so, what they are; and

(b) whether any arrangement has been made to elect a representative of this Assembly to the Governing Body of the Institute?

**Sir Girja Shankar Bajpai:** (a) and (b). The question of devising a new scheme for the control and administration of the Bose Research Institute is still under consideration.

**Mr. Brojendra Narayan Chaudhury:** May I know whether this reduced grant will be restored to the original amount of Rs. 1,06,000?

**Sir Girja Shankar Bajpai:** I deeply regret that, owing to the continual financial stringency, there is no prospect of restoring the grant to the original figure of Rs. 1,06,000.

**Mr. C. N. Muthuranga Mudaliar:** What is the answer to part (b) with regard to the election of a representative by this House?

**Sir Girja Shankar Bajpai:** That is part of the scheme.

**Prof. N. G. Ranga:** Was the reduction in the original grant made entirely with a view to meet the financial stringency here in the Central Government?

**Sir Girja Shankar Bajpai:** I think I have informed the House before that this original reduction was made some time six years ago.

#### BOSE RESEARCH INSTITUTE, CALCUTTA.

**692. \*Mr. C. N. Muthuranga Mudaliar:** With reference to the answer given to question No. 1981 (d), dated the 8th December, 1938, will the Secretary in the Department of Education, Health and Lands please state what are the activities of the Bose Institute in which the present Director has already specialised? In what respects is he continuing the work of the late Sir J. C. Bose?

**Sir Girja Shankar Bajpai:** Government understand that the present Director has initiated investigations on plant hormones and on the effect on the growth of plants of vernalisation and photo periodism—whatever that may mean—which have direct application to horticultural and agricultural problems.

#### BOSE RESEARCH INSTITUTE, CALCUTTA.

**693. \*Mr. C. N. Muthuranga Mudaliar:** With reference to the answer given to question No. 1982 (a) of the 8th December, 1938, will the Education Secretary please state whether Government are now in a position to state the number of research workers (students and staff) that are working in the Bose Institute, Calcutta, and the Provinces from which they come?

**Sir Girja Shankar Bajpai:** The attention of the Honourable Member is invited to the statement laid by me on the table of this House on the 3rd February, 1939, in reply to part (a) of his starred question No. 1982 asked on the 8th December, 1938.

**Mr. M. Ananthasayanam Ayyangar:** May I know how many of these persons had direct teaching under Sir J. C. Bose when he was alive?

**Sir Girja Shankar Bajpai:** I should doubt whether there were very many, because the late Sir J. C. Bose ceased teaching something like 20 years ago.

## BOSE RESEARCH INSTITUTE, CALCUTTA.

**694. \*Mr. O. N. Muthuranga Mudaliar:** (a) With reference to the answer given to the supplementary question to question No. 1981 of the 8th December, 1938, will the Secretary in the Department of Education, Health and Lands please state whether any scheme for the control and administration of the Institute been received from the authorities of the Bose Institute?

(b) If the answer to the above be in the affirmative, will Government please place a copy of it on the table of the House?

**Sir Girja Shankar Bajpai:** (a) Not yet.

(b) Does not arise.

## OFFICER FOR THE CO-ORDINATION OF DEFENCE.

**695. \*Mr. T. S. Avinashilingam Chettiar:** Will the Honourable the Commerce Member state:

(a) how long the new officer for the co-ordination of Defence has been working;

(b) under which department he is working; and

(c) what action he has taken till now in the matter of co-ordination?

**The Honourable Sir Muhammad Zafrullah Khan:** (a) Since the middle of August, 1938.

(b) On first appointment, this officer worked as Additional Secretary, Defence Department. With effect from the 17th December, 1938, he has been working as Secretary, Governor General (Defence Co-ordination). The question of appointing him as Secretary to the Government of India for Defence Co-ordination, in addition to his own duties, is under consideration.

(c) The Honourable Member will recognise that, apart from the fact that certain aspects of this officer's work cannot be divulged without detriment to the public interest, a detailed statement of his activities is outside the scope of an answer to a question. I can only say that he has been occupied in co-ordinating the work of all departments concerned in preparation for a war in the future. In particular, he is concerned with emergency legislation, problems relating to transport and arrangements for supply in war-time to meet the needs of the fighting forces and the civil population.

**Mr. T. S. Avinashilingam Chettiar:** May I know whether this temporary post has been created for the present emergency or whether it is a permanent post?

**The Honourable Sir Muhammad Zafrullah Khan:** If the Honourable Member wants to know how long it will last I am afraid I am unable to tell him.

**Mr. S. Satyamurti:** May I know whether Government have examined the scope and extent of his duties and have satisfied themselves that this officer is a necessary addition to the officers under the Government of India and, if so, how have they satisfied themselves?

**The Honourable Sir Muhammad Zafrullah Khan:** Government are satisfied that he is not only necessary but essential in view of the contingencies ahead.

**Mr. S. Satyamurti:** May I know if this officer is working under my Honourable friend, the Commerce Member?

**The Honourable Sir Muhammad Zafrullah Khan:** I answered that question before: he has to co-ordinate various activities and so he is not employed under any particular department.

**Mr. S. Satyamurti:** Who sees to it that he gives value for his money? Is he a kind of independent officer by himself or is he under the control of any Department of the Government of India?

**The Honourable Sir Muhammad Zafrullah Khan:** That his work is supervised is true.

**Mr. S. Satyamurti:** By whom?

**The Honourable Sir Muhammad Zafrullah Khan:** By various people: to some extent by me.

**Mr. Sri Prakasa:** Are Government satisfied that a war is coming, and, if so, when do they expect it?

(No answer.)

#### DESPATCH OF INDIAN TROOPS TO BURMA.

**696. \*Mr. Brojendra Narayan Chaudhury:** Will the Secretary for Education, Health and Lands please state:

- (a) whether his attention has been drawn to the Associated Press message, dated Madras, the 3rd February, given below:

“A party of Gloucestershire Regiment and King's Own Yorkshire Light Infantry, 320 in number, left for Rangoon by S.S. ‘Erinpura’ A.P.’”

- (b) whether the troops are being sent on the requisition of the Government of Burma to meet the situation arising out of the anti-Indian riots in that country; if not, for what purpose other than protection of Indian life and property; and

- (c) whether they are being sent at the instance of his Department?

**Sir Girja Shankar Bajpai:** (a) Yes.

(b) The Government of Burma have stated that the draft provided merely normal replacements in the two British Infantry Battalions serving in Burma.

(c) No.

### PAY OF ACCOUNTANTS IN THE GOVERNMENT OF INDIA PRESSES.

**697. \*Sri K. B. Jinaraja Hegde:** With reference to his answer to question No. 1046 of the 14th September, 1938, regarding pay of accountants in the Government of India Presses, Calcutta and New Delhi, will the Honourable Member for Commerce and Labour be pleased to state:

- (a) the results of his examination;
- (b) the causes for disparity in pay of accountants in the Aligarh and Calcutta Forms Press;
- (c) whether the respective salaries were fixed in the revision of the establishment of the two presses in 1929 and 1930;
- (d) whether, while so revising, any grounds such as amount of work, nature of duties, or strength of establishments, were considered; if so, what are the reasons for such disparity; and
- (e) whether Government are considering the amalgamation of these two presses to effect economy?

**The Honourable Sir Muhammad Zafrullah Khan:** (a), (b) and (d). The whole question of the disparity in the rates of pay of accountants in different establishments of the Stationery and Printing Department is at present under consideration.

(c) The existing old rates of pay of the posts of accountants of the Forms Press, Aligarh, and the Forms Press, Calcutta, were fixed in 1926 and 1930 respectively; the new rates were introduced in 1934.

(e) No.

### IMPORTS OF ELECTRIC GOODS.

**698. \*Mr. Sham Lal:** Will the Honourable the Commerce Member be pleased to state:

- (a) the amount of imports of electric goods from different countries of the world during each of the last three financial years; and
- (b) if they have been fairly heavy, whether the All-India Industrial Research Bureau has disseminated so far any information regarding the establishment of factories in India for manufacturing and repairing electric material as regards their sites and potentialities?

**The Honourable Sir Muhammad Zafrullah Khan:** (a) The attention of the Honourable Member is invited to pages 54—61 of the Accounts relating to the Sea-borne Trade and Navigation of British India for March, 1938, a copy of which is available in the Library of the House.

(b) The Industrial Research Bureau does not as a rule disseminate, on its own initiative, information as regards sites or potentialities of particular industries, but the Bureau is prepared to answer, and has actually answered, enquiries on subjects of this kind.

**GUIDANCE GIVEN TO AGENTS WORKING TO EXTEND INDIAN MARKETS AND TO ESTABLISH TRADE CONTACTS.**

**699. \*Mr. Sham Lal:** Will the Honourable the Commerce Member be pleased to state :

- (a) whether agents working at present on behalf of India to extend Indian markets and establish trade contacts receive guidance from any Indian Board of foreign trade constituted mostly of experienced businessmen; and
- (b) if not, whether any action is intended to be taken in the matter?

**The Honourable Sir Muhammad Zafrullah Khan:** (a) Government are not aware of the existence of any such Board as that mentioned by the Honourable Member.

(b) No.

**MAINTENANCE OF RECORD OF INCOME FROM FEES BY MEDICAL OFFICERS FOR INCOME-TAX PURPOSES.**

**700. \*Mr. Sham Lal:** Will the Secretary of Education, Health and Lands be pleased to state whether medical officers in charge of civil hospitals and dispensaries run by Government and Local Bodies in various parts of India are required to maintain for the inspection of income-tax authorities any prescribed form showing their fee-income from different sources, such as, fees charged by them for examining patients at their houses or at their (doctors') own residences, delicate hospital operations, examining persons seeking to be insured, and issuing certificates in medico-legal cases?

**Sir Girja Shankar Bajpai:** This question should have been addressed to the Honourable the Finance Member.

**ACCIDENTS IN COAL MINES AND COAL RAISINGS IN MINES.**

**701. \*Mr. Brojendra Narayan Chaudhury:** Will the Honourable Member for Labour please state:

- (a) the number of accidents in coal mines by fire or subsidence, with numbers of killed and injured, during the last ten years (totals for the ten years, not separately);
- (b) of the above, the numbers of accidents, killed and injured in Railway mines (consolidated figure for both State and Company-managed);
- (c) the percentage of coal raisings in Railway mines to total raisings in India in the latest year for which figures are available; and
- (d) whether any marked distinction is visible between Railway mines and other mines as regards safety against such accidents?

**The Honourable Sir Muhammad Zafrullah Khan:** The information is being collected and will be supplied in due course.

**Mr. S. Satyamurti:** May I know whether, in view of the fact that they have a Bill before this House for safety in coal mines, Government are able to give us information before we actually discuss the Bill in this House?

**The Honourable Sir Muhammad Zafrullah Khan:** If the information has been collected in the meantime, certainly.

**Mr. S. Satyamurti:** In view of the fact that one of the strongest reasons for this Bill is that we should take such steps as we can to prevent or minimise accidents, may I know if Government will take steps to get the information as early as possible?

**The Honourable Sir Muhammad Zafrullah Khan:** They have taken steps to get the information as early as possible, in any case, a question having been put down to that effect.

**Mr. S. Satyamurti:** May I put these questions, Sir? I had put down certain questions, but as I saw these questions on the order paper, I have withdrawn them.

**Mr. President** (The Honourable Sir Abdur Rahim): If the Honourable Member wishes to answer these questions, the Chair has no objection.

**Mr. S. Satyamurti:** If he objects to answering them, I shall not put them.

**Mr. President** (The Honourable Sir Abdur Rahim): If the Government Member wishes to answer them, the Chair has no objection.

**Sir Girja Shankar Bajpai:** I am quite ready to answer the questions.

**Mr. President** (The Honourable Sir Abdur Rahim): It is not a question of his readiness, but whether he wants to supply the information.

**Sir Girja Shankar Bajpai:** If the House wishes to have the information, I am naturally willing to give it.

**Mr. S. Satyamurti:** No. 702.

#### MONEY SPENT ON SUGAR-CANE RESEARCH.

**702. \*Mr. S. Satyamurti** (on behalf of Seth Haji Sir Abdoola Haroon): Will the Secretary for Education, Health and Lands be pleased to state the amount of money that has been spent on sugar-cane research during 1936-37, 1937-38 and 1938-39, the various directions in which these sums have been spent and the development affected in promoting sugar research both on the agricultural and manufacturing side?

**Sir Girja Shankar Bajpai:** It is anticipated that by the close of the current year the Imperial Council of Agricultural Research will have spent Rs. 10,92,000 on sugar research from the 1st April, 1936. During the same period the expenditure on the Imperial Institute of Sugar Technology will be Rs. 7,02,000. Payments from the Sugar Excise Fund, during this period, amount to Rs. 16,98,432. Important results of the research carried out under the Imperial Council of Agricultural Research schemes and at the Imperial Institute of Sugar Technology are included in the Annual Reports of the Council and the pamphlet "A summary of some practical results of sugar-cane research in India", copies of which are available in the Library of the Central Legislature.

**Prof. N. G. Ranga:** What has happened to the five lakhs grant which Government made two years ago and which they promised to continue every year out of the proceeds from the sugar excise duty?

**Sir Girja Shankar Bajpai:** I think, Sir, that all the amounts which Government had given are included in the different categories which I have detailed.

**MONEY ALLOTTED OUT OF THE SUGAR EXCISE DUTY FOR IMPROVEMENT OF CULTIVATION AND MARKETING OF SUGAR-CANE.**

**703. \*Mr. S. Satyamurti** (on behalf of Seth Haji Sir Abdoola Haroon): Will the Secretary for Education, Health and Lands be pleased to state:

- (a) the amount of money that has been allotted to various Provinces out of the Sugar Excise Duty in the years 1936-37, 1937-38 and 1938-39, and proposed to be allocated in 1939-40, for improving the condition of cultivation and marketing of cane; and
- (b) whether any reports have been received from any of the Provincial Governments of the amount of work that has been done and the progress made in the improvement of cultivation and marketing, and whether Government propose to publish these reports?

**Sir Girja Shankar Bajpai:** (a) A statement showing the allotment of the Sugar Excise Fund to the various provinces in the years 1936-37 to 1938-39 is laid on the table. The allotment for 1939-40 has not yet been made.

(b) The Honourable Member's attention is invited to the reply given to part (b) of Maulvi Muhammad Abdul Ghani's starred question No. 558 on the 21st March, 1938.

*Statement regarding allotments made to provinces from the Sugar Excise Fund in 1936-37, 1937-38 and 1938-39.*

Province.	Amount allotted in		
	1936-37.	1937-38.	1938-39.
	Rs.	Rs.	Rs.
Madras . . .	31,500	42,000	16,000
Bombay . . .	25,500	42,000	36,000
Bengal . . .	25,500	30,000	20,000
United Provinces	4,76,000	7,20,000	4,80,000
Punjab . . .	25,500	18,000	12,000
Bihar . . .	2,46,500	3,42,000	2,32,000
Orissa . . .	5,000	6,000	4,000
Burma . . .	17,000	..	..
Total . . .	8,52,500	12,00,000	8,00,000



**Prof. N. G. Ranga:** Are we to understand that the five lakhs, which was set aside out of the proceeds of the sugar excise duty, was distributed to various Provincial Governments?

**Sir Girja Shankar Bajpai:** As my friend will observe from the statement, which I am laying on the table of the House, the provinces have had much more than five lakhs.

**Mr. S. Satyamurti:** Are these reports from the provinces going to be published by the Government of India?

**Sir Girja Shankar Bajpai:** The position, as I explained in answer to Maulvi Muhammad Abdul Ghani's question earlier, is this. The Government of India examine generally schemes for expenditure before they are put into operation. Subsequently, the Government of India do not receive any reports.

**Prof. N. G. Ranga:** What I wish to know is, whether this particular sum of five lakhs was added to the other grants which the Government of India was making to the Provincial Governments for helping them to carry on the research of sugar-cane?

**Sir Girja Shankar Bajpai:** My recollection is that the five lakhs, to which my friend refers, were earmarked by the Government of India for purposes of Central Research, and distribution out of the excess fund to the provinces was over and above this sum.

**Prof. N. G. Ranga:** Did the Government of India get any researches conducted?

**Sir Girja Shankar Bajpai:** I have told my friend that the Imperial Council of Research and the Imperial Institute of Sugar Technology have between them in the last three years spent something like 25 lakhs on research.

**Prof. N. G. Ranga:** Is this sum included in that sum also?

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

#### AREA UNDER SUGAR-CANE.

**704. \*Mr. S. Satyamurti** (on behalf of Seth Haji Sir Abdoola Haroon): Will the Secretary for Education, Health and Lands be pleased to state the total area under sugar-cane in 1936-37, 1937-38, 1938-39 and 1939-40, and explain the reason for the fall in the area during the last two years?

**Sir Girja Shankar Bajpai:** A statement showing the area under sugar-cane in 1936-37, 1937-38 and 1938-39 is laid on the table. Figures for 1939-40 are not yet available. It is impossible to assign precise reasons for the fall in area but it has been suggested that this might be due to the

continued effect of the low prices for cane paid by factories in March and April, 1937, the late fixation of prices for the 1937-38 crushing season and the low prices of gur in 1938.

*Statement showing the Area under Sugar-cane in India in 1936-37, 1937-38 and 1938-39.*

Year.	Area. Acres.
1936-37 . . . . .	4,435,000
1937-38 . . . . .	3,815,000
1938-39 . . . . .	3,108,000

#### APPLICATION OF THE HOURS OF EMPLOYMENT REGULATIONS TO RAILWAY STAFF, ETC.

†705. \*Pandit Sri Krishna Dutta Paliwal: (a) Will the Honourable Member for Labour please state what proposals have been made by the Supervisor of Railway Labour in connection with the application of the Washington and Geneva Conventions to the running staff on Railways during the last one and a half year?

(b) What facilities have been afforded to the recognised labour unions by the Supervisor of Railway Labour when he goes on tour, for discussing points relating to the labour legislation, and how many meetings have been held?

(c) What steps have been taken by the Supervisor of Railway Labour to expedite the application of Hours of Employment Regulations to the staff on Railways where this Act has not yet been made statutory?

(d) If the answer to parts (a) to (c) above be in the affirmative, will the Honourable Member please place on the table of this House a copy of the proposals for information of the House?

The Honourable Sir Muhammad Zafrullah Khan: (a) None.

(b) No special facilities are necessary. Recognised trade unions are free to consult him on points relating to the administration of the laws with which he is concerned.

(c) This is not the concern of the Supervisor of Railway Labour.

(d) Does not arise.

#### ANNUAL REPORT ON THE HOURS OF EMPLOYMENT REGULATIONS AND THE PAYMENT OF WAGES ACT.

†706. \*Pandit Sri Krishna Dutta Paliwal: (a) Will the Honourable Member for Labour please lay on the table of this House a copy of the Annual Report on the Hours of Employment Regulations and Payment of Wages Act for the year 1937-38?

(b) If the above be not available, why has the publication of the same been delayed?

(c) Will this report be made available before the Budget discussion on labour takes place?

The Honourable Sir Muhammad Zafrullah Khan: (a) Copies of any reports on the subjects mentioned will be placed in the Library of the House when published.

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

(b) The report on the Hours of Employment Regulations will be available shortly. Provincial Governments have agreed to co-operate in the compilation of an All-India report on the Act but it has not yet been decided whether a separate report on the Payment of Wages Act on federal railways will be published.

(c) I am afraid not.

#### INFRINGEMENTS DETECTED IN CONNECTION WITH THE PAYMENT OF WAGES ACT.

†707. \*Pāndit Sri Krishna Dutta Paliwal: Will the Honourable the Labour Member please state the number of infringements detected in connection with the Payment of Wages Act during the last year, and in how many cases punishment has been given by a court of law through the Labour Supervisor for Railways?

The Honourable Sir Muhammad Zafrullah Khan: Inspection of railways under the Act resembles a financial audit of accounts, and it is impossible to state the number of infringements that have come to notice. With regard to the latter part of the question, I would refer the Honourable Member to the answer I gave to Mr. N. M. Joshi's question No. 878 on 9th September, 1938.

#### MEDICAL EXAMINATION OF PUPILS IN THE CENTRALLY ADMINISTERED AREAS.

708. \*Shrimati K. Radha Bai Subbarayan: Will the Secretary for Education, Health and Lands be pleased to state:

- (a) if there is any compulsory medical examination of pupils in the schools and colleges of the centrally administered areas, and if not, why not; and
- (b) if the Government of India have a general policy in this matter and if so, what it is?

Sir Girja Shankar Bajpai: (a) Arrangements for the compulsory medical examination of school children already exist in Delhi and Coorg. Periodical medical inspection of all pupils has also been recently introduced in the Government High School, Ajmer. In Baluchistan, compulsory medical examination extends at present only to students who reside in hostels. Medical inspection of all school children in Baluchistan and Ajmer-Merwara has not been undertaken so far owing to lack of funds.

(b) The policy of the Government of India is to extend the existing arrangements for the medical inspection of pupils of schools and colleges as and when their finance situation permits.

Mr. K. Santhanam: May I know, Sir, whether the results of these medical inspections are analysed and steps taken to remove the causes of the diseases from which the children may be suffering or any other means found to improve the general health of children?

Sir Girja Shankar Bajpai: I take it that the authority which carries out these inspections does make some practical use of the results disclosed by the inspection, but if my friend wants detailed information, I shall require notice.

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

**Mr. K. Santhanam:** Has any report of the results of these inspections been published?

**Sir Girja Shankar Bajpai:** I have a recollection that the Education Reports of the different areas to which I have referred and also the Report of the Public Health Commissioner contains the necessary information.

**Mr. M. Ananthasayanam Ayyangar:** Is it the practice to intimate the results of the inspection to the parents of the children?

**Sir Girja Shankar Bajpai:** I could not say that without notice.

#### FACILITIES FOR EDUCATION OF THE CHILDREN OF INDIANS IN BRITISH DOMINIONS AND COLONIES.

**709. \*Shrimati K. Radha Bai Subbarayan:** Will the Education Secretary please state:

- (a) the facilities provided in the British Dominions and Colonies in the matter of the education of the children of Indian residents;
- (b) if there is any ban in any of these territories against the admission of Indians into their universities and other educational institutions;
- (c) if there is any racial discrimination by the Governments of those countries in the matter of financial grants to institutions under the management of Indians; and
- (d) the latest figures available for literacy among the Indian population of those countries, and what steps the Government of India are taking for the spread of education among them?

**Sir Girja Shankar Bajpai:** The information desired by the Honourable the Lady Member is not readily available. It will be collected and laid on the table of the House in due course.

#### APPOINTMENT OF A NON-OFFICIAL INDIAN AS AGENT IN BURMA.

**710. \*Sardar Mangal Singh:** Will the Secretary for Education, Health and Lands please state:

- (a) whether it is a fact that Mr. Henderson, the present Indian Agent in Burma, is shortly going on leave;
- (b) whether Government are considering the question of his successor; and
- (c) whether Government would appoint a non-official Indian in his place?

**Sir Girja Shankar Bajpai:** (a) It is possible that Mr. Henderson may go on leave in April.

(b) and (c). The question of appointing a successor to him is under consideration.

**Sardar Mangal Singh:** May I know, Sir, if Government have received a representation from Burma regarding the appointment of an Agent in Burma?

**Sir Girja Shankar Bajpai:** We have had certain representations from the South Indian Chamber of Commerce, I believe, and some suggestions have also been made on the floor of this House as to the qualities required of the Agent. I cannot think of any other.

**Mr. Kuladhar Ohaliha:** What is the answer to part (c), Sir?

**Sir Girja Shankar Bajpai:** I have said that the question of selecting a successor is under consideration.

**Mr. Kuladhar Ohaliha:** Is he going to be an Indian successor or an Englishman? That was the question.

**Sir Girja Shankar Bajpai:** I cannot say at this stage whether he will be an Indian or somebody else.

**Mr. S. Satyamurti:** May I know, Sir, whether in making the appointment, Government will consider the opinions expressed on the floor of this House, and decide that a distinguished non-official Indian will be appointed, and that the Government of Madras will be given a dominant voice in the matter?

**Sir Girja Shankar Bajpai:** I cannot say whether Madras or any other Provincial Government will be given a dominant voice; all I can say is that every relevant consideration will be taken into account, including the opinion of the Government of Madras.

#### ACT GIVING FRANCHISE IN AJMER-MERWARA.

**711. \*Mr. Sri Prakasa:** Will the Secretary for Education, Health and Lands, state:

- (a) if the Act recently passed by the Central Legislature regarding the franchise in Ajmer-Merwara has been brought into force;
- (b) if it will be possible for voters to take advantage of the provisions of the Act at the next elections in March;
- (c) if electoral rolls have been or are being prepared in accordance with the said Act; and
- (d) if so, the extra number of voters that is expected to be added to the list?

**Sir Girja Shankar Bajpai:** (a) Yes.

(b) Yes.

(c) Yes

(d) About 1,500.

#### SEAT FOR TRADE AND COMMERCE ASSIGNED IN THE AJMER MUNICIPALITY.

**712. \*Mr. Sri Prakasa:** Will the Secretary for Education, Health and Lands state:

- (a) if any seat has been assigned to the interest of trade and commerce in the Municipality of Ajmer, and
- (b) if so, the procedure that has been adopted in that behalf; and if not, whether Government are considering the desirability of affording this facility to the commercial community of Ajmer?

**Sir Girja Shankar Bajpai:** (a) No.

(b) In view of the answer to part (a), the first part does not arise. As regards the second part, Government will consider the Honourable Member's suggestion.

**Mr. Sri Prakasa:** Has the Honourable Member received any representations from the interests concerned from Ajmer-Merwara?

**Sir Girja Shankar Bajpai:** No, Sir, we have received no representation ourselves.

**EDUCATION DEPARTMENT OF AJMER-MERWARA.**

**713. \*Mr. Sri Prakasa:** Will the Secretary for Education, Health and Lands state:

- (a) if it is a fact that during his visit to Ajmer, a statement regarding the Education Department of Ajmer-Merwara was given to the Education Member;
- (b) the nature of complaints made in the said document; and
- (c) what action, if any, Government have taken in that behalf?

**Sir Girja Shankar Bajpai:** (a), (b) and (c). During the visit of the Honourable the Education Member to Ajmer in March, 1938, no statement regarding the Education Department of Ajmer-Merwara was presented to him, but certain points were brought to his notice in the course of local inspections and conversations. A statement showing the action taken in regard to these points is placed on the table of the House.

*Statement showing the action taken on the points in regard to the Education Department of Ajmer-Merwara which were brought to the notice of the Honourable the Education Member during his visit to Ajmer in March, 1938.*

Point.	Action taken.
1. Inadequate provision for the library of the Government College, Ajmer.	The Government of India provide annually Rs. 800 for the library. With a view to supplementing this grant, the local Administration suggested that a library fee at Rs. 1-8 per term or Rs. 3 per year should be levied from every student of the College in addition to the reading room fee which is at present being realised. An annual income of about Rs. 1,000 was expected from this source. The Government of India, however, informed the Local Administration that in their opinion the levy of such a fee was undesirable on principle and that the existing provision of Rs. 800 a year was sufficient.
2. Need of funds for the equipment of the Biological laboratory of the Government College, Ajmer.	A non-recurring grant of Rs. 2,000 was sanctioned for this purpose during the current financial year.
3. Acquisition of a plot of land to provide additional accommodation for the Moinia Islamia High School, Ajmer.	The Government of India are awaiting the result of certain suggestions made to the school authorities by the Educational Commissioner.
4. Need for replacing single-teacher schools by multiple-teacherschools.	Additional teachers have since been employed in the schools where they were needed.
5. Inadequacy of facilities for the training of women teachers.	The matter was discussed with the Superintendent of Education, Delhi, Ajmer-Merwara and Central India, by the Educational Commissioner with the Government of India. No specific proposals have, however, so far been received by the Government of India from the Local Administration.
6. Utilization of the Boarding House of the Government High School, Ajmer, for the Teachers Training College.	Proposals on this subject have recently been received from the Local Administration and are being considered by the Government of India.

