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THE
LEGISLATIVE ASSEMBLY DEBATES

(OFFICIAL REPORT)

VOLUME IV, 1933

(31st March to 12th April, 1933)

FOURTH SESSION

OF THE

FIFTH LEGISLATIVE ASSEMBLY,

1933



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1933

Legislative Assembly.

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

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

Deputy President :

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

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

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SIR ABDUR RAHIM, K.C.S.I., K.T., M.L.A.

SIR LESLIE HUDSON, K.T., M.L.A.

MR. MUHAMMAD YAMIN KHAN, C.I.E., M.L.A.

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Assistants of the Secretary :

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

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

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

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SIR ABDULLA-AL-MAMÜN SUHRAWARDY, K.T., M.L.A.

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

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

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LEGISLATIVE ASSEMBLY.

Wednesday, 12th April, 1933.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President (The Honourable Mr. R. K. Shanmukham Chetty) in the Chair.

QUESTIONS AND ANSWERS.

IMPORT DUTY ON COTTON HANDKERCHIEFS.

1212. *Mr. K. O. Neogy: (a) Is it a fact that before the year 1930 the import duty on cotton handkerchiefs was more than the import duty on cotton piecegoods?

(b) Is it a fact that according to the present rate of import duty on non-British goods, the import duty on handkerchiefs is 20 per cent below the import duty on piece goods? If so, is it the policy of Government in the present instance that the import duty on finished goods should be less than that on the raw material?

(c) Are Government aware of the fact that due to the lower rate of import duty on non-British handkerchiefs, an extra advantage has been gained by the Japanese handkerchief manufacturers over the Indian manufacturers, and that the handkerchief making industry in India is being threatened with extinction?

The Honourable Sir Joseph Bhore: (a) Prior to 1st April, 1930, the import duties were:

Cotton piecegoods including cotton handkerchiefs (in woven pieces).	11 per cent <i>Ad Valorem</i> .
Other cotton handkerchiefs (assessed as Haberdashery)	15 per cent. <i>Ad Valorem</i> .

(b) The present rates of duty are:

Cotton piecegoods including cotton handkerchiefs (in woven pieces) not of British manufacture	50 per cent. <i>Ad Valorem</i> .
Other cotton handkerchiefs, not of British manufacture (assessed as Haberdashery)	30 per cent. <i>Ad Valorem</i> .

The existing duty on cotton piecegoods is protective and handkerchiefs imported in woven pieces, which are classed as piecegoods, are assessed at protective rates. Made up handkerchiefs have always been admitted on payment of the revenue duty as Haberdashery. The difference in the rates of duty is not inconsistent with Government's policy.

(c) It is not understood what is meant by extra advantage. Government, however, are aware of the facts stated in the answer to part (b) of the question. Government are not aware that the handkerchief making industry in India is being threatened with extinction.

Mr. K. C. Neogy: Has the Honourable Member not received any representation from this industry?

The Honourable Sir Joseph Bhore: I have, Sir.

Mr. K. C. Neogy: Is the matter under consideration in connection with the Anti-Dumping Bill?

The Honourable Sir Joseph Bhore: Any industry that desires its position to be protected under the Anti-Dumping legislation, if it is passed, will no doubt place its case fully before the Government.

APPOINTMENT OF MUSLIMS AS SUPERINTENDENTS AND ASSISTANTS IN THE OFFICE OF THE DIRECTOR OF CIVIL AVIATION.

1213 ***Maulvi Muhammad Shafee Daoodi:** (a) Is it a fact that there is no Muslim superintendent in the office of the Director of Civil Aviation?

(b) Is it a fact that there is also no Muslim assistant in that office?

(c) Is it also a fact that the posts of a Superintendent and of an assistant have recently been created temporarily in that office?

(d) If the reply to the above three parts be in the affirmative, are Government prepared to consider the desirability of appointing Muslims to these posts? If not, why not?

The Honourable Sir Frank Noyce: (a) and (c). Yes.

(b) No.

(d) The orders of Government regarding representation of minority communities are observed in the office of the Director of Civil Aviation in India.

MUSLIM SUPERINTENDENTS IN THE GOVERNMENT OF INDIA SECRETARIAT AND ATTACHED OFFICES.

1214. ***Maulvi Muhammad Shafee Daoodi:** Will Government kindly lay on the table a statement showing the total number of posts of Superintendents in the Government of India Secretariat and Attached Offices, separately, and the number of such posts held by Muslims?

The Honourable Sir Harry Haig: The information is being collected in respect of the Secretariat and attached offices at headquarters and will be laid on the table in due course.

APPOINTMENT OF AN INDIAN AS DIRECTOR GENERAL, INDIAN MEDICAL SERVICE.

1215 ***Mr. K. P. Thampan** (on behalf of Mr. Jagan Nath Aggarwal): (a) Will Government be pleased to state if it is a fact that nearly fifteen years ago it was ruled by the Government of India that one of the two appointments of Director-General and Deputy Director-General, Indian Medical Service, should in future go to an Indian?

(b) Is it a fact that the present Director-General, Indian Medical Service, is retiring from the service during this year?

(c) Is it also a fact that the Public Health Commissioner, India, completes his term of office this year?

(d) If the answers to parts (a) and (b) are in the affirmative, do Government propose to appoint an Indian officer of the Indian Medical Service to the post of Director-General, Indian Medical Service?

Mr. G. S. Bajpai: The attention of the Honourable Member is drawn to the reply given to starred question No. 1178 of Mr. Gaya Prasad Singh on the 10th April, 1933.

RESERVATION OF A COMPARTMENT IN EVERY RAILWAY TRAIN FOR AN ICE VENDOR.

1216 ***Mr. B. N. Misra:** Is it a fact that a compartment is reserved in every train for an ice vendor? If so, is it meant for the exclusive use of the ice vendor or for the use of persons connected with Government Railway Police travelling with or without permits?

Mr. P. E. Rau: Government have no information, but it is believed that a compartment is reserved during the summer months for the ice vendor on all trains. Whether any other passengers are allowed to travel in that compartment is for the local authorities to determine.

TRAVELLING OF A POLICE CONSTABLE IN THE COMPARTMENT RESERVED FOR THE ICE VENDOR BETWEEN MORADABAD AND DELHI ON THE EAST INDIAN RAILWAY.

1217. ***Mr. B. N. Misra:** Is it a fact that on the 30th March, 1933, a constable in uniform with two persons in plain clothes travelled by the 5 Moradabad-Delhi train between Moradabad and Delhi on the East Indian Railway in a compartment reserved for the ice vendor? If so, why and under what circumstances are persons holding tickets and who have paid the fare not permitted to travel in order to avoid congestion and overcrowding?

Mr. P. E. Rau: Government have no information, but a copy of this question is being sent to the Agent, East Indian Railway, for disposal.

RE-ORGANISATION OF THE RAILWAY SCHOOL AT CHANDAUSI, EAST INDIAN RAILWAY.

1218. ***Mr. B. N. Misra:** (a) Is it a fact that the Railway administration are contemplating a re-organization of the railway school at Chandausi, East Indian Railway? If so, (i) will there be any reduction of staff, (ii) do Government, as per the recommendation of the court of inquiry, propose to consult the recognized unions in respect of retrenchment, and (iii) what provision of leave and service will be made in respect of the staff contemplated to be reduced?

(b) Is it a fact that at the railway school, Chandausi, East Indian Railway, there are four office clerks? If so, will Government please state whether they intend to revert the clerks who belong to other administrations than the East Indian Railway to their parent railways?

(c) Is it a fact that the present Superintendent of the railway school, Chandausi, never had experience of the management of a school? If it is not so, where and in what capacity did he have such experience?

Mr. P. B. Rau: (a) and (c). I am making inquiries and will lay a reply on the table in due course.

(b) This is a matter within the competence of the Agent, East Indian Railway, to whom a copy of this question has been sent.

DISCUSSION OF INDIVIDUAL CASES WITH THE REPRESENTATIVES OF RECOGNISED UNIONS ON THE EAST INDIAN RAILWAY.

1219. ***Mr. B. N. Misra:** (a) Is it a fact that Divisional Superintendents on the East Indian Railway do, according to their discretion, refuse to receive representations from recognized trade unions on behalf of individual members in respect of individual grievances, etc.? If so, why and what are the rules and orders in respect of the individual's case represented by his union? Are unions debarred from representing individual cases?

(b) Do the Railway Board desire to issue instructions in accordance with the recommendations of the Royal Commission on Labour that heads of departments and divisions should receive and discuss individual cases with the representatives of recognized unions so as to avoid unnecessary delay and labour?

(c) Will the Railway Board please lay on the table a list of unions recognized by railway administrations?

Mr. P. B. Rau: (a) Government are not aware what the exact practice followed by Divisional Superintendents on the East Indian Railway is. The attitude of the Railway Board was expressed in the memorandum furnished by them to the Royal Commission on Labour, viz., that the representation of individual grievances by Unions is not encouraged since it is considered that adequate machinery for dealing with these exists, individuals having the recognised official channels through which they can seek redress.

(b) I have not been able to trace a recommendation in the report of the Royal Commission on Labour that Heads of Departments and Divisions should receive and discuss individual cases with the representatives of recognised unions. The Royal Commission on Labour have recommended that a recognised union should have the right to negotiate with the employer in respect of matters affecting the individual interests of members. This is still under consideration by the Railway Board and the Government of India.

(c) I am calling for up-to-date information and will lay a reply on the table in due course.

BRITISH TROOPS IN THE ALWAR STATE.

1220. ***Bhai Parma Nand:** Will Government be pleased to state for how long the British troops have been in the disturbed area of Alwar State? For how long more is it proposed to keep them there?

Mr. H. A. F. Metcalfe: Three months and three days. No decision has been taken as to how long troops will be kept there.

Mr. Gaya Prasad Singh: Since the troops have been sent to Alwar not at the request of the Alwar State, may I know who is going to foot the bill?

Mr. H. A. F. Metcalfe: Any extra cost which is entailed by the presence of troops in Alwar will be paid by the Durbar.

Bhai Parma Nand: May I know, whether the Honourable Member has received any representation from the Hindus of the disturbed area that the very presence of these troops is a sort of encouragement to the rebels?

Mr. H. A. F. Metcalfe: No such representation has been received as far as I know, but I will make enquiries on the subject, if the Honourable Member wishes.

TRANSFER OF MR. SARAT CHANDRA BOSE, A STATE PRISONER IN THE JUBBULPORE JAIL, TO A HILL STATION.

1221. ***Mr. S. C. Mitra:** (a) Will Government please state whether they intend to transfer Mr. Sarat Chandra Bose, State Prisoner at Jubbulpore, to any hill station?

(b) What arrangements have been made to give him association if he is still in jail at Jubbulpore?

(c) In view of the fact that Mr. Sarat Chandra Bose is suffering from diabetes and on account of the hot weather at Jubbulpore, are Government prepared to consider urgently the question of removing him at once to a cooler climate?

The Honourable Sir Harry Haig: The question of Mr. Bose's transfer from Jubbulpore is under consideration and I trust the matter will shortly be decided.

Mr. S. C. Mitra: Are not the Government aware that he is now housed in a room in "a low Raniganj tiled roof barrack without a ceiling which was used for a workshop, but was converted into cells for prisoners during the civil disobedience movement—open all round with iron bars on all sides—no walls" and do not the Government feel that in this hot season it is very much detrimental to his health to stay in such a room?

The Honourable Sir Harry Haig: I am afraid, Sir, I cannot at once give an accurate description of precise accommodation which is at the disposal of Mr. Sarat Chandra Bose, but, as I have said, the question of his transfer is under consideration, and it is hoped that the matter will be decided shortly.

Mr. S. C. Mitra: Is it not a fact that the matter has been under consideration for the last three months and that I myself put two previous starred questions to the Honourable Member to know whether Mr. Bose will be provided with any association or whether there is any chance of his being transferred to a cooler climate?

The Honourable Sir Harry Haig: That is perfectly true, but the matter has considerably advanced since the Honourable Member asked those questions.

PERMISSION TO MR. HEM CHANDRA GHOSH, A STATE PRISONER IN THE DEOLI DETENTION CAMP, TO PERFORM THE SRADH CEREMONY OF HIS FATHER.

1222. ***Mr. S. C. Mitra:** (a) Have the Government of India received a petition from Mr. Hem Chandra Ghosh, a State Prisoner, now detained in the Deoli Detention Camp, for permission to perform the *Sradh* ceremony of his father on the 24th April, 1933?

(b) If so, do Government propose to allow him leave to go home to perform the *Sradh* ceremony of his father?

The Honourable Sir Harry Haig: (a) No.

(b) Does not arise.

SHORT NOTICE QUESTIONS AND ANSWERS.

RESTRICTION OF EXPORTS OF TEA.

Mr. F. E. James: (a) Will Government be pleased to state whether they have been requested to co-operate with the Governments of Ceylon and of the Netherlands East Indies in rendering effective the scheme for the restriction of exports of tea which has been agreed upon by the tea producing interests of India, Ceylon and the Netherlands East Indies?

(b) If the answer to part (a) be in the affirmative, will Government be pleased to state what steps they propose to take in the matter?

The Honourable Sir Joseph Bhoré: The reply to the first part of the question is in the affirmative.

As the matter is one of considerable importance and interests, I place on the table a statement giving as complete information as I can at this stage.

When in October last representatives of the Indian Tea industry approached the Government of India with a view to securing their support to an international scheme for the restriction of exports of tea, they were informed that Government would be prepared to consider on its merits any practical scheme that might be put forward. In coming to this decision Government were influenced by the fact that the condition of the industry was precarious and that the collapse of many concerns was imminent. The first sufferers were likely to be Indian-owned and managed concerns which have started fairly recently and have little or no reserves. The Indian Tea Association, acting for the industry, in due course, produced a scheme which has had the careful consideration of Government. The scheme is in two parts. The first defines the degree and nature of the restriction for each contracting country as a whole and is in accordance with the agreement reached by negotiation amongst the national interests concerned. It is common to all contracting countries. The second part refers only to the method of enforcing restriction in India.

2. The substance of the international agreement is as follows. Exports of tea will be restricted to a percentage of the maximum exports from each producing country in any one of the three years, 1929, 1930 and 1931. The percentage will be fixed for each year by an international Committee and for the year commencing 1st April 1933 is 85 per cent. The restriction scheme will remain in force for five years and during that period existing areas are not to be extended beyond $\frac{1}{4}$ per cent. of the present planted area and the export of tea seed is also to be prohibited. These heads of agreement are to be enforced in each of the contracting countries by the Government concerned.

3. In order to control exports from India itself it was proposed that exports should be restricted by notification under Section 19 of the Sea Customs Act to consignments covered by license issued by a prescribed authority, and the Indian Tea Association further

proposed that the industry itself should undertake on behalf of Government the allocation of export quotas to individual estates and the issue from time to time of licenses to the extent of the export quota. Export quotas are to be based on the maximum production of each estate in any one of the four years, 1929, 1930, 1931, 1932, with certain allowances for young tea, and will bear the same proportion to that maximum as the total Indian overseas export quota fixed by the international Committee bears to the combined maximum productions of all Indian estates. Export quotas would be transferable. The intervention of Government agencies would be confined to verifying the existence of valid licenses covering consignments at the time of export and the maintenance of records to ensure that the agreed exportable quota was not exceeded.

4. In considering whether it was desirable to afford official recognition to the scheme, Government were first concerned to see the extent to which the scheme commanded the support of the tea producers themselves. The results of a referendum issued to all known estates have been examined and it appears that over 92 per cent. of the industry, reckoned in terms of production, have expressed themselves in favour of the scheme, while active dissent amounted to only 2½ per cent. Indian associations have expressed themselves as strongly in favour of the scheme as British interests. Government are, therefore, of opinion that the majority in favour of the restriction scheme is sufficiently overwhelming to justify official recognition, provided the scheme is otherwise acceptable.

5. As regards that part of the scheme which is common to all participating countries, the conclusions of Government are as follows. They will be prepared to restrict exports of tea by sea to consignments covered by license issued by the prescribed authority and they will prohibit exports in excess of that proportion of the total export quota which the standard export by sea bears to the total standard export from India (the standard exports is the maximum export in any one of the years 1929, 1930, 1931, on which the total export quota is based). Government are of opinion that exports across India's land frontiers are entirely for the domestic supply of adjoining territories and do not represent potential competitive supplies for world markets. Should there appear in future any abnormal growth of exports over the land frontiers, the question of control on the frontiers will be further considered. Government consider that the question of restricting areas under cultivation is primarily one for the consideration of the local Governments concerned. They understand that the Governments of Madras, Assam and Bengal are prepared to restrict the issue of fresh leases for tea cultivation for the period of the agreement. Local Governments have been addressed in order to ascertain their views on the question of restriction of planting of areas already leased. Government are informed that the quantity of tea seed exported from India is at present insignificant. The necessity for prohibiting its export is still under consideration.

6. Government have examined the proposals of the Indian Tea Association in respect of the issue of licenses. In view of the fact that the issue of licenses to tea producers and exporters will be automatic, provided there exists an unexhausted export quota in the name of the producing estate, Government are prepared to leave to the industry itself, subject to the orders of Government, the actual machinery for the issue of licenses. The prescribed licensing authority will be a committee representative of the tea growing industry and containing representatives of both British and Indian interests. The Committee will operate from two centres, one in Calcutta, for the northern gardens, and one in a suitable centre, such as Coimbatore, for the South Indian estates. The licensing Committee will keep account of all quotas allotted and will record all licenses granted thereagainst. In the case of gardens or estates in respect of which no quotas have been fixed by reason of non-return of production statistics, quotas will be allotted by the licensing Committee on production of authenticated evidence of the maximum production in any one of the basic years.

7. In order to give effect to the restriction of exports Government have considered whether it would be possible to introduce legislation in the present Session. The legislative programme, however, has been very heavy, and it has been decided that, for the time being at least, restriction should be enforced by the alternative method of the issue of a notification under Section 19 of the Sea Customs Act, and such a notification will shortly issue. It is the opinion of Government that the tea restriction scheme should have the approval of the Indian Legislature, but it has not been possible to obtain that approval in the present Session. Not only has the pressure of business been great, but the final details of the scheme were only very recently received. Government propose, however, whether by the introduction of *ad hoc* legislation or otherwise, to give to the Legislature in the next Session a full opportunity of expressing an opinion on the scheme.

8. The support and recognition which Government are prepared to give and which has been described heretofore is conditional (a) on the co-operation of the other Governments concerned, (b) on the approval of the scheme by the Legislature, and (c) on the approval by Government of the total export quota fixed from time to time by the international Committee.

DACOITIES IN SIND.

Mr. S. O. Mitra (on behalf of Mr. Lalchand Navalrai): (a) Will Government be pleased to state if they have taken any steps to deter the recurring dacoities committed in Sind? If so, what?

(b) Have Government been able to arrest the ringleader of the dacoities in Sind who is supposed to be eluding pursuit and has crossed the borders to the Kalat territory? If not, what steps have Government taken in that direction?

(c) What permanent arrangements do Government propose to make for protection against inroads of dacoits from the borders of the Kalat territory?

(d) Has any action been taken against the local people who are stated to have taken away by force the remainder of the booty left by the dacoits during the recent dacoities in Sind?

(e) What steps have Government taken to restore confidence of safety and security in the victims of those dacoities belonging to the minority community of Sind?

The Honourable Sir Harry Haig: (a) Yes. The Police force in Sukkur, Larkana and Upper Sind Frontier Districts has been reorganised and its strength considerably increased since 1931-32. Lest the Honourable Member's reference to recurring dacoities in Sind might create misapprehension, I would add that there has been only one serious dacoity recently, *viz.*, by a gang from Kalat Territory on the night of the 11th March, 1933, in Buthi village in the Larkana District. I understand that the situation is not as serious as reported in the press, though apprehension exists in outlying villages as a result of the dacoity at Buthi.

(b) All possible steps are being taken to effect the arrest of the ringleader of the gang responsible for the dacoity at Buthi. A reward of Rs. 2,000 has been sanctioned by the Local Government for his arrest.

(c) The District Magistrate, Larkana, has addressed the Political Agent, Kalat, and the Commissioner in Sind has addressed the Agent to the Governor General, Quetta, asking for effective action against dacoits and that every possible step be taken to prevent such occurrences.

(d) No such incident as alleged has been reported to Government.

(e) It is hoped that the action taken to secure the apprehension of the dacoits will restore confidence. In addition, those concerned have been assured that all possible steps will be taken by Government to ensure the safety of their lives and property.

 UNSTARRED QUESTIONS AND ANSWERS.

LOCATION OF THE EXISTING INFECTIOUS DISEASES ISOLATION HOSPITAL, DELHI.

199. **Lieutenant Nawab Muhammad Ibrahim Ali Khan**: (a) Will Government be pleased to state what is the idea of locating the existing Infectious Diseases Isolation Hospital between Old and New Delhi on the main road connecting the two Cities?

(b) Are Government aware that this hospital is in a highly insanitary condition?

(c) Is it a fact that the hospital is bounded on the north by a dirty tank called Talab Shahji, on the south by a filthy well, on the east by land used as public latrines and on the west by Nazul land used by Ghosis (Gowalas) for dumping cowdung and for drying cowdung cakes?

(d) Is it a fact that the hospital is ill-ventilated, has very little accommodation and its walls on the west side are only four or five feet above the ground?

(e) Is it a fact that there is no proper drainage in the hospital and that the water used in the hospital spreads and soaks into the ground on the east of the hospital?

(f) Is it a fact that the hospital is not properly lighted in the night and that there are only two or three dim hurricane lanterns in the rooms of the hospital? Why has it not been fitted with electric lights or fans although an electric line passes just outside the hospital?

(g) Are Government aware that owing to the badly neglected condition of the hospital, nobody except paupers and menials remain in the hospital for treatment?

(h) Is it a fact that Ram Lila celebrations are held for full ten days in front of the hospital and about a lakh of people throng there every day?

(i) Is it a fact that a police wrestling tournament took place last year adjoining the ground and was witnessed by most of the police force and thousands of members of the public?

(j) Is it a fact that a big industrial exhibition was held close to the hospital and that the exhibition was visited by thousands of men, women and children daily?

(k) What action do Government propose to take to safeguard the public from the infectious diseases such as small-pox and measles which the hospital is believed to spread in Delhi and New Delhi and to protect the King's police from falling a prey to such diseases by holding the said tournament in such a dangerous area?

(l) Has it ever struck the authorities of the Delhi and New Delhi Municipalities and the Local Government during the building of New Delhi for the last 20 years to improve this hospital and to shift it to a more isolated place? If not, why not? Is it also a fact that the Local Government have taken little interest in the matter and that there has been no co-ordination between the Assistant Director of Public Health and the Health Officers of the Delhi and New Delhi Municipalities to improve the sanitation of this hospital and the surrounding locality all these years?

(m) When do Government propose to take up this matter to end the present state of affairs?

Mr. G. S. Bajpai: Enquiries have been made and the result will be communicated to the House in due course.

ABOLITION OF THE LOWEST SELECTION GRADE EXAMINATION IN THE POST OFFICES.

200. Maulvi Sayyid Murtaza Sahab Bahadur: (a) Will Government be pleased to state whether it is a fact that the system of examinations for

promotions to the lowest selection grade in the Indian Posts and Telegraphs Department was abolished with effect from the 15th March, 1932, with supplementary rules or orders to the effect that all the officiating arrangements which had commenced in the lowest selection grade prior to the 15th March, 1932, should be allowed to continue undisturbed?

(b) Is it a fact that the abolition of the system mentioned in part (a) above was notified in a general circular of the Director-General in March, 1932, while the supplementary rules or orders were not so notified and were not brought to the knowledge of the entire staff of the department as in the case of the general circular?

(c) Is it a fact that in some Circles the supplementary rules mentioned in part (a) above were not applied to the case of some officials concerned with the result that their officiating appointments which actually commenced before 15th March, 1932, were discontinued contrary to the said supplementary rules, and are Government aware that the officials could not represent their cases as the supplementary rules which safeguarded their interests had not been communicated to them and were not known to them?

(d) Is it a fact that the case of all officials whose officiating appointments in the lowest selection grade had already commenced before 15th March, 1932, under the system then in force, were not intended to be affected by the new procedure and that the disturbing of their officiating arrangements due to the introduction of the new system from 15th March, 1932, was contrary to the supplementary orders mentioned in part (a) above?

(e) Do Government propose to issue clear orders to the entire staff in a general circular of the Director-General restoring the officials mentioned in part (d) above to officiating appointments in the lowest selection grade provided (i) that the officiating arrangements which they held under the previous procedure had actually commenced before 15th March, 1932, and (ii) that the officiating arrangements to which they were entitled under the rules in vogue prior to 15th March, 1932, have not yet come to an end in the ordinary course and are still being held by other officials who were not entitled to them under the rules in force prior to 15th March, 1932?

Sir Thomas Ryan: (a) and (b). Yes.

(c) Government have no information.

(d) The reply to the first part of the question is in the affirmative; as regards the second part, Government are not prepared to express an opinion without being informed of the full facts of the cases which the Honourable Member apparently has in mind.

(e) Government do not propose to issue any such general orders. The cases of individuals who consider that they have any grievances will be considered if submitted through the proper official channel.

THE SAFEGUARDING OF INDUSTRIES BILL—contd.

Mr. President (The Honourable Mr. R. K. Shanmukham Chetty): The House will now resume consideration of the Safeguarding of Industries Bill.

Mr. C. C. Biswas (Calcutta: Non-Muhammadan Urban): Sir, it is very gratifying to find that this measure has received support from all sections of the House. I venture to think that such support should be wholehearted and ungrudging. If there has ever been a measure in regard to which my friends on the Benches opposite might claim that it has been put forward in response to public demand, it is this: the action taken is entirely worthy of my Honourable friend, Sir Joseph Bhore. For the moment we are willing to forget that he belongs to the steel-frame class. Even if we must remember that, we remember only that it is Tata steel—Indian steel. I say, a measure of this kind is worthy of a popular Minister. The situation which has arisen in the country is one that calls for resolute action, and in fact we were hoping for the last few weeks for some such steps as Government have now brought before the House. The powers which they are taking under this Bill are no doubt somewhat drastic in their character, but there is no help for it. As a matter of fact, drastic as they are, I venture to think that adequate safeguards have been provided. After all, the responsibility for initiating action must rest on Government, but then they will have to justify their action before the Legislature. It is provided that if, after the matter is placed before us, either House rejects the proposal, the notification that might have been issued will automatically lapse. I believe I voice the sentiments of all my friends here when I say that we can safely depend on the Honourable Sir Joseph Bhore to do all that may be necessary in furtherance of the object with which this measure has been framed. There are no doubt various interests concerned—the interest of the manufacturers, the interest of the consumers, the interest of the merchants; but I am quite sure that the Commerce Member may be trusted to see to it that no action is taken which will not subserve the paramount interest, the interest of the nation, and that action will be taken only in so far as the various interests which are concerned can be reconciled to the national interest.

My friend, Mr. Mitra, I find, has suggested that there should be an Advisory Committee of this House and that the Government should be required to take such Committee into confidence before taking any action. I quite appreciate the idea which lies behind this proposal, but it seems to me that the Committee would be somewhat impracticable. After all, the action to be taken will be emergency action. Government must no doubt take all the facts into consideration: they must examine the case of each industry very carefully; but it may not be always practicable to place these facts and materials before a Committee before action is taken. In ordinary circumstances, when, for instance, Government take action on the reports of the Tariff Board or otherwise by way of imposing new duties, they bring forward a Bill in the House and, by virtue of the Provisional Collection of Taxes Act, the Bill comes into operation on the very day it is introduced. I do not think that if you have a Committee like the one which my friend, Mr. Mitra, has suggested, it will be possible wholly to

[Mr. C. C. Biswas.]

avoid premature disclosures of Government's plans, without there being any corresponding safeguard such as is provided by that Act in regard to ordinary fiscal measures. There are these difficulties, but I do not think that there is really any necessity for insisting on any such safeguards, because, as I have said already, it is already provided in the Bill that the matter must come before either House of the Legislature, and Government must be fully aware whenever they take action on the lines of this Bill that they will have to justify that action before the Legislature. That ought to provide ample safeguard. As a matter of fact, we know that in the Indian Tariff Act they have the power to take action on some such lines in regard to certain industries; and they can take such action under the Tariff Act without the necessity of bringing that action for confirmation before the House in the way now proposed. On these grounds, I venture to submit that the House will be fully justified in according its whole-hearted support to the present Bill.

Mr. C. S. Ranga Iyer (Rohilkund and Kumaon Divisions: Non-Muhammadian Rural): Sir, as my friend, Mr. Biswas, has truly said, if this House were a responsible House, it could not have had a better measure brought before it under the circumstances in which the country and its industries live today: it could not have a more useful piece of legislation than the one that the Honourable the Commerce Member has brought before us, and, I believe, I am speaking not only for myself, but for the entire non-official opposition when I say that this Bill will be passed unanimously (Hear, hear), for there is no one in this House who wants to encourage the coming into existence of what may be considered as derelict industries which are sure to perish if the present kind of warlike competition is permitted. Not very long ago, before this warlike competition was started by a friendly country exploiting a convention which gave it most favoured nation treatment, industries which are almost collapsing were the hives of a prosperous population.

Sir, the one question that faces India today is the question of growing unemployment and growing inefficiency of the Indian industries. There may be various causes for this inefficiency, but the most vital cause, Sir, is the decrease of profit and the inability to find a market for our own goods. When our manufacturers are not able to sell their goods at a profit, when they are not able to sell them without undergoing a loss, it is natural that the efficiency of our industries should be impaired, and the purpose of this legislation will be to discourage cheap labour and the dumping of showy articles on our markets and also the wasting of our capacity to buy abroad. If this dumping is permitted, the result will be that India's capacity to buy abroad will be reduced to such an extent that I do not know what will happen to our industries in future. Therefore, there cannot be any two opinions so far as the necessity of protecting the indigenous industries is concerned.

I believe, my friend, Mr. Das, did not mean it when he said that we must declare war on Japan. No, we are not declaring war on Japan. On the contrary, Japan has declared war on us; Japan had continuously exploited a convention which has got to be denounced. We are surely on the defensive

Mr. B. Das (Orissa Division: Non-Muhammadan): They declared war, and we have to declare war on them.

Mr. O. S. Ranga Iyer: We are purely on the defensive, and when the Commerce Member said that it would be necessary to denounce the convention, I am certain that he did not contemplate the declaration of a war. On the contrary, he might even contemplate the possibilities of exploring all avenues of coming to an understanding, if possible, with Japan and other competitors. (Hear, hear.) The greatest necessity today is to tell those who are adopting an unfriendly attitude, instead of a friendly attitude, who are adopting a policy the permitting of which would mean the destruction of our own industries, it is for us to show to them firmly and clearly that such a thing cannot be permitted, and then to open negotiations with them. This Bill will really be opening negotiations with an unfriendly competitor. I know, speaking from my own point of view, the point of view of my constituents, that they are very much affected by this dumping. I represent a large number of sugar districts in the United Provinces. Panic runs through these districts about the increasing reduction of the price of sugar candy coming from Japan. Again, in the district of Moradabad, in Bijnor, as my friend, Sir Muhammad Yakub, will be able to tell the House if he were to stand up and speak, there is great panic, because the window panes that come from Japan are being sold so low, almost it seems below the productive price, and unless and until this competition is put down, these industries will go out of existence.

Sir, there are various other aspects from which this question can be tackled. I have already mentioned the question of unemployment. There is then the instinct of self-defence. That instinct is paramount in every nation. In the dire and harrowing conditions which envelop our industries, it will not do to pose as a benevolent society for foreign ill-doers. Even if they were well-wishers, that policy will be little more than a tragic farce. The Government have been taking a fairly benevolent attitude in the past. Our rivals cannot be allowed to exploit that benevolence. Moreover, there can be no payment of wages and no employment for our people unless the product of the industry is marketable at a profit or, at any rate, as I stated, not at a loss. I suggest that the time has come when, if we leave the product of the industry any longer open to ruthless competition, we shall be forced to abandon the standard which we have built up.

Sir, I believe even the Congress opinion is in favour of this anti-dumping Bill. I have with me a quotation from a statement of Mr. C. Rajagopalachariar. Speaking of *Khaddar*, he said:

"The extra cost you are asked to pay is the unemployment dole that every nation must pay in one way or another. Japan taxes herself to dump cloth in India. The people of Japan prefer to tax themselves to permitting unemployment among their poor folk which they dread more than paying taxes. Japanese cloth does not drop from the heavens. They have no magic to produce cloth below cost price. The difference is paid for by taxes borne by the whole country. So also should we patriotically pay voluntary taxes to feed the poor village folk."

That is how he is arguing his case for protection against competitors of *Khadi*, both Indian and foreign, and when he was saying that, he was asking people to pay a large price for indigenous handloom products, if necessary.

[Mr. C. S. Ranga Iyer.]

I am anxious not to allow Japan to compete with the products of our cottage industries. Sir, India lives in cottages and in villages, and if this competition from outside is permitted, our cottage industries will go to the wall, for the cottage industrialist is incapable of competing with these cheap showy articles. The Congress people are familiar with what is known as peaceful picketing. During strikes we have peaceful pickets posted at the door of the factory to prevent black legs entering that factory, and I think the same process is being adopted under this Bill. We post, as it were, a peaceful picket in every port in this country so that cheaper labour than ours, longer hours of work and all these may not be encouraged and a false standard aided in any other country so that the true standard which we have set up may be lowered. It has been stated that this imposition of tariff which the Government will have the right to impose under this Bill will be a sort of sop to the industrialists. On the contrary, it is the only available method to bring more work to our own working people.

Much has been said, Sir, during the debate about a tariff war. Although we have been living in a State tariff war, as it were, for generations,—as Mr. Baldwin said: “we are shelled without being able to reply,”—we must have a right to retaliate, and that right is being taken under this Bill and will be used if necessary. On the contrary, if, after the passing of this Bill, Japan opens negotiations, it may not be necessary to retaliate provided Japan withdraws from the position that she has taken up at present. It has also been said that tariff can be used as a shelter for inefficiency. If the industrialists of India use this tariff as a shelter for inefficiency, they will be condemning the tariff itself, and as I have already said, we will be helping them on to inefficiency where efficiency ought to exist. Let not be said with the aid of tariff, it is being slowly sapped.

Sir, lastly, as I stated, we are not taking an offensive. Throughout the world today you have got high tariffs. Which is the country in the world which is free from high tariffs? I think India is only following the example of other nations in this particular matter. Speaking in the House of Commons, Mr. Walter Runciman, the President of the Board of Trade, pointed to a state of affairs in the world which has brought about the present condition which the Honourable the Commerce Member has finally decided to combat. My friend, Mr. S. C. Mitra, made an excellent suggestion that there should be an Advisory Import Duty Committee. The suggestion was a very excellent one, but it is extremely belated. Had the suggestion been made a year ago, we would have forced the hands of the Honourable the Commerce Member who would have come to us with this Bill six months earlier. As time is of the essence, I am afraid we cannot at present support that suggestion. Unfortunately, therefore, I hope even though he might have an academic discussion on this matter, he will not press his amendment to a division. I am confident he is not going to press it to a division. I said I would quote the passage from the statement of Mr. Runciman regarding this increase of tariffs which exist all over the world. He mentioned several countries—Austria, Egypt, Australia, Canada, the Union of South Africa, and so on. He did not mention at the time Japan, but Japan is one of those countries where

you have got the highest tariff wall and surely Japan cannot grudge if we also have a high tariff wall. He says:

"During the last few months of the year there has been an increase of customs duties in many countries and, what is worse, the establishment of import control in various forms. Importation into some of these countries is now subject to licence. In others it is limited by the quota system. I see no indication in any part of the world at the present moment of there being an automatic desire on the part of these foreign countries to lower their tariffs. But I do not despair."

and so on.

Therefore, what we are doing is exactly what other countries have already done and the Honourable the Commerce Member has come to us not a day too early. Therefore, I hope we will support this Bill, that its passage will be easy and smooth through this House, so that we may proclaim to the world with that voice of unanimity, in voice of thunder, that the Opposition and the Government are united where the encouragement of indigenous industries are concerned and that no foreign competitor, who wants to exploit convenient trading arrangements, will be permitted to bring about the ruin of industrial India. (Applause.)

U Kyaw Myint (Burma: Non-European): After mature consideration and exhaustive analysis, I have decided, perhaps to my Honourable friend, Mr. Mody's surprise, to support the Bill. It was only the other day that, after a process of prolonged thought, I came to the very sad conclusion that we are ruled politically by White Hall, intellectually by Madras and economically by Bombay. But when I imparted the news of this great discovery to Mr. Mody, instead of giving me any sympathy, he called me a fool for not having found it out two years ago.

I support this Bill for what I regretfully call provincial reasons. I have received a long telegram from Burma—from the principal hosiery manufacturer in Rangoon. I would not have taken it at its face value, but I know the gentleman personally and I have also had an opportunity of inspecting his works. I propose to read it out, with your permission:

"Cotton textiles include both woven and knitted cotton fabrics and when excise duty was in force it was levied on both. Weaving consists of two major operations, weaving and finishing, while knitting consists of knitting, finishing, cutting and sewing. This last section employs about fifty per cent. more labour, which fact has been seen and reported to Government by the Tariff Board. We are already in considerable difficulties and have been obliged to close one section of our factory and must close other sections in the near future. We respectfully submit Japanese dumping will prove ruinous not only to Indian industries, but also to Indian workmen. Indians, instead of wearing Indian cloth and hosiery, will be compelled to use Japanese goods of a like nature. Japan will thus gain a very firm footing in India, as also a very useful advertisement from users of Japanese hosiery and cloth. We therefore respectfully submit that firm and immediate steps are necessary to put an effective stop to unjustifiable dumping, by imposing one hundred per cent. duty immediately, as prayed for by Hosiery Manufacturers' Deputation. This will be nett benefit to India, to the Indian Government and to Indian labour. The labourer will obtain money from better class Indians who by wearing cotton cloth and hosiery will indirectly help the Indian labourer without feeling the burden. The labourer and manufacturer will spend money in India and will be circulating it in India and thus the country will not be the poorer. Any amount of help granted after delay will be entirely useless because then the manufacturer will have been financially ruined and his capacity for increased production gone, while the labourer will be ruined by indebtedness resulting from unemployment. Therefore, to render effective help to manufacturers and labour, one hundred per cent. protective duty must immediately be levied. Since Hosiery Manufacturers' Association waited on the Honourable the Commerce Member on 26th February, prices in Japan have been reduced by ten per cent. with prospects of still further reduction."

[U Kyaw Myint.]

It is from the point of view of the labourer that I have analysed the Bill, and I support this Bill only because it is obviously an emergency measure. We can only hope that gentlemen like Mr. Mody will not take advantage of this emergency to dip their hands further into our pockets.

Mr. N. M. Joshi (Nominated Non-Official): As this subject was discussed recently in the Assembly, I do not wish to make a long speech and I shall content myself with a very brief statement of my views on this subject. There is no doubt at all that some kind of action and some measures are necessary to prevent the evil results of the dumping that has been going on in our country, but I feel that the method of preventing this dumping and the manner of doing so requires very careful consideration.

In the first place, the Bill, introduced by the Honourable the Commerce Member, very rightly proposes that before any action is taken, there should be an inquiry made by Government. In this connection, I would like to suggest that not only this inquiry should be a thorough one, but that the inquiry should not be confined to one country. I had made that suggestion in my speech when speaking on this subject on the previous occasion, that when we talk of dumping by Japan and her depreciated currency or the bad labour conditions in Japan and several other things, it is much better that we should get first-hand knowledge of those conditions. When I spoke last about this, my Honourable friend, Mr. James, said that there was the report published on the labour conditions in Japan by the International Labour Office. Surely, Sir, the report published by that office, which only deals with general conditions, cannot be sufficient in order to compare conditions in India and in Japan. It is much better, therefore, that an inquiry should be undertaken to find out what are the factors which enable Japan to dump her goods on India. Yesterday my Honourable friend, Mr. Das, and, I think, also Mr. Mitra said that Japan beats our goods not only on account of bad conditions of labour or on account of depreciated currency, but because Japan has got a better organization and a greater degree of efficiency. I have absolutely no doubt in my mind from what I have read about Japan and her industries that the Japanese industries are a hundred times better organized than our industries are, and it may be one of the factors which enable Japan to compete with us. I feel, therefore, that there should be an inquiry made not only into one country, but into all those countries at whose hands we suffer from dumping. We talk of labour conditions in Japan and my friend, Mr. Mody, recently said in a speech that on account of certain legislation brought forward by the Government of India, a burden has been thrown upon the industry in India. He wanted to hint that on account of the legislation which the Government brought forward, such a burden was thrown on the industry that they could not compete with Japan. Now, the only legislation which to my mind has been introduced by Government which throws any slight burden upon the industry is the workmen's compensation legislation. The Bill has not yet passed. Therefore, if our millowners find it difficult or if our other industries find it difficult to compete with Japan, it is certainly not due to the Bill, which is only in the form of a Bill today and which has not yet thrown any burden on the industry yet. Moreover, what will be the burden about which Mr. Mody was talking? The Workmen's Compensation Bill, introduced by Government, will not throw upon the textile industry in Bombay, say, more

than a burden of Rs. 10,000 to Rs. 15,000 a year—a burden which is certainly not greater than perhaps the bill which the mill-owners of Bombay may be paying for bridge stakes or for drinks. (Hear, hear.) Then, Mr. Mody referred to another Bill which Government propose to introduce and he wanted to create an impression in the minds of the Government and to frighten the Government by saying that the Bill which is to come will be such a dreadful Bill that the industry has already begun to suffer from now merely on account of hearing of the introduction of that Bill! Now, that Bill is the Factory Amendment Bill. In this connection, Mr. Mody has given a warning to the Government that he will not agree to the hours of labour being reduced. Now, I do not wish to go into this question of the hours of work, but I would point out to my Honourable friend, Mr. Mody, as I pointed out on the last occasion that in America—a very advanced country where industrial thought has advanced—the Government are now insisting upon a 30 hours week in all the industries of the country, and my friend, Mr. Mody, here insists that the hours should be longer; and when Government are thinking of reducing the hours, he says the hours should not be reduced.

Mr. H. P. Mody (Bombay Millowners' Association: Indian Commerce): Don't you think we might discuss that a little later?

Mr. J. Ramsay Scott (United Provinces: European): Do you want the cotton wages reduced too?

Sir Muhammad Yakub (Rohilkund and Kurmaon Divisions: Muhammadan Rural): We have got to finish the work today!

Mr. N. M. Joshi: I am quite prepared to measure the length of my speeches with the length of the speeches of the Honourable Member from Moradabad.

Sir Muhammad Yakub: By all means do it.

Mr. S. G. Jog (Berar Representative): Measure the depth of your speeches, not the length.

Mr. N. M. Joshi: I would be quite ready to debate the subject on the basis suggested by my Honourable friend, Mr. Jog. Mr. President, my point is this, that the labour legislation, which the Government have so far brought forward, really throws very little burden upon the industry, and in some cases if the Government introduce legislation for the reduction of hours, it is a kind of legislation which several countries have now introduced as a measure against the present depression.

Sir Leslie Hudson (Bombay: European): Has Japan?

Mr. N. M. Joshi: As regards Japan, the Japanese hours of work are certainly not longer than our hours of work. When we talk of the welfare of labour in Japan, please remember, Sir, that in Japan the labour has got a health insurance law. Will you agree to have a health insurance law in your country? If not, what is the use of comparing Japanese labour conditions and ours? Japan has got a much better Workmen's Compensation law. I, therefore, suggest, Mr. President, that there

[Mr. N. M. Joshi.]

should be a thorough inquiry into these matters before we allow the impression to be created in the country that it is bad Japanese labour conditions that enable Japan to compete with us and beat us in competition.

Mr. J. Ramsay Scott: What about wages?

Mr. N. M. Joshi: If my Honourable friend wants to go into wages, I am quite prepared to go into the question of Japanese wages. I am quite sure that Japanese wages are not smaller than our wages.

Sir Hari Singh Gour (Central Provinces Hindi Divisions: Non-Muhamadan): They are.

Mr. N. M. Joshi: I am quite prepared to go into all those details at some other time. I suggested also last time, Mr. President, that the Government of India should have an industrial census. Let us have proper figures, and for that reason I also suggested that the Government of India should introduce a Bill compelling people to provide statistics. This Bill is now overdue. I wish to go a step further and say this. My Honourable friend, Mr. Mitra, proposes that Government should appoint an Advisory Committee to advise the Government on this question, but I would ask one question. The Government of India, some two or three years ago, brought out to this country at their own expense an expert from the League of Nations and that expert advised the Government of India to establish an Economic Council. I want to know from the Government of India as to what they have done in regard to that suggestion. If there is any proper time and suitable time for the establishment of such an Economic Council, it is this time and, therefore, Government should not plead any excuse of want of money for the establishment of that Council. You are taking to yourself very vast and extraordinary powers. Is it not better that you should be properly advised on economic matters by a body of experts? I, therefore, make the appeal, Sir, that the Government of India should not now lose any time for the establishment of an Economic Council. It is a body which will be extremely useful and if you ask my opinion, Mr. President, I would say that such a body will be more useful than a committee of the Legislative Assembly.

Then, Sir, there is one small suggestion which I want to make as regards this inquiry to Government. The Bill proposes that the Government of India should make an inquiry. I want to know whether the Government of India propose to publish the results of this inquiry, otherwise, how is this Legislature going to judge whether the Government came to a right conclusion after their inquiry or not? I, therefore, suggest to Government that it is not enough that they should make an inquiry, but they should publish a report on the inquiry which they would make, so that the House will be able to judge the facts which the report will bring out. Then, Mr. President, Government have selected the method of raising tariffs for preventing dumping. My own view in this matter is that tariff is not really a proper method of dealing with this question at all. My friend, Mr. Ranga Iyer, said that all countries have now raised very high tariff walls. It is true, but have they succeeded in developing their industries on account of the higher tariff? Take the United States of America which has the highest tariff wall. Even she

is suffering from the greatest amount of unemployment today. Therefore, a mere tariff wall is not a sure remedy for the evils from which you are suffering. Then there is another grave defect in this method of tariffs. If you once levy a tariff even for preventing dumping, the Government will get revenue. And when a Government gets revenue so easily, it will also be tempted to retain that revenue. You may call this measure an emergency measure, but it is likely to last much longer than we may imagine. As a matter of fact, England had a measure for safeguarding the industries, and the safeguarding there has now been going on for so many years. The same thing will happen with your anti-dumping legislation. You may talk of that legislation being a very temporary one and an emergency one, but it has a tendency to persist and it will persist. But my gravest objection to a measure of this kind is that this is a method of war. My Honourable friend, Mr. Ranga Iyer, said that we shall retaliate and we must have a tariff wall if Japan wants it.

Mr. C. S. Ranga Iyer: I said we are purely on our defence. We are on the defensive. If somebody declares war on you, surely you won't submit to that war. But I said, though we have the right of retaliation, we are purely on the defensive and, if we pass this measure, it is with a view to negotiation.

Mr. N. M. Joshi: Well, Sir, my point is this, that this is a method of war. Japan may have declared war; I am not suggesting that Japan has not declared war, but it remains to be seen whether she has actually done so or not. What I do maintain is that this method of tariff is a method of war and, therefore, we should try to avoid it, because war is a speculation and a gamble. We may succeed or we may not succeed. Therefore, it is much better that we should, as far as possible, when we try to deal with a measure of this kind, avoid a measure which will lead to bad blood and also to a disaster. I am not suggesting that Japan has really gone on war with us. We should not take immediate measure at all. What I am saying is that this method may not ultimately succeed and may lead to worse results. I, therefore, think that, on the whole, if we have to protect our industries, the method is not a method of war. The method we should adopt is that of International co-operation. In this connection, I had also made a suggestion on the previous occasion. You will remember, Sir, that in 1929 both you and myself were at Geneva and, in that year, I moved a Resolution in the International Labour Conference suggesting that there should be an All-Asia Labour Conference to consider the problems that arise in Asiatic countries. That Resolution has now been passed and the International Labour Office is very anxious that there should be a Conference of Asiatic countries to deal with labour problems of those countries. I am not suggesting that that Conference should be held today. It cannot be held so long as Japan and China choose to fight with each other. But what I say is this: here is a measure which is likely to lead to some proper understanding between the Asiatic countries on at least one question, namely, the labour question, and Government should investigate such questions and resort to those methods more than the method of raising tariff walls. Mr. President, I do not wish to go into any more of the details, but so far as my own views are concerned, for the present I am prepared to support this Bill.

Sir Hari Singh Gour: Sir, I should like to add a few words on the motion of my Honourable friend, the Member for Commerce. I heartily congratulate him upon taking the action which he proposes to do for the safeguarding and protection of Indian industries. His action is wise, though belated, but nevertheless it is a wise action, because the Indian industries are in sore straits and require protection. Honourable Members on both sides have referred to dumping by Japan. There can be no doubt whatever that the inflated currency of Japan has contributed to the dumping of her products, not only in India, but in other Asiatic and European countries. In giving my support to this motion, therefore, I wish at the same time to point out to my Bombay friends represented by Mr. Mody in this House that whatever assistance the State might give to the struggling industries in this country, it would not serve as a panacea for the depression and evil to which they are subject. Japan's paramount position in the industrial world at the present day is due to several causes, one of them undoubtedly at the present moment is dumping. But before she started dumping, she had ultimate State control over all industries. Mikado is the father of the people and his Government take truly paternal interest in the initiation, growth and developing of its national industries. If these industries were in a state of struggle, the Government immediately came to their rescue with expert advice, and banks proffered additional capital and financial aid on easy terms till they were rehabilitated. My friend, Mr. Thampan, whispers from behind: why should not the State in this country act likewise? It is for the purpose of drawing attention of the Honourable Member and his colleagues on the Treasury Benches that I am recapitulating some of the facts which have made Japan a great industrial nation she has become.

If the industries, factories and mills in Japan were found to be inefficient, the State immediately took control of them and for a period of 13 years some of these mills were run by the State and then made over again to the concerns, giving them such expert advice as sufficed to make them a profit earning concern. The second thing that Japan has been doing since the inauguration of her policy of industrialising the nation has been ruthless protection. Honourable Members are perhaps not aware to what extent the policy of protection has been applied in Japan. Japan classifies all industries into 12 Ncon. present and future to be developed in the near and in the remote future, and if Japan finds, on expert advice, that a certain industry has a chance of development in the country, the first thing that Japan does is to place a very prohibitive import duty. The import duty in Japan rises up to about 350 per cent.—a truly appalling figure.—and in certain very exceptional cases where Japan has a monopolist interest, the State for example having a monopoly of tobacco like France, the import duty reaches the maximum and is regulated from time to time. But apart from protection and the manipulation of the currency, the two great factors which have contributed to the pre-eminence of Japan are her policy of mass education. The system of education in Japan produces the least waste in the product of her educational system. From the age of six right up to the age of 21, the State watches over the progress of the alumni of the primary, secondary and higher schools and advises parents to drive their children into channels into which they would be of the greatest service to themselves and to the State; and so, by the diversion of talent into the various fields in which there is room for

display of talent, Japan is able to man her industries by operatives and workers who have a real aptitude for the work they are called upon to do. The third thing that Japan has been doing is what is popularly known as rationalisation of her industry. Rationalisation of her industries comprises the most economic system of buying, production and distribution of her products. As everybody knows, the raw produce is purchased by huge corporations at the minimum of profit to the corporations concerned. They are carried in Japanese ships and are distributed to the various industries at a very economic rate. And there is a vast network of distributing organisations for the purpose of selling the goods which are turned out by the factories.