## BRINGING INTO FORCE OF THE INSURANCE ACT.

**714. \*Mr. T. S. Avinashilingam Chettiar:** Will the Honourable the Commerce Member state:

- (a) when it is intended to bring the Insurance Act into force;
- (b) whether any fresh appointments other than the Superintendent of Insurance are necessary for working the Act; and
- (c) if so, how many such appointments are going to be made, and of what qualifications?

**The Honourable Sir Muhammad Zafrullah Khan:** (a) Attention is invited to the Communiqué issued by the Department of Commerce on the 3rd October, 1938, a copy of which is available in the Library of the House. Every effort is being made to bring the Insurance Act into force on as early a date as possible, but a decision in the matter cannot be taken until the amending Bill now before the House has been passed.

(b) Yes.

(c) It is proposed to replace the present post of Assistant Actuary by a post to be called "Assistant Superintendent". In addition a second post of "Assistant Superintendent" is to be created. It will also be necessary gradually to augment the office staff and it is thought that it will ultimately be required to recruit one Superintendent, seventeen Assistants and eleven clerks.

**Mr. T. S. Avinashilingam Chettiar:** What is the answer to the second part of (c) of the question,—of what qualifications?

**The Honourable Sir Muhammad Zafrullah Khan:** The Assistant Superintendents will obviously be required to possess qualifications which would enable them to discharge actuarial duties also, and it is not necessary to describe the qualifications of office Superintendents, Assistants and clerks.

**Mr. K. Santhanam:** May I know, Sir, if the new Assistant Superintendents will be recruited from India or foreigners will be imported again?

**The Honourable Sir Muhammad Zafrullah Khan:** I cannot give a guarantee to the Honourable Member, but I have myself no apprehension that it will be necessary to go outside India.

## AMALGAMATION AND LIQUIDATION OF INSURANCE COMPANIES.

**715. \*Mr. T. S. Avinashilingam Chettiar:** Will the Honourable the Commerce Member state:

- (a) how many insurance companies have amalgamated since the passing of the new Insurance Act;
- (b) how many have since been liquidated; and
- (c) what are the reasons for the failure of these companies and the extent and number of policy-holders affected?

**The Honourable Sir Muhammad Zafrullah Khan:** On the assumption that the Honourable Member is referring only to life insurance companies incorporated in British India, the answers are as follows:

- (a) Six life insurance companies have transferred their business to other companies.

- (b) Two life insurance companies have gone into liquidation.
- (c) The reason for the failure in the case of these two companies is inability to meet the claims. The number of policies affected were in the aggregate 676 assuring a sum of Rs. 8,78,036.

**Mr. K. Santhanam:** With reference to the answer to part (b) of the question, may I know if any foreign companies have stopped doing business in India between the date of the passing of the Insurance Act and now?

**The Honourable Sir Muhammad Zafrullah Khan:** I would require notice of that question.

#### RESOLUTION RE INDIA'S WITHDRAWAL FROM THE LEAGUE OF NATIONS.

**716. \*Sardar Mangal Singh:** Will the Honourable the Leader of the House please state:

- (a) whether the Government of India have forwarded the Resolution passed by this House on the 10th February, 1939, regarding India's withdrawal from the League of Nations, to His Majesty's Government in the United Kingdom;
- (b) whether they have made any observations in support of the Resolution, or otherwise, and if so, the nature of those remarks; and
- (c) whether Government have received any reply from His Majesty's Government and, if so, the nature of the reply?

**The Honourable Sir Nripendra Sircar:** (a) The Government of India have forwarded a copy of the Resolution to the Secretary of State.

(b) The Government of India have informed the Secretary of State that they do not propose to take the action recommended in the Resolution.

(c) No.

**Mr. Kuladhar Chaliha:** May I know the reasons why Government do not propose to recommend the Resolution?

**The Honourable Sir Nripendra Sircar:** The reasons were elaborately stated by Mr. Spence both in this House, and in another place. I am afraid that, in answer to a supplementary question, I cannot enter into a debate. We have also been influenced by the statement made by Sir Muhammad Yamin Khan here, that his party does not want to leave the League.

#### REDUCTION OF INDIA'S CONTRIBUTION TO THE LEAGUE OF NATIONS.

**717. \*Sardar Mangal Singh:** Will the Honourable the Leader of the House please state:

- (a) whether the Government of India have represented to His Majesty's Government, or to the Executive of the League of Nations about the reduction of India's contribution to the League;
- (b) whether any reply has so far been received from His Majesty's Government or the League of Nations' Secretariat; and
- (c) whether Government propose to pursue this matter till success is achieved?



**The Honourable Sir Nripendra Sircar:** (a) The Government of India have stated the case for a reduction of India's contribution in a memorandum, which will be submitted to the Allocation Committee appointed by the League to suggest the modifications in the existing scale which should be introduced with effect from 1940.

(b) Does not arise.

(c) The Government of India must await the report of the Allocation Committee before they determine their future line of action.

**Mr. T. S. Avinashilingam Ohettiar:** When do Government expect to get a final reply in this matter?

**The Honourable Sir Nripendra Sircar:** We do not expect any reply. I said that the Government of India must await the report of the Allocation Committee.

**Mr. K. Santhanam:** May I know whether Government are then postponing payment of the contribution till they get the report?

**The Honourable Sir Nripendra Sircar:** No.

#### EMIGRATION AND CONDITION OF INDIAN LABOUR IN MALAYA.

**718. \*Sardar Mangal Singh:** Will the Secretary for Education, Health and Lands please state:

- (a) whether any conclusions have been reached with the Malayan Government regarding the emigration and condition of Indian labour;
- (b) if the answer to part (a) be in the affirmative, what those conclusions are; and
- (c) whether any representatives of Indian Labour of Malaya States were consulted prior to the agreement?

**Sir Girja Shankar Bajpai:** (a) and (b). The attention of the Honourable Member is invited to the statement made by me on the 16th February, 1939, in reply to Mr. Abdul Qaiyum's starred question No. 465.

(c) The Government of India took into account the views of all those who, in their opinion, can speak for Indian labour in Malaya.

**Mr. S. Satyamurti:** May I know if the Agent of the Government of India is in active touch with Indian labour in Malaya so that he may represent their viewpoint?

**Sir Girja Shankar Bajpai:** That is his function.

**Sardar Mangal Singh:** May I know whether the Madras Government are consulted in this matter?

**Sir Girja Shankar Bajpai:** Not only has the Government of Madras been consulted, but in these negotiations a representative of the Madras Government was actively associated.

#### APPEALS AGAINST THE DECISIONS OF THE INDIAN TEA LICENSING COMMITTEE.

**719. \*Mr. Akhil Chandra Datta:** (a) Will the Honourable the Commerce Member be pleased to state the procedure Government propose to follow in hearing appeals under section 7 of the Indian Tea Control Act against the decisions of the Indian Tea Licensing Committee by tea estates in Indian States?

(b) Will the Honourable Member be pleased to state the number of appeals filed in several British Indian High Courts and to the Central Government, respectively, against the decisions of the Indian Tea Licensing Committee and also names of the gardens concerned?

**The Honourable Sir Muhammad Zafrullah Khan:** (a) The Central Government are bound by no hard and fast rules of procedure, and do not propose to prescribe any.

(b) I lay on the table a statement giving the required information so far available.

*Statement showing a list of the tea estates which have preferred appeals under the Indian Tea Control Act, 1938, and the authority with whom such appeals have been filed.*

Serial No.	Name of tea estate.	Authority with whom appeal has been filed.
1	Aylahari Tea Estate, Sylhet, Assam . . . . .	Central Government.
2	Longucherra Tea Estate, Sylhet, Assam . . . . .	Ditto.
3	Chandana Tea Estate, Darrang, Assam . . . . .	Ditto.
4	Sringimari Tea Estate, Darrang, Assam . . . . .	Ditto.
5	Nangdala Tea Estate . . . . .	Ditto.
6	Moraghat Tea Estate . . . . .	Ditto.
7	Baghjan Tea Estate . . . . .	Ditto.
8	Maijonga Tea Estate, Sylhet, Assam . . . . .	Ditto.
9	Labac Tea Estate . . . . .	Ditto.
10	Silonijan Tea Estate, Barpathar, Assam . . . . .	Ditto.
11	Stanmore Estate, Anamallais . . . . .	Ditto.
12	Injipara Estate, Anamallais . . . . .	Ditto.
13	Rockwood Estate, Nilgiri—Wynad . . . . .	Ditto.
14	Nullacathu Estate, Anamallais . . . . .	Ditto.
15	Sholur Tea Estate . . . . .	Ditto.
16	Mahendragiri, Balmore and Corrimony Tea Estates . . . . .	Ditto.
17	Daverashola Tea Estate, Nilgiri—Wynad . . . . .	Ditto.
18	Elanthottam or Karikkakunnu Tea Estate, Travancore . . . . .	Ditto.
19	Tea Estates bearing S. Nos. 2472 and 3285, Kotagiri, Nilgiris . . . . .	Ditto.
20	Gor Ali Tea Estate, Assam . . . . .	Ditto.
21	Hubbathali Tea Estate, Nilgiris . . . . .	High Court, Madras.
22	Kil Kotagiri Estate . . . . .	Ditto.
23	Wakefield Estate . . . . .	Ditto.
24	Alada Estate . . . . .	Ditto.
25	Hadamand Estate . . . . .	Ditto.
26	Periasbola Estate . . . . .	Ditto.
27	Shamrock Estate . . . . .	Ditto.
28	Terramia Estate . . . . .	Ditto.
29	Jhemai Tea Estate, Sylhet, Assam . . . . .	High Court, Calcutta.
30	Bijohnagar Tea Company, Ltd. . . . .	Ditto.
31	Malhati Tea Estate . . . . .	Ditto.
32	Kadambini Tea Estate . . . . .	Ditto.
33	Mahaluxmi Tea Estate, Darrang, Assam . . . . .	Ditto.
34	Sundarpur Tea Estate, Sibsagar, Assam . . . . .	Ditto.
35	Brajapur Tea Estate, Darrang, Assam . . . . .	Ditto.
36	Naga Hills Tea Company, Ltd. . . . .	Ditto.
37	Doorja Tea Company, Ltd. . . . .	Ditto.
38	Chincoorie Tea Company (1920), Ltd. . . . .	Ditto.
39	Sewpur Tea Estate, Lakhimpur, Assam . . . . .	Ditto.
40	Dhawala-Jhora Tea Estate, Jalpaiguri . . . . .	Ditto.
41	Kohinoor Tea Estate, Jalpaiguri . . . . .	Ditto.
42	Aloobari Tea Estate . . . . .	Ditto.
43	Hailey Nagar Tea Estate, Kangra . . . . .	High Court, Lahore.
44	Talashan Tea Estate, Kangra . . . . .	Ditto.
45	Kaulpur Tea Estate, Kangra . . . . .	Ditto.
46	Mian Onkar Singh's Tea Estate, Kangra . . . . .	Ditto.

**Mr. Akhil Chandra Datta:** May I know if ordinarily opportunity will be given to the parties to explain their case?

**The Honourable Sir Muhammad Zafrullah Khan:** I answered that question some days ago. Ordinary *vakalatnamahs* will not be accepted, as these are not legal proceedings, but if any party wishes to be heard either by himself or through a special representative, facilities will be given.

#### OBJECTIONS AGAINST RULES MADE UNDER THE INDIAN TEA CONTROL ACT.

**719A. \*Mr. Akhil Chandra Datta:** (a) Is the Honourable the Commerce Member aware that some of the rules made by the Central Government under the Indian Tea Control Act, 1938, have been objected to by several Associations of Indian tea planters as *ultra vires* and unjustifiable?

(b) Is the Honourable Member aware that deputations representing the Indian section of the industry had several conferences with the Deputy Secretary, Commerce Department, at Simla in last September, at which they explained their objections and requested an early decision in the matter?

(c) Is the Honourable Member aware that in view of the current season closing very shortly, the relief granted, if any, will be of no avail if further delay is made in coming to a final decision?

(d) Will the Honourable Member be pleased to state what steps have been taken in the matter and when the final decision is likely to be made?

(e) Will the Honourable Member be pleased to state if the Durbar of the Indian State of Tripura has made any representation to Government regarding the objections against the rules by the Tripura Tea Association, in their representation to the Central Government, and what action Government propose to take in this behalf?

**The Honourable Sir Muhammad Zafrullah Khan:** (a) and (b). Yes, Sir.

(c) No.

(d) and (e). The various representations received including those made by the Tripura Durbar and the Tripura Tea Association are receiving careful consideration. Government had to consult other interests concerned and they hope to reach a decision in the near future.

**Mr. Akhil Chandra Datta:** May I know why there has been all this delay?

**The Honourable Sir Muhammad Zafrullah Khan:** I have explained the reason for the delay. Other interests have had to be consulted.

**Mr. Akhil Chandra Datta:** With regard to the reply to part (c), supposing these objections are decided in favour of the parties will there be any hardship because the year is coming to a close?

**The Honourable Sir Muhammad Zafrullah Khan:** In the first place, I hope the Honourable Member realises that, when he begins a question by supposing, he makes the question hypothetical, but in any case, there will be subsequent seasons.

## SHORT NOTICE QUESTIONS AND ANSWERS.

### CURTAILMENT OF THE RIGHTS OF INDIANS IN SOUTH AFRICA RE OWNERSHIP OF LANDS.

**Mr. Mohan Lal Saksena:** Will the Education Secretary be pleased to state:

- (a) whether the attention of the Government has been drawn to the news published in the *Statesman*, dated the 17th February, 1939, to the effect that it is proposed to introduce legislation in South Africa which would further curtail the right of Indians there to own land; and
- (b) whether Government have communicated with their Agent General in South Africa to ascertain if the Union Government have any intention to introduce such legislation as is likely to curtail the existing rights of our countrymen there; if so, when the communication was made and with what result?

### CURTAILMENT OF THE RIGHTS OF INDIANS IN SOUTH AFRICA RE OWNERSHIP OF LAND.

**Sir Syed Raza Ali:** (a) Will the Education Secretary be pleased to make a full statement with reference to the news from Pretoria (published in the *Statesman* of the 17th February, 1939) with regard to the undertaking alleged to have been given by Mr. Stuttaford, Minister of the Interior in the Government of the Union of South Africa, concerning the proposed legislation to empower the Registrar of Servitude to prohibit lease of property, sale to and occupation by Asiatics free of charge if 60 per cent. of property owners agreed to it?

(b) When did the last deputation of European organisations wait on Mr. Stuttaford?

(c) Have the Government of India obtained copies of the representation made by European organisations and Mr. Stuttaford's reply thereto? If so, will they be pleased to lay them on the table?

(d) What steps have the Government of India taken to prevent further curtailment of the extremely limited right of Indians to acquire or occupy fixed property in the Transvaal?

(e) Is the motion required under the Transvaal Asiatic Land Tenure Amendment Act of 1936 likely to be passed by the two Houses of Parliament this session?

**Sir Girja Shankar Bajpai:** With your permission, Sir, I shall answer both the questions together, treating Sir Syed Raza Ali's as the main basis for my reply, owing to its more comprehensive character.

The Government of India have been in communication with their Agent General in the Union. As I stated last Saturday, the scheme referred to in the press report of 17th February is no other than the one which the Minister of the Interior, Mr. Stuttaford, mentioned to the representatives of the Federated Ratepayers' Association of Pretoria when they interviewed the Minister on the 7th December 1938. No subsequent deputation of European organisations has met the Minister. The Deputation of the Ratepayers' Association did not, so far as the Government of India are aware, submit any written representations to the Minister in the

course of the interview; hence there is no document of which a copy could be placed on the table of the House. The Minister's scheme has, so far, taken no definite shape; nor are the Government of India aware of any decision by the Union Government to introduce legislation of the type referred to in the newspaper report. The Agent General is closely watching the situation. He is in touch both with the Minister and with representatives of the Indian Congress. As the House is aware, the view of the Government of India is that Indians in South Africa should be permitted to own and occupy land for residence or trade without segregation. That is the view which the Agent General has instructions to press unequivocally on the Union Government, whether in connection with the proposals of the Federated Ratepayers' Association or any other that may aim at restricting existing Indian rights.

As regards the motion required under the Transvaal Asiatic Land Tenure Amendment Act of 1936, it is understood that the Union Government intend to introduce the necessary resolution during the current session of the Union Parliament. I cannot say whether the resolution will be passed by Parliament.

**Sir Syed Raza Ali:** May I ask the Education Secretary to enlighten us on the position as to what was the exact nature of the reply made by Mr. Stuttaford. I put this question in view of the news that has arrived from South Africa this morning that Mr. Stuttaford has outlined a scheme whereby if 75 per cent. of European residents object to an Indian acquiring property, effect would be given to the wishes of such European residents.

**Sir Girja Shankar Bajpai:** According to the information which we have received from the Agent General, what the Minister of the Interior said to this deputation in December was that he was not prepared to accept their recommendation that the terms of the Murray Commission should include that question but that he would like them to tell him whether the scheme on the lines which my Honourable friend has mentioned just now would meet their requirements.

**Sir Syed Raza Ali:** Did Mr. Stuttaford suggest that the wishes of 60 per cent. of the European residents should be taken into consideration or 75 per cent.? Have the Government of India any information on that point?

**Sir Girja Shankar Bajpai:** No, Sir. My information from the Agent General is that the figure mentioned by Mr. Stuttaford was not 60 per cent. but 75 per cent.

**Sir Syed Raza Ali:** Arising from the answer given by the Education Secretary, will he please tell us as to what form the representations made by the Government of India to the Union Government has taken—whether the Government of India have addressed any letter to the Union Government, or representations have been made on behalf of the Government of India by the Agent General to the proper authorities?

**Sir Girja Shankar Bajpai:** So far, the representations have been made by the Agent General on behalf of the Government of India.

**Mr. S. Satyamurti:** May I know whether the Government of India have any information as to the final attitude taken by the Minister of the Interior, in respect of this matter in view of the telegram in this morning's papers?

**Sir Girja Shankar Bajpai:** I have given my friend information based on messages received from the Agent General as recently as the day before yesterday. As far as I know the Minister of the Interior has come to no definite decision on this matter yet. In fact, as far as I know, the matter has not yet been even referred to the Union Cabinet so far.

**Mr. S. Satyamurti:** In view of the fact that this matter is one of vital importance, will the Government of India get into touch with the Union Government directly, unless there is any diplomatic reason why they should not, and press on the Union Government and the Minister the necessity of not forcing the issue which has been considered a very vital one by the Indians in South Africa and the Government of India?

**Sir Girja Shankar Bajpai:** I can assure my Honourable friend that that particular suggestion is under the consideration of the Government of India now.

**Sir Syed Raza Ali:** With reference to part (e) of my question, will the Education Secretary be pleased to state whether, having regard to the overwhelming majority with which General Hertzog's party has been returned to power, Government realise that the current session of the Union Parliament affords them the best opportunity of persuading the Union Government to pass the resolution to which I referred in clause (e) of my question.

**Sir Girja Shankar Bajpai:** I can assure my Honourable friend that both the Government of India and the Agent General in South Africa will take into account every relevant consideration in so far as the implementing of the Feetham Commission's recommendations is concerned.

**Mr. S. Satyamurti:** Will the Government of India press on the Union Government that whatever the percentage—60 or 75—of Europeans who object to Indians, we object to the deprivation to any degree or extent to the rights of Indians with regard to these residential and other quarters, and that the Government of India will not acquiesce, even if cent. per cent. Europeans try to deprive Indians of their rights?

**Sir Girja Shankar Bajpai:** My Honourable friend will appreciate that it is not possible for me to go into details of the argument, but if I may, I will remind him of a passage in the statement which I made a little earlier:

"As the House is aware, the view of the Government of India is that Indians in South Africa should be permitted to own and occupy land for residence or trade without segregation.

So, percentages do not enter into it at all.

**Sir Syed Raza Ali:** With reference to the important question of the paucity of news from South Africa to India, will the Government be pleased to consider whether it would be possible for them to publish such news from South Africa as comes into the possession of the Government of India fortnightly, when this House is not in session?

**Sir Girja Shankar Bajpai:** I cannot really make an answer to that suggestion as to whether the Government would give periodical publicity with regard to events in South Africa.

**Sir Syed Raza Ali:** May I know what difficulty the Government is confronted with?

**Sir Girja Shankar Bajpai:** The difficulty is that there may be no fortnightly occurrence in South Africa to justify its publicity.

**Sir Syed Raza Ali:** In case there is?

**Sir Girja Shankar Bajpai:** That is a hypothetical question.

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### UNSTARRED QUESTIONS AND ANSWERS.

#### FUMIGATING OF INDIAN RICE IMPORTED INTO CEYLON.

**20. Mr. Manu Subedar:** (a) Will the Honourable the Commerce Member please state whether it is a fact that the Health Ministry of Ceylon insist on fumigating Indian rice imported into Ceylon on the plea of combating the possible danger of importing plague germs into Ceylon?

(b) Are Government aware that, even though the Indian ports are declared free from plague infection by the respective medical authorities, the Government of Ceylon still continue to insist on fumigating Indian rice?

(c) Are Government aware that such action on the part of the Ceylon Government increases the cost of rice to the Indian estate labourers in Ceylon?

**Sir Girja Shankar Bajpai:** (a) Yes.

(b) Yes.

(c) The expense of fumigation does not add appreciably to the cost of rice.

#### CONTEMPLATED COMPULSION ON THE IMPORTERS OF INDIAN RICE IN CEYLON TO PURCHASE LOCAL RICE ALSO.

**21. Mr. Manu Subedar:** Will the Honourable the Commerce Member please state whether Government have considered the question of enquiring through their Agent in Ceylon as to the accuracy or otherwise of the press report that the Ministry for Agriculture and Lands in Ceylon contemplate compelling the importers of Indian rice to purchase the local rice also, failing which, the licence for importing Indian rice would not be given to them?

**The Honourable Sir Muhammad Zafrullah Khan:** The Honourable Member is presumably referring to the Agricultural Quota Bill in Ceylon. If so, the reply is in the affirmative.

## INDIAN TEXTILE TRADE WITH CEYLON.

**22. Mr. Manu Subedar:** Will the Honourable the Commerce Member please state :

- (a) whether it is a fact that after the increase of 50 per cent. in the quota for the import of Japanese piecegoods and textiles into Ceylon, India has steadily lost the Ceylon market for dyed, printed and grey piecegoods; and
- (b) whether Government propose to consider the question of securing a fair share for the Indian textile trade in the export of Indian textiles to Ceylon at the time of concluding a trade pact between India and Ceylon?

**The Honourable Sir Muhammad Zafrullah Khan:** (a) The reply is in the affirmative except in regard to grey piece-goods, the exports of which to Ceylon in 1938 showed considerable increases as compared with the preceding two years.

(b) The point will be borne in mind.

## APPOINTMENT OF A TRADE COMMISSIONER IN CEYLON.

**23. Mr. Manu Subedar:** Will the Honourable the Commerce Member please state:

- (a) whether Government have considered the desirability of immediately appointing a non-official as Trade Commissioner in Ceylon in view of the importance of India's export trade with that country; and
- (b) if there is any delay in appointing a Trade Commissioner, whether Government have considered the question of sending a trade correspondent to keep the Government of India fully apprised of the Indo-Ceylon trade position?

**The Honourable Sir Muhammad Zafrullah Khan:** (a) and (b). Government do not consider it necessary to appoint an Indian Trade Commissioner in Ceylon. The services of the Agent in Ceylon are utilised both in connection with general matters affecting India's trade with Ceylon, and wherever necessary in specific trade questions which involve local investigations.

## TRANSFERRED QUESTIONS AND ANSWERS†.

## WRITTEN ANSWERS.

## RAISING OF FEES IN CERTAIN CLASSES IN BRITISH BALUCHISTAN SCHOOLS.

**628. \*Mr. Abdul Qaiyum:** Will the Foreign Secretary state :

- (a) whether the fees in high and middle classes have been raised in British Baluchistan schools;
- (b) if so, when the increase took place; and the fees for high and middle classes before and after the increase;

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†The question hour of the 23rd February, 1939, having been eliminated owing to the adjournment of the House without transacting any business, the answers to starred questions for that date were, in pursuance of convention, laid on the table of the House today—*E. of D.*



- (c) whether discrimination is made against outside students; if so, the nature thereof;
- (d) whether Mr. Singh was recently appointed to submit his report on the educational system in Baluchistan; and
- (e) whether his report will be published, and what changes are likely to take place as a result thereof?

**Sir Aubrey Metcalfe:** (a) Yes, only for classes VII to X.

(b) The increased rates were brought into force from the 1st June, 1938. A statement showing the old and the new rates of fees levied in the middle and high classes is laid on the table.

(c) Outside students pay higher rates of fees as shown in the statement I have just referred to.

(d) Mr. Singh was deputed to carry out a survey of the schools in Baluchistan in 1936.

(e) No. Government have already sanctioned a scheme of educational reorganisation for Baluchistan after considering Mr. Singh's report. The main features of the scheme were communicated by Sir Girja Shankar Bajpai to this House on the 29th August, 1938, in reply to part (a) of Mr. Lalchand Navalrai's starred question No. 553.

*Statement.*

Class.	Old rates of fees.		New rates of fees.	
	Locals.	Non-locals.	Locals.	Non-locals.
	Rs.	Rs.	Rs.	Rs.
V . . .	1	3	1	3
VI . . .	1	3	1	3
VII . . .	1	3	2	4
VIII . . .	1	3	2	4
IX . . .	2	5	3	6
X . . .	2	5	3	6

STUDENTS IN BRITISH BALUCHISTAN.

629. \***Mr. Abdul Qaiyum:** Will the Foreign Secretary please state :

- (a) the total number of students in British Baluchistan on the 1st January, 1938, and 1st January, 1939; and
- (b) the reasons for this fall in numbers?

**Sir Aubrey Metcalfe:** (a) 1,703 and 1,584 respectively.

(b) The fall is chiefly in the Government High School, Sibi, where there was a strong agitation against the introduction of an increased scale of fees, and in the Girls' School, Sibi, which has been affected by the opening of a private school.

**TRAIN DISASTER NEAR HAZARIBAGH ON THE EAST INDIAN RAILWAY.**

**630. \*Mr. Brojendra Narayan Chaudhury:** Will the Honourable the Railway Member please state :

- (a) whether his attention has been drawn to the letter from Mr. R. N. Paul, Professor of Physics, Calcutta, which appeared in the *Hindustan Times* of the 20th January discussing the probable cause of the Dehra Dun Express disaster;
- (b) whether the Senior Railway Inspector has taken into consideration all the nineteen factors discussed in that letter before coming to the conclusion of "due to sabotage"; and
- (c) whether it is a fact as stated in the letter that :
  - (i) a railway engine at Hazaribagh Road was recently derailed;
  - (ii) caution has been issued to trains at Chourhurybunth; and
  - (iii) there has recently been retrenchment of working hands of Permanent Way Inspector's permanent gang? \*

**The Honourable Sir Thomas Stewart:** (a) Yes.

(b) I would refer the Honourable Member to the reply given to parts (a) to (e) of his starred question No. 514 of the 20th February, 1939.

(c) (i). An engine of a Down goods train was derailed at Hazaribagh Road on the 21st October, 1938.