The last factor to which I would advert is the efficiency of Japanese labour. My Honourable friend, Mr. Joshi, in his speech today and on a previous occasion, has been reiterating a statement that the Japanese labourer is dearer than the Bombay labourer. In one sense he is, in the other sense he is not. The fact is that the efficiency of the Japanese operative is at least two or three times greater than the efficiency of the Indian mill operative, and the reason is simple. In all the factories that I visited, the operatives are all girls from the age of 16 to about 22 or 23. They get an average of about one yen and 50 sens. At the present rate it is very much less, but at the ordinary rate it would be about Rs. 1-8-0 or Rs. 2. But when they were getting that amount, they were in charge of from 12 to 20 automatic looms. And in large halls, about ten times the size of this Assembly building, you would hardly see more than a dozen or two dozen girls working. I was somewhat surprised at the paucity of the number, because in the Indian mills it appears as if a public meeting is being held automatically inside the factory. I asked the Director and he explained to me that the difference between Indian and Lancashire and Japanese mills was that the Japanese mill operative attended from 12 to 20 automatic looms whereas in Bombay, my friend, Mr. Mody, will correct me, the operative only looks after two and, only recently, in Lancashire. I believe, they are now looking after six looms where they used to look after three. So that if you take into consideration the outturn every day in comparison with the price paid to operatives, the Japanese labourer is very much cheaper, much cheaper than the Indian labourer and cheaper certainly than the Lancashire labourer. Only about two or three days ago, I was reading in a newspaper the report of a speech delivered by an expert in Manchester and he said that the difference in the wages between the Lancashire operative and the Japanese operative ran to about 10 or 15 times. I am not going to make any comparison between the wages of the Bombay operative and the Japanese operative, but if I look at the question from the standpoint of the outturn, I submit I should be on safe ground if I said that on the whole the Japanese operative is about two or three times cheaper than the Bombay operative, and the reason for it is that the Japanese nation is a well-disciplined nation like the German nation before the war. There is compulsory military service and consequently there is a strict sense of discipline. Added to it their abundant patriotism makes them do work which the Bombay mill operative can never hope to do unless he is equally inspired by a patriotic feeling to compete with all comers for the glory and greatness of the nation. But, on the other hand, it is a lamentable fact that the Bombay operative very frequently goes on *hartals* or runs away to his agricultural farm when the rainy season comes on and the result, therefore, is that there is a break in the working of the mills or of the factories. If there were that

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continuous work and that sustained effort to produce goods as they do in Japan, the efficiency of the Indian mills would be doubled, if not trebled.

Now, Sir, that brings me to the other point that I was going to make. My friend, Mr. Joshi, as the representative of labour, has drawn the attention of the House to various factors, but the question upon which I should like to draw the attention of the Honourable the Commerce Member is this. By the import duties, that you are going to levy, a large sum of money would accrue to the coffers of the State. Should not a considerable portion of this money be utilised for the education and improvement of labour conditions in the mills and factories in India? It should not go into the general revenues, but must be utilised for the purpose of developing and improving the nascent industries of the country and for the purpose of giving education to the labourers and their children and improving their social amenities. If the money is spent in this direction, it would in a very short time show a result in that the labourer would improve in efficiency. He would make more of a sustained effort and it would require less and less of the machinery of protection to sustain the industrial life in this country. I think, Sir, it was in one of the speeches delivered by an English literary man to a Scottish University as Rector that he made a pregnant statement that an educated cobbler is better than an uneducated one, and I beg to submit that an educated labourer is much better and more efficient than an uneducated one. The quality of his work is improved and, with the improvement of the quality of work, the price of the product will also go up.

Now, Sir, reference has been made in passing to the increased cost that this tax would involve to the consumer and my friend, on the other side, Mr. Joshi, or some other Members also referred to the fact, that, while we are quite prepared to bear the increasing cost for the purpose of preventing dumping, we must not be oblivious of the fact that this should not be a permanent burden upon the consumers in this country, and, therefore, side by side with protection which industries are to be given, action must be taken by the Government to see that the duration of protection is as short as possible.

Sir, before I sit down, I cannot help giving a warning to the representatives of the mill industry in Bombay. The mill industry in Bombay, so far as I have been able to gather, is yet carrying on its old traditional antiquated ways. You have the wasteful system of managing agencies. You have commissions on buying and selling. You have the great Seth sitting at home employing his nephews and his grand-nephews as managing directors and this system of patronage is eating into the very vitals of the industries of this country. If there is to be efficiency, it must be on the basis of the survival of the fittest and the industries, sheltered though they are by the tariff wall, they must not forget that they have a great duty towards the Government and the people by setting their own house in order. My Honourable friend, Mr. Joshi, said that there should be an enquiry. It should be made through Government, but I submit that the people who should really make an enquiry and profit by it are not the Government, but the mills themselves, and they should send out their industrial representatives to study the industry in Japan and profit by it. An official enquiry will be a second-hand enquiry and if there is to be any result, there should be a direct enquiry and not by persons who are not directly connected with the enterprise, but by persons who

have staked their capital in the venture, and they are the best persons to go and see for themselves as to how they can improve their industries. My friends know how such industrial missions from Japan and other countries have gone to all parts of the world to study what is called market conditions, and incidentally they study also not only the market conditions, but also the general conditions as to how their own home produce might be marketed with advantage in other countries.

Sir Cowasji Jehangir (Bombay City: Non-Muhammadan Urban): Will he give us a letter to the Government of Japan?

Sir Hari Singh Gour: My friend is asking a question. If he comes to me and makes that request, the answer will be in the affirmative. Sir, one more word and I have done. My friends belonging to the mill industries are apt too often to consider that if they do not make money, and I am speaking of large joint-stock companies, not of the struggling cottage industries which deserve every protection, in these large capitalised industries, as soon as anything goes wrong, they seem to think that the first thing they should do is to take a bee-line to Simla or Delhi. I think, Sir, that the proper thing is to take a bee-line to the country which is competing with them and then they will be able to see for themselves that whatever may be the assistance they get from the State, it will never suffice to rehabilitate their industries, unless they are able to compete with them upon even terms.

Mr. Muhammad Muazzam Sahib Bahadur (North Madras: Muhammadan): Sir, I entirely agree with my friends, Mr. Ranga Iyer and Sir Hari Singh Gour, that this Bill has been long overdue. Sir, Mr. B. Das, speaking of Japan, told the House that Japan had taken an attitude which it should not have taken towards India, and my friend, Mr. Mitra, controverted that statement and I entirely agree with Mr. Mitra that if a country develops her industries, no other country can have anything to say against it. If we are not in a position to develop our industries, if we are not in a position to stave off competition from foreign countries, it is our own fault, and it is up to us to remedy the defects which we may find, although at the present moment this is a matter which has come into being by a combination of factors, amongst which, so far as Japan is concerned, I might mention cheap labour, inflated currencies, bounties, reduced freight rates and last, but not least, efficient organisation. Sir, it is no doubt a fact that we are at the present moment in very abnormal conditions, conditions which may last some years; at least for another year or two, and if the Government at this stage come forward to afford protection to indigenous industries, to the industries carried on in India, with a view not only to safeguarding the interests of these industries, but with the object of keeping them alive, when they find that the very existence of these Indian industries is at stake, if the Government have come forward with this very beneficial measure and the object of the measure is to arm the Executive with powers to act when they feel it necessary, I think, Sir, that such a power conferred upon the Executive by the Legislature in the abnormal conditions through which we are passing is one which is pre-eminently necessary; and, in this connection, I might at once say that I do not consider the formation of any Advisory Committee of seven or nine as essential to the carrying out of the provisions of this Bill. As all Honourable Members know, there is already

[Mr. Muhammad Muazzam Sahib Bahadur.]

an Advisory Committee attached to the Department of Commerce, but unfortunately for that Committee it has not been called upon to act. As a matter of fact—I may be corrected if I am wrong—I think that throughout the whole of last year there was not one meeting of that Committee. At the initial stages, it will be necessary not only to come to some decision with regard to any particular industry, but with regard to more than one industry. As a matter of fact, at the initial stage it will be necessary to take a comprehensive view of such industries as need protection merely for the reason that otherwise they would be effaced. If that is the position to start with, then I think that that Committee may be called upon to co-operate and offer its advice and opinion to the Executive, so that effective action might be taken by the Executive. In the matter of affording protection, as my friend, Sir Hari Singh Gour, pointed out, protection ought always to be temporary. In this case it is temporary: under this Bill, power is to be conferred on the Governor General to act until the 1st April, 1935, that is, for about two years; and the question, as very eloquently put forward by Sir Hari Singh Gour, was that when you afford protection to home industries, it is your duty to see that the protection does not extend over unreasonably long periods as a result of which the public and the ordinary citizen may have to suffer in that he is called upon to pay a higher price for his daily necessities. Such a condition in the present case, however, does not arise. What we are called upon to do is to confer such powers on the Governor General as may enable the Executive to act whenever necessary within the space of the next two years; and I am glad that, instead of coming forward with piecemeal legislation dealing with one particular subject, the Government have thought it fit to come forward with a very comprehensive Bill, a Bill which comprises every industry that may stand in need of protection. And another feature of this Bill is that it affords protection, not only to the manufacturing industries, but also to the agricultural industries, because I find in clause 2 of the Bill that both produce and manufactures are to be protected: so that the manufacturers of sugar candy, for instance, and the producers of wheat,—all these would benefit as coming under the category of indigenous industries. The notification, which the Governor General would be empowered to issue under the provisions of this Bill, will require the approval of both the Houses of the Legislature, and it is provided that if it is not approved within two months after it is laid before the two Houses, *ipso facto* the notification will be of no effect. I think that is another commendable feature of the Bill: so that looking at it from every point of view, I give my whole-hearted support to this measure and I think we will be in a position to pass this measure without any opposition.

Mr. A. H. Ghuznavi (Dacca *cum* Mymensingh: Muhammadan Rural): Mr. President, that this piece of legislation has been dictated by my friends, the Bombay millowners, I have no doubt. My Honourable friend, Mr. Mitra, yesterday gave us how it was originally started. He said it was on the 23rd January, that notice of a Resolution was given by my Honourable friend, Mr. Mody, followed up by my Honourable friend, Sir Leslie Hudson, who is also from Bombay, and followed again by the European Group of which he is the Leader; and on the 4th March, he said, there was an unholy alliance between my Honourable friends from Bombay and the European Group. I feel that this legislation will not help the smaller

industries, and that the smaller industries will still continue to suffer. I think it will only benefit the Bombay millowners and put further money into their pockets. But Government have decided to support Bombay and so **the Bill will be passed in spite of whatever we may say.**

My Honourable friend, Sir Cowasji Jehangir, the other day, on the 20th March, made a remark on the floor of the House that he was looking to the gallery to see whether there was any Japanese present there and that, when he found that there were no Japanese in the gallery, he was sure **that I will sit down in five minutes.** Well, Sir, it is only Members like my Honourable friend, Sir Cowasji Jehangir, who could have made this utterance. Let me see today if there is any Japanese present today or if there is any Marwari present

Mr. Gaya Prasad Singh (Muzaffarpur *cum* Champaran: Non-Muhammadan): Is it in order, Sir, to refer to the gallery on the floor of this House?

Mr. A. H. Ghuznavi: I would have inflicted upon him a speech today which I would have continued for two or three days . . .

Sir Cowasji Jehangir: I will withdraw the remark. (Laughter.)

Mr. A. H. Ghuznavi: I will sit down then in five minutes. Now, what about the consumers? What about the merchants? Many of us have received telegrams from merchants and, with your permission, Sir, I will read these telegrams. What about the existing contracts? This is the telegram from the Honorary Secretary of the Marwari Chamber of Commerce

Mr. S. O. Mitra (Chittagong and Rajshahi Divisions: Non-Muhammadan Rural): We also have received telegrams.

Mr. A. H. Ghuznavi: The telegram says:

"Marwari Chamber of Commerce, Calcutta, apprehends that Government is contemplating further increase in duties on imported piece goods as a measure to check dumping from countries with depreciated currency. Should the Government reach at such a conclusion my Chamber strongly request to exempt goods of existing contracts from such impositions which if insisted upon will prove the last straw for the merchants to break the camel's back."

With your permission, Sir, I want to lay this telegram on the table.

Then, Sir, there is another telegram in continuation of the previous telegram, and that reads as follows:

"Referring previous telegram Marwari Chamber of Commerce, Calcutta, is greatly alarmed at the press report of Government thinking of imposing additional duties leviable under Tariff Act as an emergency measure safeguarding industry. In recording our emphatic protest, my Committee desire me to reiterate that should the measure be adopted the most serious sufferers will be merchants. Sudden and frequent changes in fiscal policy calculate nothing less than penalising merchants for safeguarding industrialists at this critical juncture when purchasing power of poor consumer is very low as admitted by Finance Member. Secondly under section 10 of Tariff Act all enhancements in tariff on existing contracts are to be borne by merchants. Safeguarding merchants' interests equally incumbent upon Government. Capital investments of the merchants at stake is many times more than investments of industrialists. My committee find no reason why merchants interest overlooked. My committee strongly request to exempt existing contracts and earn the gratitude of merchants who are constantly facing heavy losses for so many years. If duty on existing contracts insisted upon the merchants in the opinion of my Chamber will be ruined."

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Now, here is the third telegram from the Indian Importers Association, and this is what they say :

“ Indian Importers Association strongly protests against any intention of Government for further enhancement of import duty on cotton piecegoods under the Safeguarding of the Industries Act (P), 1933. My Association urges Government to launch an inquiry into the present deplorable position of piecegoods trade in India of any country of origin which is extremely demolished owing to the severe fall in the purchasing power of poor consumers who have to sell the produce of their labour at too low prices and cannot consequently afford to buy anything at existing rates whatever enhancement of duty is calculated to fall entirely on the importers' shoulders. My Association earnestly appeals Government to at least exempt the existing contracts and those already made as otherwise the import trade of Calcutta port will be totally crushed. My Association fully supports views of Marwari Chamber of Commerce.”

Now, Sir, this was followed up by a letter, and I will only read the last paragraph of it, with your permission :

“ It is now admitted and well established that the fall in the purchasing power of the masses has been very sharp since 1929-30. There has also been a steady fall in the prices of the staple products in India, whereas the income of the average consumer shows no sign of improvement. In addition to these, to the dismay of the consumer, every year he is saddled with the burden of enhanced duties. The result is obvious, as substantiated by the recent increase on artificial silk. From 50 per cent. existing duties on artificial silk, it was raised to about 130 to 150 per cent., as a result of which the market prices appreciated only by 5 per cent. for a short time, but readily reached the original level or in some cases below the same. The merchants, therefore, are out of pocket to the extent of the difference between the rise in the duty and the rise in the internal prices, which for some time past is nil.

The situation has become more disastrous in view of the fact that the new duties are imposed on the existing contracts without sufficient previous notice to the merchants, who have to bear all enhancement of duty on the forward contracts, as per section 10 of the Tariff Act. The sudden and frequent changes in the fiscal policy calculate nothing less than penalise the merchants, though the capital investments of the merchants throughout India is many times more than the investments of a few but clamorous industrialists. In view of this, in case due notice cannot be given to the merchants previously, sheer equity and justice demand that the existing contracts entered into, before any duty is levied, should be exempted from these impositions. But, apart from the heavy losses that the merchants have been constantly undergoing for the last so many years, if these fresh heavy duties are imposed on the existing contracts even, it would certainly, in the opinion of my committee, prove the last straw on the camel's back. My Committee, therefore, hope that in the interest of a huge community of merchants, you will be pleased to take such steps as to get the existing contracts exempted from fresh impositions.”

I hope, Sir, the Honourable the Commerce Member will take into consideration the claims of the merchants and also the interest of the consumers who should not be penalised and that the existing contracts of the merchants will be protected.

My Honourable friend, Mr. B. Das, made a very savage attack on the Japanese yesterday. Why? Because the Japanese have proved their efficiency, they sell their goods throughout the world at competitive prices. This has been their sin, for which my friend made a ferocious attack. . . .

Mr. B. Das: My attack was levelled against the aggression of Japan over China. How can I shew friendship to Japan?

Mr. A. H. Ghuznavi: That has nothing to do with what they are doing in India. You will remember, Sir, that in 1930, when you were sitting on the Opposition Benches, with your esteemed Leader, Pandit Madan Mohan Malaviya, the unfortunate Cotton Textile Industries (Protection) Bill was before the House. I warn the Honourable the Commerce Member that

whenever he thinks of giving protection, he should read carefully and go through the debates of the year 1930. If that Protection Bill was not forced on this House against the will of this House, Sir, today things would have been different in India. Lord Irwin, in November, 1929, made the great Declaration of a Round Table Conference which rallied round almost the whole of India to his side. On that fateful day in 1929, I mean the 24th of December, when Lord Irwin's special train, while he was coming to meet Mr. Gandhi and other leaders, was bombed, but was providentially saved, when on that day he met Mr. Gandhi and he had refused the olive branch, the rest of India was against Mr. Gandhi since that date, and but for the rushing through of that Bill,—and Pandit Malaviya said so in so many words to every one of us, he would have taken up the battle and fought against the civil disobedience movement, but his heart broke when Government refused to give him a hearing at the instance of my friends, the watchdogs of the Bombay industrialists. They had the greatest fighter in Mr. Jinnah whom they had briefed for a particular purpose, and while the Government, at one time, on the 31st March, were willing to consider to a certain extent Pandit Malaviya's amendment, Mr. Jinnah, on their behalf, misled the Leader of the House, and the result was that he refused to consider the amendment. Sir, it resulted in acts of civil disobedience which has put the whole of India into chaos. Then, Sir, what is the result? Our Bombay friends started the civil disobedience movement. It is they, the Ahmedabad mills and the Bombay mills, which put the money into the pockets of Mr. Gandhi to carry on the civil disobedience movement, thanks to the Treasury Benches for giving them the profit, the additional money they wanted to put into the pockets of Mr. Gandhi to carry on the civil disobedience movement. I hope the Commerce Member, whenever he tries to please Bombay and Bombay, will not forget that he has another duty to perform, and that is to look to the consumers and to the merchants, and not to blindly follow our Bombay watchdogs who day and night go to him with their beggar's bowl.

Mr. Gaya Prasad Singh: Sir, I would heartily welcome any measure which has for its object the protection and safeguarding of the national industries of this country. But there are just one or two circumstances surrounding the inception of this measure which makes a cloud of suspicion across my mind, and nobody would be better pleased than myself if that cloud of suspicion is dissipated. It has been stated that my Honourable friend, Sir Leslie Hudson, gave notice of a Resolution couched in identical terms with the Resolution of which notice was given by my Honourable friend, Mr. Mody. I should like to know what point of connection there is between the interests of the representatives of foreign import and commerce in this country and the manufacturers of Indian industries.

The Honourable Sir Joseph Bhoré (Member for Commerce and Railways): May I interrupt my Honourable friend for one moment. I should like to assure him that the Government began consideration of this measure long before they had received any notice of any motion or Resolution in this House.

Mr. Gaya Prasad Singh: I am quite satisfied with the reply of the Honourable the Commerce Member, and I congratulate him heartily on taking into his hands a measure which does not owe its inception to the initiative of the representatives of the European Group. It was in this

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view of the matter that I had tabled one or two amendments which have the effect of giving protection only to Indian owned industries.

Mr. F. E. James (Madras: European): May I be permitted to make one slight observation? Of course there has been some misunderstanding as a result of the rather charming by-play of humour on the part of my friend, Mr. S. C. Mitra. The Resolution, which is referred to as having been given notice of by Mr. Mody and by certain members of my own Group, referred specifically and exclusively to the protection of indigenous industries and I should like to make that clear.

Mr. Gaya Prasad Singh: I should like to know from Mr. James how he is interested in the protection of the indigenous industries of this country, or, for the matter of that, the other members of the European Group; or is it as a matter of vicarious sympathy for the industries of this country which have been strangled in the early days by his ancestors? I have no quarrel with him now. However, Sir, I am glad that my friends of the European Group have joined hands with the millowners of Bombay in trying to give the much-needed protection to the genuinely indigenous industries of this country. There is one little doubt which still lingers in my mind. Suppose we give protection to a particular Indian industry by raising the tariff wall. What prevents a foreign manufacturer from coming and establishing himself in this country and getting the advantage of the protection under the shade of the tariff wall?

Now, for instance, there is a glass manufacture in this country, in Satara and other places. Suppose we decide to raise the tariff on the import of foreign glass products. Now, if a representative of a foreign firm comes and establishes himself in this country, what is there to prevent that firm from getting advantage of the protective duties which we have imposed on the import of the foreign products. That is a point which should be carefully looked into, and I will ask my Honourable friend, the Commerce Member, to give some sort of assurance on that point. I may not move my amendment. It may not be quite suitable or it may not quite answer the purpose which I have in view. Plainly speaking, I have placed before the Government and the House the doubts which I still entertain on the subject.

My Honourable friend, Mr. B. Das, has made a very violent onslaught on Japan. It is as violent as the onslaught of Japan on the Chinese territory, only it has had very little effect. My friend has been castigating Japan for having invaded China. I should like to see him finding fault with England for having conquered this country and keeping it in subjection for more than a century and a half. My friend whispers that he did so in his early youth. It appears that years of discretion have dawned on him only recently perhaps. History shows how England forced her goods down on India. On a former occasion I quoted from some of the historical accounts showing the way in which legislation was actually undertaken in England prohibiting altogether the import of Dacca Muslin and other finished goods from India into England. I do not find fault with her for trying to dump her cheap goods into India. We must also be on our protection. What Japan does now, England herself did in the early ages.

There is only one point in this connection which I should like to mention, and it is this that, if we pass this measure, we must guard ourselves that no unfair competition arises between the indigenous industry in India and the foreign products which might come either from England or from the representatives of foreign firms which might establish themselves in this country, in which case the millowners of Bombay will rue the day when they waxed eloquent over this measure. I can only give expression to an apprehension which I entertain on the matter, and nobody would be better pleased than myself if I could be reassured on that point, because, in trying to get away from competition with Japan, our industries might get entangled in a competition with England or other countries. In this connection I should also like to know how it has been possible for Japan to force down her goods on India at such a specially low rate and why our industries have not been able to stand competition from Japan or other countries. I hope, Sir, it is not due to the inefficiency of our industries. If it is, the representatives of the mill industry in this country should look closer into the matter and see how they can get the best results out of their endeavours. Sir, in order that my millowner friends should be absolutely sincere in this matter, they must try to genuinely love the product of their own mills. For instance, they must appear in the cloth woven in their own factories and in their own mills. Some of the representatives of the mills in this country are in the habit of distinguishing themselves in foreign cloth. (Laughter.)

Mr. B. Das: Sir, can my friend ask the millowners' representative present here as to what texture of mill cloth he is dressed in—whether of their own material or of some material purchased in Paris or Bond Street, London?

Mr. Gaya Prasad Singh: Sir, by putting on foreign cloth, the representatives of the mill industry in India are proclaiming the superiority of the foreign manufactures over their own finished products, and I would strongly deprecate the continuance of that practice. I quite agree with the very wholesome advice which was given by my revered Leader, Sir Hari Singh Gour, to the representatives of the mill industry in this country. He said that instead of going on a pilgrimage to Simla or Delhi for protection, my friends should send a mission to Japan or other countries, with whom they are on competitive terms, to study the situation. I quite agree with that view, Sir; and I would go further and say that no sort of pilgrimage should be undertaken, either political or economic, to that quarter. We must try to stand on our own legs and improve our methods.

Sir, this Bill confers wide powers on the Executive. I do not grudge that. The wide powers are hedged round with the condition that the Resolutions passed by the two Houses should have a binding effect on the decision of the Government in this matter. Sir, even the constitutional reforms that are coming—continuing my arguments about the way in which we should guard ourselves against the importation of English goods or other goods into India,—I am afraid, fall very far short of giving us any real power in that direction, and I would earnestly request my friend, the Commerce Member, to see that no sort of adverse influence is allowed to come into play to affect our industries in this country. In this connection I would refer to the latest pronouncement of Sir Samuel Hoare in the House of Commons in which he said, referring to the Indian Delegation

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to the Joint Parliamentary Committee, that his own view was that the Indians should attend for consultation and not as members, and that the Indians should not vote and probably they should not participate in the drawing up of the report. They should be present only at the preliminary stages, but it would be left to the Committee to decide the further stages. If that is the position of the Indian members to be attached to the Committee, I have grave doubts as to whether our economic or political interests would be protected or promoted in the Parliamentary Committee which is going to function in London in the near future.

Sir Muhammad Yakub: Why then has the Leader of the Honourable Member accepted the membership of such a Committee?

Mr. Gaya Prasad Singh: I am not here to answer personal questions like that. I would try to avoid all personal references, but I shall hit back by asking why have some of the habitual supporters of Government also accepted nominated seats on that Committee? Sir, the last point I would like to urge is that . . .

Sir Muhammad Yakub: Well, I have received no invitation so far.

Mr. Gaya Prasad Singh: Sir, the last point to which I would refer is that the consumers' interests should not be forgotten. After all, I maintain that we should try to use as much Swadeshi articles as possible and should give an impetus to the indigenous industries in this country, but failing that, we should be allowed to purchase in the cheapest market and no sort of impediment should be placed in the way of the consumers being touched in their pockets in the interests, not of the indigenous industries of this country, but of the foreign manufacturers. I also hope, that this measure is not the thin end of the wedge for the introduction or rather the expansion of the Imperial Preference scheme which was inaugurated in Ottawa. Sir, I do not desire to say anything which might be construed as being hostile to the measure before the House. I have only ventured to express my opinion on certain features of the proposals as they strike me, and I should be very pleased if I am assured that my doubts, such as they are, are without any foundation. In this view, I support the principle of the measure which is before the House.

Several Honourable Members: I move that the question be now put.

Mr. President (The Honourable Mr. R. K. Shanmukham Chetty): The Chair accepts the closure. The question is that the question be now put.

The motion was adopted.

Mr. President (The Honourable Mr. R. K. Shanmukham Chetty): Does the Honourable the Commerce Member want to reply?

The Honourable Sir Joseph Bhoré: Sir, there are just a few points on which I would like to say a few words. In view of the reception which this measure has received at the hands of this House (Loud Applause) and which I acknowledge with gratitude, I do not think it is necessary

for me to say more than a very few words. I should, however, refer to one or two points, more especially as certain Honourable Members have said that they are devastated by certain suspicions. My Honourable friend, Mr. Das, my Honourable friend, Mr. S. C. Mitra, and my Honourable friend, Mr. Gaya Prasad Singh, all said that they were full of suspicions.

Mr. Gaya Prasad Singh: I never said "full of suspicions"; I said I was beset by a cloud of suspicions.

The Honourable Sir Joseph Bhoré: Well, Sir, I did not realize whether that cloud was a filmy one or was a very dense one. It is always difficult to allay suspicions especially when these suspicions are not really founded upon some real tangible base or foundation. I can only give my Honourable friend an assurance in this matter; and, so far as I am concerned, I can only ask them to accept that assurance. I cannot go beyond that, and I cannot prove by mathematical processes that their suspicions are not well-founded. First, let me take the point raised by my Honourable friend, Mr. Das. He wanted to know the exact procedure that we would adopt in giving effect to the provisions of this Bill. Now, that is a somewhat pertinent question, but I regret I am not in a position to give him a considered reply for the simple reason that the Commerce Department have not yet addressed themselves to that question and are not yet in a position to say on what lines they will proceed when they come to apply this Bill in practice. I fully realize the practical difficulties that will beset us when we begin to apply this measure in practice, but I do assure my Honourable friend that the interests of the consumers will not be allowed to be ridden over roughshod and I do also want to utter a warning that the passage of this measure must not be regarded as a sign for every industry to join in a scramble for protection.

My Honourable friend, Mr. S. C. Mitra, felt that this measure would, by some backdoor, be used to give preference to Great Britain.

1 P.M. Now, Sir, I have endeavoured to see how it was possible for that suspicion to arise and I do assure him that I have not been able to find out how and in what way we can possibly use this measure to give preference by a backdoor. If he will come and explain his difficulties to me in this matter, I shall do what I can to try and remove any doubts that there may be in his mind on this question. Then, Sir, my Honourable friend, Mr. S. C. Mitra, has two motions, the object of which is to provide help and assistance to Government in framing a notification under this Bill. There are objections both on grounds of inconvenience and on grounds of principle to such a suggestion. I do not wish to go into that matter, because I hope that my Honourable friend will not press the motions which he has tabled. I bring to his notice the fact that clause 3 of the Bill gives this House powers of control with which he and every Member of the House should, I think, be satisfied. The real reason against this proposal was stated by my Honourable friend, Mr. Joshi. While we would no doubt welcome assistance and advice on this highly technical matter, as Mr. Joshi pointed out such advice would more properly come from a highly expert body such as an Economic Council, and I hope my Honourable friend will realise that there is some substance in a criticism of that sort.

Mr. S. C. Mitra: Is there not such a Committee as the Import Duties Advisory Committee in England?

The Honourable Sir Joseph Bhore: I believe there is, but I do not think that that Committee consists only of Members of the Legislature.

Mr. S. C. Mitra: Yes, it does.

The Honourable Sir Joseph Bhore: My recollection is that it contains people who are highly qualified to advise on a matter of this description; I may be wrong.

Then, Sir, I would refer to one or two other points which have been raised in the course of the debate. I was somewhat astonished to find that my Honourable friend, Sir Hari Singh Gour—and in this matter he seemed to have joined hands with my Honourable friend, Mr. Joshi—regarded this measure as essentially a revenue producing measure. It is nothing of the kind.

Sir Hari Singh Gour: I did not say that it was a revenue producing measure. What I did say was that it will produce revenue.

The Honourable Sir Joseph Bhore: May I bring it to the notice of my Honourable friend that the whole object of anti-dumping duties is not to produce revenues, but to stop or reduce the importation of particular articles. (*A Voice:* "What will be the result'") The result will be that my Honourable colleague, the Finance Member, may probably be seriously affected.

I was astonished to see the suggestion that fell from my Honourable friend, Mr. Ghuznavi. He must be singularly deaf and blind not to appreciate the sources from which the demand for this piece of legislation has come. I say that, Sir, deliberately and with a sense of responsibility. I would also ask my friend whether he suggests that I am repeating what he said was done, on a previous occasion, namely, that I am forcing this piece of legislation down the throat of this Assembly. If that is his suggestion, then I have no hesitation in replying that if this motion were pressed to a division, we should have a repetition of that historic division which we had yesterday. (*Laughter.*) Sir, I do not think it is necessary for me to go on very much further. I would only make an appeal to my Honourable friends opposite who have tabled a number of amendments. I would ask them to consider whether those amendments are really essential and, if, in their view, those amendments are not absolutely necessary to enable this measure to be worked satisfactorily, I would appeal to them to withdraw them.

Mr. President (The Honourable Mr. R. K. Shanmukham Chetty): The question is:

"That the Bill to provide for the imposition of additional duties of customs on imported goods for the purpose of safeguarding industries in British India, be taken into consideration."

The motion was adopted.

Mr. President (The Honourable Mr. R. K. Shanmukham Chetty): The question is:

"That clause 2 stand part of the Bill."

Does Mr. Joshi want to move his amendment No. 8?

Several Honourable Members: Withdraw, withdraw.

Mr. S. G. Jog: Sir, in spite of the persistent and the consistent demand on this side of the House to withdraw my amendment, I, for one, am not inclined to withdraw it. I must press my amendment and bring to the notice of the House what I mean. When I gave notice of this amendment, it was not without

Mr. President (The Honourable Mr. R. K. Shanmukham Chetty): Order, order. It appears to the Chair that Mr. Jog's amendment would be a consequential one in case a suitable amendment is adopted by this House making it obligatory on the part of the Government to set upon an Advisory Committee. The Chair thinks that it will suit the convenience of the House if a decision were taken on that point. The amendment that will carry out that object is amendment No. 6 by Mr. S. C. Mitra. That amendment can first be taken up and, if it is adopted by the House, then Mr. Jog's amendment will become a consequential amendment, but if that amendment is negatived or not moved, then Mr. Jog's amendment will not arise.

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

The Assembly re-assembled after Lunch at Half Past Two of the Clock, Mr. President (The Honourable Mr. R. K. Shanmukham Chetty) in the Chair.

Mr. President (The Honourable Mr. R. K. Shanmukham Chetty): The question is:

"That clause 2 stand part of the Bill."

Mr. S. C. Mitra: Sir, I move:

"That in sub-clause (1) of clause 2 of the Bill, after the words 'after such inquiry as he thinks necessary' the following be inserted: □

'and consulting the Committee of the Legislative Assembly to be hereinafter provided'."

Mr. President (The Honourable Mr. R. K. Shanmukham Chetty): That amendment again is similar to Mr. Jog's amendment. What the Chair thought was that if the Honourable Member, Mr. Mitra, moved his amendment No. 6, which definitely raises the issue whether a Committee, as contemplated by the Honourable Member, should first be set up, then the question will arise whether the Committee is to be consulted.

Mr. S. O. Mitra: I will bow to your ruling and take your advice. Sir, I move:

“ That after sub-clause (2) of clause 2 of the Bill, the following sub-clause be inserted :

‘ (3) For the purpose of this Act, the Legislative Assembly shall appoint a Committee consisting of seven non-official Members for the purpose of advising Government to carry out the provisions of this Act ’.”

Sir, under clause 2(1), this House is asked to delegate its power to the Governor General:

“ If he is satisfied after such inquiry, as he thinks necessary, that goods, the produce or manufacture of any country outside India are being sold in or imported into British India, at such abnormally low prices that the existence of an industry established in British India is thereby endangered, he may, by notification in the Gazette of India, impose on any such goods a duty of customs of such amount as he considers necessary to safeguard the interests of the industry affected.”

By my amendment I suggest that before passing of any such order imposing any custom duty, Government should consult a Committee of the House consisting of seven non-official Members. Sir, I do not put much stress on the way in which this Committee is to be formed, but I should like to emphasise the implication of my amendment. What I want is that Government should consult some Committee before they come to a conclusion. I should first like to explain that such a procedure is not unprecedented. It has been alluded to also that in similar cases in the British House of Commons they have got an Import Duties Advisory Committee and the function of that Committee is more or less to advise the executive Government on the lines that I suggest. It might be contended that that is an expert Committee, and I shall be glad to modify my amendment to that extent if it is so desired. It has been suggested by my friend, Mr. Muazzam Saheb, that there is already an Advisory Committee attached to the Commerce Department. If the Commerce Member is satisfied with that, I shall be agreeable even to that suggestion. But as regards consulting an expert Committee, I know the Government of India have their own technical expert Committee, the Tariff Board itself. But it has been contended that any reference to that Committee entails a long period of time and in a summary procedure that is contemplated in this Bill it will be cumbersome. I for one make no great fetish of experts. I know even our so-called expert Committee is composed of members two of whom were Members of this House, Mr. Boag and Mr. Fazl Ibrahim Rahimtoola. I have great respect for these gentlemen, but I know that as experts in any technical thing they cannot claim very high efficiency. There is another gentleman, Mr. Mathias, who is, I understand, an economist and I know that in the last meetings of the Board there were only two men. And speaking of experts, we find not only here, but in England also, ultimately laymen with common sense who are leaders of men in civil affairs are the responsible Ministers of the Crown. I remember it was a layman like Lord Haldane who created the great British Army just before the War. If he was to be considered an expert, he was an expert in law or in philosophy, but not in army matters. And, as I have said repeatedly, I have greater confidence in laymen like my Honourable friend, Sir Joseph Blore, than in those experts on the Tariff Board or other experts in this House. But yet I wish that the Commerce Member himself should welcome a Committee that might advise him in these matters and share the responsibility. The Bill itself is very vague. In the clause itself there are such vague

terms as "abnormally low prices". I think there should be a Committee who should settle whether the abnormally low price should not be considered as lower than the cost of production here in India. And in many other matters this Committee will be in a position to advise Government. We on this side are anxious that there should be no discrimination in the executive action. To provide against all these things we want a Committee. I remember the Commerce Member asked how I could conceive of a case for Imperial Preference in this connection. I should like to make that point clear. It arises indirectly in this way. Suppose the cost of production for a piece of cloth is five annas in Japan, and it reaches India at a selling price of six annas, the cost of production of a similar thing in Manchester may be 12 annas and, including all the expenses, it reaches India for being sold at a price of 18 annas, whereas the cost of production in India of an identical article may be 14 annas. Suppose, under this Bill, some prohibitive duty is put on the Japanese goods. Japan will be prohibited from bringing her articles at a high customs duty. But what will happen? The Manchester article which can be sold cheaper than the Indian manufactured goods in the Indian market will capture the field. Japan's price may be considered "abnormally low" while Manchester articles will be allowed unfair competition with Indian goods. That is an instance that arises in my mind to show how indirectly the question of Imperial Preference may arise. What we are doing here is that we are delegating legislative functions to the Executive. It is not denied that this House even once before gave some preference to British goods so far as textile goods are concerned. What we are required to do by this Bill is to delegate the legislative functions to the Executive. If it is once conceded, and it must be conceded that this House had the right to give the power, this House has the power to give preference to British goods, when we delegate this power to the Executive, they would certainly be in a position to exercise that right. Legally I do not find how the Executive will be debarred from taking advantage of this delegated power of the Legislature. It has been well said by my friend, Mr. Joshi, that there will be a great temptation to continue or extend the scope of this legislation, because it means greater revenue, and I think, if Government could see some way to consult any Committee—I am not anxious to confine to the particular words of my amendment—in any way, if they consult some bodies in order to ensure that the cases of minor industries, like the Bengal hosiery industry or the lantern industry or other industries, may be protected and that they will be given a chance, then, through them, when ultimately the matter comes before the Legislature, the Members of the House will also have the greater chances to know the working of this system. I hope that even though my own amendment might not be acceptable to Government, they will see their way to accept the spirit of this amendment and would provide something of that nature. Sir, I move.

Mr. S. G. Jog: Sir, for some reason or other I did not take part in the general discussion, because I have a specific amendment like that of my friend, Mr. S. C. Mitra. I must admire the patriotic feeling which has actuated the Honourable the Commerce Member in introducing the Bill, though undoubtedly he ought to have taken this action sometime before. However, although late, I must still congratulate him for the action he has taken. It is true that we are at the fag-end of the Session and that there are a lot of obnoxious Bills before this House.

[Mr. S. G. Jog.]

But this is a piece of legislation which, I think, is positively for the good of the country, and for this piece of legislation I must congratulate the Honourable the Commerce Member.

When I thought of giving notice of this amendment, I thought that the question of abdicating the power from this side of the House was involved. We on this side of the House take into consideration all the emergency of the case and we are prepared to give ample powers to the Executive and, fortunately for the time being, we have to console about one thing, that is, the head of the Commerce Department is an Indian, both in heart and patriotism, and I hope everything possible would be done for the interest of the Indian industries. As to that I have absolutely no doubt, but, at the same time, I must say, at the time of giving these wide and ample powers to the Executive, that we on this side of the House are not prepared entirely to abdicate our powers. The question no doubt is a complicated one and it is just possible that this House consists of many experts to consider the particular aspects of the case that will arise during the operation of the Act, but, at the same time, Sir, it is not necessary that for everything an expert is necessary. May I go so far as to say, that even the Commerce Member is not an expert, but is he not managing the affairs to great satisfaction? I, therefore, see no reason why he should not be in a position to associate with all the people on this side of the House when there is occasion for consultation. I must make it clear to the House that this is an occasion when we must assert our right and I would also impress upon the Honourable the Commerce Member that this is an occasion when he should give an opportunity to the non-official element on this side of the House and take them into his confidence and take them into consultation, and also give them a chance. Therefore, we should be associated with whatever decisions the Government may arrive at.

It has often times been suggested from the Treasury Benches that we, non-officials, are in the habit of making irresponsible criticism and that we will never come forward with a constructive suggestion. Well, we are now coming forward with a constructive suggestion and say, Sir, that it is a very serious responsibility and a great burden that you are taking and that we want to share that responsibility and burden along with you. When this proposal is coming forward from this side of the House, I see no reason why the Treasury Benches should deny us that confidence or that association which this side of the House is asking for from the Commerce Member. If the Commerce Member thinks that this body will be of an obstructive nature, I give him an assurance that there is nothing of the sort, and that it will be in the interest of Government and it will strengthen their position. Ultimately they have to come before the House for their ultimate sanction on their decision and they can come before the House only when their hands are strengthened, because whatever action is taken should be taken in consultation with the popular element. That is one thing.

Another thing, which I am afraid of is about the bigger industries. There are big industries; probably they will be able to approach the House and the Government, but I have got in my possession several telegrams from different small industries and they find it difficult to make their voice heard when they are in hot waters. Perhaps some of us will speak for their case. I have here with me the grievances of the hosiery

industries, I have with me a representation from spinning industries which are at present suffering from healthy competition against Japanese goods, with the result that unless sufficient safeguarding provisions are made, they would have the least chance to flourish. There are many lantern industries, glass industries also, which are required actually to flourish at this time in India. Every day we are receiving some memorandum from these industries stating that these small industries are struggling and the small industries will be crushed unless you make those safeguarding provisions. No doubt, Sir, this state of things is going on only for the last two years

Mr. President. (The Honourable Mr. R. K. Shanmukham Chetty): The Chair would appeal to the Honourable Member to confine his remarks to the amendment now before the House.

Mr. S. G. Jog: Sir, what I submit is that some advisory body should be constituted and the Commerce Member should agree to the suggestion. Sir, I do not think I need say anything more on this point. Although some people think that it is not necessary to prejudice the motion, I for one question about it and I will not give any person the rights of this side of the House. Sir, I support the amendment.

Mr. T. N. Ramakrishna Reddi (Madras ceded Districts and Chittoor: Non-Muhammadan Rural): Sir, I rise to support the motion that is before the House. Sir, we are giving emergency powers to the Government, not only emergency powers, but we are giving the Ordinance making powers, powers to make Ordinances in the sphere of economics, though not in the sphere of politics. When we are giving such wide powers to the Executive, it is quite essential, Sir, that the Executive should be taking or should take the advice of an Advisory Committee consisting of non-officials so that non-official opinion also might be voiced when occasion arises. Actually, we are giving up the powers of the Legislative Assembly and giving them into the hands of the Executive. Again, Sir, when these powers are exercised, when the Government are taking steps under the Act, they have again to come before the Legislative Assembly for its ratification within two months, and the Government will be strengthening their hands if they take us into confidence and appoint a Committee of non-officials, and the Government will be strengthening their hands if they take into their confidence a Committee of non-officials. Some of them might be Members of this House. This is exactly on the analogy of what is going on in regard to Constitutional Reforms. The British Government might straightaway have brought a Constitution Act in the Houses of Parliament and introduced it, but yet they want to take into confidence a Committee of Members of both Houses of Parliament, so that the Bill, after it emerges, might pass through Parliament safely and without much difficulty. So also this Committee will serve the purpose with regard to this present Bill. We are giving away blindly powers to the Executive, and we do not know what is the procedure which the Government are going to adopt in giving effect to the various Acts that they are going to pass in giving protection to the industries and what the tests that they adopt in making up their minds to give protection to a particular industry. It will be strengthening the hands of the Commerce Member also if he takes the advice of non-officials. It is not always necessary that he should take expert advice

[Mr. T. N. Ramakrishna Reddi.]

alone, because he has got plenty of expert advice in his Department. It is also necessary to take the non-official view on any question that comes before him. We have got every confidence in the Commerce Member, but yet now and then some pressure might be brought to bear upon him from home, that is, the Lancashire interests working at home; and I am sure they will bring pressure to bear upon him indirectly, and if he has got a non-official advisory body, it will be very good for him to act in the interests of the country and to defy any advice that comes from home, and it will enable him to act only in the best interests of India. For all these reasons, I support this motion before the House.

Mr. N. E. Gunjal (Bombay Central Division: Non-Muhammadan Rural): (The Honourable Member spoke in the vernacular.)

Some Honourable Members: The question may now be put.

Mr. B. Das: Sir, although I support the underlying principle of my friend, Mr. Mitra's amendment, I cannot support the amendment as it has been drafted. If I might be allowed to bring out a suggestion, I would become a whole-hogger and support the proposition which my friend, Mr. Joshi, enunciated half an hour ago while he was speaking on this Bill. The whole thing was first considered by Sir Arthur Salter when he visited India two years ago; and although he apologised in his report that his stay in India was very brief, he brought forward a very interesting scheme for economic advisory organisations in India; and if that scheme is accepted by the Government today, it will meet all the points that have been stressed by different Members on the floor of this House. I am not very anxious that there should be a preponderance of representa-

3 P.M. tives of the Legislature on that Committee. Sir, I will only read just a few lines from Sir Arthur Salter's Report from page 2:

"The period since the war has witnessed the development of what may prove to be an important adjunct to the machine of Government throughout a large part of the world in the form of Advisory Economic Councils and Committees. These vary considerably in functions and in form: but they present certain common characteristics and seem to respond to a widely felt need in the post-war world. The State's action in connection with national economic life has almost everywhere become more extensive and more complex. Whether in the increased range of State control, or the construction of new and more complicated tariffs, or the institution of systems of prohibition or licence or State encouragement for some form of monopolies, the Government has almost everywhere accepted more onerous and intricate duties."

Well, Sir, Sir Arthur Salter at page 20 of his Report has given out a scheme for economic advisory organizations with which my friend, the Finance Member, is well conversant. He suggests a Central Economic Council and also Provincial Councils. This has not been brought forward, because the Round Table Conferences and other urgent work distracted the attention of the Government of India, and so the Government of India could never pay any attention to the suggestions made by Sir Arthur Salter, but I would like to quote one or two lines from the conclusion of his Report, where he says that, if Government give effect to these proposals, it will satisfy Indian public opinion. This is what he says at page 24:

"I realise further that this, or any, scheme must depend mainly for its success upon the quality of those who comprise the membership of the Councils, and of its principal officers, upon the spirit in which they devote themselves to the work, and upon the willingness and ability of the Government and its administrations to give due consideration, and due effect, to the recommendations that are made."

Sir, I appreciate this, and I approve of this suggestion, and, therefore, I say that the Legislature should not appoint a Committee to give advice to the Commerce Member :

" I have been warned of the difficulty of persuading persons of first rate experience in economic activity and enterprise, who have little leisure to devote time to advising the Government. If this difficulty were insuperable, it would of course be fatal to any proposal such as is here put forward, or to any other of which the essential purpose is to make the expert advice which only they can give available, in the development of Government policy."

Sir, I will quote only one sentence more from the conclusion of Sir Arthur Salter :

" Lastly, it should give Indian public opinion as a whole an assurance that economic policy has been considered by a body representative of institutions in India from the point of India's interests, and if this policy is, as it should be, tempered and adjusted to world conditions and the policy of other countries, this would only be in the same sense and to the same extent as the policies of those countries are in turn tempered and adjusted by the same considerations."

Sir, I feel that the Government have taken a great step forward in introducing this salutary measure and in legislating proposals as contained in this Industries Safeguarding Act, and I do hope now they will also find time to consider whether the very weighty advice that Sir Arthur Salter has given could not be considered and proposals formulated to bring out Economic Advisory Councils both at the Centre and in the provinces so that my friend, the Commerce Member, when he puts high tariffs against goods imported into the country to protect any particular industry, may see that those high tariffs really and effectually work in the interest of those industries. For that his own advisers or his own Department are not enough, and for that my friend needs the advice of the Indian industrial community, the commercial community, and, if necessary, even one or two politicians may be put on in that Committee,—I do not object to their inclusion,—and I think it is high time that this should be done. If the Commerce Member gives us that much assurance to the House, I am sure, my friend, Mr. Mitra, will withdraw his amendment.

The Honourable Sir Joseph Bhoré: Sir, it is with regret that I find myself compelled to oppose this amendment, and, if I do so, it is not because I do not recognise the spirit in which that amendment has been moved. But as I have already pointed out, I think there are objections both on the ground of practical inconvenience and also on the ground of principle, and I only propose to refer to what I consider would be the practical inconveniences in the proposal that my friend has put forward. The first thing is, is a Council like this going to be always in Session? Surely if it is, it is going to inflict intolerable inconvenience upon the Members of the Council; and if it is not always in Session, is this Advisory Council going to be summoned every time an industry comes up and asks for consideration of its case? Am I going to summon my friends from North, East, South and West to sit together and advise me on every single application that we may receive? That is the practical aspect. I do not want to refer here to the objections on principle, but I do feel that, whatever decision we may come to after a careful examination of the case, my friend's position will be safeguarded by the fact that it must, always, within a very short period of time, come up for endorsement before this House. That is the real safeguard, and I hope my friend will rest content, at any rate for the time being, with that safeguard and will withdraw his motion.

Mr. S. O. Mitra: Sir, for the time being, I think I should accept the advice given by the Honourable the Commerce Member, and I beg leave of the House to withdraw my amendment.

The amendment was, by leave of the Assembly, withdrawn.

Clause 2 was added to the Bill.

Mr. President (The Honourable Mr. R. K. Shanmukham Chetty): The question is:

“ That clause 3 stand part of the Bill.”

Mr. K. P. Thampan (West Coast and Nilgris: Non-Muhammadan Rural): Sir, I beg to move:

“ That in sub-clause (1) of clause 3 of the Bill, after the words ‘ Every notification issued ’ the words ‘ together with a full report of the inquiry ’ be inserted.”

The object which is aimed at in this amendment is quite obvious. It is my desire that a complete report, containing the full data, on which the Government base their conclusions, should also be supplied to the Members of the Assembly to enable them to form their own opinions when the Member in charge of the Commerce Department brings forward a Resolution in the House for approval. A blank statement or a mere copy of the notification by itself will not be sufficient for us to form any definite opinion in the matter, and I, therefore, want to provide that all the materials in the possession of Government, on which they arrive at their conclusions, should be placed before the House. It is not a very difficult matter, nor do I think the Commerce Member can have any objection to accept this small but very useful amendment.

The Honourable Sir Joseph Bhoré: Sir, the only reason why I oppose this amendment is, because I think it is unnecessary. As a matter of fact, in their own interests Government will endeavour to place their case in the most complete fashion before the House, in order to induce the House to accept their view of the case and I cannot imagine Government coming before this House and not giving the House the most complete and detailed information upon which they themselves have come to their conclusion. I think, in these circumstances, a Statutory provision, such as that my Honourable friend seeks to insert, is wholly unnecessary because in the normal course Government would do what is proposed that they should do. I oppose the amendment.

Mr. President (The Honourable Mr. R. K. Shanmukham Chetty): Government are giving an assurance that they will give the materials on which they arrive at their conclusions?

The Honourable Sir Joseph Bhoré: I say it is almost inconceivable that Government would not place the fullest possible statement of their case before the Assembly to enable it to come to a conclusion.

Mr. K. P. Thampan: Sir, I beg leave of the House to withdraw my amendment.

The amendment was, by leave of the Assembly, withdrawn.

Clause 3 was added to the Bill.

Clause 4, clause 1, the Title and the Preamble were added to the Bill.

The Honourable Sir Joseph Bhoré: Sir, I move that the Bill be passed.

The motion was adopted.

THE INDIAN TARIFF (AMENDMENT) BILL.

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

"That the Bill further to amend the Indian Tariff Act, 1894, for a certain purpose be taken into consideration."

I regret, Sir, that I was not in a position to incorporate this very simple amendment in the Bill which was passed by this House a few days ago, but I was unable to do so for reasons which were absolutely unavoidable. To put the matter very briefly, I may explain that, in return for the very substantial preferences which we were given in the United Kingdom under the Supplementary Iron and Steel Agreement in respect of pig iron and half finished steel, we agreed to allow certain preferences to the United Kingdom. The preference with which we are concerned now is in respect of galvanised sheet. We agreed to allow British sheet rolled from Indian sheet bar a preferential rate of duty of Rs. 30 a ton. We agreed to allow British sheet rolled from other sheet bar a rate of Rs. 53 a ton, while other sheet was subject to a duty of Rs. 83 a ton. Now, Sir, it is not necessary for me to touch upon the other parts of the Agreement. The only relevant point in the Agreement, so far as we are concerned today, is the question of the preferential rate allowed to British sheet rolled from Indian sheet bar. At the time the Agreement was entered into, it was well understood by both parties that that preferential rate should only apply to Indian sheet bar imported into the United Kingdom after the date of the ratification of the Agreement by the Indian Legislature. We have, however, recently discovered that a very large quantity of Indian sheet bar was imported into the United Kingdom prior to the ratification of that Agreement. It was never the intention of either of the two parties to the Agreement that that sheet bar should be subject to this preferential rate and we are now making the position perfectly clear and removing a possible difficulty which might arise in the future. As I said we have heard that as much as 20 thousand tons of Indian sheet bar were imported into the United Kingdom prior to the Agreement and we want to make sure that this quantity does not receive the preferential treatment which is to be awarded to sheet rolled from Indian sheet bar imported after the date of the Agreement. The words which we propose to insert in sub-item (i) and sub-item (ii), namely, "imported into the United Kingdom after the 23rd day of December, 1932" will entirely remove the possibility of a preference being extended to articles to which we never intended that preference should be given. Sir, I move.