(ii) A caution order was issued on the 7th January, 1939, restricting the speed of trains to ten miles per hour as the line between mile 205 and 206 was being attended to.

(iii) No.

**TRAIN DISASTER NEAR HAZARIBAGH ON THE EAST INDIAN RAILWAY.**

**631. \*Mr. Brojendra Narayan Chaudhury:** Will the Honourable the Railway Member please state whether the report of the Associated Press of India, dated Asansole, the 16th January, that the window of a first class compartment of 8 Down Delhi Express was hit by a missile which exploded with a loud report, giving the smell of gunpowder, between Baraka and Kulti is correct?

**The Honourable Sir Thomas Stewart:** Government have no information.

**REWARD ANNOUNCED FOR THE DETECTION OF CULPRITS IN THE CHIKAKI RAILWAY ACCIDENT.**

**632. \*Mr. Brojendra Narayan Chaudhury:** Will the Honourable the Railway Member please state :

- (a) whether the reward of Rs. 5,000 first announced for the detection of culprits who caused the Chikaki accident has since been increased to Rs. 25,000; and
- (b) whether he has considered that too big rewards may encourage false accusation and perjury?

**The Honourable Sir Thomas Stewart:** (a) No.

(b) Does not arise.

## RAILWAY ACCIDENT AT CHIKAKI.

**633. \*Mr. Brojendra Narayan Chaudhury:** Will the Honourable the Railway Member please state :

- (a) whether the statement made by Mr. Sukhlal Singh during the debate in Bihar Legislative Assembly on the 19th January, 1939, about the Chikaki accident that (as some passengers had told him) they felt jerks from the moment that train left Howrah, that rattling noise came out of the train and that the train was detained at Lillooh and examined, is mainly correct;
- (b) if so, what fault was discovered or corrected at Lillooh; and
- (c) if the statement is absolutely without foundation, the steps proposed to stop circulation of such irresponsible statements?

**The Honourable Sir Thomas Stewart:** (a) and (b). I would refer the Honourable Member to the reply given to parts (a) to (e) of his starred question No. 514 of the 20th February, 1939.

(c) I would refer the Honourable Member to my speech on the adjournment motion which I trust was given reasonable publicity.

## CIVILIANS KIDNAPPED AND KILLED BY TRANS-BORDER MEN IN THE SETTLED DISTRICTS.

**634. \*Mr. Abdul Qaiyum:** Will the Foreign Secretary please state :

- (a) the number of civilians kidnapped from the Settled Districts and Agencies by trans-border men from 1st January, 1938 to 31st January, 1939;
- (b) how many civilians were killed by trans-border people in the Settled Districts in the same period;
- (c) whether Government are aware that ransom money had to be paid by the relatives of the kidnapped persons, and, if so, the total paid in 1938 and January 1939; and
- (d) whether Government propose to compensate people who had to pay ransom money, and, if not, why not?

**Sir Aubrey Metcalfe:** (a) 121.

(b) 26

(c) Relatives do sometimes pay ransom-money contrary to Government's advice, but no details of the amounts paid are available.

(d) No—since the payment of ransom-money encourages further kidnappings and is undesirable in the public interest.

## TRANSFER OF CONTROL OF THE TRIBAL AREAS.

**635. \*Mr. Abdul Qaiyum:** Will the Foreign Secretary please state :

- (a) whether as a result of warfare in Waziristan it has become dangerous to use roads in Bannu and Dera Ismail Khan districts and parts of Kohat district;
- (b) whether Government are prepared to hand over control to the Frontier Provincial Government over the tribal areas; and

- (c) whether they have approached His Majesty's Government to bring about suitable amendments in the Government of India Act to effect transfer of control to the popular Provincial Government?

**Sir Aubrey Metcalfe:** (a) Owing to tribal raiding some of the roads in the Bannu, Dera Ismail Khan and Kohat districts are considered unsafe and special measures have been taken for their protection.

(b) and (c) No.

#### PERSONS KIDNAPPED BY RAIDERS FROM THE TRIBAL AREAS.

**636. \*Mr. T. S. Avinashilingam Chettiar:** Will the Secretary for External Affairs state:

- (a) how many people have been kidnapped by raiders from the tribal areas in the last six months for which statistics are available; and  
(b) for how many of them ransom was paid and what is the total amount of ransom so paid?

**Sir Aubrey Metcalfe:** (a) 78.

(b) No information is available.

#### OVERCROWDING DURING THE CHRISTMAS HOLIDAYS ON THE NORTH WESTERN RAILWAY.

**637. \*Mr. Abdul Qaiyum:** Will the Honourable Member for Railways please state:

- (a) the steps taken to cope with the rush of passengers during the last Christmas holidays on the North Western Railway;  
(b) whether any extra trains were run; if so, where and how many;  
(c) whether there was overcrowding in the third and intermediate class carriages owing to lack of accommodation;  
(d) whether tickets were issued beyond the seating accommodation in the trains; and  
(e) whether Government propose to take steps to stop the issue of tickets in excess of the available seats on such occasions?

**The Honourable Sir Thomas Stewart:** (a) The composition of certain trains was strengthened and the normal running of intermediate and third class begins was extended between important centres.

(b) It was not found necessary to run any extra passenger trains.

(c) No overcrowding was brought to the notice of the Railway Administration.

(d) No details are available.

(e) It is not possible to take any measures which will invariably guarantee no overcrowding.

### FORMATION OF ADVISORY COMMITTEES FOR BROADCASTING STATIONS.

**638. \*Mr. C. N. Muthuranga Mudaliar:** Will the Honourable Member for Communications please state:

- (a) the names of the Broadcasting Stations in India for which Advisory Committees have been constituted;
- (b) the principles on which they have been constituted;
- (c) whether instructions have been issued that in the formation of these committees due regard should be paid to the representation of the different communities;
- (d) whether it is a fact that no member of any political party with pronounced views is selected as a member of a committee regardless of his suitability for the membership; and
- (e) the stations in respect of which Advisory Committees have not yet been constituted, with the reasons for the delay?

**The Honourable Sir Thomas Stewart:** (a), (b) and (e). The attention of the Honourable Member is invited to the replies given by me on the 20th February, 1939, to Mr. Satyamurti's starred question No. 522 and part (e) of Mr. Manu Subedar's starred question No. 553.

(c) and (d). No.

### PROTECTION OF ISOLATED SMALL RAILWAY STATIONS FROM RAIDS BY DACOITS.

**639. \*Mr. C. N. Muthuranga Mudaliar:** Will the Honourable Member for Railways please state, with reference to the raid by a party of dacoits at Dalanda Station on the Bombay, Baroda and Central India Railway in November last:

- (a) whether Government have examined the measures necessary to protect isolated small stations from such raids;
- (b) if so, what they are;
- (c) whether these measures will apply with suitable modifications to all Railways, State-managed as well as Company-managed; and
- (d) whether these measures include the provision of stations of the kind referred to with guns?

**The Honourable Sir Thomas Stewart:** (a) Government do not consider that any special arrangements on the part of Railway authorities are necessary.

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

### SPEEDING UP OF THE GRAND TRUNK EXPRESS.

**640. \*Mr. C. N. Muthuranga Mudaliar:** Will the Honourable Member for Railways please state:

- (a) whether there is any proposal under the consideration of Government for the speeding up of the Grand Trunk Express, and if so, what decision has been reached; and

- (b) whether Government are aware that considerable dissatisfaction exists on account of its frequent late-running?

**The Honourable Sir Thomas Stewart:** (a) I would refer the Honourable Member to the reply given to Prof. N. G. Ranga's supplementary arising out of Mr. K. Santhanam's starred question No. 833A of the 18th March, 1938.

(b) The running of these trains has not been good and I am prepared to accept the Honourable Member's statement that this has caused dissatisfaction.

**INTERMEDIATE CLASS FARE BETWEEN DELHI AND MADRAS.**

**641. \*Mr. C. N. Muthuranga Mudaliar:** Will the Honourable Member for Railways please state:

- (a) whether any proportion has been laid down by the appropriate authorities of the Railway concerned which fares of different classes should bear towards each other;
- (b) the proportion of these fares on the Madras-Delhi route by the Grand Trunk Express;
- (c) whether Government are aware that the fare charged for the intermediate class is nearly double that of the third in respect of the journey from Delhi to Madras;
- (d) whether this represents a much higher proportion than what exists on most other Railways and for similar distances, and if so, the reasons for the enhanced fare; and
- (e) whether Government propose to consider the desirability of bringing this fare into line with that on other Railways?

**The Honourable Sir Thomas Stewart:** (a) No.

(b) The first class fare is double the second class. The second class fare is 1.7 times the intermediate class. The intermediate class fare is 1.8 times the third.

(c) Yes.

(d) No.

(e) Does not arise.

**PRIVATE VENDING OF REFRESHMENTS ON THE MADRAS AND SOUTHERN MAHRATTA AND SOUTH INDIAN RAILWAYS.**

**642. \*Mr. C. N. Muthuranga Mudaliar:** Will the Honourable Member for Railways please state:

- (a) whether there exists private vending of refreshments on platforms of several stations of the Madras and Southern Mahratta and South Indian Railways;
- (b) why this arrangement is still permitted;
- (c) whether Government propose to consider the desirability of issuing instructions to the Railway Administrations concerned that wherever refreshments are sold on their stations, they should be under their management; and

- (d) whether, if the selling of refreshments under their management be not practicable just now, they are prepared to issue instructions that the vending of refreshments under private management should be strictly supervised?

**The Honourable Sir Thomas Stewart:** (a) Yes.

(b) Both the Madras and Southern Mahratta and South Indian Railways consider it the best system.

(c) No. The Administrations concerned consider it impossible to undertake all catering by departmental management.

(d) Both the Administrations exercise vigilant and constant supervision over the vending contractors.

**REPRESENTATION IN CONNECTION WITH A TRADE AGREEMENT TO BE CONCLUDED WITH AFGHANISTAN.**

**643. \*Mr. S. Satyamurti:** Will the Foreign Secretary be pleased to state:

(a) whether the Government of India have received a communication from the Indian Chamber of Commerce, Lahore, to the effect that no Indo-Afghan Trade treaty, which is not a reciprocal basis, will be accepted by the commercial community, and also asking for non-official representation by the appointment of Indian traders in the negotiations for a trade treaty with the Afghan Government;

(b) at what stage the matter stands; and

(c) whether Government propose to accept the request of the Chamber and, if not, why not?

**Sir Aubrey Metcalfe:** (a) Yes.

(b) Attention of the Honourable Member is invited to the answers given to parts (a) to (c) of question No. 292 asked by Mr. Abdul Qaiyum on the 10th February, 1939.

(c) Does not arise.

**CONCLUSION OF A TRADE AGREEMENT WITH THE UNITED STATES OF AMERICA.**

**644. \*Mr. S. Satyamurti:** Will the Foreign Secretary be pleased to state:

(a) whether he is aware of the fact that the committee of the Indian Chamber of Commerce, Calcutta, recently met Mr. J. J. Singh, President of the Indian Chamber of Commerce, America, at Calcutta, and explained the desirability of having an Indo-American Trade treaty in the absence of which merchants going to the United States of America experience considerable difficulties, particularly in regard to their stay in America;

(b) whether it is a fact that in spite of immigration laws the nationals of Japan, China and Siam have been able to overcome this difficulty as a result of trade treaties with America; and

- (c) whether Government propose to take early steps to conclude a treaty with America with a view to removing this handicap on Indian traders?

**Sir Aubrey Metcalfe:** (a) and (b). Yes.

(c) I would invite the Honourable Member's attention to the answers given by me on the 10th February, 1939, to Mr. Chettiar's question No. 275.

**ENQUIRY INTO THE HAZARIBAGH RAILWAY ACCIDENT.**

**645. \*Mr. T. S. Avinashilingam Chettiar:** Will the Honourable the Railway Member state:

- (a) whether Government have decided upon the terms of reference and personnel of the judicial enquiry promised by them with reference to the Hazaribagh accident;
- (b) whether Government have considered the advisability of referring to the Committee also an enquiry into all possible causes of accidents, so that preventive measures may be taken; and
- (c) if not, whether they have considered the advisability of setting up another expert committee with that end in view, so that public confidence may be restored?

**The Honourable Sir Thomas Stewart:** (a) No; but the matter is under the active consideration of Government.

(b) and (c). No.

**THREAT TO RESORT TO SATYAGRAHA AT BADARPUR BRIDGE ON THE ASSAM BENGAL RAILWAY.**

**646. \*Mr. Brojendra Narayan Chaudhury:** Will the Honourable the Railway Member please state:

- (a) what steps the Assam Bengal Railway authorities propose to take to prevent the Krisak Samity of Cachor from executing the threat to "resort to satyagraha at Badarpur bridge armed with hoes at the onset of the next rainy season", as embodied in their memorial to the Honourable Minister of Revenue, Mr. Fakaruddin Ahmed, when he visited the district in January last to see the flood stricken areas;
- (b) whether Government are aware that Badarpur Railway bridge which has been described in the said memorial as a 'bottle-neck' is popularly believed to be responsible for recurring floods in that district;
- (c) whether that popular belief is correct; if not, the steps taken, or proposed to be taken, to disabuse the people; and
- (d) how Government propose to meet the notice of the assault on the embankment, and whether they contemplate asking the Provincial Government to take precautionary measures?

**The Honourable Sir Thomas Stewart:** (a), (b) and (c). Government have no information.

(d) The matter is within the competence of local authorities to deal with.



## SEARCHLIGHTS CARRIED AT NIGHT BY TRAINS, ETC.

**647. \*Mr. Brojendra Narayan Chaudhury:** Will the Honourable the Railway Member please state:

- (a) what class of trains, mail, express, passenger, mixed and goods, carry searchlights at night; and how long the practice has been in force, and what is the object of the searchlights;
- (b) whether searchlights have satisfactorily fulfilled the object of avoiding danger;
- (c) whether Government propose to consider additional precautionary measures like (i) a light motor pilot engine, or (ii) patrolling frequently of the line by light trolley motor cars; and
- (d) the approximate costs for suggestions contained in (i) and (ii) for one section of the East Indian Railway?

**The Honourable Sir Thomas Stewart:** (a) All engines hauling mail, express, passenger, mixed and goods trains are at present equipped with electric headlights. Fitting headlights to train engines first came into vogue somewhere about 1920 and since 1925 the practice was widely extended.

The object is to enable the driver to see clearly objects along the track up to an appreciable distance in front of his engine.

(b) Danger cannot be avoided by the use of searchlights. Their value lies in their ability to provide earlier detection of impending danger.

(c) No.

(d) Does not arise.

**CANCELLATION OF THE EXAMINATION FOR RECRUITMENT OF TELEPHONE OPERATORS HELD AT FEROZEPOR.**

**648. \*Mr. Sham Lal:** With reference to his reply to my question No. 1118, dated the 31st March, 1938, stating that Government have granted to temporary operators an opportunity to appear at the next examination under the new rules by waiving the age limit in their favour, will the Honourable Member for Communications state:

- (a) if it is a fact that in some cases this concession has been refused;
- (b) if it is also a fact that, though D. E. T. Ferozepore examination held in March 1937, was cancelled in consequence of revised rules, yet a similar test was held under the old rules and permanent appointments were given on the strength of the results of that examination; and
- (c) if so, why it was done?

**The Honourable Sir Thomas Stewart:** (a) Yes.

(b) and (c). The Honourable Member is under a misapprehension. No examination was cancelled. The test held by the Divisional Engineer, Telegraphs, Ferozepore, was one for filling certain temporary vacancies in the cadre of telephone operators. The candidates who passed that examination were eligible for appointment only against such permanent vacancies as occurred before the date of announcement of the competitive examination under the new rules for recruitment, but no such permanent

vacancies having occurred, they became ineligible for permanent appointment without complying with the new rules for recruitment. The other test referred to by the Honourable Member was held by the Postmaster-General for recruitment of clerks against certain permanent vacancies which existed before the date of the announcement of the examination. The candidates who were selected at this examination were all given permanent appointments.

#### ENQUIRY INTO THE HAZARIBAGH RAILWAY ACCIDENT.

**649. \*Mr. S. Satyamurti:** Will the Honourable Member for Railways be pleased to state:

- (a) whether Government have considered the voting on the adjournment motion in respect of the Hazaribagh railway disaster in the Assembly on 3rd February, 1939;
- (b) when they propose to appoint an independent judicial tribunal, and what its composition and terms of reference are;
- (c) the steps taken, or proposed to be taken, by the railway administration for the prevention of such accidents in future;
- (d) whether any special steps are being taken to protect the area of the line in which such accidents have been occurring in the past; and
- (e) whether the co-operation of the Government of Bihar has been or will be secured in this behalf?

**The Honourable Sir Thomas Stewart:** (a) Yes.

(b) I would refer the Honourable Member to the reply just given to part (a) of Mr. T. S. Avinashilingam Chettiar's starred question No. 645.

(c) I would refer the Honourable Member to the reply given to part (f) of Mr. Abdul Qaiyum's starred question No. 1199 of the 10th November, 1938.

(d) and (e). A system of patrols has been started on the section of the main line and on the grand chord between Sitarampur and Moghal Sarai, and, I understand, the Bihar Government have been informed.

#### DRIVE AGAINST RADIO PIRACY.

**650. \*Mr. S. Satyamurti:** Will the Honourable Member for Communications be pleased to state:

- (a) the results of the drive against radio piracy in several parts of India so far;
- (b) the money spent on the drive so far;
- (c) the increase in licence fees obtained as a result of this antipiracy drive; and

- (d) whether Government propose to entrust this function to the All-India Radio, taking it away from the Posts and Telegraphs Department; if not, why not?

**The Honourable Sir Thomas Stewart:** (a) I would refer the Honourable Member to the reply I gave to parts (a) and (b) of Mr. Manu Subedar's starred question No. 435 on 15th February, 1938.

(b) and (c). Information is not yet available as the recent intensive drive only commenced from 16th January, 1939.

(d) Not at present, because Government consider the Posts and Telegraphs Department as the most suitable agency for the purpose.

#### RECOMMENDATIONS OF THE WEDGWOOD COMMITTEE.

**651. \*Mr. S. Satyamurti:** Will the Honourable Member for Railways be pleased to state:

- (a) the recommendations of the Wedgwood Committee on which Government have not passed orders so far; and
- (b) whether Government propose to pass any orders on the recommendations of the Wedgwood Committee regarding the future of the Railway finance, the power of borrowing in the open market to be conferred on the Federal Railway Authority and the flotation or encouragement of the flotation of the public companies domiciled in India to whom the management of the State Railways is to be transferred?

**The Honourable Sir Thomas Stewart:** (a) The Honourable Member has been furnished with a copy of the second statement issued in November last showing the action taken on the recommendations of the Indian Railway Enquiry Committee. I suggest that he will be able to ascertain, by inference from that statement, those recommendations in regard to which Government have yet to arrive at decisions.

(b) In regard to these matters, I am unable to make any statement at present, beyond the remarks regarding certain aspects of railway finance which appear on page 17 of the statement alluded to in the reply to part (a) of this question, against paragraphs 205—213 of the Committee's Report.

#### EXPIRY OF CONTRACTS OF COMPANY-MANAGED RAILWAYS.

**652. \*Mr. S. Satyamurti:** Will the Honourable Member for Railways be pleased to state:

- (a) the names of the Company-managed Railways whose contracts fall in during the next three or five years; and
- (b) whether Government have taken, or propose to take, any steps to buy those railways; if so, what those steps are; if not, why not?

**The Honourable Sir Thomas Stewart:** The attention of my Honourable friend is drawn to the reply given on the 29th November, 1938, to his starred question No. 1568.

**REPRESENTATION FOR CONCLUSION OF A TRADE AGREEMENT WITH AFGHANISTAN.**

**653. \*Mr. S. Satyamurti:** Will the Secretary for External Affairs be pleased to state:

- (a) whether his attention has been drawn to a representation from the Frontier Chamber of Commerce for the early conclusion of an Indo-Afghan Trade Agreement;
- (b) what are the specific difficulties in the way of concluding such a trade agreement; and
- (c) whether the Government of India through the Commerce Department propose to do everything in their power to bring about the early conclusion of a trade agreement; if not, why not?

**Sir Aubrey Metcalfe:** (a) No.

(b) The main difficulty is that trade is State controlled in Afghanistan whereas it is free in India.

(c) The attention of the Honourable Member is invited to the answer given to part (c) of question No. 292 asked by Mr. Abdul Qaiyum on the 10th February, 1939.

**LOCATION OF THE DABBI BAZAR SUB-POST OFFICE, LAHORE.**

**654. \*Mr. Sham Lal:** Will the Honourable Member for Communications be pleased to state:

- (a) whether any representation was made by the President of the Merchants Association, Dabbi Bazar, Lahore, to the Director-General of Posts and Telegraphs Department, with regard to the location of the Dabbi Bazar Sub-Post Office, Lahore;
- (b) whether that representation was sent to the Postmaster General, Lahore, for necessary action;
- (c) whether the Postmaster General made any enquiry, and if so, what is the result of the enquiry;
- (d) whether it is a fact that the above sub-post-office is situated in a lane and not easily accessible to the public;
- (e) whether it is a fact that it is unhealthy and dark and the work even during the day can be done only with the help of electric light;
- (f) whether it is a fact that the rental value of the building is not more than 20 or 25 rupees a month, while the proprietor is charging Rs. 80 a month from Government;
- (g) whether it is a fact that the Director General of Posts and Telegraphs asked the President of the Merchants Association to propose a suitable building on reasonable rent in a better place;

- (h) whether it is a fact that the President proposed a site near the Golden Mosque, which building is more commodious;
- (i) whether Government have decided to shift the said sub-post office to that building; and
- (j) if not, what action Government propose to take?

**The Honourable Sir Thomas Stewart:** (a), (b) and (g). Yes.

(c) to (f) and (h) to (j). Government have no information. The matter is one within the competence of the Postmaster General, Punjab and North-West Frontier Circle, and a copy of the question is being sent to him for such action as he may consider suitable.

#### MANUFACTURE OF CHEAP RADIO SETS IN INDIA.

**655. \*Mr. Manu Subedar:** (a) Will the Honourable the Communications Member please state whether Government have seen a message from the Associated Press from Lucknow, which stated that a radio-machine had been constructed at or near fifty rupees and was giving good service?

(b) Have Government made any efforts since the last debate in this House to examine the conditions for the production of radio-machines in this country and, if so, what is the result of such efforts?

(c) Is there any publication in which the results of these efforts have been embodied?

(d) Have Government considered the proposal for the manufacture of cheap radios in this country from the business point of view and the possible effect which such production would have on the number of licences?

**The Honourable Sir Thomas Stewart:** (a) Yes.

(b) and (d) Government have under active consideration at the present time certain proposals for the production or assembly of cheap radio sets in this country and the possible effect of the local production of cheap sets on the number of licences.

(c) No.

#### DISINFECTANT FLUIDS USED BY STATE RAILWAYS.

**656. \*Mr. Manu Subedar:** (a) With regard to the reply given to starred question No. 30 on the 3rd February 1939, about disinfectant fluids, will the Honourable the Communications Member please state to which firms orders were given by the State Railways during the current official year, for what quantities, and at what prices?

(b) In which cases was the material supplied made in India?

**The Honourable Sir Thomas Stewart:** (a) and (b). I lay a statement on the table of the House giving the necessary information.

Name of firm.	Whether imported or indigenous.	Quantity ordered.	Rate per gallon.	Remarks.
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*Item 1.—Disinfecting fluid with a carbolic acid co-efficient of not less than 18 by Rideal Walker Test.*

		Gallons.	
1. Kilburn & Co., Calcutta.	Imported .	7,700	Rs. 2-0-6 delivered free at E. I. Ry. Stores, Salkea.
		250	Rs. 2-1-3 f. o. r. Karachi.
		7,950	
		7,950	
2. D. Waldie & Co., Ltd., Calcutta.	Imported .	7,200	Rs. 2-0-5 c. i. f. Karachi.
		850	Rs. 2-2-4 delivered free at E. B. Ry. Stores, Sealdah.
		8,050	
3. Standard Chemical & Pharmaceutical Co., Bombay.	Indigenous .	1	Rs. 2-4-6 delivered free at G. I. P. Ry. Stores, Bombay.

*Item 2.—Disinfecting fluid with a carbolic acid co-efficient of not less than 10 by Rideal Walker Test.*

1. Kilburn & Co., Calcutta.	Imported .	46	Rs. 1-9-2 delivered free at E. I. Ry. Stores, Salkea.
2. Standard Chemical & Pharmaceutical Co., Bombay.	Indigenous .	2,551	Rs. 1-9-5 delivered free at G. I. P. Ry. Stores, Bombay.

*Item 3.—Disinfecting fluid with a carbolic acid co-efficient of not less than 5 by Rideal Walker Test.*

1. Standard Chemical & Pharmaceutical Co., Bombay.	Indigenous .	1	Rs. 1 delivered free at G. I. P. Ry. Stores, Bombay.
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#### PERMISSION TO FOREIGN AEROPLANES TO PASS THROUGH INDIA.

657. \*Mr. Manu Subedar: (a) Will the Honourable the Communications Member please state what are the arrangements with Messrs. Air France and K. L. M., who pass through India to their further destinations?

(b) Did these organisations seek the permission of the Government of India, and on what terms and conditions were they given such permission?

(c) Are any fees charged to them? If so, under what heads and how much?

(d) Are the terms given to them in any respect different from the terms given to the Imperial Airways and, if so, in what respect?

**The Honourable Sir Thomas Stewart:** (a) and (b). The K. L. M. and Air France services have been permitted to operate across India subject to the following principal conditions:

(i) Goods and passengers may not be carried between any two points in India or from India to Burma.

(ii) Mails from India may be carried only for Iran in the West and Northern and Central Sumatra and French Indo-China on the East, and these have to be loaded at Karachi and Calcutta, respectively.

The permission of the Government of India for the operation of the services was sought by the French and Dutch Governments through the usual diplomatic channels.

(c) The Services are charged fees for the aerodrome, wireless and meteorological facilities afforded to them, as prescribed in Section B of Schedule V to the Indian Aircraft Rules, 1937. The revenue from such fees amounted in 1938 to Rs. 17,937 in the case of K. L. M. and Rs. 11,526 in the case of Air France.

(d) The conditions mentioned in the reply to parts (a) and (b) are not applicable to the Imperial Airways Service across India, which has also been exempted from the payment of the fees referred to in the reply to part (c).

#### AERODROMES IN INDIA.

**658. \*Mr. Manu Subedar:** (a) Will the Honourable the Communications Member please state how many aerodromes have been set up in British India and where?

(b) What is the capital cost incurred in connection with these aerodromes and landing places?

(c) What is the recurring cost incurred and to which head of the Central Government's budget is this debited?

(d) What are the total recoveries in the form of fees from those using the aerodromes? What is the scale of these fees?

(e) What means have Government adopted to secure uniform conditions and regulations with regard to the operation of civil aviation in British India with the Indian States?

**The Honourable Sir Thomas Stewart:** (a) Nine civil aerodromes and nine landing grounds, two of which are under construction, have been established in British India by the Central Government. A list is placed on the table.

(b) Approximately Rs. one crore upto the end of 1938-39.

(c) The cost of maintenance during the year 1938-39 is expected to be Rs. 2.74 lakhs. It is debited to the grant under Demand No. 47-Aviation.

(d) The total recoveries on account of fees, rents and other charges levied at Government civil aerodromes during 1937-38 was Rs. 62,605. The scale of fees is shown in Section B of Schedule V to the Indian Aircraft Rules, 1937, a copy of which will be found in the Library.

(e) Informal arrangements have been made with Indian States whereby control of aviation in them is co-ordinated with the provisions of the International Air Convention and the law and practice in British India.