Dr. Ziauddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): At this late hour, I set a good example and I support this motion without a speech.

Mr. Gaya Prasad Singh (Muzaffarpur *cum* Champaran: Non-Muhammadan): Sir, I have great pleasure in supporting the motion of my Honourable friend. It appears that preference was given by mistake to some article to which it was not intended that preference should be given. As stated in the Statement of Objects and Reasons:

"The present wording of Item 148A of the Second Schedule of the Tariff Act extends the lowest preferential rate, *i.e.*, Rs. 30 per ton on sheet of British manufacture rolled from Indian sheet bar, to a considerable quantity of material to which it was not intended that preference should be given."

[Mr Gaya Prasad Singh.]

The object of the Bill is to withdraw the preference so far as that item is concerned. Therefore, without making any further observations, I support this motion of my friend, and I hope that my example will be copied by other Honourable Members as well.

Mr. President (The Honourable Mr. R. K. Shanmukham Chetty): The question is:

"That the Bill further to amend the Indian Tariff Act, 1894, for a certain purpose, be taken into consideration."

The motion was adopted.

Clauses 2 and 1, the Title and the Preamble were added to the Bill.

The Honourable Sir Joseph Bhoré: Sir, I move that the Bill be passed.

The motion was adopted.

THE INDIAN MEDICAL COUNCIL BILL—*contd.*

Mr. President (The Honourable Mr. R. K. Shanmukham Chetty): The House will now resume consideration of the motion to refer the Indian Medical Council Bill to a Select Committee and also Mr. Maswood Ahmad's amendment that the Bill be circulated for the purpose of eliciting opinion thereon by the 31st July, 1933.

The Honourable Khan Bahadur Mian Sir Fazl-i-Husain (Member for Education, Health and Lands): Sir, I feel very guilty indeed. This House has recently set us a wonderful example of working so expeditiously that I do not know what to do.

Mr. President (The Honourable Mr. R. K. Shanmukham Chetty): Copy their example. (Laughter.)

The Honourable Khan Bahadur Mian Sir Fazl-i-Husain: I would have striven hard, Sir, to follow the advice you have been pleased to give, but my trouble is that the last time when I spoke on the subject it was very nearly two months ago

An Honourable Member: And we have forgotten all about it.

The Honourable Khan Bahadur Mian Sir Fazl-i-Husain: Yes, that is my trouble. I knew that at that time the Honourable Members were supplied with such a mass of material relating to this question—and the mass of material was reinforced with persistent visits to make sure that it was read—that it took two full days, and still the debate was not finished; and when I tried to place the case before the House, it was my good fortune to receive very encouraging and attentive hearing. Sir, I wish I could have finished what I had to say then, but now I cannot flatter myself that what I submitted then to the House is present to the minds of the Honourable Members now, and not only because of this long lapse of time, but also because what intervened between now and then consisted of

such startling and exciting and exciting incidents, that surely it would be unreasonable on my part to assume that I had better proceed just wherefrom I had left off. Therefore, Sir, knowing how late the hour is, knowing how near the time of separation is approaching (Hear, hear), I think I had better be content to give a bird's eye view of the situation before completing my observations on this measure.

Sir, after the Mover had made his speech, no less than 12 Honourable Members took part in the debate. They came from all parties and the speeches delivered showed how thoroughly the problem had been studied and mastered. The criticism was very largely directed to two or three points. One was the scope of the Bill. It was assumed by the Honourable Members that the scope of the Bill covered medical education at large, not necessarily the collegiate or the university education, but collegiate and school both. The second assumption made was that since it was a Medical Council Bill, therefore, it also concerned itself with the control of the profession of medicine and, as such, all medical men were under the jurisdiction of the Medical Council, and it was a necessary part of the Bill that it should provide what privileges these medical men ought to exercise, what rights they are to have and what obligations they are expected to discharge. Well, Sir, that was the criticism so far as the scope of the Bill is concerned. A great deal of criticism concerned itself with the desirability of having but one standard of medical education. Some Honourable Members felt that there was no sense in having higher education and lower education, school education and collegiate education: medical education is but one education, and, therefore, any measure that dealt with medical education must deal with it, in its entirety. After this aspect of the case was brought out, Honourable Members devoted a good deal of time to—how shall I put it?—leading a number of red herrings all about the floor of the House. The result was that no one knew where he was. Why has this Bill been produced? Because of the General Medical Council. Why is this Bill so rotten? Because we were afraid of the General Medical Council. Why are we hurried? Because of the General Medical Council. Why has it taken us so long to produce it? Because we were not able to satisfy the General Medical Council earlier. Whatever I did, I was doing because of the General Medical Council. That also enabled the Honourable Members to say some very nice and humorous things, but some very hard and unpleasant things as well. Still, in my answer I really do not intend to deal with them—it is too late to do so. Then a great deal was said about the composition of the Council, very rightly; about the President being elected or otherwise, about reciprocity, very properly; and about what were called the functions of the Board, the privileges that we hoped to confer. Sir, these matters which are covered by the provisions of the Bill ordinarily would be before the Select Committee, and I have no doubt that after such a full and complete discussion in the House, the Committee will feel that it has a great deal of material on which to work and to arrive at suitable decisions. But during the course of the debate the point was raised that when a Bill is committed to a Select Committee, what is called the principle of the Bill is adopted, conceded and recognized; therefore, when this Bill is going to the Select Committee, let us make quite sure what is the principle of the Bill which is being recognized and admitted, and, therefore, let us feel sure as to what is it that it will be open to the Select Committee to consider and decide. That was a very proper question to be mooted, and it is my duty

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to do my best to place before the House what I consider is the principle of the Bill and what are the points which I consider it will be open to the Select Committee to consider and express its opinions upon. I submit that the principle of the Bill in this case is necessarily limited by the scope of the Bill, and the scope of the Bill is to make provision for the maintenance of a uniform minimum standard of higher collegiate or university medical education, which means that it does not cover the instruction imparted for purposes other than the university education. In other words, the question of medical school education is not within the scope of the Bill. That is the first point. I am emphasising that point because that was the point around which the controversy raged a great deal and about which there was a great deal of confusion of ideas, if I may say so. That was the point on which, in the short time that was at my disposal when I spoke last, I tried to present, in the first instance, as much information as was available to me and, in the second place as many argument as appeared to me to have some force. Within the scope of the Bill, as I submitted, was the question that it deals with collegiate or university medical education. The second point is whether it is intended that that education be under the control of this Board, or what will be the functions of the Medical Council with respect to collegiate medical education? As I submitted, the intention is to see that a uniform minimum standard is maintained. It implies that those institutions which are imparting that education already will continue to impart that education as up till now and the Medical Council is, under the provisions of the Bill, intended only to appoint or nominate or select Inspectors who will inspect the colleges and the examinations and study the curricula with a view to seeing that the uniform minimum standard is being maintained. When these Inspectors have reported, their reports will be submitted to the Medical Council. This, Sir, is the main function of this organisation, and when I say "main", I may say that it is practically the entire function of this organisation. And what more is to be done by this organisation follows from this function rather than is in addition to the function that I have already stated. Those are the two matters which I think may be said to be the vital parts of the Bill, matters which, to my mind, constitute the scope as well as the principle of the Bill. There are certain things which some Honourable Members thought might have been included, but have not been included. A word of explanation is due to them from me. As to the privileges, obligations, and so on, I just want to remind the House that medical education and medical administration are both provincial and transferred subjects, at all events collegiate medical education is. The medical education is being conducted through the agency of colleges, which in their turn, are affiliated to universities possessing medical faculties. So, it is the colleges and the universities that do the instructional part of it. The clinical material is supplied by the hospitals attached to these medical colleges. Therefore, it would appear that the subject matter of the Bill is the concern of those who maintain and administer colleges and hospitals and not of others unless it be through them. It is for this reason that Local Governments figure to such a large extent in the scheme of this Bill or in the matter of the composition of this Bill. I have been asked why is your composition of the Medical Council so different from the composition of the Medical Council in England? Sir, as I said, this is a matter which is within the jurisdiction of the

Select Committee. It is open to the Select Committee to give such composition to the Council as it likes. I may say, however, why this Council has, comparatively speaking, a large element of nomination than the Medical Council in England. Colleges and hospitals in England are not Government institutions; mostly they are private institutions. Therefore, Government there does not come into the picture to the extent that it does in India. Again, not only are these colleges and hospitals in one case under a responsible Government, that is to say, under the Minister in charge of the Medical Department, but they are also on the educational side, too, under a University on which representatives of the public appear in two ways—by nomination as well as by election.

After the composition of the Council comes the question of the President. I do not think I need detain the House even for a moment on that point. That is a matter which would be within the jurisdiction obviously of the Select Committee.

After composition and the President, comes the question of reciprocity. I think I may safely say that that is a matter which is entirely within the discretion of the Select Committee and further that I personally and as a Member am in keen sympathy with the sentiments to which many Members sitting opposite gave expression. On that point we are at one, and there is no reason why in the Select Committee the Honourable Members of the Committee should not, after informing themselves of the *pros and cons* of the question, arrive at a decision which is just and fair to all concerned and also do justice to the Indian sentiment on the subject. Sir, one word more as to why there are not all these privileges, and so on. I find that in different provinces of India different rules prevail as to the privileges belonging to the medical men of different types and classes and it is but right that each province which has, so far as the Medical Department is concerned, a representative and responsible Government already and is bound to have a stronger representative and responsible Government in the future, should continue to control its own affairs. Autonomy of provinces would hardly be fairly treated if at the Centre we tried to lay down a law of what should be, as one of the Honourable Members suggested, the fee to be charged by different classes of medical men. One Honourable Member appealed to me to protect the people against the licentiates. I do not know that there was any very serious danger from that quarter. But in any case they have to look to the provinces and the Provincial Legislatures and the Provincial Ministers for such protection as may from time to time be needed by any section of the people.

Now, Sir, the question is why the scope of the Bill is restricted to collegiate education and why it does not cover school education as well. I remember, Sir, last time when I addressed the House on this subject, I explained that personally I had the greatest possible admiration for the class of medical men which has been described as licentiates, that I counted amongst them personal friends, that I was an admirer of a large number of them who had shown exceptional ability, that I had something to do in one province at least with raising their status and position and enabling them to move from their own class, the subordinate service, on to the provincial class, and so on; further, that I recognised that the licentiates dealt with a much larger Indian public than the one with which graduates deal; that on that score again licentiates constituted

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A very important section of medical men, and further in the scheme of things those who wanted to afford medical relief to the largest possible number of their countrymen had to look to licentiates rather than to graduates to achieve their object. But when some Honourable Member on *a priori* grounds proceeded to urge, "No two standards, only one standard in the country and that the best the country can afford", they were neither practical nor helpful. A great deal can be said as to the sanctity and value of human life; if a licentiate is not good enough, why should not every human being have the services of a graduate, and so on. But I will beg the House to look at the problem not entirely theoretically, not only in that spirit of idealism and logic, but in the spirit of practical men. For years and years up till 1921 the vast masses of Indians had no medical attendance of any description arranged for them by Government and it has been only during the last 12 or 13 years that medical relief of some sort has been provided in some provinces within ten miles or so of a villager's home. Therefore, what has been the result? In each province the number of men employed in the public service to give medical relief to the masses is at least ten times, if not more, carried out through men who have had school education and not collegiate education; and the cost of that education, in imparting the education and then in maintaining the institutions which give medical relief bears a proportion of something between one to three or one to four. Again, Sir, I am prepared to go so far as to urge upon the Members opposite who take the view of one class and that the best class, just to see that there are quite a number of ailments to which human flesh is heir which do not need any very high medical qualification to attend to, to give comfort to the person suffering from it and to give relief to him. To what extent can the country utilise an M.D. or an M.B.B.S. in a village for ordinary day to day complaints due either to overeating or eating something bad and things of that kind, or simple boils? What you really need is a network of medical institutions in charge of medical men, men with just sufficient qualifications to attend to these what I call day to day complaints. That is the function of the village rural dispensary. After that, you come to the *tahsils*, the units under which a large number of villages exist. You have there a hospital in charge of a graduate or an experienced sub-assistant surgeon. You pass on from this second unit to the third, the hospital at the headquarters of a district which is in charge of an Assistant Surgeon, an experienced man and a superior provincial service man. And lastly you have at the headquarters of the province the provincial hospital where you have the best experts you can get in everything. If you wanted to have graduates all through, the expense would be prohibitive. Therefore, Sir, it is open to those Honourable Members, who wanted to improve school education to the extent of raising it to the graduate standard, to attempt it. But may I point out that what they are doing is to improve the licentiate out of existence? So far as my Bill is concerned, it does not prevent their doing so, because as soon as he has attained that status, he becomes a graduate. There is no trouble; one standard in that particular case has been attained and all is well. But those who feel that the country needs two standards, I think in their case the alternatives are that the two standards should be maintained and, if necessary, arrangements should be made for maintaining a uniform minimum standard of education in both cases. Is this view that I have placed before the House my own view only or is it the view that I share with

others? I assure you, Sir, that there are very few who believe in but one standard only for India. Those, who did hold that view from amongst the Members of this House, I believe, since then have had occasion to study the problem and have arrived at the conclusion that it is really not a practical thing to have but one standard and that the degree standard. I may be asked, well, let there be two standards, why have you decided that there should be this inspection only with reference to the higher education, why not for the lower education as well? My reply, Sir, is this—since the medical instruction is a provincial subject, I have proceeded with reference to higher education for two reasons: firstly, because this was, as a matter of fact, the problem which came into prominence on account of the General Medical Council having raised this matter—that is the plain and simple truth—and secondly, the provinces have up till now agreed to this part of it, they have not yet agreed to the other part. Why should not they agree to the other part? There are a good many reasons why they should agree; for instance, the importance of the subject is one very good reason. The school education, as I said, concerns a larger number of medical men, and, therefore, necessarily it concerns a larger number of people of the provinces, but there are reasons on the other side. Those reasons are that it means more money. That is one thing. There is a second reason. I am not sure whether the minimum standard of instruction of school education is such that one may call it more or less uniform. I understand that the standard in Bengal does not stand very high, not as high as one used to associate with that great province's name. On the other hand, I understand that in Madras the standard is pretty high. It is for the provinces to say whether they would like this matter to be looked into, enquired and proceeded with. For this purpose I am ready to assure the House that I am quite ready to place my services at the disposal of the provinces to help them to proceed with this—I consider it a reform—if they are so inclined.

Now, Sir, just a few words more as to what is the view taken by medical men and Governments on this subject. As regards the licentiates themselves, as I said, they themselves are not agreed as to what they are aiming at. Some of them want one standard. They want their instruction to be improved till it is the same as the degree instruction. I am referring to a pamphlet called "Bulletin of the South Indian Medical Association", November, 1932, number. It says:

"The country and the profession are fed up with the existence of varying grades of medical men."

All these distinctions, they say, are unnecessary, eliminate them, we are all one brotherhood—a democratic view. Then we have here the view expressed in "The Proposed All-India Medical Council and All About It", a publication under the authority of the All-India Medical Licentiates Association. At page 9 of this pamphlet, the view is expressed that two classes of men are suppressing "the legitimate aspirations of the licentiates of India for equal rights and privileges and equal status and education". That is what they aim at. A little lower down they say that the time has come to have a uniform minimum standard of education in all the medical schools and colleges so that our standard should be elevated and we may all be in one and the same boat. Then we have, Sir, here the third authority of the All-India Medical Conference, 9th Session, Presidential Address by Major M. G. Naidu, that was in December, 1932. In the leaflet attached to that pamphlet are given what the

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licentiates want and there they put them under four heads :

- (1) that the licentiates be permitted to qualify for M. B. B. S. ;
- (2) that the course of training be raised from 4 to 5 years ;
- (3) that the standard of qualifications be levelled up so that licentiates may be eligible for recognition ;
- (4) that licentiates be eligible for recruitment to Government Service on the same terms as the University graduates.

That was what I meant when I said that the expense will be considerably increased, and Major Naidu himself, during the course of his presidential address, has very definitely stated that what this country needs most is not graduates, as this country is not rich enough even for the licentiates. and he proposes a third standard of medical education to which men and women of the middle school education will be taken and given a year or so of instruction in preliminary matters, medical and good practical training. But here, what I wish to make clear is that men of very eminent position and status in the medical world feel that the country cannot bear one standard and that the degree standard. That is one side. On the other side, the licentiates feel that this is really opening their mouth too wide and that they are very important people, but that the country does need graduates and that they all cannot become graduates.

[At this stage Mr. President (The Honourable Mr. R. K. Shanmukham Chetty) vacated the Chair which was occupied by Sir Hari Singh Gour.]

If they wanted to become graduates they ought to have proceeded to take their intermediate examination and joined the Medical College and that would have settled the question. In Madras, the Surgeon-General as well as the Minister said : "We are prepared to give you better instruction and to remove your complaints under that head. But please do not run away with the idea that this will give you equality

4 P.M. of status with the graduates. That it will not." And many licentiates realise that, and know the limits to which it is fair and reasonable for them to expect Government to go.

Those Members who want to go more deeply into the matter will find that the *Journal of the Indian Medical Association* edited by Sir Nil Ratan Sarkar, in its number of September, 1932, has a very good article by the Principal of the Medical School, Amritsar. It is at page 24 of that number, and there he discusses this question,—should there be two standards or one? He says, Sir Nil Ratan Sarkar at the same Conference went in his presidential address even a step further when he considered the advisability or necessity of having a grade of scientific education on western lines lower than that imparted to licentiates now. So, the view that I have mentioned of a third standard is not only the view held by Major Naidu, President of the last All-India Medical Conference, but also by Sir Nil Ratan Sarkar. In this article the whole subject is thoroughly thrashed out and I think it is established that licentiates are very good people; they are needed very much; but they cannot be converted into graduates unless it be through the University.

Lastly, the question is that licentiates themselves are not unaware of the fact that the reason why this Bill is limited to graduates' education is that the Local Governments want that to be done. I refer to the *Bombay Medical Journal* of April, 1932, under the heading "Reject the

Indian Medical Council Bill" by Dr. Dadachanji. Although he expressed, in the beginning, a strong condemnation of the Bill, he says while discussing the preamble of the Bill "Hullo, these people have made a change: they now want to deal only with higher education." "Another object of this preamble is, no doubt, to do what?—To placate the Provincial Governments which have resisted so far the demand of the licentiates to raise their standard of education and qualification to a reasonable minimum." So, Sir, it seems to me that my fate is such that I cannot do anything but placate somebody or other: either I must be placating the General Medical Council or I must be placating the Provincial Governments. Bad luck, I suppose. But any one, who is situated as I am, cannot but do what under the circumstances I am doing. Every one of us would like to be an autocrat or a dictator. But the present Government machinery unfortunately does not admit of it. (Interruption). It will, you think. Lucky will be the man who will assume dictatorship at the right time.

Just one more reference and that is, that if, as a matter of fact, I am limited in the scope of this Bill, is it not right that you should leave this matter over for me to deal with in communication with Local Governments? And, as I have assured the House already, I will do all I can.

In conclusion, the matter has been dealt with fully, and this Bill's scope is a limited one, dealing with collegiate education and very naturally and very properly

Mr. S. C. Mitra (Chittagong and Rajshahi Divisions: Non-Muhamadan Rural): Something must be done for the licentiates.

The Honourable Khan Bahadur Mian Sir Fazl-i-Husain: As for licentiates. I assure you that we never at any stage of this case intended to cast any reflection on them. Since we met last, I have examined the matter in greater detail to see that even an indirect reflection may not be cast on them. As I have already submitted, this Bill deals really with inspection and consideration of the report as the result of that inspection. This register is not an integral part of it. As a matter of fact, registers of licentiates and medical graduates are kept in the provinces already and they will continue to be kept there. The only reason why the word "register" figures in my Bill is that it was intended that provincial registers of graduates should be transcribed and kept in one register at the headquarters

Mr. S. C. Mitra: The same thing may be done for the licentiates.

The Honourable Khan Bahadur Mian Sir Fazl-i-Husain: I am coming to that. It is not essential that it be done. This matter will be before the Select Committee. If they feel that it is not necessary to have this all India edition of provincial registers, they need not have it. If, on the other hand, they feel that it is necessary, they can have it; and if they have it, then naturally it involves to a certain extent coming up of appeals from them or they may devise some method of giving finality to the appellate jurisdiction in the provinces. As regards licentiates, what can be done is to have a similar measure under which a licentiates' register can also be kept. My friends have made suggestions to me, why not put the licentiates in an appendix? Well, you see by shoving in other people surreptitiously into another class, you are not really doing business and you

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are really doing no good to any one; and is it right that we should, just because the children worry us a lot, give way to them and really spoil them? That is really what it amounts to. I want to do all that I can, but please be reasonable and tell me what within reason can be done. I do not think in your own calmer moments you will want me, in a medical register of graduates, to put in a note saying "there is an appendix of licentiates also added." It is just like a note in a university calendar saying "The graduates' list is given, but here are the undergraduates as well." It will not do. But as a second measure certainly I see no reason why if a register is considered of such very great importance, the licentiates should not have a measure like this of their own, and with their own register; and if the other school of thought prevails that we do not want a register, it will be open to the Select Committee to do away with it.

I am most grateful, Sir, to the House for extending to me the courtesy of listening to me at such length. My excuse was, not really the complicated nature of the subject, but the complications that our friends' persistent attempts at enlightening the minds of all of us created, and I trust that the House will forgive me for taking up so much of its time:

Mr. K. G. Neogy (Dacca Division: Non-Muhammadan Rural): Sir, may I offer my sincere sympathies to the Honourable gentleman who has just resumed his seat, in having had to wait for eight weeks to finish his speech? I do certainly realise what a strain it involves, but no one is more aware than the Honourable gentleman himself that the path of duty is beset with many difficulties. I recall the words that he used while presiding over the Simla Conference of 1930 which met to discuss this very question. The Honourable gentleman said: "We all must be prepared to take the necessary trouble to do our duty", and that admirable sentiment was expressed in connection with a somewhat disrespectful reference to the Punjab Legislature when the Honourable Member said: "Well, if you take these measures to the Legislature, then your real trouble begins, because I know how difficult it is to convince them sometimes on very simple matters". I felt greatly re-assured today when my friend said that he recognised that Honourable Members on this side had mastered the various problems connected with the particular question now under discussion. I do hope that my Honourable friend has a better opinion of this House than of the Punjab Legislature.

Now, Sir, I sympathise with him for another reason. I sympathise with him because this measure has come up for consideration in an atmosphere surcharged with suspicion. The Honourable Member with commendable frankness has stated the influence which the attitude of the General Medical Council had upon the course of action on the part of Government. We do recognise the frankness with which this point was dealt with also by my friend, Mr. Bajpai. But, I want to go back to the history of Constitution under which we are at the present moment discussing this measure, I mean the Devolution Rules which Honourable Members will find in Schedule I to the Government of India Act,—I am referring particularly to Devolution Rule No. 45,—which leaves the regulation of medical and other professional qualifications and standards subject to legislation by the Indian Legislature. I have, a kind of an inconvenient memory sometimes, and I remember to have studied the history of this particular Devolution Rule 45 under which this House gets the opportunity of legislating upon a question of this character. My friend,

the Honourable Sir Fazli-Husain, was not a Member of the Government of India at the time, but I daresay he has read the Government of India's Despatch on the Montagu-Chelmsford reforms on this point. If I remind him about the history of this particular rule, perhaps he will pardon me. Sir, it will be in the recollection of Honourable Members that a Committee was appointed under the Chairmanship of Mr. Feetham, called the Functions Committee, and it was mainly on the recommendations of that Committee that the Schedule to the Devolution Rules was drawn up. I find that when the Feetham Committee Report was submitted,—and I may tell the House in passing that the particular Devolution Rule to which I am referring finds place almost in exact terms in the recommendations of the Feetham Committee,—when that recommendation of the Feetham Committee came up for consideration, the Government of India opposed the suggestion which has since been embodied in the Devolution Rules. Honourable Members will find the Government of India's opinion on this point set out in the 4th Despatch of the Government, dated the 16th April, 1919. The position that the Government of India took up at the time was that it was not safe to transfer the control of technical and medical education to Indian Ministers. The Government of India were full of distrust of the Indian Legislatures and of the Indian Ministers who would be in a way responsible to those Legislatures. I do not want to trouble the House with any quotations from the Government of India's Despatch, but it is interesting to observe that the Government of India laid such great stress upon control over technical and medical education that they went to the length of stating that "after the maintenance of law and order, there is no matter on which the responsibility of the British Government is heavier". Now, Sir, their recommendation was that the control of not merely medical but also legal, engineering and technical and industrial colleges and schools in India could not be entrusted to what they called inexperienced hands, and they pointed out that political influence might play a great part in regard to these various matters with disastrous effects on the efficiency of education in India. Now, Sir, this was the Government of India's criticism of the Feetham Committee's Report on this particular point.

Next we find Mr. Feetham accompanied by who was then Mr. Stephenson (now the Governor of Burma), supporting their original proposals before the Joint Parliamentary Committee. They were not prepared to go to the length that the Government of India wanted them to go, namely, to make the whole subject of medical education a reserved one, but then they, in their evidence before the Joint Parliamentary Committee, supported their original proposal which, practically represented a compromise between the extreme view of the Government of India and the view point that there should be absolutely no control on the part of the Central Government with regard to the standards of medical education. Honourable Members will find a very useful appendix to the Joint Parliamentary Committee's proceedings, an appendix in which Mr. Feetham, and Mr. Stephenson, as he then was, set forth their views on this point and supported their original proposals. It is very difficult for us to forget this little piece of history. The whole constitutional provision, as I said, in regard to this matter is conceived in a spirit of mistrust of Indians, of Indian Legislatures and of Indian Ministers. That is suspicion No. 1.

Now, Sir, the next suspicion arises out of the action of the General Medical Council with reference to our Medical Colleges. I need not go over the ground which has been so well covered, not merely by

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Members on this side, but also by Honourable Members who have spoken on behalf of the Government. The General Medical Council, as a result of medical education being entrusted to Indian hands, insisted on having inquisitorial inspections in regard to the quality of medical education in this country, to which naturally strong objection was taken primarily by the Universities. Now, Sir, the Honourable Member knows perfectly well that so far as those Universities and those medical bodies who protested against the General Medical Council's decision in the matter was concerned, they had the heartiest support of non-official opinion in the country.

They were and are still fighting in a sense for national honour, and I can assure my Honourable friend that in their fight they have the solid support of popular opinion in this country.

The next suspicious circumstance arises in connection with the procedure which the Government of India curiously followed in this matter in taking the trouble to obtain the previous sanction, as it were, of the General Medical Council to the draft Bill. Again, I must acknowledge with perfect frankness the action which the Government of India have taken in the matter in placing these very facts before us. They have not withheld any bit of information that is relevant to the consideration of this matter, and it is because they have so frankly placed before us the correspondence that passed between them and the Secretary of State in regard to this matter that we know what part the General Medical Council played in indirectly determining the general lines on which action should be taken.

The next suspicious circumstance is inherent in the Bill itself. One has only to go through the constitution which the Bill proposes for the Council, in order to be convinced of the fact that the Council is intended to be a predominantly official body dominated by the Indian Medical Service. I need not tell my Honourable friend as to what the Indian medical opinion is with regard to the present domination of the Indian Medical Service over the medical administration and medical education in this country. The Honourable Member is better aware of the state of feeling in the matter than any of us. The next suspicious circumstance arises out of the reference to this very Bill in the White Paper following upon a reference to it in the report of the Third Round Table Conference. I beg leave of the House just to read out the reference which the White Paper contains to this matter. It is in rather smaller type than the remainder of the report, but that is, I submit, no test of the importance of the reference itself. It is on page 59 of the White Paper. The White Paper, in this particular paragraph is dealing with the question of commercial discrimination and this is what follows as a sort of note to it:

"A question which will require separate consideration arises with regard to the registration in India of medical practitioners registered in the United Kingdom. A Bill which has an important bearing on this question is at present under consideration in the Indian Legislature."

Reading it carefully, it does not seem to me quite clear that once this Bill is passed, we shall have heard the last of this particular question. Whether we pass it or not, the matter will come up for separate consideration before the Joint Parliamentary Committee, and I submit that it will be entirely derogatory to this House to pass a measure, if our action has no finality in the matter and that something further may be done, as it will very probably be done, by our masters in England. Perhaps

they are waiting to see the shape in which this Bill finally emerges out of this Legislature and then it will be for the British Parliament to decide as to whether to incorporate another safeguard, a medical safeguard, in the next Constitution.

Sir, I think I have taken up sufficient time in dealing with a somewhat preliminary point. Now, the House must be very tired and I should not like to take any more time than I can absolutely help. The Honourable Sir Fazl-i-Husain has told us today that this particular Bill has a very limited scope. That is our quarrel. Why should it have such a limited scope? We are not the first Legislature in the world which is trying to set up a Medical Council by legislation, and what is the primary object with which Medical Councils have been set up in other countries of the world. One of the primary objects of a Medical Council any where in the world is to lay down and maintain a minimum standard of efficiency of the medical education in a country for the safeguarding of the interests of the public. Another very important object is the regulation of professional conduct. Is it very wrong on our part if we say that this Bill does not fulfil either of these two primary objects? The Honourable Member was persistent in saying today and on the last occasion that what is wanted is a uniform standard and he often inquired as to whether we want one standard or two standards. May I respectfully point out to him that the question is not of setting up one standard or two standards. The question is what should be the minimum standard, that is to say, what should be the minimum standard of qualification which must be satisfied by the medical practitioners of any country in order to enable them to enjoy certain privileges in practising their profession. That is the main object, at least one of the main objects of the Medical Council in any country of the world. I need not go very far for finding support of the proposition that the licentiate test does constitute that minimum standard which the public at large may safely accept for the purpose of guiding them in their choice of the medical men. My Honourable friend himself has paid very high tributes to the members of this particular section of medical men. He has said that he was instrumental in breaking down the caste barrier, as it were, that existed between this class and the next higher class, the provincial medical service, while he was a Minister in the Punjab. I may tell my Honourable friend that similar action was taken in Bengal sometime back, and I am told that similar is the position in the other provinces also. Now, therefore, we have the authority of an *ex-Minister* of the Punjab Government to say that there is no essential difference between the two classes of practitioners, that is to say, the difference is not so very great as to make the licentiates liable to be put into a different pen altogether for all time, but that selected members of this class can aspire to higher positions occupied by the graduates. My Honourable friend made a complaint against Sir Cowasji Jehangir the other day. He said, is it right for Members of this House to encourage licentiates in their ambitions to improve their position when the Honourable Members realize that finance may stand in the way of the consummation of that desire? Now, is it right for my Honourable friend, Sir Fazl-i-Husain, to break down that caste barrier, to pay encomiums in the language that he has done to that particular class and, at the same time, to deny them the right to cherish the ambition to be placed on a somewhat higher footing than they at the present moment occupy?

[Mr. K. C. Neogy.]

Now, I will come to another point. It will be said, as it has been said, that this Bill is primarily intended to standardize the higher medical education, that is to say, to set down, as has been said, the higher minimum standard. My knowledge of the English language is not sufficient to help me in judging as to whether the expression "higher minimum" does or does not do some amount of violence to King's English.

Mr. C. C. Biswas (Calcutta: Non-Muhammadian Urban): Minimum of higher education.

Mr. K. C. Neogy: Now, it has been said that standardization is necessary for its own sake in the first place, and in the second place it is necessary for the purpose of obtaining that so-called international status for our medical graduates that has been lost to them by reason of the action of the General Medical Council.

[At this stage Mr. President (The Honourable Mr. R. K. Shanmukham Chetty) resumed the Chair.]

Now, I should like to know to what extent this standardization is wanted for its own sake. So far as I am concerned, I am not prepared to attach any very great importance to the other aspect of the necessity of having standardization, namely, for the sake of re-earning the "international status" which has been lost. Now I should like my Honourable friend to tell me what is the proportion of Indian medical graduates that will benefit by this reciprocity. I find that while presiding over the Conference of 1930, he hazarded a guess in this matter and said as follows:

"We are quarrelling with the General Medical Council in the interests of one per cent. of the graduates who are either going in for the Indian Medical Service or intend to practise in England or somewhere or want to be engaged in shipping, and so forth."

I will presently tell the House as to why I do not consider the Honourable Sir Fazl-i-Husain's statistics very reliable, but even if we accept this particular figure of one per cent, does the Honourable gentleman seriously mean to suggest that that is a sufficient inducement for this House to undertake legislation of this limited character in the teeth of the opposition from the medical opinion in the country?

Now, Sir, my Honourable friend said that Major Naidu, Sir Nil Ratan Sarkar and others think that there is room for a third class of medical graduates, a cheaper type of people who would undergo a much shorter training and who would be available in very large numbers in the rural areas for catering to the medical needs of the people at large. May I remind him that it is not merely Major Naidu or Sir Nil Ratan Sarkar who holds this view. In the year 1916, this was the view of the Government of India. In the year 1916, if the Honourable Member will refer to the debates of the then Imperial Legislative Council, he will find that a Resolution was moved by a non-official medical man, who was then a Member of the Imperial Legislative Council, asking for the establishment of institutions for training medical students in the vernacular for ordinary medical practice in rural areas. There is a wealth of information with regard to the history of the growth of the present class of licentiates in the speech of the Mover of that Resolution, but I do not want to trouble the House with those details. Now, this Resolution was supported by no

less an authority than General Sir Pardey Lukis, the then Director-General of the Indian Medical Service—a name which is equally honoured among the Indians as among the Britishers. (Hear, hear.) He said that he gave a great deal of support to this Resolution, but he made a condition that the standard of the existing schools should not be lowered, and we find that Sir Reginald Craddock, who was then a Member of the Government, formally accepted the Resolution on behalf of the Government of India. Four years later, a question was asked by Mr. Patel as to what action the Government had taken in the matter after having accepted that Resolution, and Sir William Vincent, who, I think, had succeeded Sir Reginald Craddock, said that the proposal had been abandoned as the Local Governments were opposed to it. He further said that the Government of India considered that the object would be more effectively secured by increasing the number of medical schools and by raising the pay of sub-assistant surgeons. I do not know how the object would be served by raising the pay of the sub-assistant surgeons.

The Honourable Khan Bahadur Mian Sir Fasl-i-Musain: And thus attracting more men.

Mr. K. O. Neogy: I thought one of the weighty arguments which my Honourable friend adduced against the contention of this side of the House in favour of the inclusion of licentiates was that, if you once agreed to raise the standard of licentiate education, it would mean increasing the cost of medical education and increasing the cost of medical relief to the poor people. And Sir William Vincent said that the object was going to be secured, not merely by increasing the number of schools, but also by raising the pay of sub-assistant surgeons. I may remind the House that not merely had a change taken place meanwhile in the personnel of the Home Member, but that Sir Pardey Lukis had also died. I do not know to what extent the change in the Government attitude is to be ascribed to that lamentable incident.

Now, Sir, this reminds me of another point. I have tried to study the question as best as I could according to the limited light within me, and I find that the Government of India and the Provincial Governments have been consistently following a policy of gradually levelling up the standard of education of the licentiates. If you begin the history from the year 1880, when the first Hindustani class, as it was called, was opened in the Calcutta Medical College, you will find that the policy of the Government was gradually to raise the standard of education of the licentiate class, and this is indirectly admitted by Sir William Vincent himself in the reply I have referred to.

Sir, is it very wrong on the part of this very worthy class of medical men to ask now for something more to be done for them? If the Government were to accept the proposal which was laid before them in the shape of that Resolution in 1916, and which has even now the support of eminent medical authorities like Sir Nil Ratan Sarkar, and if the Government were to bring into being a class of medical men between whose standard of education and the University standard there would be a vast difference, then there would be no grievance on the part of this lower class of people if the Honourable Member sought to discriminate between them and the graduates. The fact that the Government of India and the Provincial Governments have deliberately chosen a policy of steadily raising the standard of education of the licentiates has given them a good deal of encouragement to cherish

[Mr. K. C. Neogy.]

further ambitions. Is it any wonder, therefore, that when they find that for the first time by legislation we are going to discriminate against them, for whatsoever purpose it may be, that it causes great resentment amongst them? Sir, my Honourable friend in his speech on the last occasion insinuated that all this agitation on behalf of the licentiates, in so far as it is being voiced by the Medical Associations and the Medical Conferences, cannot be accepted at its face value. I do not know whether I am doing any injustice to my Honourable friend in putting that interpretation on what he said. What he said was: Here is a very large number of licentiates who form a preponderating majority to the extent perhaps of 30 to 1, and when they attend a Medical Conference, naturally they swamp the Conference and the graduate members of the Conference have no independence of opinion left to them in regard to this particular matter. I took the trouble of ascertaining the relative strength of graduates and licentiates that attended the last Conference, and I have the best authority to say that the ratio of graduates to licentiates at the last Medical Conference was about 4 to 1, that is to say, the graduates very largely preponderated over the licentiates.

The Honourable Khan Bahadur Mian Sir Fazl-i-Husain: Was the total attendance 500 or more?

Mr. K. C. Neogy: I am not in a position to give the number, but this is what I have got. If the Honourable Member desires, I can ascertain the number.

The Honourable Khan Bahadur Mian Sir Fazl-i-Husain: Not necessarily.

Mr. K. C. Neogy: Now, Sir, when the Honourable Member talks of the Associations being largely influenced by a preponderating proportion of the licentiates, I am afraid he is not also on a very safe ground there. I have got here the figures showing the distribution of membership of some of the leading Medical Associations in the country. The Calcutta Medical Club, for instance, has got 413 graduates on its roll of membership and only 116 licentiates. The Bengal Branch of the Indian Medical Association has 202 graduates and 45 licentiates. The Lahore Branch of the Indian Medical Association has 47 graduates and 8 licentiates. The Patna Medical Association has 58 graduates and 25 licentiates. The Lucknow Medical Association has 57 graduates and 23 licentiates. The Delhi Medical Association has 98 graduates and 11 licentiates. The reason for the lower proportion of the licentiates is not far to seek, because the licentiates do not generally practise in large numbers in the cities where these Associations are located. Therefore, my Honourable friend was not quite right when he drew the conclusion that, although these opinions come to us as purporting to proceed from the graduates as much as the licentiates, it is the voice of the licentiates that prevails in these Conferences and in these Associations and, therefore, these expressions of opinion ought to be taken with a pinch of salt.

Now, Sir, I do not think I will be justified in taking up any further time of this House. But I will just read out the expression of opinion of the Chief Medical Officer in Rajputana in regard to the point about the

licentiates. I find my Honourable friend, Diwan Bahadur Harbilas Sarda, is pricking his ears. Of course, Rajputana and, particularly, the Medical Officer in Rajputana, is not a quarter to which one generally looks for guidance in such matters, but here is a very pleasant surprise. This is what the Chief Medical Officer in Rajputana says:

"The Licentiates who supply the majority of the Sub-Assistant Surgeons and many of the Assistant Surgeons both Military and Civil are commonly accepted as medical practitioners throughout India and I cannot but feel that, as long as this class exists and is officially recognised as doing the work of medical practitioners their qualifications should be the minimum standard required for registration.

Whether later in order to attain reciprocity with other countries this minimum standard is raised is another matter. Definitely with the present Licentiate Standard as the minimum qualification for the India Register reciprocity could not be hoped for. The hopes of the graduates regaining rapidly such recognition as has been recently lost from their own standard falling below requirements would have to be postponed. This would however only affect a favoured few who seek the higher degrees obtainable elsewhere and I do not think the interests of these numerically few even if politically strong individuals should operate against the interests of a very large and very deserving class, many of whom in the actual practice of their profession are superior to the average graduate and who would be put at a disadvantage to them by not being registrable."

May I, in passing, refer to one particular case of a licentiate who is at the present moment occupying the position of a Professor of a Post-Graduate Institution in Calcutta, namely, the Calcutta Tropical School of Medicine, the professorship having been vacated by an I. M. S. officer? I want my Honourable friends to imagine the position of this gentleman, when all his pupils are post-graduate students of the Calcutta University, and he, as a licentiate, has been considered to be fit enough to be appointed permanently as a Professor of a Post-Graduate research institution. And this may not be the solitary instance of high distinction earned by members of this particular class.

Now, Sir, I come to another expression of opinion with which I will finish. This is from the Minister in charge of the Department in Bihar and Orissa. He puts the case so very well that I cannot resist the temptation of making one last quotation from him. He says:

"The strength of feeling amongst the medical profession on these points is such that the Bill will be wrecked and that it is inadvisable to proceed further with it now. While admitting that a British India Medical Council is required the Honourable Minister feels that the present is an inopportune time for attempting to create it; that public opinion at the moment is resentful of the influence of the Indian Medical Service and will not tolerate any legislation which provides for any appreciable degree of Government control over the medical profession. He fears that a Medical Council established on the lines proposed in the Bill will endeavour to impose on standards of medical education a uniformity which the differences between conditions in the various provinces make it impracticable to reach and that no independence less complete than that granted to the medical profession by the English Medical Act of 1886 is likely now to be acceptable. Moreover he does not consider that reciprocity between England and India is at present within the range of practical politics."

I could not have put the case any better. While I conclude, I express the hope that the Honourable Member in charge will yet take into account the strength of public feeling that has been aroused in the matter on the various points and judge for himself as to whether it is right for him to push this Bill through.

* **Lieut.-Colonel Sir Henry Gidney** (Nominated Non-Official): Sir, unfortunately I have not had the advantage of being present in this House when

[Lieut.-Colonel Sir Henry Gidney.]

previous speakers spoke on this Bill, but I have tried to give it my closest attention and I had intended, Sir, to speak for three hours on this; but I am so intimidated on the matter that I hear that notices have been sent to the railway station that no trains will be delayed, and so I have to cut short my speech to accommodate the House.

Sir, there are certain aspects of this Bill which struck me as being the most important before I entered the House. After hearing the Honourable Member in charge of this Department, additional points have struck me which have almost overshadowed my original ideas, and I am left aghast as to what my views on such an important matter, as a medical man, ought to be. To my mind, medical questions, as a rule, are difficult things, and it is said that when doctors disagree, the undertaker generally settles the matter; but when we have medical politics, they are the very devil, and we bring it to this House and we have had these disruptive ideas which have left me absolutely in a quagmire as to what my decision would be on this matter. To my mind, Sir, there are three points emerging from this Bill which require our serious consideration.

The first is the education that is imparted in this country, which unfortunately is of two grades, in schools and colleges. On this point I think all protagonists agree that it is necessary to fuse these two standards, and to get one standard, which of course would be ideal. But that ideal can only be accomplished with a great expense of money and I am afraid the financial aspects of it to the provinces would not allow it. But we must not forget that ideal in whatever is going to happen in the future. The second point is standardisation, and the third point, which has emerged out of this Bill, is the question of reciprocity.

Now, Sir, we are presented with a Bill for our consideration which should more truly be called a Medical Reciprocity Bill than an Indian Medical Council Bill. After all, Sir, we may differ in our ideas as to what the medical needs of this country are. But talking as a medical man, who has occupied responsible appointments, I can assure this House that one of the curses of medical administration in this country is its compartmentism. The department of medicine in this country is the only one in the whole of the Government of India which is divided into compartments and such water-tight compartments that once a subordinate always a subordinate. You can never rise from the bottom to the top and no licentiate, who is a sub-assistant surgeon, as we call him, can become anything further. Even if he is an F. R. C. S., he may be called an Honorary Assistant Surgeon. Now, Sir, it is a curse of this profession, this compartmentism, and I do believe that if this Medical Council Bill is to do any good to this country, it must kill that compartmentism. I submit with all respect that the framers of this Bill, which I consider not only to be controversial, but very adroitly drafted and also a very complicated piece of legislation, I consider that this Bill is perpetuating that compartmentism, and I for one holding those views cannot give my consent to any Bill that perpetuates compartmentism in this highly scientific profession in this country. Apart from that, Sir, we have to consider what

Mr. Neogy so ably pointed out, and that was, what is the purport of this Bill? Is the purport of this Bill to separate licentiates from graduates? If it is, then the Bill need not be presented with all the paraphernalia of a Council. If the purport of this Bill is to introduce in the Legislature a body that is going to be recognised by the British Medical Council or by the Councils as they operate in the various parts of the United Kingdom, then let it be said so openly and frankly. But I submit, Sir, that it would be wrong if we were here to limit the functions of this Bill mainly to what has been called today higher education and which was an altered Preamble to the original Bill. I can see now the reason for the alteration of this Preamble. I can see the reasons very clearly, but I can conceive also a possibility of avoiding this and I would suggest this to the Honourable Member. If you are going to improve medical education in this country, the time has now come to do it. In 1922, Sir, I moved on the floor of this House a Resolution which, for want of a better name, I called a Medical Swaraj Resolution. This is the Resolution I moved:

5 P.M. "This Assembly recommends to the Governor General in Council that he be pleased to appoint a Committee of professional experts, half to be obtained from the United Kingdom in consultation with the General Medical Council and the other half from India, to tour India and to inquire into the training that is obtained in the various Medical and Surgical institutions, both official and non-official, and to submit recommendation with a view to bringing the Indian institutions, in all respects on a level with those of the United Kingdom and thereby creating in India a suitable field of recruitment for its entire Medical Service."

Sir, that Resolution was rejected by this House. In my reply to the Honourable Member I said that the time was not far when this very Resolution would be moved in this House again. I now hear voices on the other side of the Opposition supporting what I said then. I put it to the Honourable Member for his acceptance that if you are desirous, as I know you are, to improve the standard of medical education in India, and I for one am not in favour of lowering the standard by introducing a third class, if you are desirous of improving the standard of education, if in this Act you want to bring in a standard, a Register, if in this Act you want to satisfy the medical profession of this country and if this Act is brought into this House in response to any demand from medical education in this country, let there be one Register and one Register only and on that Register let there be graduates and licentiates together. I will tell you that there are many reasons for that. I will develop the reasons, now, Sir. I would like to inform this House when we enter into details of comparisons between graduate education and school education, one is not to forget this very important fact that in my own time a number of graduates, who qualified for 20 or 25 years, passed an examination inferior to what a licentiate passes to day. Bacteriology and epidemiology was not known practically in those days. It was scarcely known when I passed my examination. Today it forms a very important part of the examination of the licentiates. Why should I, because I graduated, with no knowledge of what they have, 30 or 40 years ago, be taken in today and a licentiate, who has better knowledge be shut out? That is one of the reasons that is put forward, but that is not the main reason. My main reason is this, that you do not want to separate the goat from the sheep and that you want to keep one standard and one Register. Well, having accomplished that, I would ask the Honourable Member, if he would be agreeable to have a separate list of those members

[Lieut.-Colonel Sir Henry Gidney.]

of the profession in this country whom this Council considers suitable for purposes of reciprocity with Great Britain or any other part of the Empire, so far as reciprocal matters are concerned? It is obvious to everybody that a licentiate will not be received by the Medical Council. We all know that the General Medical Council will not accept any training or any examination that does not come up to its standard. We also know that the General Medical Council demands that they must inspect those standards. We have refused that inspection. We are there at a deadlock. May I suggest to the Honourable Member, try a little Round Table Conference method? Could he suggest a few members of the profession going to England to study this question, the same as Ceylon and Egypt did to their advantage? Today we are at a deadlock with England. The General Medical Council certainly does not enter this field in the fundamental way that many people think it does. It is only when we want to demand reciprocity that the General Medical Council comes into it and, taking the Bill, as it is, and taking what the Honourable Member in charge of the Department states should be its limitations, I, for one, Sir, was aghast at the limitations that he has placed on it. He has said that this limitation is meant only to refer to college and University examination. He states that you cannot take any licentiates, and, he brings in his reason that medicine being a provincial transferred subject, it would not be right for the Government of India to interfere with that. Now, Sir, if it is not right for the Government of India to interfere with licentiate education, is it right for the Government of India, with the concurrence of the Provinces, to interfere with the collegiate and University education? I agree with Mr. Neogy when he pointed out that the Devolution Rules do give the Government of India power for standardisation of examination, and I see no reason whatever why the Honourable Member should not allow this matter to be discussed in the Select Committee, so that we could get at least one standard to apply to all medical men in this country. (*Several Honourable Members*: "No, no"), and not to separate them. You may say "No, no", that is your opinion, it is not mine.

Now, Sir, whom are we passing this Bill for? Has this Bill been drafted and is it to be passed for the benefit of the Government of India? Is it to be passed for the benefit of the British Medical Council? Is it to be passed for the benefit of the graduates in this country? Is it to be passed for the benefits of the licentiates? It is being passed for the benefit of the public and it is on that that the General Medical Council has been framed. Now, if you pass it for the benefit of the public, I ask this House, why are the Government of India so keen on eliminating licentiates when the graduates want licentiates to be included. Now, if the graduates did not want it, I can understand the Government of India saying that the graduates oppose it and they must, therefore, for just a few thousand graduates eliminate the licentiates. But the graduates, especially the report of the last Indian Medical Council Association held in February this year, states that it is the opinion of the Indian Medical Council that licentiates should be included in this legislation and I cannot understand the Honourable Member's refusal to accept one standard both for licentiates and for graduates, having, as I suggested just now, a list of reciprocal graduates with whom reciprocity can be entered into with other countries. Sir, I have very few remarks to make in addition to what I have said.

Sir, I would in conclusion bring to the serious notice of the Honourable Members, why introduce a Bill of such a contentious and controversial nature in this atmosphere of mistrust? If the Government of India are going to operate this Bill in the Provinces, they must do it with the goodwill and trust of the medical profession. If the medical profession is desirous of having this one Register, why Government should say "No, we will have two"? If the licentiates say that they want to improve their standard, why should Government say it is not their concern? Sir, surely it is the concern of the Central Legislature to improve the standards of education of India and surely if the medical profession almost unanimously want to have one Register for licentiates and graduates, is it the duty of Government to oppose it? Rather let us go into the Select Committee with some trust, some hope that this Committee will evolve a Bill which would satisfy both licentiates and graduates, leaving aside reciprocity to be dealt with as the Bill wants and which, after all, is an absolute myth. Reciprocity in this Bill is a myth, because it does not exist until and unless the country with whom you wish to enter into an agreement consents to your standards and accepts reciprocity. With all my respect to the Honourable Member and with my admiration for his desire to have India progressing on the line of medical education. I submit that the time has come for a forward step, not for a backward step, by the introduction of a third system. It is not the time for us to go back: it is time for us to have a unanimous minimum standard of education and have our own registers for the benefit of India and not for the benefit of anybody else. If we wish to enter into any reciprocity with other countries, let it be done in another manner; but if this Bill is to be the Indian Medical Council Bill, it has to satisfy the needs of the Indian medical profession in this country and not only of graduates.

Mr. President (The Honourable Mr. R. K. Shanmukham Chetty): If the House would prefer to continue the discussion after Dinner, the Chair would have no objection.

Honourable Members: Yes, yes.

The Assembly then adjourned for Dinner till Nine of the Clock.

The Assembly re-assembled after Dinner at Nine of the Clock, Mr. President (The Honourable Mr. R. K. Shanmukham Chetty) in the Chair.

Mr. Muhammad Yamin Khan (Agra Division: Muhammadan Rural): Sir, there are very few people in the House who have not got a high regard for the licentiates. We all, practically every Non-Official Member, have been under the treatment of licentiates at some time or other. In my younger days, I remember to have seen some licentiates who were much better than many graduates in medicine. Their experience, their tact and their skill in diagnosing diseases were remarkable, and I think, Sir, it is not the education that makes a man a good doctor, but it is God's gift which really makes a man a good doctor. A man may be very well educated in medicine, but he will not certainly be able to compete with

[Mr. Muhammad Yamin Khan.]

a man who has been gifted with special skill by Providence. I have found that some licentiates have got far greater practice than most of the medical graduates holding high degrees.