*List of Aerodromes and Landing Grounds.*

*Aerodromes.*—Karachi, Calcutta (Dum Dum), Allahabad, Bombay (Juhu), Cawnpore, Delhi, Jacobabad, Lahore and Madras.

*Landing Grounds.*—Ahmedabad (under construction), Chittagong, Cuddapah, Donakonda, Fatehpur, Gaya, Mughal Bhim, Trichinopoly, and Ramnad (under construction).

**TECHNICAL STAFF OF THE CIVIL AVIATION DEPARTMENT.**

659. \***Mr. Manu Subedar:** (a) Will the Honourable the Communications Member please state what is the technical staff attached to the Civil Aviation Department?

(b) Was the superior staff of the Civil Aviation Department recruited through the Public Service Commission?

(c) Who is the seniormost Indian official of the Civil Aviation Department and what is his emolument?

**The Honourable Sir Thomas Stewart:** (a) A statement showing the technical staff attached to the Civil Aviation Directorate is laid on the table.

(b) Posts of Aerodrome and Assistant Aerodrome Officers, and Assistant Aircraft Inspectors have generally been filled through the Public Service Commission, but certain other posts requiring qualifications not at present available in India were filled through the High Commissioner in England.

(c) The Administrative Officer. His pay is Rs. 750.

*Statement showing the technical staff attached to the Civil Aviation Directorate.*

Serial No.	Designation of post.	Number.
<i>Gazetted Staff.</i>		
1	Director of Civil Aviation . . . . .	1
2	Deputy Director of Civil Aviation . . . . .	1
3	Technical Officer . . . . .	2
4	Chief Inspector of Aircraft . . . . .	1
5	Chief Aerodrome Officer . . . . .	1
6	Aircraft Inspector . . . . .	5
7	Engineer Officer (temporary) . . . . .	1
8	Assistant Engineer Officer . . . . .	1
9	Assistant Aircraft Inspector (Grade I) . . . . .	6
10	Assistant Aircraft Inspector (Grade II) . . . . .	2
11	Electrical and Mechanical Superintendent . . . . .	1
12	Aerodrome Officer . . . . .	8
13	Assistant Aerodrome Officer . . . . .	21
<i>Non-gazetted Staff.</i>		
14	Examiner . . . . .	6
15	Assistant Route Supervisor . . . . .	3
16	Floodlight Operator . . . . .	4
17	Assistant Floodlight Operator . . . . .	10
18	Motor Driver (Grade I) . . . . .	8
19	Motor Driver (Grade II) . . . . .	11
20	Cleaner . . . . .	6



**TELEPHONE EXCHANGE AT BENARES.**

**660. \*Mr. Sri Prakasa:** Will the Honourable Member for Communications state:

- (a) if it is a fact that telephone connections are given to private subscribers at **varying rates** in accordance with the distance from the telephone exchange;
- (b) if the rate is Rs. 168 for the first mile and Rs. 192 for distances above one mile and up to three miles;
- (c) if the telephone exchange of Benares is situated outside the main city;
- (d) if the rates charged from subscribers in the main city is Rs. 192 while in the Cantonment it is Rs. 168;
- (e) if there was a proposal that with the construction of the new Central Posts and Telegraphs Office at Bishesharganj in the city of Benares, the telephone exchange will be removed there;
- (f) if the telephone exchange still continues in the Cantonments;
- (g) if Government are aware that this extra cost discourages persons in the city from taking private connections; and
- (h) if Government are thinking of the desirability of taking the exchange in the premises of the new Post and Telegraph Office in the city; .

**The Honourable Sir Thomas Stewart:** (a) Yes.

(b) In the case of certain exchanges, e.g., Benares, the rate is Rs. 168 for distances up to one mile, Rs. 180 over one mile and up to two miles, and Rs. 192 over two miles and up to three miles.

- (c) Yes.
- (d) Yes, but not in all cases.
- (e) Yes, but the proposal was not proceeded with.
- (f) Yes.
- (g) I have no reason for thinking so.
- (h) No.

**SUBWAY AT THE AJODHYA RAILWAY STATION.**

**661. \*Mr. Sri Prakasa:** Will the Honourable Member for Railways state:

- (a) if it is a fact that the subway leading from the off platform at the Ajodhya Railway Station on the East Indian Railway is not connected with the main platform but with the road outside;
- (b) if there is sufficient arrangement for lighting the passage and for preventing water logging during the rains; and
- (c) if Government are thinking of recommending to the railway concerned the desirability of either having an overbridge connecting the two platforms or a properly protected subway leading from one platform to another?

**The Honourable Sir Thomas Stewart:** (a) to (c). Government have no information. Their policy is to leave such matters to the discretion of Railway Administrations. If the existing facilities fall short of requirements in any way, the matter can most suitably be dealt with through the Local Advisory Committee.

**IMPROVEMENT OF THE DUFFERIN RAILWAY BRIDGE AT BENARES.**

**662. \*Mr. Sri Prakasa:** Will the Honourable Member for Railways state:

- (a) if there is any proposal for the improvement of the Dufferin Railway Bridge at Benares;
- (b) if Government have received any representations either from the Government of the United Provinces or from members of the general public, regarding the difficulties experienced during the rainy season by persons wanting to cross the river at Benares by cars, horse carriages or bullock carts, when the pontoon bridge is not working and when the railway bridge is closed for long hours;
- (c) if, in the proposed arrangement, provision is made to enable vehicular traffic to go over the bridge at all times; and
- (d) if, in case there is no proposal for improving the bridge, the railway administration is thinking of widening the foot path on one side of the bridge to enable vehicular traffic to go through even when trains are passing?

**The Honourable Sir Thomas Stewart:** (a), (b) and (c). Yes.

(d) Does not arise.

**INSUFFICIENT SUPPLY OF MEDICINES, ETC., TO HOSPITALS ON THE BENGAL NAGPUR RAILWAY.**

**663. \*Mr. K. S. Gupta:** (a) Will the Honourable the Railway Member please state whether the equipment of hospitals on the Bengal Nagpur Railway is supervised and inspected by any Government officials?

(b) Are there any complaints from the employees about insufficient supply of medicines and inadequacy of instruments in the various hospitals of the Bengal Nagpur Railway?

(c) Is it a fact that the European and Anglo-Indian staff of the Bengal Nagpur Railway refuse to be treated by Indian staff of the Medical Department of the Bengal Nagpur Railway? If so, why?

(d) Is it a fact that almost all complicated cases, both medical and surgical, are not treated in the railway hospitals of the Bengal Nagpur Railway for want of efficient staff and inadequate supply of medicines and instruments?

**The Honourable Sir Thomas Stewart:** This is a matter of detailed administration on a Company-managed Railway in regard to which Government have no information. I am, however, sending a copy of this question to the Agent and General Manager of the Bengal Nagpur Railway for such action as he may consider necessary.

**NON-SUPPLY TO SERVICE UNION OF THE REPORT ON REORGANISATION OF THE OFFICE OF THE DIRECTOR GENERAL OF POSTS AND TELEGRAPHS.**

**664. \*Maulana Zafar Ali Khan:** (a) Will the Honourable Member for Communications please state whether it is a fact that recognised service unions were given an opportunity to offer suggestions about the reorganisation of the office of the Director General of Posts and Telegraphs, but they were not supplied with a copy of the Report on reorganisation compiled by Mr. Ghulam Muhammad, as well as the terms of reference, so as to enable them to express their views on the recommendations made?

(b) If the reply to part (a) be in the affirmative, will Government kindly state the reasons for depriving the recognised service unions of an opportunity to express their views on matters which concerned the staff most vitally?

(c) Will Government be pleased to state whether they are prepared to cancel the effect of the reorganisation and afford the unions an opportunity to express the viewpoint of the staff in the first instance? If not, why not?

**The Honourable Sir Thomas Stewart:** (a) Yes.

(b) It was not considered necessary to give them a further opportunity of expressing their views on the recommendations before Government took a decision on them.

(c) No, for the reason given in reply to part (b).

**RELEGATION OF MUSLIM CLERKS IN THE OFFICE OF THE DIRECTOR GENERAL OF POSTS AND TELEGRAPHS.**

**665. \*Maulana Zafar Ali Khan:** (a) Will the Honourable the Communications Member please state if it is a fact that out of a total number of twelve Muslim Second Division clerks in the office of the Director General of Posts and Telegraphs ten have been relegated to the Third Division on grounds of incompetence?

(b) Are Government aware that many of the relegated officials referred to above have put in over twenty years' service in the Directorate and their relegation after such a long period of service has produced a disheartening effect on their minds?

(c) Do Government propose to review their cases by instituting an impartial enquiry as regards their fitness for retention in the Second Division cadre?

**The Honourable Sir Thomas Stewart:** (a) No.

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

**PROMOTION TO SELECTION GRADE POSTS IN THE OFFICE OF THE DIRECTOR GENERAL OF POSTS AND TELEGRAPHS.**

**666. \*Maulana Zafar Ali Khan:** (a) Will the Honourable the Communications Member please state if it is a fact that in connection with the reply to Mr. Anwar-ul-Azim's starred question No. 427, dated the 11th February 1931, the Director General of Posts and Telegraphs decided that promotion to selection grade posts in his office would be made strictly according to efficiency irrespective of seniority?

(b) Is it a fact that the said decision was taken at the instance of the Honourable Sir Joseph Bhore, the then Member-in-Charge of the Department of Industries and Labour?

(c) If the replies to the preceding part is in the affirmative, will Government kindly state the reasons for following routine seniority in matters of promotion to Superintendent's cadre?

**The Honourable Sir Thomas Stewart:** (a) No.

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

**PROMOTION OF A MUSLIM TO SUPERINTENDENT'S CADRE IN THE OFFICE OF THE DIRECTOR GENERAL OF POSTS AND TELEGRAPHS.**

**667. \*Maulana Zafar Ali Khan:** (a) Will the Honourable Member for Communications please state whether it is a fact that not a single Muslim official in the office of the Director General of Posts and Telegraphs has ever been given a chance for promotion to the regular cadre of Superintendent?

(b) Is it a fact that by following the practice of routine seniority in matters of promotion, there is hardly any chance for a Muslim official to be promoted to the Superintendent's cadre?

(c) If the replies to the preceding parts be in the affirmative, are Government prepared to promote the most efficient Muslim Assistant to the cadre of Superintendent?

**The Honourable Sir Thomas Stewart:** (a) It is a fact that no Muslim Assistant in the Director General's office has received promotion to the Superintendent's grade.

(b) Promotion to the Superintendent's grade is made in order of seniority from those Assistants who are considered fit for promotion.

(c) Government are not prepared to base promotions on communal considerations.

**RAILWAY CONCESSIONS TO PASSENGERS GOING TO TRIPURI FOR CONGRESS SESSION.**

**668. \*Sardar Mangal Singh:** Will the Honourable the Railway Member please state:

(a) whether the Railways propose to announce any concessions to passengers going to Tripuri on the occasion of the annual Congress session; and

(b) when the announcement is likely to be made?

**The Honourable Sir Thomas Stewart:** (a) and (b). Government understand that concessions are being given by the East Indian, Great Indian Peninsula and Bombay, Baorda and Central India Railways at 1½ single journey fares for all classes, and that the Madras and Southern Mahratta Railway concessions will be 1½ single journey fares for first, second and intermediate classes and 1¼ single journey fares for third class.

**BROADCASTING OF THE PROCEEDINGS OF THE INDIAN NATIONAL CONGRESS.**

**669. \*Sardar Mangal Singh:** Will the Honourable Member for Communications please state:

(a) whether the proceedings of the annual session of the Indian National Congress would be broadcast this year; and

(b) whether any steps have been taken in this direction?

**The Honourable Sir Thomas Stewart:** (a) and (b). The reply to both parts of the question is in the negative.

**TAKING DOWN OF THE TICKET NUMBERS, ETC., BY RAILWAY OFFICIALS FOR THE CRIMINAL INVESTIGATION DEPARTMENT.**

**670. \*Sardar Mangal Singh:** Will the Honourable Member for Railways please state:

- (a) whether it is a part of the duty of the railway officials to help the Criminal Investigation Department people by noting down the numbers of the tickets of the passengers and their destinations and then giving them this information; and
- (b) whether the Criminal Investigation Department makes any payment for the services rendered, or they are being rendered gratis?

**The Honourable Sir Thomas Stewart:** (a) No.

(b) Does not arise.

**APPLICATIONS INVITED FOR THE POST OF A SANITARY INSPECTOR ON THE NORTH WESTERN RAILWAY.**

**671. \*Mr. Lalchand Navalrai:** (a) Will the Honourable Member for Railways be pleased to state whether the General Manager, North Western Railway, Lahore, advertised for the post of a Sanitary Inspector in August 1938? If so, how many applications were received from the Railway employees and outsiders, respectively?

(b) How many of the applicants were selected for interview, and on what considerations?

(c) Out of the persons selected, how many of them were railway employees, already working in the Sanitation Branch?

(d) Is it a fact that an outsider, having no claim on the Railway Administration, was appointed? If so, on what grounds was this preference made?

**The Honourable Sir Thomas Stewart:** (a) Yes: the advertisement was published in July, 1938. Four applications were received from railway employees and 82 from others.

(b) Twenty were selected for an interview on the basis of the qualifications mentioned in their applications.

(c) Two.

(d) The reply to the first part is in the affirmative. As regards the second part, the man selected was, in the opinion of the Selection Committee, the best having regard to his qualifications.

**REST TO STATION STAFF ON RAILWAYS.**

**672. \*Mr. Lalchand Navalrai:** (a) Will the Honourable Member for Railways please state if the station staff is allowed any calendar day rest in a week and other festival holidays? If not, what overtime remuneration is paid to them?

(b) Is the station staff allowed any recess or interval for meals extra during their continuous eight hours' daily duty, just as is given to the office staff working for six hours daily? If not, why not?

**The Honourable Sir Thomas Stewart:** (a) The grant of weekly rest to staff on railways, on which the Hours of Employment Regulations are in force, is governed by section 71D of the Indian Railways (Amendment) Act, 1930. Such information as is available in regard to the rest actually given appears in the Appendix to the Annual Report on the working of the Hours of Employment Regulations on the North Western, East Indian, Eastern Bengal, Great Indian Peninsula, Bombay, Baroda and Central India and Madras and Southern Mahratta Railways for 1936-37, a copy of which is in the Library of the House. Station staff are not granted holidays for festivals. Staff whose hours of work are regulated by the Hours of Employment Regulations are granted overtime under section 71C of the Indian Railways (Amendment) Act, 1930. Overtime is admissible only when a railway servant is employed for more than the hours prescribed in this section.

(b) Government have no information.

#### MUSLIM CLERKS IN THE GENERAL MANAGER'S OFFICE OF THE GREAT INDIAN PENINSULA RAILWAY.

**673. \*Maulvi Muhammad Abdul Ghani:** (a) Will the Honourable Member for Railways please state how many Muslim clerks are working in the General Manager's office of the Great Indian Peninsula Railway?

(b) Is it a fact that no Muslim clerk has been appointed in the Establishment Branch of the said office?

(c) How much acting or officiating allowance has been paid to the clerks working in the General Manager's office, Great Indian Peninsula Railway? Was any such allowance ever given to a Muslim?

**The Honourable Sir Thomas Stewart:** (a) Government have no information.

(b) Yes.

(c) Government do not consider that the labour involved in compiling the information required in the first part of the question can be justified. The reply to the second part is in the negative.

#### EXPULSION OF CERTAIN BROTHIA TRADERS FROM TIBET.

**674. \*Mr. Badri Dutt Pande:** (a) With reference to the reply to my starred question No. 1918 of the 7th December, 1938, will the Secretary for External Affairs be pleased to state if any enquiries were made by the Government of India from the United Provinces Government or the Deputy Commissioner of Almora as to the respectability, status and position of Thakur Moti Singh Rautal, member, District Board, Almora, and whether he was given a chance to defend himself and explain his position? If not, why not?

(b) Has the British Trade Agent at Tibet got magisterial powers to arrest and handcuff a person and to expel him from that country?

(c) Is it the intention of Government to institute full enquiries in the matter and cancel the orders of expulsion?

**Sir Aubrey Metcalfe:** (a) No enquiries have been made from the United Provinces Government, since the report received from the Trade Agent clearly showed that Thakur Moti Singh's behaviour in Tibet was objectionable and his continued presence there undesirable. The Trade Agent gave him full opportunity to defend and explain himself before the order of expulsion was passed.

(b) The British Trade Agent at Gartok exercises the powers of a second class Magistrate in respect of British subjects at the trade mart or on the route thereto and has also the right to exclude or expel from the area within his jurisdiction British subjects whose presence in Tibet would be unwelcome to the Tibetan Government.

(c) No. Government are satisfied with the enquiries which they have already made in the matter.

#### **MUSLIM TRACERS AND DRAUGHTSMEN IN THE HOWRAH DIVISION OF THE EAST INDIAN RAILWAY.**

**675. \*Mr. Muhammad Nauman:** (a) Will the Honourable Member for Railways be pleased to refer to his reply on the 15th November, 1938, to the starred question No. 857 of the 8th September, 1938, and state what measures have been taken to make up the deficiency of Muslims in the posts of tracers and draughtsmen in the Howrah Division, East Indian Railway, whose representation was neglected due to not obtaining the communal allotment through an oversight?

(b) Does the Honourable Member propose to find out such other oversights in matters of recruitment, promotion, transfer and grant of quarters, which have come from officers and clerks of the Howrah Division, East Indian Railway, from 1st September, 1935, to 31st December, 1938?

**The Honourable Sir Thomas Stewart:** (a) The communal percentages prescribed are over-all percentages and do not ordinarily apply to each category of staff. Returns of recruitment by communities on the East Indian Railways show that the over-all percentages fixed for Muslims are being adhered to. The question of making up a deficiency of Muslims in the posts referred to does not therefore arise.

(b) In view of my reply to part (a), an investigation on the lines suggested does not appear to be necessary.

#### **VACANCIES OF TICKET COLLECTORS IN THE HOWRAH DIVISION OF THE EAST INDIAN RAILWAY.**

**676. \*Mr. Muhammad Nauman:** Will the Honourable Member for Railways be pleased to refer to his reply given on the 15th November, 1938, to the starred question No. 858 of the 8th September, 1938, and state the exact date, number and contents of the orders circulated during April, 1935, about the enforcement of rules of recruitment on the East Indian Railway, and place a copy of these orders on the table of the House for information?

**The Honourable Sir Thomas Stewart:** The orders issued by the East Indian Railway Administration in April, 1935, on the subject of the representation of Muslims and other minority communities were entirely

for the guidance of departmental officers and I am not prepared to place a copy thereof on the table of the House. I may add, however, that the arrangements detailed therein are not now in force, as the allotment of vacancies by communities for the purpose of recruitment is being regulated by the headquarters of the Administration.

**TRANSFER OF MUSLIM CLERKS IN THE HOWRAH DIVISION OF THE EAST INDIAN RAILWAY.**

**677. \*Mr. Muhammad Nauman:** Will the Honourable Member for Railways be pleased to refer to his reply given on the 15th November, 1938, to the starred question No. 859 of the 8th September, 1938, and state the names, qualifications, date of appointment, pay, grades of the Muslim clerks, in the Establishment offices of the Divisional Superintendent, Howrah, East Indian Railway, who were transferred from one category to another during the period from the 15th July, 1935, to the 31st December, 1938, for the purpose of utilising their efficiency and qualifications in the interest of service?

**The Honourable Sir Thomas Stewart:** Government do not consider that the labour involved in compiling the information required can be justified.

**ORGANISATION OF ESTABLISHMENT OFFICES OF THE DIVISIONAL SUPERINTENDENTS ON THE EAST INDIAN RAILWAY.**

**678. \*Mr. Muhammad Nauman:** (a) Will the Honourable Member for Railways be pleased to state on what date and in what year the Establishment offices of the Divisional Superintendents on the East Indian Railway were organised according to Messrs. Hazeltine and Robertson reports, dealing with the distribution of work in the Establishment offices according to functional bases at the rate of 300 subordinates and 500 menial staff per dealing clerk of equal status under the supervision of one Head Clerk abolishing the old system of Group-in-charges?

(b) How far has this organisation been successful and useful on each Division of the East Indian Railway?

(c) Has this organisation been replaced by another system on any Division of the East Indian Railway with prior sanction of the General Manager?

(d) When was the designation of the Clerk-in-charge Establishment introduced in the Establishment office of the Divisional Superintendent, Howrah, East Indian Railway?

(e) Is the designation of Clerk-in-charge Establishment in vogue in other Divisions of the East Indian Railway? If not, why not?

(f) Under what special circumstances was the designation of the Clerk-in-charge Establishment given to the present incumbent in the Establishment office of the Divisional Superintendent; East Indian Railway, Howrah?

**The Honourable Sir Thomas Stewart:** (a) to (c). Government have no information in regard to the details of internal arrangements in Divisional offices, and do not consider that the work involved in compiling the particulars asked for in parts (a) to (c) can be justified.

(d) to (f). I have called for the information required and will place a reply on the table of the House when it is received.



**MUSLIM CLERKS IN CERTAIN BRANCHES OF THE ESTABLISHMENT OFFICE OF THE  
DIVISIONAL SUPERINTENDENT, HOWRAH.**

**679. \*Mr. Muhammad Nauman:** Is the Honourable Member for Railways aware of the fact that there is only one Muslim clerk in the staff section of the Establishment office of the Divisional Superintendent, Howrah, East Indian Railway and the Muslim clerks in the staff branches other than him have been replaced by Hindu clerks who were either condemned by the present Divisional Superintendent during his tenure as Superintendent Staff, Howrah Division, or removed to the relieving list by the present Superintendent Staff and the Office Superintendent at the time of reshuffling of the Establishment office on the 15th August, 1938?

**The Honourable Sir Thomas Stewart:** I understand that there will till recently nine Muslim clerks in this branch, of whom one is now under suspension, his place being filled temporarily by a clerk belonging to another community.

**HOURS OF WORK, ETC., OF EXTRA-DEPARTMENTAL AGENTS.**

**680. \*Shaikh Rafiuddin Ahmad Siddiquee:** (a) Will the Honourable Member for Communications please state for how many hours the Extra Departmental Agents of the Posts and Telegraphs Department work in the office and with the public per day and, whether it is a fact that in some offices they are to work by two shifts daily without fail?

(b) Will Government be pleased to state by whom the office houses of Extra-Departmental Agents are constructed and at whose cost they are repaired from time to time?

**The Honourable Sir Thomas Stewart:** (a) The hours of work vary but are in no case more than eight hours a day. It may be that in some cases the hours of work are split up into two separate periods during the day for the sake of public convenience.

(b) I would refer the Honourable Member to the reply given to part (c) of Maulvi Abdur Rasheed Chaudhury's question No. 393 on 23rd August, 1938.

**GIVING OF SUBSTITUTES BY EXTRA-DEPARTMENTAL AGENTS GOING ON LEAVE.**

**681. \*Shaikh Rafiuddin Ahmad Siddiquee:** Will the Honourable Member for Communications please state whether the Extra Departmental Agents run the risk of losing their service, if they fail to give any reliable and experienced substitute when they fall ill or have to go on leave for unavoidable reasons?

**The Honourable Sir Thomas Stewart:** The reply is in the negative.

**POSTAL EMPLOYEES AND EXTRA-DEPARTMENTAL AGENTS INVOLVED IN  
DEFALCATIONS, ETC.**

**682. \*Shaikh Rafiuddin Ahmad Siddiquee:** (a) Will the Honourable Member for Communications please state whether it is a fact or not that as per part II of the Circular No. 4, dated the 5th May, 1938, and No. 12, dated the 1st August, 1938, of the Postmaster General of Bengal and Assam—out of 24 employees who were punished for defalcation, etc., in the Posts and Telegraphs Department as good as 19 were from the Extra Departmental Employees?

(b) If it is true and from the past reports, too, if it is found that the greater number of Extra Departmental Agents were involved in embezzlement and offences of like nature compared with the employees of the Departmental men, are Government prepared to appoint a committee of enquiry to ascertain whether or not these are outcomes of scant remuneration?

**The Honourable Sir Thomas Stewart:** (a) Yes, except that the total number of employees punished was twenty-seven, and not twenty-four, and the number of extra-departmental employees was twenty-one, and not nineteen.

(b) No.

#### WINGSLOT INVENTION OF MR. PHIROZE NAZIR.

**683. \*Seth Govind Das:** Will the Honourable Member for Communications be pleased to state :

- (a) whether it is a fact that Mr. Phiroze Nazir, a young Indian inventor working in London, published details of a wingslot invention which was described by experts as of the utmost importance to flying;
- (b) whether it is a fact that Government thought so highly of the invention that they met the original cost of patents;
- (c) whether it is a fact that Mr. Nazir has been trying to persuade the British Air Ministry in England to give his invention a proper trial in a wind tunnel and that he was informed to the effect that they cannot begin to test his invention until the rush of rearmament is over; and
- (d) whether Government in the interest of Imperial defence in this country, or in India's defence interest, tried to influence the decision of the authorities in Great Britain to expedite the trial of Mr. Nazir's inventions?

**The Honourable Sir Thomas Stewart:** (a) Mr. Phiroze Nazir produced certain ideas for the improvement of the lateral control of aeroplanes, which on test showed considerable promise. Expert opinion concerning the value of these ideas is divided, but it was agreed that much further investigation was necessary before the device could be brought to a practical stage.

(b) The Government of India, in pursuance of the policy of assisting Indian students in aviation, from 1934 until March, 1938, granted scholarships to Mr. Nazir for aerodynamical research and the development of his invention. The grants included the cost of provisional patents.

(c) It is understood that the British Air Ministry intend to investigate the general problem of flaps combined with slots and to examine Mr. Nazir's patent in the course of their investigation. Government have no information as to when this will be done.

(d) No.

## LOSSES SUFFERED BY INDIAN TRADERS IN SINKIANG.

**683A. \*Sardar Mangal Singh:** Will the Foreign Secretary please state :

- (a) whether it is a fact that large consignments of merchandise belonging to Indian traders have been withheld by the Sinkiang Government, even though the merchants have duly paid the export duty on their goods;
- (b) whether it is a fact that the Sinkiang Government have seized the goods from the *Kurakarm* Pass and taken them back again to Yarkand and other places from which they were brought there; and
- (c) whether Government are aware that several Indian merchants have completely been ruined on account of the heavy losses which they have thus suffered?

**Sir Aubrey Metcalfe:** (a), (b) and (c). Government have received reports that large consignments of *charas* which Indian merchants were exporting in spite of the prohibition of the local authorities have been dealt with in the manner described by the Honourable Member and that several Indian merchants have suffered heavy losses on this account.

## RESTRICTIONS ON INDIAN TRADERS IN CENTRAL ASIA.

**683B. \*Sardar Mangal Singh:** Will the Foreign Secretary please state :

- (a) whether the Central Asian Indian traders (Hoshiarpur, Punjab) have submitted any memorial to the Government of India, stating therein the numerous restrictions under which they are suffering;
- (b) whether Government through the British Commissioner (Sinkiang) have taken up the matter with the Sinkiang Government; and
- (c) how far they have succeeded in removing the restrictions?

**Sir Aubrey Metcalfe:** (a) Yes.

(b) and (c). The representations of the Central Asian Indian traders refer chiefly to the consignments of *charas* mentioned in the reply I have already given this morning to another question by the Honourable Member. His Majesty's Consul General, Kashgar, has been asked to take such action as may be possible, but it is difficult to make any strong representation to the local authorities as the *charas* was exported against their express prohibition. He has not, therefore, been able to obtain any redress.