An Honourable Member: They may be exceptions.

Mr. Muhammad Yamin Khan: Yes, as my friend points out, these are exceptional cases. If the same licentiate, who has got all the tact and skill, had received good education in the University, he would perhaps have been a far better man than as a licentiate. At present a licentiate has to undergo training for four years, whereas a medical graduate has to undergo training for five years, but a graduate, before he enters the medical college, has to pass the F.Sc., which means some extra general education for two or four years.

Formerly, we had in India only one system, and it was thought that a lot of people of high families, who had nothing else to do, used to learn medicine as it was considered as an accomplishment for a man, and a man's education was not considered to have been complete unless he acquired a good knowledge in medicine. In those days there were a lot of *hakims* in the country and they used to distribute medicine free of charge to the poor people. In small towns also, there used to be *hakims* who gave medicines free to the poor people. There are many families even now who have kept up their medical practice for generations. To give an idea as to how the villages have got faith in these *hakims*, I shall just give an incident. My uncle used to be a good *hakim*. He had a reputation even outside our own province, and some people not knowing that he was dead came for treatment to our house. At that time I had some clients sitting with me. This man naturally thought that I was the physician and the people sitting with me were my patients. When the man came to me, he thought that I was distributing medicines, whereas I was giving them legal advice and not medicine which he expected from me. He asked me about my uncle. I said that he died only two months ago. Then he asked me as to who was going to give him medicine. I said that I did not know medicine and asked him to go to the hospital. He again insisted on me to give him some medicine in spite of my telling him that I did not know even a bit of medicine. Still he went on persuading me to give him something, because he would not believe my statement that I did not know a bit of medicine. He said: "Oh, your uncle knew so much medicine, and how is it that you do not know; it is impossible". What I am pointing out to the House is that the faith of the people in *hakims* was so much that they would not believe if a descendant of the *hakim's* family said that he did not know medicine. The general opinion is that every profession is carried on by a family from generation to generation. That class is unfortunately vanishing. We have got very few *hakims* left in small towns and in the villages who would distribute medicine as charity. Their places have been taken up by licentiates. During the last 20 years, several hospitals have been opened in small towns and in the villages where the poor people receive treatment free of charge. As we all know, 80 per cent. of our population is living in villages and they require some kind of treatment when they are ill. These poor people cannot be ignored altogether, and it is next to impossible for a graduate, who has spent so much time and money in taking a

medical degree, to go to these small villages and towns and settle down there to give free treatment to these poor people. A graduate cannot afford to live without earning some money, and so they have to live in big towns like Dalhi, etc. Therefore, these licentiates have necessarily a place in the villages as their charges are low which people can afford to pay. Their education in schools takes about four years and, as has been pointed out by the Honourable Member in charge of this Bill, I calculated myself that education in the University, that is ordinary education *plus* this medical education, would cost about three times as much as it would cost in the case of the licentiate. Some poor people cannot afford to do it. It is very good to say that the graduates and the licentiates should be brought up under one register. I can quite understand it, but will it be possible to bring them in the same register? One education is controlled by the Local Governments and unless all the different Local Governments come and join together and have the same standard, and unless they agree to put down the same standard, it will not be possible to have one register, and until that object is gained, I do not see why should there be any impediment in the way of graduates. I think these matters can be gone into thoroughly and discussed in the Select Committee and these matters cannot be discussed on the floor of the House. They can be discussed better across the table. People can be convinced better in the Select Committee. Here people give expression to their views, but in the Select Committee, there is more freedom and people can see eye to eye with each other. I think this question of what steps should be taken to improve the status of the licentiates should be left over to the Select Committee.

I think, Sir, there are two or three cases which require careful consideration. One is about the Medical Council. It has been rightly said that the question of the nominated President is one that requires careful consideration—whether there should be a nominated or an elected President. All the pros and cons of this question can be gone into in the Select Committee. I do not want to take the time of the House too much. I know there are some friends who want to sit till day-break. I think, Sir, without going into the merits or the details of this measure, this motion for Select Committee should be supported.

Mr. K. P. Thampan (West Coast and Nilgiris: Non-Muhammadan Rural): Mr. President, I should first of all congratulate you on the novel departure you have made in making this House sit in the night after dinner. It is, perhaps, because we have a vigorous young man like you in the Chair. It is our sincere wish that you may long occupy that Chair and establish many such healthy and good traditions.

Now, Sir, I should like to offer a few observations on this Bill with your indulgence. I would like, however, at the outset, to make my position very clear. I am only a layman and I am only anxious that we should have an efficient medical service in this country. Other things are not my concern. I find from the literature supplied to us that the object of this Bill is to ensure a uniform minimum standard of higher medical education in this country. That seems to be the chief object of this measure and I for one, layman as I am, do not understand why we should have a medical register for it. I venture to suggest that it is more than sufficient if you have an Inspection Board for that purpose. The Government of India may constitute an efficient Inspection Board even as we have Inspectors of Colleges appointed by the Universities in the

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provinces. I do not understand why for that purpose a medical register should be kept both in the provinces and in the Centre. If that is agreed to be not necessary, then we can get over most of the troubles. Already in the provinces we have got a register of medical men. There we have both doctors with University qualifications as well as licentiates. My own opinion is that either in the interests of the medical men themselves or the public at large, it is absolutely unnecessary to have two registers. Where is the necessity, for instance, for a medical practitioner in Malabar to enter his name in the central register? Why does he want it? He may never care to practice in any other province, much less in a foreign country. Why should one pay one's fee for getting enrolled in the central medical register simply for the sake of the status it gives? It does not give any additional privilege. The proposal to keep these two registers is sure to create bad blood among the doctors themselves and, as long as the provinces insist on keeping their own registers, it will more than serve the purpose and there is no justification for this duplication.

The question of University graduates *versus* the L.M.Ps. is indeed a very complicated one. Comparisons are always odious. Coming from Madras, Sir, you must have known many medical practitioners there who are not University graduates, such as M.B.B.Sc.'s or M.D.'s but very distinguished in their line, we have got a great specialist for the treatment of asthma in Madras; he is not a University graduate in medicine. Similarly, in Malabar, we have got an L.M.P. who is a specialist in the treatment of piles. Sir, it very often happens that these L.M.P.'s make very good researches, and many of them command a greater reputation and confidence among patients than M.B., B.S.'s. In the matter of practice also, I know one L.M.P. who used to make at least three thousand rupees a month and I may say at the same time that I know an M.D. in Malabar who does not make in practice the amount of income which the Honourable the Finance Member has recently treated as the lowest to be taxed, *vis.*, Rs. 1,000 a year. Sir, if you examine the income-tax registers, you will find what miserable failures some of these M.B., B.S.'s are. Their abilities or efficiency as doctors are not dependent upon their academical qualifications, and that is also my own experience. I myself have a family doctor who is an L.M.P., and I may say that, without getting his approval, I would not care to accept the advice or use the prescription of even an M.D. The L.M.P. cannot be ignored and if a register has to be maintained, do find room for them also.

Sir, as regards the provision for the constitution of the Council, my own opinion is that if you are anxious to have this Council, you must certainly liberalise it and make it more non-official in character. Of course, so long as you want the provinces to maintain their Boards, it is absolutely necessary to have representatives of these provinces on the Central Council, but it is also absolutely necessary to widen the franchise of the non-officials and maintain a non-official majority: you must give representation for the medical practitioners in the provinces, and so far as the Universities are concerned, the election must be from medical graduates and not from the academical Councils. The number of Government nominations should be reduced as far as possible. In other words, the non-official element must predominate in the constitution of the Board.

The other controversial matter is the question of reciprocity. I have not much to say on that. I am very anxious that nothing that is to be

derogatory to the national prestige should be done. The Honourable Member in charge of the Department of Education, Health and Lands has the reputation of being a very patriotic Indian, and, Sir, no less a man than your and my Leader, the late Raja of Panagal, told me that Sir Fazl-i-Husain was one of those Indians whose sense of patriotism and national dignity was not a whit less than that of anybody else. Sir, I am confident that he will vindicate himself fully on this question. That is all, Sir, I wish to say.

Mr. S. C. Mitra: Mr. President, at this stage of the Bill we are merely asked to refer the matter to a Select Committee, so I think we are not called upon to go into the details of the clauses, but to examine the Bill from the general standpoint in order to see if we can accept its principles. Sir, the name of the Bill is very attractive: It is "A Bill to establish a Medical Council in India and to provide for the maintenance of a British Indian Medical Register". The first part of the name, "to establish a Medical Council" will induce any Indian to support a measure like this, but in accepting this motion for reference to a Select Committee, we will be committing ourselves to the principle of this Bill. I thought that the principle of this Bill is not restricted only to some minimum standard for the medical graduates and that it comprised the wider question about having a minimum standard which should be recognized throughout the whole of India. But the Honourable Member in charge has explained that he considers that the principle of this Bill is so very restricted that we will be debarred in the Select Committee from raising any question about the inclusion of the licentiates. From that narrow standpoint, it is very difficult for us to support a measure like this. The name alone will not satisfy anybody. Sir, it is not the medical profession that demanded a measure like this, nor is it public opinion in India that required any such legislation. Later on I shall discuss the question whether it is necessary to enact a Statute only from the point of view of reciprocity, and if that is so, I think it would have been far better for the Honourable Member in charge to tell this House that "We in India are a subservient Government; we are to abide by the dictates of the British Medical Council; so, attracting you by such a big name, we really want a Board through which we would like to negotiate the question of reciprocity". Even from that narrow standpoint of reciprocity, I do not think there is any necessity for such a Bill. There are the Provincial Medical Boards in every province and, so far as I know, in the Dominions, in Canada and in Australia, the provinces are allowed to deal directly on this question of reciprocity with the British Medical Council.

The high-sounding principle about international recognition is also a farce, because, so far as I understand, by internationalism is meant only Italy and Japan and no other country, in this matter of reciprocity. I for one believe that it may be left to the autonomous provinces of the future to settle the terms of reciprocity. Why not have a Board like the inter-University Board and settle this question even for the whole of India?

If only for the purposes of utility, the Honourable Member in charge of this Bill should appreciate the point that it is only with the co-operation of the medical profession that the purposes of his Bill can be fulfilled. Though my Honourable friend has given a great name and a pompous description to this Bill, really no privilege, no right is being bestowed on

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the medical profession, the members of which will be invited to enlist themselves under this Bill. If the medical profession make it a point to non-co-operate with the Government on this matter, because they will not lose any very substantial right, I know ultimately the whole thing will prove a fiasco. So, from all considerations, I think, the Honourable Member should see how he can enlist the sympathy of the medical profession. I know that in this matter, apart from the Government and the medical profession, there is also the third party, namely, the general public. But there was no demand whatever from the general public for any such legislation. If there is any, I hope I shall be corrected. The Honourable Mr. Neogy has made it quite clear that the whole medical profession demanded the inclusion of the licentiates. One can easily understand that there may be a Medical Council for the whole of India and it should be asked to set a minimum standard. Any man, who satisfied that standard, should have the right to practise in any part of India. For that purpose it may be necessary to engage Inspectors or other bodies to see for themselves if the Universities are keeping up to that standard. Apart from this, the public may demand that there should be some register by consulting which they can be convinced that these are the persons throughout India who are qualified doctors. Now, Sir, the Honourable Sir Fazli-Husain speaks highly of the competence and qualifications of these licentiates, but when the question arises as to why they should not be included in the register as qualified physicians, he is determined to give them no place in it. So far as I have seen, every Medical Association in India has protested and very strongly protested against the exclusion of the licentiates. They did not want any division amongst themselves. As member after member has already testified to the high standard of efficiency of these licentiates, it does not lie with anybody to deny that they are an inferior set and are not competent to be classed as fully qualified doctors. My friend, Mr. Ranga Iyer, says that they are the depressed class in the medical profession. I do not think he really believes that there can be any depressed class and, least of all, the licentiates, who are held in great esteem by all classes of people, cannot certainly be classed as unqualified. However, when my friend himself is anxious to raise the depressed classes to the general standard, I think he will not agree to make a discrimination against these licentiates. Sir, I would like to know for certain whether it is the views of the Honourable Member which will prevail with the Chairman of the Select Committee in ruling out any question about the inclusion of the licentiates in the Select Committee. I can decide my attitude about this Bill on the decision of that question, because I know it is strongly held both amongst the medical profession and amongst the public at large that without the licentiates in the medical register the whole thing is a mere farce. It may be necessary to satisfy our overlords at Whitehall to pass something to please them. If that is necessary, let them do it under any other name, but not under this pompous name of Medical Council. They are not giving any powers or privileges, but are only demanding some fees from the medical profession and wasting Rs. 80,000 of public money in order merely to satisfy some mandate from London. There are other smaller difficulties also. So far as I know, in the province of Bengal the degrees of the Mysore University are recognised by the Provincial Medical Board. There is the similar claim, I understand, from the Osmania University where they had already started or are going to start a medical faculty. Under this constitution,

what will be done in these particular cases, I do not know. The Honourable Member in charge says that that is a provincial transferred subject. If that is so, why should he trouble his brain for advising the autonomous provinces who will resent interference from the Central Government in future as regards the course they should adopt. Besides, there is precedence in other Dominions as regards recognition. I understand that this recognition by the Medical Council only affects appointment and not practice. Any Indian having Indian degrees can practise in India or England, but what he is not allowed to do is that he cannot hold any appointment and he cannot issue some kinds of certificates. As has been very clearly explained by my friend, Mr. Neogy, not even .05 per cent (the Honourable Member in charge said .1 per cent) of the people will be affected if we fail to get recognition from the British Medical Council. My friend, Dr. Ziauddin, who is a great authority on all questions relating to different branches of education, says that those who go to England for their studies will feel some difficulty, but I think my friend will support me when I say that the best medical institutions are not a monopoly of British Isles. We all know that the best physicians are now available in Austria and in Germany and not so much in Great Britain. So, even from that standpoint; the Indians will not suffer very much. On all these considerations and without going into the merits of the clauses themselves, unless we have an assurance that the question of licentiatees will be an open question, I think this House will be ill-advised to accept this motion. As regards the clauses themselves, they are capable of great alterations and improvements without which I know the House will totally reject this Bill at its final hearing. But as regards those particular points in the clauses, I think there will be no difficulty to make them acceptable to the House by making necessary alterations in them. Some remarks have been made about the nomination of the President and the constitution of the governing bodies and there are many other details in which it is capable of improvement. But if the acceptance of the motion to refer the Bill to the Select Committee means that the question of the licentiatees will be sealed once for all, then I very strongly oppose its reference to the Select Committee.

Several Honourable Members: The question may now be put.

Mr. Gaya Prasad Singh (Muzaffarpur *cum* Champaran: Non-Muhammadan): Sir, by supporting the reference of this Bill to the Select Committee, as I do now, it might be said that I have accepted the principle of the Bill, and that I shall be precluded from raising objections to certain features of this Bill later on. It is, therefore, necessary to find out what is the principle of the Bill. The main principle of the Bill, as I recognise it, is to constitute a Medical Council for India, autonomous in its constitution, independent of outside control, and performing the same functions which similar bodies perform in other civilised countries of the world. This, I recognise, is the main principle of the Bill, and it is with reference to this principle that I support the motion for the Select Committee. The Bill has been subjected to diverse criticism from different points of view. It has been said that the Bill is premature at the present time, that we should have waited to find out the nature of the coming reforms, and that the attitude which the provinces will take under the scheme of provincial autonomy should have been clearly ascertained. What would be the position of the All-India Medical Council? Now, under the Federal Governments of Australia and Canada, each constituent province regulates its own medical faculty and medical policy. Then there

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is the position of the Indian States. These are questions which, it is argued, ought to have been tackled before we put this Bill on the Statute-book. I will not enter into the validity or otherwise of these criticisms. I am merely attempting to indicate in broad outline some of the objectionable features of the Bill leaving the details to be considered at later stages of this measure.

Now, Sir, the first thing that strikes me is that the composition of the proposed Medical Council is predominantly official. In England, I understand, 45 members are elected, and only five are nominated by the Privy Council as representing the Government's interest. The second point is that the President is nominated, whereas he should have been elected. This is the opinion of many of the authorities, as contained in the papers which have been supplied to us. Now, Sir, I do not want to tire the patience of the House by reading out all the quotations in support of my contention. I will, however, refer to the opinion of the High Court of Lahore which is given on page 27 of these papers. The Honourable Messrs. Justices Jai Lal, Bhide and Hilton agree with the note of Mr. Justice Agha Haidar, and the opinion of Justice Agha Haidar is this:

"I fail to see why the President should be nominated by the Governor General in Council and why the various Local Governments of Governors' provinces should nominate any members to the Council and why the Governor General in Council should again nominate three members."

The United Provinces Government also have referred to this question, and this is what I find on page 58:

"The United Provinces Government have throughout been in favour of an elected rather than of a nominated President as likely to occupy a higher status in the public eye and give a greater sense of independence to the proposed Medical Council."

The Central Provinces Government also are of the same opinion, while the opinion of the Madras Government as given at page 117 is as follows:

"Excepting the Madras Medical Council no other association or individual consulted by this Government is in favour of the suggestion that the President of the Council should be nominated by the Governor General in Council perpetually; while in some quarters the opinion is expressed that the President should be elected even in the first instance. The consensus of opinion seems to favour the recommendation of the Conference embodied in sub-clause (2) of clause 3A of the Bill with the proviso thereunder. This Government have after careful consideration agreed to the above provision of the Bill."

I understand, Sir, that the first Medical Council which was formed in England about the year 1858 had the right to elect its own President.

My third objection is the exclusion of the licentiates. The licentiates were not excluded in the first Bill which was circulated to the Local Governments for opinion.

Mr. M. Maswood Ahmad (Patna and Chota Nagpur *cum* Orissa: Muhammadan): That cannot be discussed in the Select Committee. It has been said by the Honourable Member just now.

Mr. Gaya Prasad Singh: If this is so, I should like to know from my Honourable friend, the Official representative, as to why licentiates who had been included in the first draft have been excluded in the subsequent draft. The Government of Madras at least have supported the

inclusion of licentiates in the Medical Register. At page 118 this is what they say :

" After discussing the question (*which is no doubt difficult*) with the Surgeon General this Government have decided to suggest for the consideration of the Government of India the inclusion of the licentiates, other diploma holders and the holders of University degrees like L. M. & S. which are not recognised by the General Medical Council of Great Britain " etc.

Sir, the licentiates are a very useful body of the medical profession, and they minister to the needs and well-being of a large number of persons, specially living in far-off villages. Their utility has been recognised in many quarters, and it is rather unfortunate that their position in the proposed Medical Council is sought to be excluded. His Excellency Lord Chelmsford, when he was Viceroy of India, made a speech on the 27th December, 1920, in which he stated as follows regarding the licentiates :

■ " Ever since I have been in India, I have been hearing of the good, though unobtrusive work done by the licentiates. Though your cadre consists of the largest number of medical men in India the value of your services to your country and fellow-countrymen is not as widely known as it ought to be. Your work lies largely in remote parts of this vast country and is performed chiefly among the voiceless masses, and it is no doubt chiefly for this reason that the high character of your services is principally known only to those among whom you work and to your immediate superiors. But those in authority, you may rest assured, are in no way unmindful of what the administration and the country owe to you. I cannot think of any report of plague, famine or any other epidemic which I have read without coming on reference to the good work done by the licentiate class and your praises are continually sung by those responsible for the medical administration of the country. During the great war you volunteered in large numbers and acquitted yourselves always with credit and often with distinction."

Sir, my information is that the licentiates of England can continue to obtain appointments and practice in India whereas our licentiates are excluded from similar privileges in Great Britain. Another objection is that this Bill does not give effect to the principle of reciprocity. British medical qualifications should not be recognised automatically till the General Medical Council of Great Britain is prepared to grant similar reciprocity treatment to our medical qualifications. It should not be open, Sir, to persons holding European qualifications to come down and settle and practise their profession in India, while a bar sinister is placed upon the practise of our medical men into those countries outside.

Now, Sir, this Bill confers no privilege upon the registered medical practitioners, such as the power to grant certificates which may be valid in a Court of Law. There should be a rule that no person shall hold any civil, military, naval or air force appointment, unless he be registered under the proposed Act. The result is that any foreign national can settle in India, and practise without his name being on the Indian Register.

There is another matter to which I should like to make a reference. In the First Schedule, Patna, Andhra and Rangoon Universities have been excluded from the purview of this Act. Medical examinations of these Universities have been inspected more than once by competent Inspectors and the sufficiency of these examinations was well admitted by these Inspectors. Major General Megaw, Major General Sprawson, Sir Frank Conner and Colonel Dutton, all Government officers, were the Inspectors for the medical examinations of these and other Universities. Sir, the Bihar and Orissa Council of Medical Registration, the Faculty of Medicine, and the Senate of the Patna University, have passed resolutions protesting against the exclusion of the Patna University. I had

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some correspondence also with the Patna University, and I give expression to their feeling of dissatisfaction at the exclusion of my University from the purview of this Act. Sir Nil Ratan Sarkar, presiding over the 8th Session of the All-India Medical Conference, in Calcutta, in 1982, said:

“From personal knowledge, I am in a position to state that the Patna Medical College is a thoroughly well-equipped and well-staffed institution, and I do not know how its claims to recognition will be ignored by the Government.”

Sir, at this late hour, I do not propose to tire the patience of the House. I am only anxious, Sir, that when the Bill is com-
10 P.M. mitted to the Select Committee, opportunity will be found for rectifying the objectionable features of the Bill, so that when it is placed on the Statute-book, it will be a Bill which will be acceptable to the medical profession and to the country generally. My only last words will be with regard to the Bill: amend, mend or end it.

Several Honourable Members: The question may now be put.

Mr. President (The Honourable Mr. R. K. Shanmukham Chetty): The Chair accepts the closure. The question is that the question be now put.

The Assembly divided:

AYES—39.

Abdul Hye, Khan Bahadur Abul Hasnat
Muhammad.
Acott, Mr. A. S. V.
Ahmad Nawaz Khan, Major Nawab.
Ahmed, Mr. K.
Allah Baksh Khan Tiwana, Khan Baha-
dur Malik.
Bajpai, Mr. G. S.
Bhore, The Honourable Sir Joseph.
Clow, Mr. A. G.
Dalal, Dr. R. D.
Dutt, Mr. G. S.
Dutt, Mr. P. C.
Fox, Mr. H. B.
Ghuznavi, Mr. A. H.
Hezlett, Mr. J.
Hudson, Sir Leslie.
James, Mr. F. E.
Jawahar Singh, Sardar Bahadur Sardar.
Lal Chand, Hony. Captain Rao Bahadur
Chaudhri.
Leach, Mr. A. G.

Mackenzie, Mr. R. T. H.
Megaw, Major General Sir John.
Metcalfe, Mr. H. A. F.
Mitchell, Mr. D. G.
Morgan, Mr. G.
Mukherjee, Rai Bahadur S. C.
Noyce, The Honourable Sir Frank.
Rafiuddin Ahmad, Khan Bahadur
Maulvi.
Raisman, Mr. A.
Rvan, Sir Thomas.
Schuster, The Honourable Sir George.
Seaman, Mr. C. K.
Sher Muhammad Khan Gakhar, Cap-
tain.
Singh, Mr. Pradyumna Prashad.
Smith, Mr. R.
Suhrawardy, Sir Abdulla-al-Māmtūn.
Tottenham, Mr. G. R. F.
Trivedi, Mr. C. M.
Vachha, Khan Bahadur J. B.
Yakub, Sir Muhammad.

NOES—21.

Abdul Matin Chaudhury, Mr.
Azhar Ali, Mr. Muhammad.
Biswas, Mr. C. C.
Chandi Mal Gola, Bhagat.
Das, Mr. B.
Dutt, Mr. Amar Nath.
Gunjal, Mr. N. R.
Jadhav, Mr. B. V.
Jog, Mr. S. G.
Kyaw Myint, U.
Maswood Ahmad, Mr. M.

Mitra, Mr. S. C.
Pandian, Mr. B. Rajaram.
Parma Nand, Bhai.
Raghubir Singh, Kunwar.
Ranga Iyer, Mr. C. S.
Sarda, Diwan Bahadur Harbilas.
Singh, Kumar Gupteshwar Prasad.
Singh, Mr. Gaya Prasad.
Thampan, Mr. K. P.
Uppi Saheb Bahadur, Mr.

The motion was adopted.

Mr. President (The Honourable Mr. R. K. Shanmukham Chetty): Does Mr. Bajpai want to reply?

Mr. G. S. Bajpai (Secretary, Department of Education, Health and Lands): Yes, Sir: I shall take a few minutes.

Mr. C. S. Ranga Iyer (Rohilkund and Kumaon Divisions: Non-Muhammadan Rural): Take a long time: go the whole hog.

Mr. G. S. Bajpai: My Honourable friend seems to be in a festive mood and he is, therefore, requesting me to prolong the gaiety, but I am quite sure that at this late hour of the day (*An Honourable Member*: "It is not day now.") (Laughter), and, at the end of a long and very strenuous Session, the one quality which the House will appreciate most in any speaker will be the quality of brevity and I shall endeavour to compress my remarks to the utmost possible extent. The discussion this afternoon brought out, in the course of a very lucid and very fair, though undoubtedly critical, speech from my Honourable friend, Mr. Neogy, the real difficulty about this Bill. The difficulty of this Bill is that it is the victim of an atmosphere. It is very difficult for any speaker to contend against an atmosphere, and

Mr. C. C. Biswas: Self-created!

Mr. G. S. Bajpai: I do not think it is self-created: it is largely created by others who are determined to see nothing good in the Bill and everything evil

Mr. Amar Nath Dutt (Burdwan Division: Non-Muhammadan Rural): But you have not given us an opportunity to have our say, the officials are carrying the motion by *vis major*.

Mr. G. S. Bajpai: Where is the *vis major*?