## MOTION FOR ADJOURNMENT.

REJECTION OF THE DELHI MUNICIPAL COMMITTEE'S APPLICATION FOR A DISTRIBUTING LICENCE UNDER THE INDIAN ELECTRICITY ACT.

**Mr. President** (The Honourable Sir Abdur Rahim): The Chair has received notice from Mr. Asaf Ali of a motion for the adjournment of the business of the Legislative Assembly to discuss a recent matter of urgent public importance, namely, the serious situation created by the Delhi Local Government's action in rejecting the Delhi Municipal Committee's application for a distributing licence under the Indian Electricity Act. When was this order passed?

**Mr. M. Asaf Ali** (Delhi: General): The order was received by the Delhi Municipal Committee only day before yesterday and it rejects the application of the Delhi Municipal Committee for a distributing licence.

**Mr. President** (The Honourable Sir Abdur Rahim): What is the nature of the serious situation?

**Mr. M. Asaf Ali**: The situation is almost like a crisis, because the Delhi Municipal Committee, immediately after the receipt of this order, held a general meeting and unanimously censured the Local Government and suggested the boycott of this company. This has created a serious situation altogether.

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member means there is a prospect of the Delhi City being plunged in darkness.

**Mr. M. Asaf Ali**: It looks like that. The position is that this company has been exploiting Delhi for a long time and, in spite of the opposition of the various constituents concerned, the Local Government is giving facilities to this company for distributing electricity and have refused to entertain the Delhi Municipal Committee's application for a distributing licence. The Delhi Municipal Committee wants a distributing licence because they are now developing very large areas and they themselves want to distribute electricity in their own developed areas. By not granting this licence, the Local Government has—this is the view of the Municipal Committee—practically sold the whole of Delhi to this foreign company which has already made crores and which stands to make lakhs more every year now. If we have a licence, we can sell electricity at one anna per unit because the cost of generation is less than two pice. We have consulted our own experts and they have advised us that we can easily sell electricity to the whole of Delhi at one anna per unit.

**The Honourable Sir Muhammad Zafrullah Khan** (Member for Commerce and Labour): May I point out that the refusal of the Local Government, that is to say, the Chief Commissioner, was published on Monday morning in the form of an official statement by the Chief Commissioner among others in the *Hindustan Times*. It was commented upon and in a way repeated on Tuesday morning in the Press—by the *Hindustan Times* and other papers—and, as a matter of fact, there were suggestions asking the Government to reconsider their decision, and so on, but notice of this motion was not given till Thursday morning . . . . .

**Mr. M. Asaf Ali**: The order was received by the Municipality only day before yesterday.

**The Honourable Sir Muhammad Zafrullah Khan**: There was an official communique by the Chief Commissioner on Monday that he had rejected the request.

**Mr. President** (The Honourable Sir Abdur Rahim): Is it a fact that the Municipality received the order only day before yesterday?

**Mr. M. Asaf Ali:** Yes, Sir, I have got the original order in my possession.

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member, Mr. Asaf Ali, is a member of the Municipality, is he?

**The Honourable Sir Muhammad Zafrullah Khan:** Yes. The official communique was published on Monday . . . .

**Mr. President** (The Honourable Sir Abdur Rahim): Why was the order received by the Municipality only day before yesterday?

**The Honourable Sir Muhammad Zafrullah Khan:** Well, it has got to go down to the Superintendent, he arranges to send it on. There is a clear declaration that that order had been passed and the grounds for that order were given and that the Municipality's application had been rejected.

**Mr. President** (The Honourable Sir Abdur Rahim): What about the other question--the seriousness of the situation?

**The Honourable Sir Muhammad Zafrullah Khan:** On the merits,—on the question whether the distributing licence should be continued to a particular company or should be given to the Municipality, that hardly makes the matter one of urgent public importance, but my main objection is that everybody was aware, including the Honourable Member on Monday morning, of this having been done.

**Mr. President** (The Honourable Sir Abdur Rahim): Is the Honourable Member, Mr. Asaf Ali, entitled, as a Member of the Municipality, to receive the official order?

**The Honourable Sir Muhammad Zafrullah Khan:** His presence in this House is in the capacity of representing the public of Delhi, and as such he had knowledge of this and everybody else also.

**Mr. President** (The Honourable Sir Abdur Rahim): If the Municipality did not receive the order till day before yesterday, I think they might have the point raised . . . .

**The Honourable Sir Muhammad Zafrullah Khan:** Even if everybody in the House was aware of the official communique on Monday?

**Mr. President** (The Honourable Sir Abdur Rahim): He might have read it in the papers but . . . .

**The Honourable Sir Muhammad Zafrullah Khan:** This was not a mere piece of news, but a communique by the Chief Commissioner in inverted commas.

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member, Mr. Asaf Ali, knows that the rules are very strict regarding adjournment motions. What has he to say?

**Mr. M. Asaf Ali:** It did come to my knowledge, but I immediately made inquiries of the Municipality of which I am a member, and I learnt that no order had been received by them. I could not act merely on a communique which appeared in the Press; it was not received by the Municipal Committee, which is the primary body concerned in the matter.

**Mr. President** (The Honourable Sir Abdur Rahim): Under the circumstances, the Honourable Member is in time. But the Honourable Member knows that today all the Demands of the Railway Budget have to be put to the vote.

As objection has been taken, the Chair would like to know how many Members are for leave being granted?

(Over twenty-five Honourable Members then rose in their seats.)

As not less than twenty-five Members are for leave being granted, the motion will be taken up next Monday at 4 o'clock.

**Mr. Abdul Qaiyum:** May I know when my adjournment motion will be taken up?

**Mr. President** (The Honourable Sir Abdur Rahim): There is another motion for adjournment by the Honourable Member, Mr. Abdul Qaiyum. That will be considered on Tuesday.

#### THE RAILWAY BUDGET—LIST OF DEMANDS—*concl'd.*

##### DEMAND NO. 3.—MISCELLANEOUS EXPENDITURE.

**The Honourable Sir Thomas Stewart** (Member for Railways and Communications): Sir, I move:

"That a sum not exceeding Rs. 15,45,000 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, 1940, in respect of 'Miscellaneous Expenditure'."

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

"That a sum not exceeding Rs. 15,45,000 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, 1940, in respect of 'Miscellaneous Expenditure'."

##### *Provisions re Enquiry into Accidents.*

**Mr. C. C. Miller** (Bengal: European): Sir, I beg to move:

"That the demand under the head 'Miscellaneous Expenditure' be reduced by Rs. 101"—(To discuss the provisions relating to enquiry into accidents).

Sir, the object of this motion is to consider the status of those Railway officers whose duty it is to investigate and report when accidents involving the loss of life occur on our railway system. I hope we shall be able to make constructive suggestions to improve their status, but I do desire at the outset to make it as clear as daylight that we do not wish to convey any breath of criticism against these officers personally or against their work. It is, however, obvious that their standing *vis-a-vis* the Railway Board puts them into a very invidious position when there falls on them the duty of investigating and reporting upon such major disasters as have occurred at Bihta and Chikaki. Unfortunately, the fact remains that however painstaking and efficient the investigation, however impartial and unbiassed the report, the proceedings are treated as suspect by the public

[Mr. C. C. Miller.]

because of the relationship which exists between the Railway Board and the investigating officer. The reports are regarded as *ex parte* statements,—what one might term as a sort of internal audit, and there ensues a popular demand for a judicial examination, with its heavy expense.

If we examine the system which obtains in the United Kingdom, we find  
12 Noon. that the method ordinarily adopted, in the case of railway accidents, is an investigation and report by a completely independent Inspector of Railways, who is appointed from time to time by the Board of Trade. In the case of disasters of the first magnitude, a more formal inquiry can be held under the auspices of the Ministry of Transport, but this court has been very seldom requisitioned. Speaking from memory and subject to correction, I think there have been very few cases of sessions of this court of inquiry between the terrible Tay Bridge disaster in 1879 and the Castlecary accident in 1937. We have no equivalent for the Board of Trade in this country and it is obvious that the investigating officer must conduct his investigations under the aegis of some authority. Referring to the popular sentiment to which I have just alluded, we feel that, though it is unjustified, in fact it cannot be regarded as what one might call unnatural in origin, and we have, therefore, come to the conclusion that it would be much better and more proper if the investigating officers were entirely divorced, both in the present and for the future, from all control by the Railway Board and all expectation of preferment from the Railway Board. The solution which we recommend is the establishment under the direct control of the Honourable Member for Communications of a limited number, say, two three or four special inspecting officers whose primary duty would be the investigation of accidents and who, in the process of that investigation, would be empowered to appoint assessors, to summon witnesses and to take evidence on oath. I say primary duty advisedly because we all hope that the task of investigating serious accidents may be very much less frequent in the future than it has been in the near past. Over very many years the Indian Railways held an enviable record in respect of the accidents and one is sure that every man, woman and child in this country with, I suppose, the exception of train wreckers, hope that that record will be resumed. But, apart from that primary duty, there should be a number of secondary duties to keep this little guard of officers well employed. There are, for instance, a number of minor mishaps which occur from time to time and which amount to something considerable in the aggregate and of which independent and careful examination might have the effect of averting future disasters. There are also a great number of safety devices which appear from time to time. What we visualise really is the establishment of what I might call, for want of a better term, a safety squad, whose duty comprises not only the investigation of accidents that have occurred but every possible precaution towards the prevention of accidents that might occur. There is one danger which might be foreseen and that is that, since such posts as we advocate would, at any rate, in the senior grade be an end in itself and divorced from all hope of future preferment, it might tend that this safety squad would become to be regarded as a sort of railway backwater. We want to avoid that at all costs and it seems that the only way by which such a danger could be averted would be by making these posts worthy of the ambition of men who desire to specialise and to acquire the very considerable technical and general knowledge which would be essential for qualification.

I would say, finally, that we have deliberately made these suggestions on broad lines. It is not, I think, for us to attempt to dot the i's and to cross the t's of administration, but our suggestions only foreshadow a principle which is already established in the Government of India Act. Under that Act, the Federal Government will have power to appoint officers who are completely independent of the Federal Railway Authority or of any other Railway Administration and whose function is to take precautions in regard to the safety of the travelling public and to hold inquiries into railway accidents. I, therefore, hope that these suggestions of ours will receive the sympathetic consideration of the Honourable Member for Communications and that he will find it possible to devise some system on the lines which I have advocated. Sir, I move.

**Mr. President** (The Honourable Sir Abdur Rahim): Cut motion moved:

"That the demand under the head 'Miscellaneous Expenditure' be reduced by Rs. 101"

**Sir Abdul Halim Ghuznavi** (Dacca cum Mymensingh: Muhammadan Rural): Mr. President, I support my Honourable friend. In 1933, when we were having a Round Table Conference in England and when we were considering the transfer of the control of the Railway Board to a separate body, a specific recommendation was made that the safety of passengers in the railways should not be entrusted to the railways but should be entrusted to another Department altogether. It was suggested that the safety of passengers in railways should be entrusted to the Home Department or the Labour Department and that the railways would have nothing to do with it. Now, Sir, what do we find in these accidents that have taken place? We find that the mechanical engineers of railways go to the drivers and ask them to give evidence in a particular way. We find it in the findings of Mr. Justice Thom that the driver who made the statement that the engine was hunting was threatened with dismissal and he was asked to withdraw his statement. A most important letter informing Mr. Robertson that it was a danger to run these XB engines could not be found and the very man who should be responsible for what had happened was allowed to leave India together with his Deputy. Mr. Justice Thom made a very serious remark that it was the duty of the railway to produce that man before the Court of Enquiry. They made no serious attempt to find out where the man was although, obviously, they knew it. The reason was that he had taken a house in Switzerland and he had to deposit certain money in a London Bank within a specified time. As suggested by my Honourable friend, the man who would be entrusted with the enquiry, that is the Chief Inspector, or whoever makes the enquiry, must not aspire to be a Member of the Railway Board or be an Agent or General Manager or anything of the kind. If he has any such aspiration, he will surely consider twice before making a true report because his career may be marred. Therefore, the Chief Inspector should not be under the Railway Board, he should have nothing to do with the Railway Board. He must be definitely told that his job is only that of Chief Inspector and that no other job will be given to him either in the Railways or in the Government of India. This report of Mr. Justice Thom was published in April, 1938. Nearly a year has since elapsed and we do not yet know what steps have been taken to implement the recommendations of that report. The report definitely lays down that certain officers were guilty. If their own officers of the East Indian Railway held any investigation and



[Sir Abdul Halim Ghuznavi.]

submitted their report explaining the conduct of those concerned, surely this House would like to see that report. Why are those found guilty still carrying on the administration of the East Indian Railway? Why is it that the East Indian Railway is the only railway where accidents take place? This is a serious matter so far as passengers are concerned. It is becoming dangerous to travel by the East Indian Railway and, surely, something must be done to allay the panic in the minds of the public. I will only quote one or two observations of Mr. Justice Thom from his report:

"The Railway company were unable to produce a letter of an alarming nature sent from the Divisional Superintendent's office, Dinapore to the Chief Operating Superintendent, in February 1936. Mr. Turner, the Divisional Superintendent, and Mr. D. M. S. Robertson, the Chief Operating Superintendent had left India. I directed the Agent to communicate with these gentlemen and ask them if they could throw any light on the 'alarming letter' of February, 1936. The Agent did communicate with these gentlemen. He communicated with Mr. Turner without delay. His communication with Mr. Robertson however was delayed for more than a month. The explanation given by the Agent in an affidavit of his delay in getting in touch with Mr. Robertson is highly unsatisfactory".

Here is another observation made by Justice Thom:

"It is clear from the questions which were put to the drivers on the 12th August by the Deputy Chief Mechanical Engineer—a very senior officer—that he was trying to persuade them to say that, despite the fact that they had booked the engine for hunting, the engine in fact did not hunt . . . . . In view of the fact that these drivers were almost certain to be called upon to give evidence at an Enquiry, judicial or otherwise, it is most unfortunate that the Deputy Chief Mechanical Engineer should have interviewed them and adopted towards them the overbearing attitude, which his questions to them clearly indicate he assumed".

Therefore, Sir, what I say is this: it is high time that the Railway Board should place before this Honourable House the correspondence showing what action they have taken on Mr. Justice Thom's report and with regard to the particular officers that are mentioned in this report as being grossly negligent. I do not want to mention their names here. But their names will be found in the report and they are still carrying on the administration of the East Indian Railway. If they have given satisfactory explanations of their conduct, where are those explanations? We should like to see them. If they have not been asked to explain, why was no action taken? With these words, I support the cut motion.

**Mr. K. Santhanam** (Tanjore *cum* Trichinopoly: Non-Muhammadan Rural): Sir, the Honourable the Mover of this cut motion suggested that the Government Inspectors should be independent of the Railway Board and the railway administrations so that their reports might be so popular that further investigations may not be necessary. He pointed out that in England a court of enquiry had not been appointed except in one instance and that ordinarily reports of the Government Inspectors are considered to be sufficient. I am afraid, Sir, there are some conditions which are vitally different in the case of India. In whatever way the appointments of Inspectors are made, the Government of India can never get out of the fact that the railways are their property. Though the Inspectors might be put under a different Member, still that Member will be part of the Government which works the railways and which is likely to be affected by any report of the enquiry. Secondly, it is impossible to form a cadre of

Inspectors beyond which the Inspectors need not look for further promotion. After all, these Inspectors will have to be taken from the engineering staff of the railways and the Government of India could not offer, in the limited cadre of Inspectors, sufficient prospects for really able men. And the Honourable the Mover suggested that these Inspectors should be entrusted with additional functions for preventing accidents. Even there I doubt whether with the extensive railway system that we have we can afford to maintain a sufficiently large number of Inspectors for the purpose. Prevention must be the business of the railway authorities themselves. Of course, there cannot be any objection to keeping these officers technically independent of the Railway Board or the railway administrations but, as I have said, I do not think they will be substantially independent, and India can never be satisfied with an inquiry conducted by the Inspectors alone. This matter came up before the Central Advisory Council for Railways and there "the majority of members were of the opinion that it should be mandatory on the Central Government to order a judicial inquiry in all cases involving loss of life; and the Chairman agreed to record this advice but, at the same time, he pointed out that 'the constitutional position was not altogether clear in this respect and required examination in regard to the position of the Central Government in carrying out a judicial inquiry which implies the assumption of parallel powers to those possessed by the Local Government'." This meeting of the Council was held on the 26th February, 1938, and since then through many questions I have tried to elicit an answer from the Member for Railways as to the action they have taken on this recommendation of the majority. The only uniform reply that I have received, has been that the matter is under consideration. I should like to know from Government whether they have finished considering the matter and whether they have come to any decision on the subject. Sir, I am particularly anxious that it should be adopted as a general principle. After all, if there are many accidents there should be something very rotten in the system of administration and it deserves to be investigated by proper judicial authorities. If the accidents are few the expense and the difficulty of conducting the inquiries will correspondingly be small. Therefore, in every case in which there is serious loss of life and property, a judicial inquiry or investigation should be conducted. If the motion is intended more or less as an alternative to a judicial inquiry I am afraid I must oppose this.

Then again, Sir, there is one other principle which I think the Government of India should adopt in the case of accidents. They should accept liability for compensation, irrespective of causes to a certain extent. I do not say that where an accident is due to neglect or otherwise the railways should compensate everybody according to the legal scale of damages, but whenever an accident happens and lives are lost the railway should accept liability to pay compensation as a sort of insurance. We have been trying to compel the motor trade to adopt third party insurance; why should not the railways be automatic insurers of people travelling in them? I admit there is need for limiting compensation for one passenger to two, three or four thousand rupees according to his status. But there should be automatic compensation in the case of every accident; otherwise, there is every incentive for the Inspectors and Railway administrations to cover up cases of neglect and other maladministration which might be the cause of accidents. Sir, even Governments, however impartial

[Mr. K. Santhanam.]

they may be, are human and whenever they have to pay they naturally try to evade it; and, therefore, so long as there is no liability to pay automatic compensation for accidents and injuries I think there will not be proper investigation and the proper spirit in which such investigation can be undertaken in the case of accidents. Therefore, I would urge upon the House to insist that in the case of every accident there should be a proper judicial investigation; and, secondly, in the case of every accident there should be automatic compensation subject to a maximum in the case of every passenger. If these two principles are adopted the particular manner in which these Inspectors are appointed will be of comparatively minor significance. Even then I do agree that it is better to put them under independent control; but, as I have already said, it might not be proper to take away all chances of promotion from them by reversion to the original railways. Therefore, they will not be absolutely independent in any case. I should like a categorical statement from the Party which moved this motion whether they have moved it only as one proposal or as an alternative to a judicial investigation.

Sir Abdul Halim Ghuznavi has pointed out how a real judicial investigation can bring out the facts and irregularities which can never be brought out by a mere inquiry by an Inspector. In the case of the Bihta disaster it is no doubt true that the senior Government Inspector did suspect hunting; but could he possibly have been expected to throw light on the way in which the administration behaved in the accident? Could he, for instance, have found out, or if he had found out, would he have cared to report, the way in which high officials were allowed to shirk their responsibilities? I do not think that could have happened. If a similar inquiry had been conducted in the case of the Ayyalur disaster,—and I hope it is going to be conducted in the case of the Hazaribagh disaster,—I am sure the other defects of the railway administrations would be disclosed. Sir, it is a fact today and it is likely to be a fact for some time to come that there is a wide gulf between the railway administrations and the people of India. After all, the railway administrations have got divided loyalties; it is not possible to say that their loyalty is undivided to the people of India. And till that loyalty becomes undivided to the people of India they are not likely to take these accidents as seriously as for instance a British company in Britain is likely to take it. If a hundred people are killed in a railway accident in Britain the whole Parliament of England will be in an uproar and the company will be shaking. But can we say the same thing here? Can we say that the East Indian Railway Company is shaking because it has had so many serious accidents in the last one year? I am afraid they are comparatively indifferent and they are likely to be indifferent so long as their whole allegiance and loyalty is not to the people of this country. In such circumstances we cannot trust any inquiry other than a judicial inquiry and we cannot be satisfied unless, without reference to the causes and irrespective of the fact whether there was negligence or not, the railways are bound to give compensation to those who are injured. Subject to these two essential conditions that there should be a judicial investigation and that there should be automatic compensation I am prepared to support the suggestion that these Inspectors should be under a different control than that of the Railway Board. To this extent I conditionally support the motion.

**Mr. F. E. James** (Madras: European): Sir, I think I had better make our position clear as there seems to be a certain amount of misapprehension.

My Honourable friend, Sir Halim Ghuznavi, would make a first class cloak room attendant. There is no one in the House who can hang on one peg so many different coats: on this particular motion he dealt with the alleged lack of any action that had been taken by the Government in connection with the Thom Enquiry Report. Our motion has nothing whatever to do with that. Mr. Santhanam came nearer to the motion in his criticism and his questions and I will deal with those.

At present there are three methods of inquiry which can be ordered. There is the method of appointing a judicial committee or holding a judicial inquiry. Then it is within the power of the Provincial Government in the area in which the accident took place to have its own magisterial inquiry; and then there are the inquiries which are made by the circle inspectors who are railwaymen and I believe under the direct control of the Railway Board. As far as the provincial inquiries are concerned, these are magisterial inquiries and while we do not for a moment wish to detract from the importance of those inquiries when they are held, yet, obviously, the Provincial Government are not able to call upon the kind of experience in technical matters that are available to the Central Government; and we feel also, as Mr. Santhanam, has said, that the railways are the responsibility of the Government of India and that, therefore, the responsibility for a particular inquiry is essentially a Central Government responsibility. Therefore, it leaves us with the circle inspectors and the power to order a judicial inquiry. When the matter was discussed by the Central Advisory Council for Railways last year I put forward the view that there should be something in between these two types of inquiries, and why? First of all, as far as an inquiry by the circle inspectors is concerned, there is no doubt that the confidence of the public being shaken, as it has been shaken recently, in the ability of the railways in certain areas to carry passengers with safety—an inquiry by an officer who is a railwayman and under the direct control of the railway administration is not likely to carry as much weight as it should. As far as a judicial inquiry is concerned, the power is always there with the Central Government and we make no suggestion that that power should be taken away. But what I felt and some of my colleagues on the Council also felt is that in the case of certain accidents where the loss of life is not great and where the causes of the accident are fairly plain, the process of having a judicial inquiry is not only expensive but also lengthy, and we wish to put something in between, something which would carry greater confidence with the people and something which would not involve such a complicated procedure as a judicial inquiry involves. Therefore, my Honourable friend, Mr. Miller, made the suggestion that there should be one or more officers, not under the Railway Board, possibly under the Member for Communications—but we do not place any particular importance on that: what we do say is important is that they shall not be under the direct control of the railway administration and shall not be in a position where they have to look for preferment to that railway administration. In other words they should be in a sense as independent of that as a member of the Public Services Commission here is independent of further opportunities of preferment in the service. Once that is admitted,

[Mr. F. E. James.]

I think so far we are in agreement. I am quite sure that there is no Party in the House that would not agree that it would be useful to have those officers available who can take an entirely detached outlook upon these accidents. We then want that these officers should have certain powers which are not possessed by the circle inspectors at present. They should have power to summon witnesses. I understand that that is a power which is possessed by the Chief Inspector who does these things in the United Kingdom. . .

**Mr. K. Santhanam:** He does not possess that.

**Mr. F. E. James:** I understand he possesses the power to summon witnesses but not the power to take evidence on oath. But we would prefer to clothe these proposed officers not only with the power to summon witnesses but also with the power to take evidence on oath; and we would suggest also, though I appreciate that there are difficulties in this matter, that these officers should be given discretion to appoint assessors to assist them in conducting their inquiries.

My Honourable friend, Mr. Santhanam, has asked us to explain whether we would accept his view that in the case of any loss of life in a railway accident there should be a judicial inquiry. I regret to have to inform my Honourable friend that we cannot take that view—otherwise, we should not be moving this particular motion. What we do feel is that while there are many cases which do not necessarily require the involved procedure of a judicial inquiry there should be some other machinery than that which is now available which, in our view, would carry greater confidence to the travelling public; and while retaining the power of the Central Government to appoint the kind of inquiry Mr. Santhanam has in mind, they would have this alternative machinery also at their disposal. After all, it must be remembered that the issues in various accidents where there is loss of life are not always necessarily obscure, and that to insist upon the Central Government embarking upon a judicial inquiry in every case would be to insist upon them going to an expense which really would not be justified in quite a large number of cases.

I have been asked whether we intend this as a motion of censure. We do not. In fact we wish to follow the technique which was developed with such ability yesterday by my Honourable friend, Mr. Jinnah, who explained that this was not a censure motion and that what he wanted to do by the motion was, by carrying it to place on record a particular demand of his Party. The Honourable Member for Communications was with us in Central Advisory Council last year; he was then translated to a higher and more rarefied atmosphere; and he came back eventually to the rather mephitic atmosphere of this House for a time. Now, I understand he is going away again. And, therefore, in the words of my friend, Mr. Jinnah, we want to press this motion, not as a motion of censure, but as a motion of record, so that his successors in office, when looking up the debates, will say that the Europeans have apparently felt strongly in regard to this proposal in that they were prepared to carry this matter to a division. With that explanation, Sir, of our intentions in regard to our proposals and of the procedure we desire the House to follow in regard to this cut, I hope the Honourable Member for Communications will give a satisfactory reply.

**Mr. M. S. Aney** (Berar: Non-Muhammadan): Sir, the motion before the House is worded by the Honourable Member like this,—to discuss the provisions relating to inquiry into accidents. The Honourable Member has not committed himself to any definite suggestion in the motion as he has worded it. It is open to every Member of this House to place before the House such suggestions as he thinks proper to improve upon the present method which the Railway Board generally pursues in the matter of enquiry into accidents. The very fact that a motion to this effect is tabled itself implies that the Honourable Member who has tabled the motion and the Party which that Honourable Member represents are not satisfied with the existing state of things. Whether he puts a new construction which, I understand, was developed yesterday with the ability of our friend, the Leader of the Muslim League Party, whether my friend puts that construction upon the motion or not, this motion, if it is carried, will certainly mean a sense of dissatisfaction of this House against the existing system pursued by the Railway Board in regard to inquiries into accidents. That sense of dissatisfaction will remain there. There is no such thing as a motion of record as distinguished from a motion of censure. It is a record of censure which the motion really means, and having moved it, my friends cannot escape the responsibility for having moved a motion of censure against the Government, in whatever mild form they want to express that censure. They have adopted the ingenuity of using a mild language, and they want to tell the Government in mild language somewhat plainly that what they are doing, at present, is entirely unsatisfactory and that some other method is necessary, and, therefore, as the question of making suggestions to improve upon the existing method is opened in this manner, it is open to my friend, Mr. Santhanam, to invite the attention of the House to the Resolution already carried in this matter by the Central Advisory Council. Now, we are given to understand, and particularly from the speech of my friend, Mr. James, it was clear, that that Resolution is to some extent responsible for the present motion being brought by a Member of the European Group before this House. It may be so. It seems probable, according to the opinion of certain Members of the European Group, that the judicial inquiry which has been demanded by the Resolution of the Central Advisory Council is not a very desirable procedure in all cases. That may be the opinion of certain Members of this House. I can understand that position, but they are also not satisfied with the Magisterial inquiry which is held or an inquiry through an Inspector responsible to the Railway Board as they generally do . . . . .

**Mr. President** (The Honourable Sir Abdur Rahim): Today being Friday, the House will adjourn now till a quarter past two.

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

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

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**Mr. M. S. Aney:** The point which I was just elaborating, when the House adjourned, was that a magisterial enquiry is held by the Local Government in this matter. Lately, this question has come up for discussion before the Central Advisory Council. When this matter was under discussion there, it was found that Local Governments claimed that

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enquiry into a railway accident was a matter which ought to be left to them, that they regarded it as a matter entirely within the jurisdiction of Provincial Governments, and any compulsion by the Central Government about the nature of the enquiry to be held was regarded by them as infringing on their powers. That is a point which I find particularly referred to in the proceedings of the Central Advisory Council. Anyhow, it appears to me from the proceedings that the objection of the Central Government to this proposal is not of a serious nature. To some extent, the Chairman of the Council admitted the position that the Central Advisory Council took,—that in cases involving loss of life the enquiry should be of a judicial nature. The only difficulty which he felt was as regards the question of jurisdiction, as the Central Government would be claiming a parallel power in regard to the one claimed by the Provincial Governments. But I do not find any further elucidation made with regard to the solution of the difficulty suggested there. But to my mind, there ought to be no difficulty in regard to this question, because railway accidents take place on railway lines, and railways being a Central subject, the Central Government have as much right as any Government of the province through which the line runs to investigate into the nature of the accident and try to hold an enquiry as required. Therefore, the only question is whether a judicial enquiry as recommended by the Central Advisory Council can be objected on any other valid ground. The ground which my Honourable friend, Mr. James, pointed out was that it would be unnecessarily expensive,—that is all that I could gather from his speech. I believe that whether it would be expensive or inexpensive is a matter—that would depend upon the sort of expense one desires to incur upon the particular thing. Why should it be unnecessarily expensive I do not know. You can appoint an officer of the rank of Sessions Judge or something like that and through him an enquiry into the accident can be made. [Interruption.]

I am trying to show whether the objection on the score that it would be an expensive enquiry is really worth consideration at all. Unless you want to engage a Counsel on Rs. 800 or Rs. 500 a day and you carry on the enquiry for months together as it was done sometime ago, I do not think that the question of cost would seriously come in the way of granting a judicial enquiry in those accidents where a loss of life is involved. The position which my Honourable friends, Mr. James and Mr. Miller, want to take, is that an enquiry by an Inspector ought to be sufficient, and unless he recommends a judicial enquiry, a judicial enquiry ought not to be held. At the same time, they have suggested what the position of that Inspector should be. The position of the Inspector should be, according to them, that of an officer who is not amenable to the control and discipline of the Railway Board and who is independent of them, and for their part my Honourable friends are prepared to take it that an enquiry by an officer of that type would be of a sufficiently independent nature and would inspire the confidence of the public. If such an officer demands a judicial enquiry, then alone a judicial enquiry should be held. Now, what would be the position of the Inspector who holds an enquiry of this kind? He must be an officer of superior rank, and he ought not to be amenable to the Railway Board at all. It means you have to set up a number of Inspectors having capacity to carry on a judicial enquiry while at the same time possessing technical knowledge. They will remain there like a permanent court ready to enquire into such

accidents when they take place. A kind of cadre will have to be formed in order to get their services available. I do not know whether this will be less costly,—I cannot say. Unless we know what would be the number of persons of that type required, what position an Inspector of that type will hold, what his salary will be,—unless you have a regular scheme of that kind, the question of cost cannot be properly solved. The persons so chosen should be at least of the rank of Sessions Judge, who will be endowed with legal acumen as well as technical knowledge of the working of these things. They must be men drawing very big salaries, and it would not be the case of a single man probably for the whole of India. Each line will have to appoint one or two men of that type, and if you have a permanent establishment of that kind for all the railways, what will be the annual cost of such a scheme?

**Mr. A. Aikman** (Bengal: European): On a point of explanation, Sir, I think such a cadre already exists. There are five Government Inspectors and they would be merely removed from one authority to another authority.

**Mr. M. S. Aney:** I know they exist. Will Officers of that rank be sufficient to hold inquiries. Anyhow, the suggestion has been placed before the House. If the Inspectors suggested by my friend be kept independent of the Railway Board, the position will be somewhat better than it is now. I myself think that it cannot be a substitute for a judicial inquiry recommended by the Railway Advisory Council. I will, therefore, support the motion which my Honourable friend has moved but not on the grounds which he has specified.

**Mr. N. M. Joshi** (Nominated Non-Official): I shall not take very long. I am very glad that this subject of safety on railways has received attention. Recently, there was a discussion regarding the accident that had taken place and I then stated that the question of safety had not received sufficient attention at the hands of the House and, if I may say so, at the hands of the Government also. The proposal made by the European Group is that the railway inspectors should be first made independent of the Railway Board, secondly, they should be given power to hear evidence on oath, if necessary with the help of assessors. The Congress Party, through Mr. Santhanam, has made a proposal that there should be a judicial inquiry when an accident results in loss of human life and that compensation should be paid to people who suffer injury on account of the accident. The first proposal of the European Group is in accordance with the proposal which I have been making and I am glad that they have made that proposal. I do not exactly agree with the proposal which they have made that the Inspectors should be not under the Railway Board but that they may be under the Communications Member. I would not have the Inspectors under the Communications Member. I know there will be some difference if the Inspectors are not placed under the Railway Board but, still, it is better not to place the Communications Member in a difficult position to judge between the Railway Board and the Inspector of Railways. I would, therefore, place the Inspectors in a separate department—under the Home Department or any other department. This is in accordance with British practice. In Great Britain the department which looks after factories is under the Home



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Department. Similarly, there is nothing wrong if the Inspectors are placed under some other department than the Communications Department.

As regards the proposal of the Congress that there should be a judicial inquiry, on every occasion when there is loss of human life, I think nothing would be lost if such a provision is made. At the same time, if the Inspector's position is made independent, there will not be that demand for a judicial inquiry, on every occasion. At present the Inspector is not regarded as an independent person at all. The proposal of Mr. Santhanam that some small compensation should be paid to those who suffer is a good proposal. It is a kind of compulsory insurance for all passengers. In some countries there is compulsory insurance for all employees of different occupations and industries. In the same way, this is a compulsory insurance for railway passengers and it may certainly be done.

The question of safety has not received sufficient attention. I have seen through the provisions of the Indian Railways Act and I have compared these provisions with the Indian Mines Act. I admit that I am not an expert railway engineer nor have I paid that attention to the Indian Railways Act, which I have paid to the Factories Act and some other Acts in which labour is interested. I feel that the provisions of the Indian Railways Act are weak. It is true that the Inspector's permission has to be taken when a railway is to be opened. He has also the power to inspect but the powers given to the Inspector are limited. I do not think he has power to insist on certain things being done. Take the Indian Mines Act. We are going to make provision by which the Inspector will have power to compel mine owners to resort to sand stowing. I am not quite sure whether the Railway Inspectors will have power to compel railways to do certain things. I would like the Indian Railways Act to be examined from that point of view, so that good regulations regarding safety may be evolved.

Then, Sir, the question of safety does not depend upon mechanical devices alone. The human element is an important factor. If the hours of work of railway men are long, they are tired and accidents may result. The hours of work should be examined from that point of view and there are also other factors. I would like all these to be examined.

Lastly, I would like to suggest to the Government of India that the Inspectors should be constantly inspecting and making reports to the Railway Board and these reports should be made public. Let us know what those suggestions and reports are, so that we may be in a position to find out whether those suggestions are carried out by the Railway Board. I would, therefore, suggest that the Government should place before the Legislature a copy of the report of the Inspectors and copies should be provided to the Members free of cost. I hope that as a result of this discussion the question of safety will receive greater attention at the hands of the Government.

**Dr. Sir Ziauddin Ahmad** (United Provinces Southern Divisions: Muhammadan Rural): I was surprised to see that the European Group changed their original motion. They separated the two items, the Advisory Committee and the Inspectors. I thought they wanted us to

follow the example of the Canadian Government where these Inspectors are entirely under the Rates Advisory Committee and, when I read the motion, I thought they were going to follow the recommendations of General Hammond when he said that if the proposals regarding safety, protection and inspection were adopted, the present inspecting staff would be transferred *in toto* from the Railway Board to the Rates Tribunal. By combining the two, I thought that the European Group wanted to press this point that the Inspectors should be transferred from the Railway Board to this tribunal but by separation of the two things, they changed the whole aspect of the question but in principle the position has not changed. That these Inspectors ought not to be under the Railway Board, they ought not to be looking forward for promotion from and the goodwill of the Chief Commissioner and the Honourable the Railway Member, but that they should be under another Department. Of course, General Hammond recommended that they should be under the Rate Tribunal as in Canada, but one thing is certain that they should not be under the Railway Board and they should not be looking for promotion in that department. The difficulty is this, that whatever they say,—they may be acting correctly, their views may be perfectly correct,—the public has no confidence. It is generally believed by the people that these Inspectors are subordinates of the railway department and they cannot dare to write a report against their masters. This opinion has been pressed by my friend, Mr. Azhar Ali, and other speakers who spoke during the discussion on the Railway Board. This point was also pressed by the Committee which sat in London recommending a Statutory Railway Board. The Committee said in one paragraph that these Inspectors should be under a Department different from the Railway Department. You may put them under the Labour Department or the Home Department or under the Rates Tribunal as recommended by General Hammond, but the point we would like to emphasize is that they should not be under the Railway Board.

I may mention that the duty of these Inspectors does not come into operation only when there are accidents. They have their duties all the year round. They have to go all over the line, they have to see that the track is all right, that the bridges are safe, they have to examine the rolling-stock, and they have to examine the engines and everything also. Taking the case of the XB engine, I am sure that if the Railway Inspectors would have been different and not entirely subordinates of the Railway Board, they might have condemned these engines long ago and all these unnecessary committees of enquiry that were formed would have been avoided. We want men who may be able to criticize very freely the strength of the track, the strength of the bridges, the sufficiency and efficiency of the rolling stock and all the hygienic comforts of the third class passengers, and their opinion ought to prevail. But they cannot conveniently express their decisions unless they are placed under a Department different from the Railway Board. Considering the nature of their work, Inspectors must be engineering experts. They can be procured from various lines or we may import them from other countries, but at the same time, once appointed, like the Public Service Commission people, they should not be looking forward to any kind of promotion in the Railway Department. They may be appointed members of the Public Service Commission or deputed to some other work, except service under the Railway Board. That is the substance of the suggestion which

[Dr. Sir Ziauddin Ahmad.]

we should like to make to the Railway Board and to the Honourable Member in charge,— that they should carry out the recommendations of the Railway Committee which met in London in 1933.

As regards accidents, that is an entirely different question and an abnormal one. This depends entirely upon the nature of the accident. If the accident is small, perhaps the report of the inspector might be enough, but if the accident is of a very serious nature like the Bihta accident or the Hazaribagh accident, then we will have to consider it on its own merits. In some cases there ought to be a judicial inquiry; in other cases, a committee of railway members, and in some cases we ought to associate therewith public men, and provincial representatives; that depends on the nature of the accident, and we cannot lay down a general hard and fast rule that in every case a judicial inquiry should be made. But in every case an impartial inquiry by an inspector who is not a subordinate of the Railway Board should be made first, and on his preliminary report the Government will be able to decide what kind of inquiry will be needed, and it may be as my Honourable friend, Mr. James, pointed out, that there ought to be three different methods of inquiry, depending on the gravity of the occasion. We cannot lay down a hard and fast rule in each case that it must be an inquiry of a particular type. I myself was a victim of one of the accidents but it was not of sufficient importance to demand judicial enquiry and that the report of the Inspector was quite enough. The points that have been brought out in this motion are, firstly that the Inspectors should not be under the Railway Board or the Railway Member but they should be under an entirely different Department. We are not in a position to advise definitely now what that Department should be,—it may be the Home or it may be the Labour Department. Secondly, whenever there is an accident, we should then decide after receiving the report of the impartial Inspector as to what kind of inquiry is needed, and Government will then be in a position to decide upon the point.

**Mr. Badri Dutt Pande** (Rohilkund and Kumaon Divisions: Non-Muhammadan Rural): Sir, we thought on this side of the House that it would be a censure motion, to censure the Government and the Railway Member for not taking measures of safety on the Railways, but it has turned out to be a motion of suggestion,—and I suspect a sinister motive behind it.

Now, we have demanded a judicial inquiry into the Hazaribagh disaster, and I fear that this is a move to whittle down that demand, for during the sixty or seventy years of the Railways' life, never a judicial inquiry has been held so far. Sir, I was involved in a railway accident. A Gurkha officer's wife died just before my eyes on my beloved Railway, the Rohilkund and Kumaon Railway. I only got a few scratches and I fell down but, fortunately, being a healthy young man then, I only got a few scratches. I did not put forward any claim. But that Gurkha was called thrice by the railway officers and twice by the district magistrate and they told him: "you are a pensioner of Government. Government pays you, and you should not put in a demand for any claim." Sir, this Inspector's inquiry which is demanded will be just like the inquiry of the sub-inspectors of police. I need not tell whether they be under this Department or that:

they are all the same sister Departments. We, of course, will only be satisfied, when those Inspectors become responsible to the responsible minister who is responsible to the people, then and then shall we be satisfied, when that position comes.

**An Honourable Member from the European Group Benches:** It is coming, it is coming.

**Mr. Badri Dutt Pande:** Yes, the day of reckoning is coming,—the comrades are coming up. Sir, nineteen thousand accidents happen every year! We have got it recorded here in this beautiful and nicely printed book with pictures, but the story is not so white. Nineteen thousand accidents every year is too much. We have got the record of the last five years. Accidents, in which cattle were involved, were 9,000, and where persons were involved, 10,000 happened every year,—and, as for my damned wretched Railway, the Rohilkund and Kumaon Railway, I cannot give the aggregate total, because they are not reported in my Railway Report and this railway does not give the total number of accidents, for they are numerous. It does not report any accidents. I have noticed myself that there are no railings all along even at centres where there might be lot of traffic. At many places there are no railings and no wires. Sir, 1,400 to 1,500 persons die every year of railway accidents. We have got that recorded in this book. Now, how much has been paid to them? That thing has not been recorded anywhere. We have got the record of compensation paid on account of the goods being damaged but we do not know how much compensation has been paid to the relations of those who have died or to those who were injured. That item is wanting in this beautiful report. Sir, we read in the newspapers only the other day that a lady was injured at Allahabad while the engine was shunting and she got damages of Rs. 6,000 and another gentleman connected with the royal family of Jodhpur has put in a claim for two lakhs. If these accidents continue to happen and if these claims come forward, the railway revenue will be shaken very much. The Government has not put forward any proposal for the safety of the public and, therefore, we want to condemn this Government. It is nearly a year and a half since the Bihta disaster took place and nothing has been done to allay the fears of the public. I will not say anything about the accidents but would like to quote the pungent remarks of the Indian Chamber of Commerce, Bombay. They say:

“The Committee express their deepest regret and sorrow at some of the terrible accidents which have recently occurred on some of the Railways in the country. They cannot approve of the Railways issuing the next day of the accident a report attributing such accidents to mere sabotage.”

Now, the Inspector who is going to be appointed will also say that the accident was due to sabotage. But you should give us the proof how it was due to sabotage? Can sabotage be done in ten minutes? Can the rails be removed in ten minutes? To continue the quotation:

“It may be or may not be so; but what the Committee of the Chamber want to emphasise is that every time an accident happens, an authoritative and impartial inquiry must be set up by Government themselves, as the Railways are, as a member of the Legislative Assembly pointed out while the discussion was going on, in the position of an accused. At this stage, the Committee would like to point out how when such accidents happen in any of the European countries, they several times lead actually to a fall of the Ministry, which goes to show that the people there expect the Government and the Railways to take every care possible to prevent such accidents and to meet out adequate punishments to the guilty parties, whoever they may be, after an exhaustive and satisfactory enquiry.”

[Mr. Badri Dutt Pande.]

What happens in this land of regrets? In England, the Railway Minister may be censured, but here, the Railway Minister in charge is promoted as a Governor of the very province where these accidents have occurred. So, the Inspector who reports sabotage will be promoted; he will be made another Governor. So, we do not want these Inspectors. We want men of the type of Justice Thom who has brought honour to England and who has restored the confidence of the Indian public by his impartial report.

**Mr. F. E. James:** May I draw the attention of the Honourable Member to the fact that Mr. Justice Thom belongs to Scotland and not to England.

**Mr. Badri Dutt Pande:** Then, he is a hillman like myself. He brought back the confidence that we had lost in the Railway Administration. He disclosed all these things. So, we want a man of that type and not a man who can write convenient reports. We do not want such Inspectors whether they are Europeans, or Indians or Muhammadans or members of any other community. We want men of higher standard who will not be influenced by the Government or by the Railway Board. In major cases, we want a judicial inquiry. In smaller cases where cattle are killed, who would not like to have a judicial inquiry but an enquiry by inspectors? You want to make all Indians cattle, the dumb driven cattle, by entrusting this work to Inspectors and Sub-inspectors, who are in the habit of saying "*Taqdir men aisa hi tha*". We do not want such an inquiry. So many big accidents have happened all over and it is time that Government paid serious attention to this matter. The East Indian Railway is practically demoralised and it is shaking in its pantaloons. The whole administration is terror-stricken. All the trains are running late. Almost every day the trains are running late because they cannot think for themselves. They are dumb-founded.

**Mr. F. E. James:** May I draw the attention of the Honourable Member to the fact that I understand that on the East Indian Railway the *dhoti* is rather increasing.

**Mr. Badri Dutt Pande:** That may be on the Bengal side, but not in our parts.

Now, Sir, why have these accidents happened? Because the permanent staff has been reduced to a mere skeleton. That is why accidents are happening and the reduced permanent staff is not able to do its duty. We do not want what you call inspired Inspectors or Sub-inspectors but we want independent men. Sir, I oppose the motion.

**The Honourable Sir Thomas Stewart:** Sir, I must frankly confess that I have more than a little sympathy with the idea underlying the motion that has been moved by my Honourable friend, Mr. Miller. So much so, that I had indeed anticipated his motion and I have already asked that the Railway Board should put up for my consideration proposals for bringing into being a self-contained cadre of inspecting officers who would be responsible, not to the Railway Board or to any Railway Administration, but, to the Government of India itself. I was moved to that action, first

of all by the same considerations as have been put forward by various Members on the floor of this House today, namely, that an independent body of Inspectors would, undoubtedly, command in the public mind much greater confidence than is commanded by a body of inspecting officers who, as is generally known, are really part and parcel of the railway system and who may be looking forward, ultimately, to promotion and advancement within that system. The second reason that moved me was that the Government of India Act contemplates that the creation of such an independent body of inspecting officers will be a feature of the future. There are, I may say, difficulties in the creation of such a separate cadre. Some of these difficulties have been mentioned this morning. It is difficult, within the four corners of a comparatively small cadre, to carve out an adequate career and it might be difficult to attract officers of the calibre that one wants in such a service. It would involve, I believe, a certain amount of duplication of work—or, at least, duplication of expert staff here at headquarters. It is for consideration later on whether this body of inspectors should be attached to the Communications Member or whether, as Mr. Joshi suggested, they should be under the direction of some other department of the Government. It would be necessary, however, for either the Communications Member or for some other Member of Government to have some sort of advice independent of the Railway Board experts. That, I think, will probably be a necessity; but I do not regard it as a valid criticism of the proposal to say, as Mr. Santhanam said this morning, that whatever be the department to which he is subordinate, whether to the Railway Board or to the Government the Inspector will carry no more conviction than the man who is now performing this work. Now, Sir, I do not regard that criticism as a valid one because we have many other cases where we have Inspectors carrying out the Government regulations and who are yet subordinate to Government, e.g., Mines Inspectors, Factories Inspectors, Electrical Inspectors, Boiler Inspectors and so on. There are a very large number of men subordinate to the Government who are carrying on their duties honourably. If I have made this suggestion it is not because I myself have seen any reason to doubt the integrity or the impartiality or the independence of the Inspectors, but no report has come to my notice in which there is any suggestion that they do not carry out their duties as they were bound to do. Sir Abdul Halim Ghuznavi, this morning, made copious quotations from, and references to, the Thom report on the Bihta disaster. These were only relevant in so far as that report demonstrated beyond any shadow of doubt the absolute independence of the officer who carried out the inspection of the accident on behalf of Government. I would not refer further to that speech except to say that it was so grossly full of inaccuracies that I feel that it requires a denial on my part. The statements made by the Honourable Member had been traversed here by Mr. Clow and in another place by Sir Guthrie Russell and I again say that the assertions that were made this morning were absolutely without foundation.

To continue on the main theme; Mr. Miller has suggested that this body, this independent cadre, should be something in the nature of a safety squad. That is indeed what our Government Inspectors are. They have not only to enquire into the cause of accidents, but they have other important duties, namely, to carry out regular inspections and to see that from the point of view of safety the rolling stock, the permanent way, bridges, traffic arrangements, signalling equipment, etc.,

3 P.M.

[Sir Thomas Stewart.]

are in such order as to guarantee public safety and these are the kind of duties which, in my opinion, could be transferred as a whole to the new cadre. In the course of the discussion there arose the question of judicial enquiry or no judicial enquiry. That was a question which was raised on the floor of the House a considerable time ago—I believe when Sir George Rainy was the Railway Member—and as a result of the discussion on the floor of the House, a reference was made to Local Governments as to whether, in their opinion, it was desirable that in every case where there was loss of human life a judicial enquiry should be held. Honourable Members know, I take it, that under section 83 of the Indian Railways Act a district magistrate, or any other magistrate appointed in that behalf by the Provincial Government, may hold an enquiry of his own motion. The replies we got from the Provincial Governments suggested that they were for the most part against this proposal and they were also against the proposal that assessors should be associated with the magistrates in the case of that enquiry. I have considered this matter at considerable length and I can see no reason for taking up an attitude opposed to the opinions expressed by the Provincial Governments.

Another point which was made was that there should be, in the case of loss of life, automatic compensation. That suggestion was made by two Honourable Members. But neither of them explained the principles on which they thought that this gratuitous relief should be given. My Honourable friend, Mr. Santhanam compared compensation in railway accidents with third party insurance. If he will think it over, he will probably find that there are very considerable differences between the two cases. In any case, I am telling him quite frankly that it is not a proposition to which I am prepared to agree at the present moment.

Two more matters; the speakers on behalf of the European Group suggested that these independent Inspectors should be given the power of summoning witnesses, that they should be given the power to take evidence on oath and they were also to sit with assessors, if required. So far as the summoning of witnesses is concerned, I believe that the suggestion was based on the English practice. Now, the English practice is somewhat restricted in its scope. The witnesses whom the Inspectors are entitled to summon are merely the employees of the railways concerned and not outside witnesses. I think that in an administration which is a government administration this would be quite an unnecessary power to give. We can, I am sure, guarantee that any railway servant would attend before the Inspector. So far as taking evidence on oath is concerned, I am somewhat uncertain as to whether in the course of a summary fact-finding enquiry it would be of any additional value, but I am prepared to consider that further. So far as assessors are concerned I do not quite understand the object of putting a layman to help the expert when a technical matter is under consideration. The analogous case that suggests itself to one is that of a marine inquiry, but in that particular case the lay magistrate is assisted by technical assessors.

That, Sir, is the position of Government. We actually have under consideration the question of converting the Government Inspectors' cadre from a dependent to an independent body, and I suggest that that action should satisfy my Honourable friend.

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

"That the demand under the head 'Miscellaneous Expenditure' be reduced by Rs. 101."

The motion was adopted.

# DEMAND No. 1—RAILWAY BOARD—*concl'd.*

## *Railwaymen's Grievances.*

**Mr. N. M. Joshi:** Sir, I beg to move:

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

This motion is intended to discuss a few of the many grievances from which railwaymen in India have been suffering and still suffer. Sir, before I narrate fresh grievances I should like to refer to one point which I had raised in one of the previous discussions, namely, that promotions among the railwaymen should not be made on communal considerations. I had made that point during one of the discussions, but, unfortunately, I did not get a reply from the Member in charge. I would, therefore, before going to other grievances, ask him to give me a definite reply about the policy of the Government of India as regards promotions. Sir, during my speech I had stated that on the Great Indian Peninsula Railway misunderstanding had arisen and that misunderstanding must be removed. That misunderstanding arose on account of certain promotions on communal considerations in the Parel workshop. The Chief Mechanical Engineer wrote to the Works Manager, Parel, as under:

"With regard to the vacancy of B class Chargeman *vice* Mr. Dunk. it is reserved for a Muslim. Will you please let me know if there are any A or B grade Muslim fitters in any other part of the workshop who would be suitable even if they are juniors?"

Against this a protest was made by the Union to the General Manager and the General Manager replied as under:

"I am directed to state that the Chief Mechanical Engineer's letter referred to in your letter above quoted is entirely in conformity with the policy and instructions of the Railway Board in the matter of communal proportion."

The Agent of the Great Indian Peninsula Railway is under a misapprehension that the Railway Board wants promotions to be made according to communal proportions.

**Dr. Sir Ziauddin Ahmad:** Sir, on a point of order, what cut is the Honourable Member discussing? Is he discussing only the question of labour or of subordinates and upper subordinates also?

**Mr. N. M. Joshi:** I am discussing the grievances of railway employees.

**Dr. Sir Ziauddin Ahmad:** That is not the cut; the cut relates to labour.

**Mr. N. M. Joshi:** But railway employees are certainly labourers; at least that is my interpretation.

**Dr. Sir Ziauddin Ahmad:** Sir, on a point of order I submit that officers and upper subordinates do not come under labour which is the subject matter of the motion.



**Mr. N. M. Joshi:** I am talking of matters relating to the Parel workshop and whatever may be meaning of "upper subordinates" people who work in the workshops are labourers in my judgment. They are not officers or upper subordinates.

**Mr. Deputy President (Mr. Akhil Chandra Datta):** According to the ordinary interpretation of the word "labour" it cannot include higher officers. It refers to menial workers.

**Dr. Sir Ziauddin Ahmad:** Confine yourself to labour.

**Mr. N. M. Joshi:** That is what I am always doing. I am talking of people who are working in the workshop and they are labourers. I am not talking of officers because I am not interested in them. I want the Government of India, therefore, to make a definite statement on that point.

Then, Sir, before I come to other grievances I would also like to bring to the notice of the Railway Member the grievances of 54 employees of the Accounts Department on the Great Indian Peninsula Railway. These people were employed between the years 1929 and 1931. They do not get special compensatory allowance for Bombay which is called the Bombay allowance. The Government of India state that they do not get special allowance because their pay includes consideration for the allowance. Sir, I claim that that is not true because these people get the same salaries which people in the accounts offices in Lahore and other places get. Moreover, people working in the accounts department, and employed during this period working in Karachi, get compensatory allowance. The Government of India cannot claim that living in Karachi is more costly than living in Bombay. I would, therefore, suggest to the Honourable Member that he should give consideration to the claim made by these people belonging to the accounts department of the Great Indian Peninsula Railway. I feel that their claim is just and the Government of India should pay early attention to their claim.

Now, Sir, having placed before the Railway Member these two small points I would first like to take up the question of the provident fund which I had taken up last year. I asked that the railway employees, getting the lowest salaries, like labourers and menials, should get the benefit of the provident fund system. I have already stated that the Government of India are very generous to the people who get large salaries and poor people who really want some provision after retirement in their old age are denied any privilege. The provident fund is compulsory on Indian railways generally for those who get Rs. 30 and more, and optional for people who get between Rs. 30 and Rs. 20, or on some railways, between Rs. 30 and Rs. 15. Those who get less than fifteen rupees do not get the benefit of the provident fund at all. The Royal Commission on Indian Labour considered this question and they came to the conclusion that this is an unjust system. Therefore, they recommended that the Government of India should change it. Not only people who get less are denied the privilege; but the Government of India sometimes deny the privilege to people on the ground that they are daily-rated people, and in their case the Government of India insist that if they are to get the benefit of the provident fund, they must get more than Rs. 30 a month and they must serve at least three years before becoming eligible. I do not know why

this condition should be imposed upon them. Then the Government of India by class excludes people who are called menials. I do not know why the poor menials should be denied the benefit of provident fund. Last year, I brought forward this question and the Honourable Member admitted that there is necessity in principle: that it was good to have provident fund even for the poor people: of course, he claimed that for officers and well-paid people provident fund is essential; but in his opinion for people getting smaller salaries it may be necessary: in any case he admitted the principle, but he said if you take all the railways in India 50 lakhs of rupees will be necessary: if you take even the state-managed railways only, 27 lakhs will be necessary. His figures may be correct. But I claim first that the Indian railways are making money for the last four years: they made 141 lakhs in 1936-37 and two crores odd in each of the subsequent years. I feel that even 50 lakhs is not too large a sum to be given to railway employees of the poorest class. Suppose the Government of India do not want to do that: it is open to give effect to the recommendation of the Royal Commission by instalments. If you cannot spare 27 lakhs, spare at least ten lakhs this year, another ten lakhs next year and seven lakhs the year after and carry out the recommendations of the Royal Commission in three years' time. Then, there are the private railways. The Government of India can ask them to do similarly. I, therefore, feel that the Honourable Member is not justified in denying justice to the poor people. He told us last year in order to please the Congress Benches that if provident fund is given to the poorest classes of railway employees, what will happen to the Provincial Governments? What will happen to the third class passengers? He said he was making the travelling of third class passengers comfortable with the saving. I say he should not bring forward this argument: the Local Governments will take care of themselves: and besides, the Government of India are not spending all the money or all their savings on the comforts of third class passengers. I ask them to save a little bit of money even for the lowest classes of their employees.

Then, I come to the question of hours of work. The Government of India ratified the convention of the International Labour Conference in the year 1921. That included some categories of railway people. By ratifying that convention the Government of India undertook an international obligation to regulate the hours of work of railway employees. Till 1930, they continued to break that international agreement by not making any regulations. In 1930 they made certain regulations: I think they put into effect those regulations in 1931 or 1932. They are applying these regulations not to all railwaymen but to certain classes of railwaymen and that too by instalments. It is now 1939: still there are several main lines of railway—not small railways—to which the hours of work regulations are not applied. I think this is not playing fair by the international organisation and by the railwaymen in India. I would, therefore, suggest to them that they should immediately apply the hours of work regulations to all railways.

I go further. The Royal Commission considered this question and they suggested that besides applying these regulations to certain categories of workers the Government of India should consider the question of regulating the hours of work of all classes of railwaymen because there are some classes of railwaymen to whom the hours of work regulations do not

[Mr. N. M. Joshi.]

apply—station masters and several other classes of people. The Government of India should, therefore, consider that question also. The hours of work in India are too long. Some of the railway people work twelve hours a day. It is not done now in any civilised country. In Great Britain the hours of work are eight. Why should the hours in India be twelve in the case of certain classes of railway employees? Then, I would like the Government of India to take up the question seriously of reducing the hours of work, not only of applying the hours of work regulations, to all classes of railway people—to reduce the hours of work permitted under the hours of work regulations. I suggest that the Government of India should introduce an eight hour day for all railway people without much delay. I make this suggestion both as regards the hours of work from the point of safety. We have considered the question of safety only just now. I would like the Government of India to consider whether a tired railwayman is not a sort of danger to safety. It is wrong for the Government of India to make a driver drive continuously for ten hours. I am not suggesting that he is actually made to do it, but the law permits that he can drive for ten hours continuously: there is not even a question of ten hours because the regulation provides for a sixty-hour week and there is no daily limit at all. I would, therefore, like the Government of India to revise these regulations now from the point of view of safety, and I would remind them that recently they passed the Motor Vehicles Act. . . .

**Mr. Deputy President** (Mr. Akhil Chandra Datta): The Honourable Member has got two minutes more.

**Mr. N. M. Joshi:** . . . and under the Motor Vehicles Act the Government of India permit only 54 hours per week and ten hours a day. If those regulations are made for motor traffic, why should not the same regulations be made for railway traffic? In any case the Government of India should do that and not be unfair to the motor traffic.

I do not wish to say anything more except this: when I spoke regarding the grievances of the third class passengers I stated that I am losing my faith in constitutional and also parliamentary methods. From the appearance of the Honourable Member I thought that he did not like my saying that I had lost faith. I would like to ask him to place himself in my place. Here is the question of hours. You break your word of honour. When you recognise that you have broken your word of honour and try to make reforms, you take eight years to apply those regulations to all classes of railway people. The Royal Commission makes recommendations. You refuse to give effect. The public safety has not much influence upon you in laying down the hours of work. Here are the poorest classes of employees getting Rs. 5 or Rs. 10 or Rs. 15 and you refuse them provident fund year after year. The question is brought before you that the Royal Commission has made a recommendation in 1930 and still you refuse to do anything. Is it any wonder that sometimes I get a feeling that we may go on voicing our grievances of these poor people before the Legislature and before the Government of India and, if in spite of that no result comes, we get into despair, and we feel that these are not the ways by which the Government of India can be made to move? Sir, I hope the Honourable Member in charge of the Department will give serious

consideration to some of the grievances which I have placed before him and before the House, and that some action will be taken as a result of this discussion.

**Mr. Deputy President (Mr. Akhil Chandra Datta):** Cut motion moved:

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

**Mr. N. V. Gadgil** (Bombay Central Division: Non-Muhammadan Rural): Sir, I rise to support the motion moved by my esteemed friend, Mr. Joshi. In a short space of time like fifteen minutes, it is not possible for me to refer to all the grievances from which the railway labour suffers, but I propose to devote all the fifteen minutes to two important topics. I shall first deal with the question of the regulation of hours of labour, to which reference was made by my friend, Mr. Joshi. As he pointed out, Sir, this international Convention was accepted by the Government of India so early as 1921, and nothing, in all these 18 good years, has been done, and even the position as summarised in the Report of the working of the Indian Railways is not entirely satisfactory. You will find, Sir, that these regulations were then in force on the North Western, East Indian, Eastern Bengal, Great Indian Peninsula and Madras and Southern Mahratta Railways, and the question of extending these regulations to the remaining principal Railways of India like the Assam Bengal, Oudh and Rohilkund and the South Indian Railways was examined by the Railway Board in consultation with the Agents and General Managers of those Railways, but no final decision was reached during the period under review. So, from 1921 up to 1938, 17 years were not enough for the Government of India to reach a final decision. And, Sir, if you refer to the number of workers employed by the Railways, you will find they are over 6,92,000, and if Government as the biggest employer does not honour the international undertaking it has given, it is scarcely possible to expect private employers like the textile employers to cheerfully accept these regulations of hours of work.

Then, Sir, there is another aspect to be remembered, that in these days when we are complaining about unemployment, if an honest policy to regulate the hours of work according to the undertaking given by the Government of India in the international conference is followed, it will certainly go a long way in relieving unemployment.

There is another point here which I should like to criticise, namely, the policy of the Government to employ contract labour. That also is a matter of very great regret, for it has worked to the disadvantage of local labour. This point was taken up very specifically by the All-India Railwaymen's Federation, and instances were given which went to show that the policy has worked not only to the detriment of the permanent staff but it has tended to increase unemployment as well. In the Report which has been published by the Railway Department, relating to the 14th Half Yearly meeting between the Railway Board and the All-India Railwaymen's Federation held in November, 1937, you will find that instances have been given where on the pretext of effecting economy the prospects of those who were already in service were adversely affected, and also enough scope and opportunity had thus been given for some sort of corruption. It will be found, Sir, that at the Lilloah workshops, 200 coolies were retrenched; similarly, at the Parel workshops, certain articles which could have been manufactured in the workshop itself were not so manufactured but were

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purchased locally. And, so far as the general policy of loading and unloading followed by the Railway is concerned, what do we find? Reference to this was made by the All-India Railwaymen's Federation to cases of loading and unloading work having been let out on contract at all big and small roadside stations, and it complained that particularly at roadside stations where traffic was practically stable the introduction of contract labour was to the detriment of luggage porters and goods coolies who would be employed and the profit which thus went to the middlemen would go to railway administrations and also there was the advantage in the former system in that luggage porters, etc., who were under the control of the station masters worked properly . . . . .

**Dr. Sir Ziauddin Ahmad:** From what book are you reading?

**Mr. N. V. Gadgil:** I am reading from the Report of the proceedings of the Fourteenth half-yearly meeting between the Railway Board and the All-India Railwaymen's Federation. Therefore, Sir, the plea that all this was done to effect retrenchment was not really well founded. Even assuming that there was a small retrenchment as a result of the employment of contract labour, I think in the larger interests of the country this policy is not advisable under present circumstances.

Then, Sir, there is the eternal question of the recognition and formation of Railway Unions. This point is referred to practically every year. At least speaking for myself, I had referred to it in the year 1935, I referred to it in 1936, I did so last year, and still I am hammering at it, and I do not know for how many long years I or those who will follow me will have to do it. If you refer to statistics on the working of the Indian Trade Unions, you will find that out of the two lakhs sixty one thousand and forty-seven organised workers as shown in this Report, nearly one lakh twenty thousand and one hundred and fifty-seven belong to the Railways. That means nearly forty-five per cent. of the organized workers belong to the Railways, and if you take the number of Unions out of the 228 Unions, you will find that 58 of these Unions really are of Railway workers, but I regret to say that very few Trade Unions have been recognised by the Railway Administrations, which means that out of the organized workers of one lakh twenty thousand, according to me, not more than 20 Unions, having roughly twenty thousand members, were found to be good enough to be recognised by the Government. The Government have very coolly stated in their Report that they have been closely and consistently implementing the recommendations of the Royal Commission on Labour, and referring to the joint standing machinery for settling disputes, the Government, in November 1937, passed a Resolution to appoint a Conciliation Officer, but if you will make a reference to the terms of that Resolution, you will find that the Government have taken pretty good care to cut out or exclude unrecognised Unions altogether from the necessity of establishing contacts with the workers. This is what that Resolution says:

"That a Conciliation Officer would be appointed with headquarters at Calcutta whose duties were to establish contact with the administrations of the railways with which he was concerned. with recognised Unions catering for the employees of those Railways. with area committees. workshop committees. railway councils and any other bodies directly concerned in the relations between the administrations and their employees."

Then, Sir, if the number of membership of recognised Unions is so small in comparison with the membership of unrecognised Unions, I do not know how by laying down such a policy,—I don't call it a vindictive policy,—but it is certainly not a fair policy,—the object of establishing contact with the workers is going to be achieved. This very point was again taken up by the All-India Railwaymen's Federation in their half-yearly meeting and the replies given by the Chief Commissioner for Railways, I think, are far from satisfactory. In opening the discussion on the subject of recognition of Unions, the Federation submitted that the Railway Board has always maintained a position which, they understood, fell short of the relevant recommendations of the Royal Commission on Labour.

Here, Sir, I want to take a few minutes of the House to refer to another small point,—I don't propose to take up much time of the House by reading out long extracts,—but I merely want to show that the Royal Commission on Labour have laid down certain principles regarding recognition of Unions, and they have also pointed out that in a country where Trade Unionism has not yet succeeded to a large extent a liberal policy should be followed. It is no good saying that a particular Union cannot be recognised because the officers are all outsiders. In fact, it is a safeguard to have outside officers or office bearers in particular Unions, for it has been the experience of several workers, and in this I am sure I shall be supported by my friend, Mr. Joshi, and Professor Ranga when I say that if the workers themselves become office bearers, it is impossible for them to state their grievances with anything like frankness. So it has been recognised all the world over that there is a recognised place even for honest outsiders to work, but the result is that, under one pretext or another, such unions are not recognised because they are "not proper and fit unions". Giving an instance, I was one of the Presidents for some time and for many years I was Vice-President of the Great Indian Peninsula Railway Union, one of the biggest unions claiming a membership of nearly 15,000, but it was not recognised; whereas another union which consisted mostly of clerks, which was nicknamed 'Tatya' Union by our workers, was recognised within a very short time from its inauguration. If any worker happens to have political opinions not liked by the Agent or the Traffic Manager, it is the union that suffers. I cannot believe that such an outlook is just or is in the best interests of properly guiding labour. This is not the way to encourage healthy trade unionism. On the other hand, this is the surest way to make it still worse, as has been very well laid down by the Royal Commission on Labour.

**Mr. M. S. Aney:** Did you try for this recognition after we came into office?

**Mr. N. V. Gadgil:** May I tell my esteemed friend, Mr. Aney, that very recently the Bombay Government have passed a Bill by which recognition of union has been made more liberal, and the main factor by which recognition can be secured is a certain percentage of membership in the particular industry or trade. If such a provision is accepted here also, I have no quarrel.

**Mr. Deputy President (Mr. Akhil Chandra Datta):** The Honourable Member has got two minutes more.

**Mr. N. V. Gadgil:** The point I was making was this, that by repressing these unions you are not going to encourage healthy trade unionism. On the other hand, if you have some points of contact even with extreme office bearers, the results are likely to be more encouraging than otherwise. Then the Chief Commissioner said that he was not sure that the attitude of the Board in the matter had been correctly stated by the Federation. He referred to several unions, and, ultimately, it was promised that if the Federation made certain proposals about model rules, this, that and the other, then after giving three months notice the Railway might consider. It is equally the business of the employers to see that trade unionism grows among their workers, and recognition should not be merely an unilateral act, as has been supposed to be the case so far as the railway administration is concerned. It ought to be mutual, it ought to depend upon certain minimum conditions being satisfied, and if those conditions are satisfied, recognition should follow as a matter of course. I, therefore, submit that this non-recognition of certain unions places a good deal of handicap in the ventilation of grievances by labour. I feel that the policy of the Railway Board should at least be a little more liberal,—let us hope so. But this attitude of keeping the whole thing in a sort of suspended animation has been going on for a very long time. Now, all the unions on the Great Indian Peninsula Railway are amalgamated, but nobody knows whether the combined or the composite union is recognised or not. I think such a state of things ought not to exist. With these few words, I support the cut motion.

**Dr. Sir Ziauddin Ahmad:** I was surprised, should I say not surprised, at the speech delivered by my Honourable friend, Mr. Joshi. We heard a remark the other day that he is an authority on every other thing except labour because he has no time to look into those questions, and his speech today is proof of that statement. While he was discussing the question of labour, I expected that he would say something about the Supervisor of Labour, that he would persist that the Supervisor of Labour should not be under the Railway Board.

**Mr. N. M. Joshi:** I leave it to the Muslim League, friend of the poor.

**Dr. Sir Ziauddin Ahmad:** Muslim League is not labour. (Interruption.)

**Mr. N. M. Joshi:** Muslim League is anti-labour.

**Dr. Sir Ziauddin Ahmad:** I expected that he would say something about the Supervisor of Labour, about the work of the Conciliation Officer, and the Conciliation Board, the manner in which they are discharging their duties, and that he would also address a few words on the labour which are engaged in the railways. But, to my disappointment, he immediately became communal. He wanted to impress upon the Railway Board that people should not be promoted on account of communal considerations, inside this House, outside this House, inside the lobby, outside the lobby; it is his one hobby. I may just tell him. (Interruption by Mr. Joshi.) What we say is that promotion of Muslims should not be stopped, simply because they are Muslims. That is the view point of us.

**Mr. N. M. Joshi:** You are misrepresenting me. I did not say a word about Muslim promotion at all. What I said was that the Great Indian Peninsula Railway Agent was under a misapprehension regarding the intentions of the Railway Board. I wanted the Honourable Member to state what the intentions of the Railway Board were, because I see from the letters of the Great Indian Peninsula Agent that he is misrepresenting the intentions of the Railway Board. I did not say a word about Muslim promotion. As a matter of fact, I supported your cut motion.

**Dr. Sir Ziauddin Ahmad:** I reply on behalf of the Railway Board, that Muslims, if they are senior,—they should be kept down on pretext of inefficiency; if they are efficient, they should be kept down on pretext of seniority. I am making a reply on behalf of the Railway Board.

**Mr. S. Satyamurti** (Madras City: Non-Muhammadan Urban): You cannot.

**Dr. Sir Ziauddin Ahmad:** Mr. Satyamurti made me a member of the Railway Board. The point that I was pressing was that Mr. Joshi is at liberty to talk whatever he likes, but he talks on everything except labour. I was really inclined to oppose the cut motion, but Mr. Gadgil came to his rescue and brought the whole debate back to the point at issue. The point that Mr. Gadgil has raised and that I also want to raise is the question of recognition of unions. What I maintain is this, that whenever a society is registered. . . .

**Mr. N. M. Joshi:** Not on communal lines.

**An Honourable Member:** Mr. Joshi is in a fighting mood today.

**Dr. Sir Ziauddin Ahmad:** If you want to fight, come to the lobby and we can fight.

**Mr. N. M. Joshi:** I am prepared.

**Mr. Deputy President** (Mr. Akhil Chandra Datta): This is not a place for challenge or counter challenge.

**Mr. N. M. Joshi:** I did not give the challenge; the challenge came from him.

**Dr. Sir Ziauddin Ahmad:** He wants the labour to fight with each other, that is what he is trying to do. Now, coming to this recognition of Unions, my point is, and Mr. Gadgil has also partially touched upon it, that whenever a union of railway employees is formed and registered and it has got a constitution which is not intended to spread disaffection among employees but really to safeguard the interests of the members, then for no reason whatsoever should the railway authority refuse recognition to that union. They should not refuse it on the ground that the members are fat or they weigh over two maunds or they have got a black face or wear *topee*. The recognition should not be refused on these small issues. When the union is registered and its intention is *bona fide*, then *ipso facto* it should receive recognition. I am glad that the Provincial Governments have taken steps in this direction and the Central Government will be wise if they take lessons from the Provincial Governments.



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Then, we have got the Supervisor of Labour. He is under the Labour Department, if I am correct. Their recommendations ought to carry weight with the Railway Board. The hours of work, and other grievances—if any recommendations are made on these subjects, they should be accepted by the Railway Board. It would be fair if the periodical reports are published, and circulated among the Members together with the action taken on the recommendations by the Railway Board. That will give us an idea of the manner in which they are treating labour. About the conciliation staff, when the appointment was made we objected to this on the floor of the House. We were doubtful whether persons who are not familiar with labour questions would be in a position to bring about this conciliation. I would have welcomed it had Mr. Joshi been appointed. Then I would have supported this particular post, so that we have a better understanding between employers and employed. With these words, I resume my seat.

**Mr. Sham Lal** (Ambala Division: Non-Muhammadan): I support this cut motion and in doing so I want to place before the House the grievances of grade No. III of the Loco. running staff on the North Western Railway. I have been putting questions on the subject for the last two years and no definite replies are given. Now, I want to know whether the facts given by me are correct or not. There was great agitation for the recruitment of educated Indians in the Loco. running staff. After all, Government agreed to create grade No. III which was reserved for Indians. The minimum qualification was the matriculation examination. Grade No. IV was reserved for Europeans and Anglo-Indians. The salary was, of course, higher but the Indians were satisfied with one grade which was reserved for them and in that grade it was laid down that a new recruit should begin as apprentice for three years, then serve as a foreman for two years and as shunter for two years and, after that, he was to become a driver. There was to be automatic promotion—there was no question of vacancy. This grade was created in 1923. What happened was this. In 1926-27-28, when the Railway Department found that recruits of 1923 would become drivers, some vacancies were created in grade No. II in order to absorb Europeans and Anglo-Indians. In 1934, there were vacancies in Grade No. III and they were given to Europeans and Anglo-Indians of grade No. IV. In 1936, 33 promotions to grade No. III were withheld and given to Europeans and Anglo-Indians. The result is that the boys who had been recruited in 1923 are still working as firemen. They have not become drivers. The system of automatic promotion in grade No. IV still subsists. That is the question I want to put to the House. An assurance was given, promise was made but they have been broken. Is it not a fact that grade No. III was reserved only for Indians? Was not the principle of automatic promotion laid down and were the vacancies given to Anglo-Indians and Europeans? These questions I have been asking and no definite replies are forthcoming. How can this position be justified?

The Railway Member has given an assurance with regard to accidents—that there would be Inspectors independent of the Railway Board. I want Inspectors with regard to the assurances given by the Railway Board. Now, Mr. Joshi talked of the word of honour. There is no word of honour here. One officer gives it and another breaks it. Mr. James said that one is an Englishman and another is a Scotchman. I thought they

were all the same but we have come to know that there is a difference between an Englishman and a Scotchman. The Englishman gives a word of honour and a Scotchman breaks it and *vice versa*. My complaint is that what is reserved for Indians is being taken away and given to Europeans. What are these poor people to do? They were recruited in 1923 on the clear assurance that they would become drivers after seven years and every Tom, Dick and Harry is put in this grade III and the rights of Indians are taken away. Is this justice? Is this how you keep your word of honour? What is the value we are to attach to these assurances? The Railway Member gives a promise in all sincerity. He goes away after six months and another gentleman comes in and says something else. What are these poor people to do? I have been putting questions. I am told that these are matters of detail and no reply can be given. When you discuss it, some assurance is given but it is not kept. Of course, this is only a cut motion. I press on the Railway Member to inquire into the grievances of these people and see that justice is done. I hope they will get promotion in due course.

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

Sir, I wish to warn the Government seriously that the Railway Labour Unions are seething with discontent because of the continued neglect of their legitimate and minimum demands. Sir, the question of the non-recognition of labour unions has also been raised prominently by more than one speaker. I wish to state, Sir, that Government do not seem to be in any great hurry to try to recognize even those unions which have on their rolls large numbers of railway labour. There was the Bengal Nagpur Railway Union whose recognition was withdrawn as an upshot of the strike that there was there. The President of that union, who happens to be today one of the ministers of the Madras Government, tried his best to obtain recognition for that union again but he has failed. Thereafter, it was mentioned in Mr. Mudie's report that the union would be well-advised to have a different personnel for its management and for its office-bearers and so on. Another set of office-bearers came to be elected. Yet today Government has not been pleased to extend recognition to that union. Many representations have been made by that union to the Labour Officer in Calcutta known as the Conciliation Officer as well as the Agent but all in vain. Similarly, the Great Indian Peninsula Railway Union, which has on its registers large numbers of workers, has been denied recognition for more than six years; and I do not know whether there is any effective labour union on the East Indian Railway, and, if there is, whether Government have thought it fit to give it any sort of encouragement by way of recognizing it. If there is none, I do not know why Government has not taken active steps to see a full-fledged labour union brought into existence, at least from the point of view of ensuring the safety of the running of their own Railway there.

Then coming to the question of hours of work, I find that there are still four Railways which are yet to give effect to the hours of labour convention. It has been mentioned here in the report of the Railway Board that those Railways are still considering whether or not to give recognition. I do not know the latest position and I can say this much that there are very many railway drivers to whom this convention has not been applied. Their hours of labour are still not properly restricted, and although the Government have undertaken legislation here for motor drivers, they have

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not yet thought fit to restrict the hours of labour for railway drivers, although they have been faced with an ever-increasing number of railway accidents on more than one Railway. Sir, I consider this to be a very serious failure of the Government, and unless the Government come forward, in the near future, with an assurance that they are going to extend this hours of labour convention to the drivers and see that this convention is enforced and the hours of labour properly restricted, it will not be possible for the House to believe in the *bona fides* of the Government when they say that it is really serious about ensuring the safety of railway travel.

I come now to the question of wages. We find, Sir, that the people who are treated as menials are today paid very very low wages indeed. Now, their numbers are not what are depicted here in the report. Many of them are engaged by various contractors and, naturally, their numbers are not given in this report, and all those people are being exploited by contractors, who in their turn, are able to exploit the Government at the expense of the public. I think, Sir, it is the fundamental duty of the Government to see that the minimum wages regulation is established in this country so that all these contractors will be obliged to pay minimum wages to these menial workers as well as others who are employed by them. But nothing is being done here, although, if I remember rightly and my memory does not play false with me, Government have agreed to implement the Geneva Convention that all those who are employed not only by public bodies but through contractors should be assured of decent wages whenever they are employed by them.

Then, there is the question of the provident fund. My Honourable 4 P.M. friend, Mr. Joshi, has already made a mention of it. This has become almost an annual feature of these discussions. We always go on asking for it and Government deny it. I do not know if it is merely a question of money but I wish to remind Government of the grave danger that there is today to the railway line itself if they are to allow these lakhs and lakhs of these workers, who are called menials by the railway authorities themselves, and who are employed today in making the railway, in keeping it and in protecting it, to remain discontented; and if those people are not satisfied, then Government should not be surprised, if the railway accidents increase as often as they have done in the recent past. I do not suggest, Sir, that any worker will make himself responsible for any accident either consciously or unconsciously, but when he is not paid properly, when he is not treated honestly, when he is not looked after properly at least by the establishment of a provident fund, you cannot expect him to be adequately efficient,—and by having inefficient workers you cannot very well assure yourself of safe travel on the Railways.

Then I come to the question of discipline and security of service. I find that the revision of the railway regulations has been delayed far too long,—unconscionably long: They have not been properly revised nor have they been properly codified. I do not know when it will be finished but in the meantime lakhs and lakhs of workers are obliged to suffer from the inconveniences of many of these regulations and from the confusion that exists today in these thousands and thousands of their own rules and regulations which have cropped up during all these years and the overlapping of one regulation upon another and the various rulings given by their various officers. One particular instance has come to my notice.

It is a gross case of injustice. One booking clerk reported that one ticket was missing, just when he was leaving the booking office in charge of another booking clerk: The next booking clerk did not notice anything amiss in this particular statement. Thereafter the station master fell foul of the original clerk that he found a ticket in the slot itself and, therefore, he said it was a mistake of the original booking clerk and he proceeded to frame a regular charge-sheet and, in the end, there was no proper inquiry and the booking clerk was dismissed. Sir, such things are happening; and as between one employee and another, there is any amount of bickering, any amount of indiscipline, any amount of quarrel, and as long as you allow your establishment branch to be blind here at the top and allow all the local officers to play ducks and drakes with all their subordinates according to their own whims and fancies and as long as the rules and regulations are not properly codified, you cannot very well expect a satisfactory and happy family in your railway workers and labourers.

Then there is the proper security of service for these people. If any of them dares to become a member of a railway labour union and, thereafter, gets into bad books with any higher officers or even his fellow-workers, he is put down on the black list. He shan't be surprised if he gets at any moment a dismissal order. That is why I want proper steps to be taken to assure them about the security of their service. The Royal Commission suggested that there should be a standing machinery for conciliation but the Government of India would not accept it. In its place, they published a sort of a Resolution but it was done nearly eight years after the recommendation of the Royal Commission. According to this Resolution, there is to be a Conciliation Officer. What are his duties? He has to keep himself in touch with labour, not every kind of labour, not even every registered trade union, but only with the recognised trade unions. My Honourable friend, Mr. Gadgil, has already made it perfectly clear that out of six lakhs of workers who are employed in the railways nearly 120,000 people are members of the trade unions and there are only about 25,000 people who belong to the recognised trade unions. Therefore, this Conciliation Officer has to concern himself with the welfare of workers who form not even ten per cent. of the total labour population on the railways. Is this fair, is this correct and is this right on the part of the Government of India? And yet the Government seem to be satisfied with this officer. Even this officer does not seem to have published any annual report. It is more than a year since he was appointed and we do not know what sort of work he has been doing. Several of our unions have gone to him and have made representations to him and he has simply turned them down by saying that he is going to make some representation to the authorities concerned. Till now, I have not heard anything favourable about his activities from any union in this country and I do not know what he is doing. I think a report on his work is very badly needed and I hope Government will publish it very soon. Then, I am told that there are what are known as labour supervisors. It is the business of these people to see to the conditions prevailing amongst labour. They should publish their annual reports but the last report has not yet been published. I do not know whether it is going to be published or not.

**Mr. Deputy President** (Mr. Akhil Chandra Datta): The Honourable Member has two minutes more.

**Prof. N. G. Ranga:** The Payment of Wages Act is also not being properly administered as far as the railways are concerned. Even today

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certain complaints were made of the failure of certain railways not to enforce the provisions of it so far as the labour on the railways is concerned. Then, there are meetings with the All-India Railwaymen's Federation. We are informed about the various items on which there was a discussion between the Railway Board and the labour leaders. But we are not told what action is being taken on the representations made by the labour leaders to the Railway Board.

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

I think a report is very badly needed and I trust Government will publish it along with the other items in this particular report from year to year. I can only say this that today there is an impression among the labour union leaders that the Honourable Member has not given proper attention to their grievances.

**Mr. Lalchand Navalrai** (Sind: Non-Muhammadan Rural): Sir, I wish to say a few words regarding this cut. I will not use much labour on it as my Leader wants me to be brief. Anyway, it is necessary to put forward some of the grievances of the labour. Now this cut motion is a general one because it refers to the grievances of the railway labour generally and their grievances are not a few. However, some of their grievances deserve to be pointedly brought to the notice of the Honourable the Railway Member. We heard a few minutes before, the grievances of the running loco. staff and my Honourable friend, Mr. Sham Lal, had been taking interest in their case and had been putting some questions on their behalf. But I propose to put in a concise form their demands and their grievances for the consideration of the Honourable the Railway Member. I will put them very concisely. What they want is this.

All posts withheld to allow automatic promotion to grade IV should be released, thus making good the original allotment of grade III. All other posts of grade III that have already fallen vacant, besides those withheld, should be immediately filled in. Provision should be made to raise the allotment of Drivers grade III as per posts of firemen grade III so that in the usual course of time a fireman grade III may hope for promotion as Shunter and ultimately as Driver grade III as per principles of recruitment for the same staff. No Division should be allowed to surrender posts of grade III and create posts, that is, grade II and I instead, as this affects the loco. running staff grade III for no fault of theirs. Lastly, they submit and their demand is that either the strength of Driver grade IV should be raised to absorb the surpluses in that grade or the surplus staff should be dealt with in accordance with the standing orders like the surplus staff in other categories. I hope that when these demands are put so categorically and a submission is made that attention should be given to them, there will be no room for complaint on the part of my Honourable friend that his interpellations are being disregarded.

I will next address myself to the question of the provident fund for the inferior servants. The other day I put certain questions with regard to the provident fund to be given to the electric lighting staff on the railways. These poor men are being refused the benefit of the provident fund. They have been crying about it for a long time and they have put forward their case by means of questions in this House but no heed

has been paid to them. The other day, when I put certain questions with regard to them, the reply was that it was not economic to help them. That should not be the attitude of the Railway officers and of the Railway Board. Their case should be considered from all points of view and there should be no discrimination. How is it that persons who belong to the other inferior service and who draw the same pay are given the benefits of the provident fund and not these poor people? I would, therefore, submit that their case deserves consideration. Anyway, it should be considered and something done for them. The thing should be adjusted and the dissatisfaction of this particular inferior class should not be allowed to continue. On the contrary, they should be helped and encouraged.

Then, I come to the question of the unions. I have some knowledge of these unions but I find that under the present system labour is suffering because these unions are recognised in a manner which is not sound or reasonable. My Honourable friend from Bombay gave an instance of how an Union was allowed to be worked adversely. I give an instance of the North Western Railway Unions. On this railway there are really two Unions, one is a Union which is considered to be an official one, and the other is considered to be a Union of the labour public. What is happening is this. When there are Unions going on very well and put forward their case bluntly and strongly, the railway officers do not want that that should be done in that manner. Therefore, the railway authorities create some contrivance to destroy the unity of those Unions. They create a rift between the two Unions. The result is that those who are actually in Government service are asked to be at the head though that Union contains only a few members, it is recognised, and the other Union with thousands of labourers on its rolls is not recognised. This happens in the North Western Railway. This divide and rule policy should be abandoned. It is the opinion of the public that whatever a Union puts forward in the shape of legitimate demands they should be listened to and redressed. If the popular point of view is rejected, then that Union is in distress and in difficulties. We do find that a non-recognised Union in Lahore is actually put in distress. Their members are being prosecuted, and that is only because the other Unions consisting of a small group of members is in the favour of Government. These Unions get themselves registered first. There are certain conditions under which they are registered. If they are registered, why should they at all be considered undesirable. I suggest that a committee should be appointed which should lay down under what principles or conditions a Union should be recognised. If that is decided then I do not think there will be any disturbance amongst them with the railway authorities. On the contrary the railways would be saved from stay-in strikes that take place nowadays. The only way to stop these strikes is not to fight with them, but the only way would be to appease them by recognising these Unions and getting them do their work. Why should Government servants be forced to be head of these Unions? On the other hand there are among the public men many people who would give proper guidance to these Unions. These outside people have experience and they will put forward their case fearlessly and in the interest of the members of the Union. I also submit that Unions should also be allowed to put forward labour's individual cases. Of course, such individual cases are not being allowed to be put forward by the Union and in such cases there is every likelihood of trouble for the railways. With these words, I support the motion.

**An Honourable Member:** The question may now be put.

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

“That the question be now put.”

The motion was adopted.

**The Honourable Sir Thomas Stewart:** Sir, the criticisms that have been put forward in the course of this latest debate may be put into three classes. First, they refer to matters of a general nature. In the second class, they refer to particularised matters and in the third class, there are a series of mere unsubstantiated assertions to the effect that Government has sinned. Now, to the second of this class, it is naturally impossible for me to give a detailed reply unless I have had some notice of the intention of Honourable Members to raise these subjects. As regards the third class there is no reply called for. On these principles, I shall answer the debate. Mr. Joshi, for the second time in the course of this budget debate, has asked a question regarding the system of promotion on the Great Indian Peninsula Railway. He has gathered the impression that promotion is being carried out on communal lines. I am not aware of the actual facts, but so far as the policy of the Government of India is concerned, the policy is that promotion should not be guided by communal considerations. He raised another particular point regarding the refusal of the Great Indian Peninsula Railway to grant compensation allowances to certain classes of clerks who had been recruited between the years 1929 and 1931. He regarded it as an injustice that they should not have been given compensatory allowance. But it must be remembered that when these men were recruited it was on the definite understanding that they would not get compensatory allowances. Compensatory allowance is, I think, given to those recruited after 1931. But I am afraid those who were recruited between 1929 and 1931 would not change to the latter category because even with compensatory allowance they would lose financially. But the fact of the matter is that it was part of the contract that they should not get compensatory allowance and of that fact they were perfectly well aware.

More than one Honourable Member has referred to the refusal of the railways to give provident fund benefits to low-paid employees. Sir, it would be a very happy dispensation indeed if every low-paid railway employee, and indeed every low-paid employee both in and outside the railways, could be guaranteed provident fund benefits. But the financial side of the question has to be taken into consideration and, as I pointed out last year, the finance involved was of some considerable magnitude. It comes to 51 lakhs for all railways and 27 lakhs for State railways. And let me mention that it is 51 lakhs per year and 27 lakhs per year, not as Mr. Joshi appeared to think a sum which once paid would ensure the grant of provident fund.

**Mr. N. M. Joshi:** I am not under that impression.

**The Honourable Sir Thomas Stewart:** The Honourable Member may not have been under that impression but when he reads his speech he will find that he proposed to liquidate the liability by paying ten lakhs this year, ten lakhs next year and seven lakhs in the third; and it was that suggestion which led me to believe that Mr. Joshi considered that the total liability was 27 lakhs. But in any case a liability of 27 lakhs per annum for a comparatively small body of individuals—small in comparison with the total population of the country—is one that we cannot possibly assume.

Reference has been made to the fact that at the present moment there are four railways which have not yet accepted the hours of employment regulations. Sir, we are not relaxing our endeavours to get those railways to come into line, but we cannot employ any absolute compulsion. But there is one thing which I would ask Honourable Members to consider and that is that although those four have not technically accepted those regulations there is no reason for thinking that the staff of those railways are hopelessly overworked.

**Mr. N. V. Gadgil:** They are all company-managed?

**The Honourable Sir Thomas Stewart:** Yes.

**Mr. N. V. Gadgil:** That is all the greater reason why they should be taken over.

**The Honourable Sir Thomas Stewart:** We have no reason to believe that there is any considerable overwork. In fact I believe it is the case that to a very great extent the actual hours of employment would come within the regulations.

As regards the recognition of trade unions the position has, I think, progressed since I last spoke on this subject. We, of course, in the railway department, have no direct relations with the trade unions; it is an accepted principle of our working that it should be left to the Agents to make their own arrangements regarding the recognition of their labour unions.

**Mr. N. V. Gadgil:** May I ask what the general policy of the Railway Board is in this matter?

**The Honourable Sir Thomas Stewart:** The general policy of the Railway Board, as I explained last year, is to leave to the discretion of the Agents the question of recognising or not recognising a union, though the Railway Board, in the event of a refusal of recognition, is prepared to receive representations. But, in any case, the Railway Board has been doing its part in an endeavour to get some sort of a *modus vivendi* which will be accepted both to the unions and to the Agents; and there has been evolved and there is now in our hands a model set of rules which we trust, after perhaps some modification will commend itself to all parties. And when that result has been achieved I trust that most of the troubles regarding non-recognition will be removed.

My Honourable friend, Prof. Ranga, made reference to the long-standing dispute between the Bengal Nagpur Union and the railway administration. I am informed that considerable progress has been made towards a reconciliation and that at the present moment there is a committee of officers of the railway in consultation with a committee of the Union with a view to arriving at a settlement suitable and acceptable to both parties.

**Dr. Sir Ziauddin Ahmad:** May I ask a question about this? Have the Railway Board given instructions to the Agents to recognise a particular class of union or have they left everything entirely to the Agent?



**The Honourable Sir Thomas Stewart:** Sir, I have explained what the policy of the Railway Board is. The discretion to recognise or not to recognise a union lies with the Agent of the railway concerned.

Reference too has been made to the Conciliation Officer and his functions and complaint has been made that he has not been allowed to get into touch with non-recognised unions. It would be a most illogical position if he were to do so. It is his function to bring into contact, in the event of a dispute, the representatives of labour and the employers. If he were to negotiate or to keep in touch with non-recognised unions he would place the Agent in a very awkward position, in fact in an intolerable position in that he would be a go-between between the Agent and a non-recognised union. His function is conciliation and he should not go beyond it. It is a matter of complaint against him that he does not take up individual cases but he is not an advocate of labour nor is he an advocate of the employer. It is his function, when a dispute breaks out, to endeavour to bring the parties together to effect a peaceful settlement.

Sir, I think I have touched on most of the general questions that have been raised. I regret that it is impossible for me to follow my Honourable friend, Mr. Sham Lal, or Mr. Lalchand Navalrai into the particular cases they mentioned; but as I have said before, any representations of this sort which are made on the floor of the House will receive our attention. It is our desire that we should have a contented labour force; we fully recognise that it is essential to our successful working, and I may assure the House that it is towards that contentment that we from our part will use our best endeavour.

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

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

The Assembly divided:

AYES—46.

Abdul Ghani, Maulvi Muhammad.  
Abdul Qaiyum, Mr.  
Aney, Mr. M. S.  
Ayyangar, Mr. M. Ananthasayanam.  
Azhar Ali, Mr. Muhammad.  
Bajoria, Babu Baijnath.  
Basu, Mr. R. N.  
Chaliha, Mr. Kuladhar.  
Chattopadhyaya, Mr. Amarendra Nath.  
Chaudhury, Mr. Brojendra Narayan.  
Chettiar, Mr. T. S. Avinashilingam.  
Chetty, Mr. Sami Vencatachelam.  
Desai, Mr. Bhulabhai J.  
Deshmukh, Mr. Govind V.  
Gadgil, Mr. N. V.  
Ghiasuddin, Mr. M.  
Gupta, Mr. K. S.  
Hosmani, Mr. S. K.  
Ismail Khan, Haji Chaudhury Muhammad.  
Jogendra Singh, Sirdar.  
Joshi, Mr. N. M.  
Kailash Behari Lal, Babu.  
Lalchand Navalrai, Mr.

Maitra, Pandit Lakshmi Kanta.  
Malaviya, Pandit Krishna Kant.  
Mangal Singh, Sardar.  
Misra, Pandit Shambhu Dayal.  
Mudaliar, Mr. C. N. Muthuranga.  
Muhammad Ahmad Kazmi, Qazi.  
Pande, Mr. Badri Dutt.  
Parma Nand, Bhai.  
Raghbir Narayan Singh, Choudhri.  
Ramayan Prasad, Mr.  
Ranga, Prof. N. G.  
Rao, Mr. M. Thirumala.  
Raza Ali, Sir Syed.  
Saksena, Mr. Mohan Lal.  
Sant Singh, Sardar.  
Santhanam, Mr. K.  
Satyamurti, Mr. S.  
Sham Lal, Mr.  
Singh, Mr. Ram Narayan.  
Sinha, Mr. Satya Narayan.  
Som, Mr. Suryya Kumar.  
Sri Prakasa, Mr.  
Subbarayan, Shrimati K. Radha Bai.

## NOES—43.

Abdul Hamid, Khan Bahadur Sir.  
Ahmad Nawaz Khan, Major Nawab Sir.

Aikman, Mr. A.  
Ayyar, Mr. N. M.  
Bewoor, Mr. G. V.  
Boyle, Mr. J. D.  
Buss, Mr. L. C.  
Chanda, Mr. A. K.  
Chapman-Mortimer, Mr. T.  
Dalal, Dr. R. D.  
Dalpat Singh, Sardar Bahadur Captain.

D'Souza, Mr. Frank.  
Dutt, Mr. S.  
Gorwala, Mr. A. D.  
Greer, Mr. B. R. T.  
Grigg, The Honourable Sir James.  
James, Mr. F. E.  
Jawahar Singh, Sardar Bahadur Sardar Sir.  
Kushalpal Singh, Raja Bahadur.  
Lillie, Mr. C. J. W.  
Mackeown, Mr. J. A.  
Maxwell, The Honourable Sir Reginald.  
Menon, Mr. P. A.

Menon, Mr. P. M.  
Metcalfe, Sir Aubrey.  
Miller, Mr. C. C.  
Mukerji, Mr. Basanta Kumar.  
Nur Muhammad, Khan Bahadur Shaikh.  
Ogilvie, Mr. C. M. G.  
Rahman, Lieut.-Col. M. A.  
Row, Mr. K. Sanjiva.  
Scott, Mr. J. Ramsay.  
Shahban, Mian Ghulam Kadir Muhammad.

Sher Muhammad Khan, Captain Sardar Sir.  
Sircar, The Honourable Sir Nripendra.  
Sivraj, Rao Sahib N.  
Spence, Mr. G. H.  
Staig, Mr. B. M.  
Stewart, The Honourable Sir Thomas.

Sukthankar, Mr. Y. N.  
Sundaram, Mr. V. S.  
Thomas, Mr. J. H.  
Zafrullah Khan, The Honourable Sir Muhammad.

The motion was adopted.

**Mr. N. M. Joshi:** Sir, this is the time of the unattached Members. . .

**Honourable Members:** No, no.

**Dr. Sir Ziauddin Ahmad:** On a point of order, Sir. The next motion stands in the name of Maulvi Abdur Rasheed Chaudhury: he is absent, and, therefore, we have to begin from the beginning.

**Mr. N. M. Joshi:** Sir, it is the time of the unattached Members, and, so long as I have a motion, I have every right to move it. . . .

**Mr. President** (The Honourable Sir Abdur Rahim): Which motion is it?

**Mr. N. M. Joshi:** My motion is No. 177—demand 6E.

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member cannot make the same motion: it is barred.

**Dr. Sir Ziauddin Ahmad:** On a point of order, Sir. We should take the first motion on the list.

**Mr. President** (The Honourable Sir Abdur Rahim): If they want to move it, there will be hardly much time left

*Economy.*

**Mr. K. Santhanam:** I move, Sir:

"That the demand under the head 'Railway Board' be reduced by Rs. 70,000"—(Economy).

This amounts to five per cent. of the budget allotted to the Railway Board. I expect that if a ten per cent. cut is imposed on all salaries above

[Mr. K. Santhanam.]

Rs. 200, the Railway Board can get the Rs. 70,000. I have also the further expectation that if this motion is carried and accepted by the Government, they are bound to enforce the cut throughout all the Railway Administrations. Hitherto, the difficulty was that when the high officials had to enforce the cut, they had also to reduce their own salaries. I am confident that if this cut is carried, they will be ashamed to go to His Excellency the Viceroy and ask him to restore it, and I hope His Excellency the Viceroy also would turn them back telling them that they can very well afford to bear this small cut. Sir, in this connection I may mention that there is urgent necessity for reducing the working expenses by five per cent. In fact, I had given cuts of five per cent. on every demand, which is votable by this House. If Honourable Members will look at pages 46-47 of the Explanatory Memorandum on the Railway Budget for this year, they will observe that the working expenses of the Railways are increasing, in spite of the fact that Burma has been separated from India. For instance, at page 46, you will find that the total gross receipts for 1937-38 are 1,00,46, for 1938-39, 99,83, and for 1939-40, 99,81. On the other hand, on the expenditure side you will find for 1937-38, 68,39, for 1938-39, 68,73, and for 1939-40, 69,31. In the year 1936-37 the working expenses including those of the Burma Railways came to about 68.91 crores, but now without the Burma Railways the working expenses for 1939-40 are 69.31. It will thus be seen that the working expenses have been increasing enormously, and it is time that the Government prepared themselves for another depression, the effects of which are already beginning to be felt. I think the Railway Administrations should not wait till the depression actually sets in as they did on the last occasion, because it resulted in a huge deficit, and then they began to devise means of retrenchment. The Honourable the Finance Member has also pointed out that a cut similar to the one which was imposed in 1933-34 would give the Railways nearly two crores, and a five per cent. reduction of the whole of the working expenses will yield only 2½ to three crores. I think the Railways should themselves think of effecting a five per cent. cut, and as an earnest of that cut, I move this five per cent. cut in the expenses of the Railway Board. I think, Sir, I have made out a case for a five per cent. cut in the working expenses of the Railways, and I hope it will be accepted by all sides of the House including the Government Benches.

**Mr. President** (The Honourable Sir Abdur Rahim): Cut motion moved: "That the demand under the head 'Railway Board' be reduced by Rs. 70,000."

**Dr. Sir Ziauddin Ahmad:** Sir, in this particular motion an arbitrary figure is given . . . .

**Some Honourable Members:** Five per cent. is proposed.

**Dr. Sir Ziauddin Ahmad:** Five per cent. of what?

**An Honourable Member:** Five per cent. of the Railway Board's demand.

**Dr. Sir Ziauddin Ahmad:** The Railway Board's total expenditure of five per cent. will include the salaries of the establishment also, and we have repeatedly said, on the floor of this House, that if salaries of persons below Rs. 200 are touched, then we will oppose the whole cut. Therefore,

I say that Rs. 70,000 is an arbitrary figure. Within the few minutes that I had at my disposal, I tried to work out the figures, and I find that on page 1, there is a large figure of salaries which are non-voted, and any cut that we may propose here cannot affect those salaries. In fact, the persons whose salaries you want to reduce will escape because their salaries are all non-voted, and the total figure of those salaries comes to four lakhs, 80 thousand. In this category come the Chief Commissioner, the Financial Commissioner, the Members of the Railway Board, the Secretary of the Railway Board, the Deputy Directors of the Railway Board, the Librarians of the Railway Board and also the temporary Member of the Railway Board, the Deputy Director of the Railway Board, as also the Assistant Director of the Railway Board, and the salaries of all these high officials are non-voted, and, therefore, any cut that we may propose cannot possibly affect them. So, when we are not able to cut their salaries, whom will the cut affect? Naturally it will affect those people who are drawing Rs. 200 or less. This cut is really against the motion which we carried only two days ago and we had then decided that we should not touch the salaries of people who get Rs. 200 or less, but by this particular motion we shall be cutting down the salaries of those people also, leaving the high officials free, because their salaries are all non-voted, and it will not affect them at all.

**An Honourable Member:** They can surrender voluntarily.

**Dr. Sir Ziauddin Ahmad:** If they can voluntarily surrender, then no motion of this kind is necessary at all, but we can only request them to make a surrender, but I am quite sure that if they want to surrender any portion of their salaries, it could not be done by the vote of censure, but it could be done by a request. As I pointed out, by this particular motion, we shall not be able to touch the salaries of high officers, but we shall be merely cutting down the salaries of people whom we did not want to touch. Therefore, if this motion is pressed to a division, it will be contradiction in terms. I am sure the House will be well-advised not to support this motion and be guilty of contradiction in terms, because, if it is carried, it will mean that we will reduce the salaries of people who draw Rs. 200 or less and leave alone the salaries of higher officials.

Then, Sir, if you want to propose an economic cut, we should clearly indicate what particular item or items we should reduce. We should clearly state that in particular departments or sections a cut should be imposed, but to merely say that Government should reduce expenditure by Rs. 70,000 without giving them any indication whatever as to where the cut should be imposed, is not fair.

**Mr. F. E. James:** I am afraid that on this occasion my Honourable friend, Mr. Santhanam, has not maintained his reputation for careful and constructive criticism and suggestion. Probably he did not expect to have an opportunity of moving this cut and, therefore, it took him completely by surprise and he had not adequately prepared his case.

The motion is that the demand under the head Railway Board be reduced by Rs. 70,000, and he has adduced no adequate reason for the precise figure that he has fixed. Even supposing his figure was based on a percentage . . . .

**An Honourable Member:** Five per cent.

**Mr. F. E. James:** I give him credit for being arithmetical in his calculations. But supposing that he has based his cut on a five per cent. basis, what are the reasons which he has adduced? Did he adduce any at all, has he proved that any economy is necessary at all?

**Mr. Bhulabhai J. Desai** (Bombay Northern Division: Non-Muham-madan Rural): We all want economy.

**Mr. F. E. James:** I would rather that my Honourable friend exercised economy in words. The point is that in asking for economy, there must be some reason for the economy which you wish to produce. We, on this side of the House, do not for a single moment deny that there is all the time reason for the most careful and rigid scrutiny.

**Mr. M. S. Aney:** Relentless.

**Mr. F. E. James:** Relentless, certainly. He has just come back from Wardha and he uses the word relentless!

**Mr. Bhulabhai J. Desai:** He has not come from Wardha.

**Mr. F. E. James:** He came from Calcutta very recently; all the more reason for using the word!

**Mr. Bhulabhai J. Desai:** He came from Lahore as a matter of fact.

**Mr. F. E. James:** My Honourable friend, the Leader of the Congress Nationalist Party, is rather like the American bird which is called "Huma". The translation of that is that it is a "bird which alights"; it never stays long in one place. There is no doubt that in the political tension of the present times my Honourable friend, Mr. Aney, is scurrying about the country very much more than usual. That all goes no doubt to the railway revenue. I am very surprised to hear the argument for economy coming from one side of the House when my Honourable friend, Mr. Aney, is so extravagant as to use the railways lately on so many occasions. Now, let us get back to the particular motion which is before the House. We have never concealed the view that the financial position of the railways is not satisfactory.

**An Honourable Member:** Question.

**Mr. F. E. James:** My Honourable friend says "Question" . . . .

. (It being Five of the Clock.)

**Mr. President** (The Honourable Sir Abdur Rahim): The Chair is sorry it has to cut short the speech of the Honourable Member. The question is:

"That a reduced sum not exceeding Rs. 9,39,498, 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, 1940, in respect of 'Railway Board'."

The motion was adopted.

## DEMAND No. 2—AUDIT.

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

“That a sum not exceeding Rs. 14,90,000, 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, 1940, in respect of ‘Audit’.”

The motion was adopted.

## DEMAND No. 3—MISCELLANEOUS EXPENDITURE.

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

“That a reduced sum not exceeding Rs. 15,44,899, 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, 1940, in respect of ‘Miscellaneous Expenditure’.”

The motion was adopted.

## DEMAND No. 5—PAYMENTS TO INDIAN STATES AND COMPANIES.

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

“That a sum not exceeding Rs. 3,12,25,000, 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, 1940, in respect of ‘Payments to Indian States and Companies’.”

The motion was adopted.

## DEMAND No. 6-A.—WORKING EXPENSES—MAINTENANCE OF STRUCTURAL WORKS.

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

“That a sum not exceeding Rs. 7,55,85,000, 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, 1940, in respect of ‘Working Expenses—Maintenance of Structural Works’.”

The motion was adopted.

## DEMAND No. 6-B.—WORKING EXPENSES—MAINTENANCE AND SUPPLY OF LOCOMOTIVE POWER.

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

“That a reduced sum not exceeding Rs. 17,72,34,900, 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, 1940, in respect of ‘Working Expenses—Maintenance and Supply of Locomotive Power’.”

The motion was adopted.

## DEMAND No. 6-C.—WORKING EXPENSES—MAINTENANCE OF CARRIAGE AND WAGON STOCK.

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

“That a sum not exceeding Rs. 5,94,00,000, 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, 1940, in respect of ‘Working Expenses—Maintenance of Carriage and Wagon Stock’.”

The motion was adopted.

DEMAND No. 6-D.—WORKING EXPENSES—MAINTENANCE AND WORKING OF  
FERRY STEAMERS AND HARBOURS.

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

"That a sum not exceeding Rs. 27,30,000, 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, 1940, in respect of 'Working Expenses—Maintenance and Working of Ferry Steamers and Harbours'."

The motion was adopted.

DEMAND No. 6-E.—WORKING EXPENSES—EXPENSES OF TRAFFIC  
DEPARTMENT.

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

"That a sum not exceeding Rs. 9,88,00,000, 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, 1940, in respect of 'Working Expenses—Expenses of Traffic Department'."

The motion was adopted.

DEMAND No. 6-F.—WORKING EXPENSES—EXPENSES OF GENERAL  
DEPARTMENTS.

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

"That a sum not exceeding Rs. 3,85,60,000, 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, 1940, in respect of 'Working Expenses—Expenses of General Departments'."

The motion was adopted.

DEMAND No. 6-G.—WORKING EXPENSES—MISCELLANEOUS EXPENSES.

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

"That a sum not exceeding Rs. 4,16,30,000, 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, 1940, in respect of 'Working Expenses—Miscellaneous Expenses'."

The motion was adopted.

DEMAND No. 6-H.—WORKING EXPENSES—EXPENSES OF ELECTRICAL  
DEPARTMENT.

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

"That a sum not exceeding Rs. 3,79,20,000, 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, 1940, in respect of 'Working Expenses—Expenses of Electrical Department'."

The motion was adopted.

## DEMAND NO. 7—WORKING EXPENSES—APPROPRIATION TO DEPRECIATION FUND.

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

"That a sum not exceeding Rs. 12,58,00,000, 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, 1940, in respect of 'Working Expenses—Appropriation to Depreciation Fund'."

The motion was adopted.

## DEMAND NO. 8—INTEREST CHARGES.

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

"That a sum not exceeding Rs. 2,63,000, 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, 1940, in respect of 'Interest Charges'."

The motion was adopted.

## DEMAND NO. 11—NEW CONSTRUCTION.

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

"That a sum not exceeding Rs. 79,60,000, 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, 1940, in respect of 'New Construction'."

The motion was adopted.

## DEMAND NO. 12—OPEN LINE WORKS.

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

"That a sum not exceeding Rs. 10,19,20,000, 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, 1940, in respect of 'Open Line Works'."

The motion was adopted.

The Assembly then adjourned till Eleven of the clock on Monday, the 27th February, 1939.