Mr. Gaya Prasad Singh: But why have you stifled discussion just now? The Government voted for closure.

Mr. G. S. Bajpai: I should have thought that after nearly three days' discussion, every aspect of this not very complicated Bill would have been laid threadbare

Mr. C. S. Ranga Iyer: Is it the Honourable gentleman's desire that the discussion should be carried on from this House into the Select Committee?

Mr. G. S. Bajpai: Well, Sir, on points, which are covered by the scope of the Bill, it is not only our intention, but it is natural that discussion should continue from this House into the Select Committee. (Interruption.) I think it would really be best if my Honourable friends opposite, who have had an opportunity of expressing their own views, would extend to me the courtesy and patience to listen to what I have to say . . .

Mr. Amar Nath Dutt: But what about those who have not?

Mr. G. S. Bajpai: My Honourable friend must appreciate that this is not the third reading of the Bill, nor am I moving that the Bill be passed. When the Bill returns from Select Committee, my Honourable friend, Mr. Dutt, would have ample latitude to express his views at any length that he likes. To get back to the Bill, which we are discussing: it will not be possible at this stage to traverse all the arguments that have been put forward in the course of a very long debate, and I shall endeavour to confine myself to three main points. The first point is the scope of the Bill. Over and over again, we have been asked: "Why do you make the scope of this Bill so narrow? Why not, for example, be ambitious and attempt to enable the public to discriminate between the qualified and unqualified medical practitioner?" May I ask my Honourable friends opposite what would happen if we attempted a task like that and perchance, excluded *voids* and *hakims*?—I do not think it needs any undue perspicacity to predict that any such attempt would create a far fiercer storm than has been created by the omission of the licentiates from the scope of this Bill

Mr. C. S. Ranga Iyer: Does the Honourable gentleman put the licentiates in the same category as the *voids* and *hakims*?

Mr. G. S. Bajpai: I do not put the licentiates in the same category as *voids* and *hakims*; but, after all, we are thinking of the people of this country. I am quite sure, my Honourable friend will find that many a man in this country puts the *void* and the *hakim* above the best allopath available in the country

An Honourable Member: Some of them are.

Mr. G. S. Bajpai: Then, the second question, again coming under the scope is: "Why not invest the Council, which you propose to set up, with the power to supervise standards of professional conduct?" The answer to that is that provision to that effect already exists in the provincial codes or acts and we cannot go and override those Provincial Acts without the consent and the goodwill of the provinces. The reason, why the Bill which we circulated in 1928 was wrecked in discussion in the Conference that we held in Simla, in 1929, was that the provinces were unwilling to permit of that measure of infringement of their autonomy and power. The third point, again under the scope, which has been put to us is "Why not confer upon these people certain privileges with a view to bringing them under the supervision and control of the proposed Medical Council?" The answer is the same as I have given to the second point, namely, that privileges are regulated by the provincial Acts and the provinces are unwilling that those powers shall be transferred to another body, a central body. (Interruption.) The last question which arises under the head "scope" is that of the register, and my Honourable and gallant friend Sir Henry Gidney made a great effort this afternoon in order to make out that registration was necessary in order to ensure uniformity of standard, be it a minimum standard or a maximum standard. Now, what I submit to the House is that the mere fact of registration is not going to secure uniformity. Registration is an index of something that has gone before, namely, inspection and supervision; and the reason why we have not been able to attempt inspection and supervision or the setting up of machinery for inspection and supervision for this very deserving and very large class of medical practitioners is, first financial and secondly, again the unwillingness of

the provinces at this stage to go beyond what was agreed to in the Conference in 1930, namely, the co-ordination of the medical standards of education for graduates. I submit that in the light of the explanation that I have given, there is no justification for suggesting that our attitude, that our limited action is the result of any coercion or dictation from outside. I may assure my Honourable friends that the Conference which met in Simla in 1930 was in no way dominated by fear of any outside body. I can also assure the House that if we had thought that action along those lines was practicable, then no matter what anybody outside might have told us, we should have said—this is no business of yours, we shall do what we think is right for the country. But what I submit to the House is, Sir, that the House should abandon suspicion from its mind because suspicion is not justified. We have great respect for the licentiates; we have great regard for the licentiates, and as the Honourable the Education Member said this afternoon, we are quite prepared to explore, in consultation with Local Governments, the possibility of going as far as we can in the direction in which the licentiates themselves want to go, but what we wish the House to realise is that we cannot travel along that path without the willing co-operation of the provinces, and at this stage it would be best to leave the matter at that.

Then, Sir, I pass on to the other two points of importance in this Bill. My Honourable friend, Mr. K. C. Neogy, when he was talking of the atmosphere of suspicion which surrounds the Bill, said, these two points, namely, the composition of the Council proposed in the Bill and the provision as regards reciprocity strengthened the suspicion that we were acting under dictation from an outside body, that we were not solicitous of the honour and the rights of the graduates of this country. Let me assure the House that every one on this side is as solicitous of the honour of our Universities and the dignity and the rights of our graduates as Honourable Members opposite. In the speech which I made, when I first made this motion, I said, our intention was that the Select Committee should go into these matters fully and freely. That statement, Sir, was repeated by the Honourable the Education Member today, and I invite the House to extend to us a measure of reciprocity in trust, go to the Select Committee and see whether we cannot effect improvements both as regards the composition of the Council and as regards the provision in respect of reciprocity which would fully satisfy non-official opinion in this country. My friend, Mr. Neogy, Sir, when he was speaking on this point, seemed to think that because the number of Indians who would benefit by any measure of reciprocity that might be negotiated was small, therefore the point was not worth pursuing. I would submit, Sir, that it is not a question of numbers. It really is a question of self-respect and of the dignity of our graduates, of which our Honourable friends opposite are so solicitous. What we want is that our students should go abroad, that they should have free access to Universities and leading institutions as free men and not subject to any restrictions or limitations. That, Sir, is the objective which we have at heart, and I have no doubt that that is an objective which is shared by Honourable Members opposite also.

Now, Sir, just one or two words about my friend, Mr. Maswood Ahmad's motion for circulation. It has not found much support as far as I can make out from my perusal of the records of the debate, and I would simply state to the House that considering the fact that the Bill

[Mr. G. S. Bajpai.]

with alternative provisions was circulated in 1931 and that the bulk of opinions received shows that every shade of opinion in this country has been consulted, it is not worth while proceeding again with this dilatory process of circulating the Bill. We have got ample material before us now, and it is for the House to decide whether, within the scope of the Bill, we shall go to the Select Committee to effect such improvements as we all desire or we shall not take that step.

There is one point of fact raised by my friend, Mr. Gaya Prasad Singh, which I should like to answer. He asked me why it was that the licentiates were included in the Bill which was originally circulated and that they had been subsequently excluded. If my friend will turn to the covering letter with which the Bill was circulated, he will find that Government clearly stated there that the Simla Conference had been against the inclusion of the licentiates, that the Government of India themselves were not in favour of their inclusion, but that they would like to have the opinions of the Local Governments on the point, and as I stated, when the Bill was being discussed on the 13th February, of the Local Governments consulted, seven were against the inclusion of the licentiates and two in favour. That, Sir, is the reason really why the licentiates do not figure within the scope of the Bill, and we have altered the Preamble to the Bill in order to rectify the misapprehensions which were created by the Preamble of the Bill that was originally circulated. I have nothing more to say.

Mr. M. Maswood Ahmad: May I ask one question, Sir? Will it be possible to include Patna, Andhra and Rangoon Universities in the Bill in the Select Committee?

Mr. G. S. Bajpai: As regards that, Sir, also the position was explained not by me, but by my friend, Diwan Bahadur Ramaswami Mudaliar. We are basing our First Schedule at this stage upon recognitions based on examination and inspection at the basic year which is 1930.

Mr. M. Maswood Ahmad: Will you allow us to discuss this point in the Select Committee?

Mr. G. S. Bajpai: Of course, it is open to the Select Committee to discuss anything that they like in regard to the constitution of the Schedules. I was going to say that they could discuss anything within the scope of the Bill. My friend will appreciate that the Schedule to the Bill does deal with one point, namely, what qualifications are going to be selected. Whether Andhra shall be included or excluded are all matters left to the Select Committee. I was merely trying to give the reason why in the Schedule, as framed, those qualifications have not been included.

Lieut.-Colonel Sir Henry Gidney: May I ask a question, with your permission, Sir? Before this matter goes to the Select Committee, will the Honourable Member inform this House whether or not he is prepared to consider the advisability of changing the name, if the Committee so decides, from the Indian Medical Council Bill to the Medical Reciprocity Bill?

Mr. G. S. Bajpai: Sir, the nomenclature of the Bill and the Preamble of the Bill are certainly within the scope of the Select Committee and no assurance from me is needed on that.

Mr. C. S. Ranga Iyer: Before we make up our minds as to whether we should press this motion to a division or not, we should like to know from the Honourable gentleman opposite whether it will be permissible for us, Members serving on the Select Committee, to raise the question of the qualification of the licentiates in the Select Committee discussion and their inclusion if the qualification is so raised or otherwise in the register?

Mr. G. S. Bajpai: My friend has merely to look at clause 18 of the Bill which definitely provides the procedure by which qualifications, not included in Schedule I, are to be recognised. It will be open to the Select Committee to consider the question of how qualifications, improved qualifications of licentiates may be admitted. All that I am trying to explain at this stage is that the present qualifications of licentiates cannot be included, and their inclusion cannot be discussed.

Mr. C. S. Ranga Iyer: What we want to know is this. Because there is a feeling on this side that further discussion on this question has been stifled, and, therefore, Honourable Members want to take up this matter in the Select Committee with regard to the qualifications of the licentiates, and if the Government agree to it, we will not press the motion to a division, and, therefore, we would only ask the Government to say whether we can transfer the discussion, which we would have liked to have on the floor of the House, to the Select Committee in regard to the raising of the qualifications or otherwise of the licentiates.

Mr. Gaya Prasad Singh: And their answer will determine our votes.

The Honourable Khan Bahadur Mian Sir Fazl-i-Husain: I do not think it is fair for Honourable Members opposite to dictate a reply on the basis of a threat of votes.

Mr. C. S. Ranga Iyer: I immediately withdraw if the Honourable gentleman thought that I was threatening. I was only trying to express my viewpoint in the mildest manner possible.

The Honourable Khan Bahadur Mian Sir Fazl-i-Husain: The Honourable Member perhaps did not hear from his side what was said—"that the reply will determine our votes". Undoubtedly, the reply would be no reply if it did not determine some Member or other to change his mind as to how he is to vote. No answer that I can give to my friends can possibly affect the scope of the Bill. It is not within my power to extend the scope of the Bill by agreement. The scope is there as I stated in my speech. The other point is whether it is open to the Select Committee to decide in favour of there being one standard of medical education in the country and one degree. That certainly is within their jurisdiction. If there is one standard, provided that that standard is University standard, in other words, higher education, certainly they have every right to discuss it and decide about it, but if it is to be one standard other than University education, then certainly it will not be within the scope of the Bill. Therefore, my reply is that one standard, provided it is the University

[Sir Fazl-i-Husain.]

standard, will certainly be within the scope of the discussion of the Select Committee.

Mr. C. S. Ranga Iyer: I am afraid the Honourable gentleman has not quite caught the opposition point of view. What we would like to know very clearly is whether it will not be possible for us to take up the question of licentiates in the Select Committee. There is another added circumstance. When we agreed to sit at night, we thought we would have adequate opportunity of expressing our opinion on this matter, but Government applied the closure and we have been denied the opportunity of expressing our opinion on this matter. We want to know whether the Honourable gentleman opposite is going to take his stand in the Select Committee on the quintessence of technicality and say that the scope of the Bill does not permit of the taking up of the question of licentiates, which is a bone of contention. We want to have further opportunities of exploring a contentious matter like this in the Select Committee and I want to know whether we can raise the question of the licentiates including the increase of their qualifications, if necessary, and the consultation of the Provincial Governments in the Select Committee.

Mr. President (The Honourable Mr. R. K. Shanmukham Chetty): Order, order. When Bills are referred to a Select Committee, it is open to any member of that Committee to move in the Select Committee amendments which are within the scope of the Bill. While it is permissible for Honourable Members to ascertain from Government what their attitude with regard to a particular point would be in the Select Committee, it is not open to any Honourable Member on the Treasury Bench to say here and now what is within the scope of the Bill. The decision, so far as this House is concerned, during the discussions on the floor of the House as to whether particular amendments or remarks are within the scope of a Bill, is entirely vested in the Chair and, similarly, in the proceedings of a Select Committee, it is entirely within the discretion of the Chairman of the Select Committee, whoever he might be, to decide, when a question arises in the Select Committee, whether that question is within the scope of the Bill or not. No amount of undertaking on the part of any Honourable Member of Government can bind the decision of the Chairman of the Select Committee. The Chair wants that the Honourable Members should clearly understand the position and that the Honourable Member for Government should also understand the limitations of his position. If the Honourable Sir Fazl-i-Husain is giving any undertaking here, it is only to this effect, that he may not raise a certain objection, but it will be perfectly open to the Chairman of the Select Committee and it is only within his jurisdiction to decide as to whether an amendment is within or outside the scope of the Bill.

Mr. C. S. Ranga Iyer: I quite bow to the Chair's ruling. All that I wanted to know was this. I was not restricting or commenting upon the jurisdiction of the Chairman of the Select Committee. All I wanted to know on behalf of the Opposition was this, whether the Government, so far as they are concerned, will put any spoke in the wheel in regard to the discussion of the position of the licentiates. I should like to know whether the Government will give us an answer in this matter.

The Honourable Khan Bahadur Mian Sir Fazl-i-Husain: I am afraid I cannot really add anything to what I have said just now and this afternoon. My speech was fairly long and fairly explicit.

Mr. President (The Honourable Mr. R. K. Shanmukham Chetty): The original question was:

“That the Bill to establish a Medical Council in India and to provide for the maintenance of a British Indian Medical Register, be referred to a Select Committee consisting of the Honourable the Law Member, the Honourable Sir Frank Noyce, Dr. R. D. Dalal, Mr. Arthur Moore, Sir Hari Singh Gour, Sirdar Harbans Singh Brar, Mr. Gaya Prasad Singh, Mr. Satish Chandra Sen, Dr. Ziauddin Ahmad, Mr. B. Sitaramaraju, Mr. S. C. Mitra, Kunwar Hajee Ismail Ali Khan, Mr. Muhammad Yamin Khan, Sir Abdulla-al-Mámün Suhrawardy, Mr. T. N. Ramakrishna Reddi, Mr. N. N. Anklesaria and the mover, and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five.”

Since which an amendment has been moved that the Bill be circulated for the purpose of eliciting opinion thereon by the 31st July, 1933.

The question I have to put is that that amendment be made:

The Assembly divided:

AYES—24.

Abdul Matin Chaudhury, Mr.
Azhar Ali, Muhammad.
Biswas, Mr. C. C.
Chandi Mal Gola, Bhagat.
Chinoy, Mr. Rahimtoola M.
Dutt, Mr. Amar Nath.
Gunjal, Mr. N. R.
Jadhav, Mr. B. V.
Jog, Mr. S. C.
Kyaw Myint, U
Maswood Ahmad, Mr. M.
Mitra, Mr. S. C.

Neogy, Mr. K. C.
Pandian, Mr. B. Rajaram.
Parma Nand, Bhai.
Patil, Rao Bahadur B. L.
Raghubir Singh, Kunwar.
Ranga Iyer, Mr. C. S.
Rastogi, Mr. Badri Lal.
Reddi, Mr. T. N. Ramakrishna.
Sarda, Diwan Bahadur Harbilas.
Singh, Kumar Gupteshwar Prasad.
Singh, Mr. Gaya Prasad.
Uppi Saheb Bahadur, Mr.

NOES—43.

Abdul Hye, Khan Bahadur Abul Hasnat
Muhammad.
Acott, Mr. A. S. V.
Ahmad Nawaz Khan, Major. Nawab.
Ahmed, Mr. K.
Allah Baksh Khan Tiwana, Khan Baha-
dur Malik.
Anklesaria, Mr. N. N.
Bajpai, Mr. G. S.
Bhore, The Honourable Sir Joseph.
Clow, Mr. A. G.
Dalal, Dr. R. D.
Dutt, Mr. G. S.
Dutt, Mr. P. C.
Fox, Mr. H. B.
Ghuznavi, Mr. A. H.
Gidney, Lieut.-Colonel Sir Henry.
Hezlett, Mr. J.
Hudson, Sir Leslie.
Ismail Ali Khan, Kunwar Hajee.
James, Mr. F. E.
Jawahar Singh, Sardar Bahadur Sardar.
Lal Chand, Hony. Captain Rao Bahadur
Chaudhri.

Leach, Mr. A. G.
Mackenzie, Mr. R. T. H.
Megaw, Major-General Sir John.
Metcalfe, Mr. H. A. F.
Mitchell, Mr. D. G.
Morgan, Mr. G.
Mukherjee, Rai Bahadur S. C.
Noyce, The Honourable Sir Frank.
Rafiuiddin Ahmad, Khan Bahadur
Maulvi.
Raisman, Mr. A.
Ryan, Sir Thomas.
Schuster, The Honourable Sir George.
Seaman, Mr. C. K.
Sher Muhammad Khan Gakhar, Cap-
tain.
Singh, Mr. Pradyumna Prashad.
Smith, Mr. R.
Suhrawardy, Sir Abdulla-al-Mámün.
Tottenham, Mr. G. R. F.
Trivedi, Mr. C. M.
Vachha, Khan Bahadur J. B.
Yakub, Sir Muhammad.
Yamin Khan, Mr. Muhammad.

The motion was negatived.

Mr. President (The Honourable Mr. R. K. Shanmukham Chetty): The Chair has got notices of certain formal amendments with regard to the change of certain names of Members for the Select Committee. The Chair has no objection to allowing these motions to be moved, before the main question is put.

Sir Leslie Hudson (Bombay European): Sir, with your permission, I beg to move:

"That in the motion to refer the Bill to a Select Committee, in place of the name of Mr. Arthur Moore, the name of Lieut.-Colonel Sir Henry Gidney be substituted."

Mr. S. O. Mitra: Sir, I move:

"That in place of the name of Dr. Ziauddin Ahmad, the name of Mr. Muhammad Azhar Ali be substituted."

The Honourable Sir Frank Noyce (Member for Industries and Labour): Sir, I move:

"That in the motion to refer the Bill to a Select Committee, the name of Major-General Sir John Megaw be added."

Mr. President (The Honourable Mr. R. K. Shanmukham Chetty): Order, order. The question is:

"That for the name of Mr. Arthur Moore the name of Lieut.-Colonel Sir Henry Gidney be substituted."

The motion was adopted.

Mr. President (The Honourable Mr. R. K. Shanmukham Chetty): The question is:

"That for the name of Dr. Ziauddin Ahmad the name of Mr. Muhammad Azhar Ali be substituted."

The motion was adopted.

Mr. President (The Honourable Mr. R. K. Shanmukham Chetty): The question is:

"That the name of Major-General Sir John Megaw be added."

The motion was adopted.

Mr. Gaya Prasad Singh: Sir, I beg to move:

"That in place of Sir Hari Singh Gour's name, the name of Mr. Amar Nath Dutt be substituted."

Mr. Muhammad Yamin Khan: May I ask, Sir, whether the consent of Sir Hari Singh Gour has been taken to leaving his name out from the list of the members of the Committee? Is that or is that not necessary?

Mr. President (The Honourable Mr. R. K. Shanmukham Chetty): In order to include the name of any particular Member, the consent of that Member is necessary, but until the House adopts the motion, no Member has yet been made a Member of the Select Committee.

Mr. Gaya Prasad Singh: I have got the written authority of Sir Hari Singh Gour.

Mr. President (The Honourable Mr. R. K. Shanmukham Chetty): The question is:

“That in place of Sir Hari Singh Gour's name, the name of [Mr. Amar Nath Dutt be substituted.”

The motion was adopted.

Mr. President (The Honourable Mr. R. K. Shanmukham Chetty): The question is:

“That the Bill to establish a Medical Council in India and to provide for the maintenance of a British Indian Medical Register, be referred to a Select Committee consisting of the Honourable the Law Member, the Honourable Sir Frank Noyce, Dr. R. D. Dalal, Sir Henry Sidney, Mr. Amar Nath Dutt, Sirdar Harbans Singh Brar, Mr. Gaya Prasad Singh, Mr. Satish Chandra Sen, Mr. Muhammad Azhar Ali, Mr. B. Sitaramaraju, Mr. S. C. Mitra, Kunwar Hajee Ismail Ali Khan, Mr. Muhammad Yamin Khan, Sir Abdulla-al-Māmūn Suhrawardy, Mr. T. N. Ramakrishna Reddi, Mr. N. N. Anklesaria, Major-General Sir John Megaw and the Mover, and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five.”

The motion was adopted.

THE INDIAN MERCHANT SHIPPING (SECOND AMENDMENT) BILL.

Mr. A. Raisman (Government of India: Nominated Official): Sir, I beg to move:

“That the Bill further to amend the Indian Merchant Shipping Act, 1923, for certain purposes (*Second Amendment*), be referred to a Select Committee consisting of the Deputy President, the Honourable Sir Joseph Bhole, Bhai Parma Nend, Mr. S. G. Jog, Mr. Gaya Prasad Singh, Mr. Muhammad Azhar Ali, Mr. B. V. Jadhav, Mr. S. C. Mitra, Sir Leslie Hudson, Khan Bahadur Haji Wajihuddin, Mr. B. N. Misra, Sir Muhammad Yakub and the Mover, and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five.”

Sir, at this late hour and at the very end of a crowded legislative Session, I shall not take the time of the House for more than the very few minutes which are necessary to explain the purpose of this Bill which, though it is an important measure, is entirely non-controversial.

As explained in the Statement of Objects and Reasons, the primary object of this Bill is to effect such amendments in the Indian Merchant Shipping Act, 1923, as are necessary to give effect to two very important Conventions relating to maritime shipping—the International Convention for the Safety of Life at Sea, 1929, and the International Loadline Convention, 1930. I should perhaps observe in the first instance that these Conventions have been signed by practically all the important maritime countries of the world. It is hardly necessary for me to emphasise the importance of India in the sphere of maritime shipping. India has an extensive coast line and several major ports which serve not only as terminal ports for the sea-borne trade between India and the other countries of the world, but also as ports of call for ships proceeding on the important trade routes to the Far East. The tonnage of shipping registered in India exceeds a quarter of a million tons, whilst a much greater quantity of shipping is either permanently based on India or trades regularly between

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India and other countries. It has, therefore, always been a matter of importance that the administration of matters connected with Merchant Shipping in India should be kept at a standard which will secure international recognition. In becoming a signatory to these two Conventions, India signified her desire to maintain to the full extent the standards of administration and of supervision which all the great maritime countries of the world have agreed to be necessary and desirable in the interests of all those who go down to the sea in ships and of all those who entrust their property for transport to ocean-going vessels.

I will now say a few words regarding the purport of each of these two Conventions. The subject matter with which they deal is in many respects highly technical, and I would not weary the patience of Honourable Members by entering into the complications of these technical matters. My object is merely to indicate briefly and in ordinary everyday terms the scope of these International Conventions. The Convention for the Safety of Life at Sea, which may briefly be referred to as the Safety Convention, lays down certain standards to which ships—and especially ships plying on international voyages—should conform. There are special requirements applicable to mechanically propelled passenger ships plying on such voyages. They have to be constructed according to certain rules which are intended to secure the greatest measure of safety and of immunity from disaster in the event of the ship becoming involved in an accident. It is a familiar principle that the greater the number of watertight compartments into which a vessel is divided, the more immune it will be from the danger of sinking in the event of one of these compartments being penetrated and becoming filled with water. The Safety Convention lays down the degree of sub-division with which ships must comply in accordance with the service for which they are intended. Then, again, there is the important question of life saving appliances. The Convention prescribes the number and nature of life-boats which shall be carried by each type of ship, the arrangements for securing that they shall be readily available in time of need, the life-rafts and other buoyant apparatus with which they should be provided and the number and nature of life-jackets and life-buoys which should be available for the passengers. The Convention also deals with means of ingress and egress to and from the various decks and compartments, with the carriage of dangerous goods and the precautions which should be observed and with the arrangements which should be made for protection against fire. Then, there are provisions regarding the wireless telegraphy installations to be maintained on ships and the nature of the watch which should be maintained in connection with these installations. In order to promote the general safety of navigation, provision has been made for the communication by ships of information regarding all dangers which may come to their notice in the course of their voyages to other ships in the vicinity and to shore authorities which can broadcast them throughout the area affected. A procedure is laid down regarding the issue of distress messages by ships in distress, and for the action to be taken by all ships receiving such messages. It has also been agreed, for the first time in the modern history of navigation, that a uniform system of helm orders shall be adopted on all ships. As this is a matter which has aroused considerable public interest, I may perhaps say a few words in explanation

In the old days when the master of a ship wished to turn the ship to the left, i.e., to port, he used to give orders that the tiller should be pushed to the right or to starboard. The effect of this action was that the rudder of the ship moved to the left and the head of the ship also moved to the left or to port. In other words, in order to turn the ship to port, he gave the order "Helm to starboard". When the tiller was replaced by a wheel, the form of order still continued. In modern ocean-going ships, there is, of course, usually nothing so primitive as the old hand-operated tiller, and the continuance of direction orders in the old form is largely a survival. Many countries had, therefore, abandoned this system and had adopted instead a direct form of order which merely indicated to the helmsman the direction in which the head of the ship was intended to move. The countries of the British Empire, however, along with certain others adhered until quite recently to the old indirect form of helm orders. These countries have, however, now decided to come into line and to adopt as a uniform system the direct method which is embodied in and made obligatory by the Safety Convention. I may say that the direct form of helm orders has already been imposed by law since the 1st January, 1933, on ships registered in the United Kingdom, and has by executive orders also been adopted with effect from that date in Indian waters.

Finally, the Safety Convention provides for the system of international safety certificates which each country shall issue to its own ships, but which will be accepted in the ports of all countries which have adhered to the Convention. The system of internationally recognised certificates will minimise the delay and inconvenience to which ships were liable to be exposed in foreign ports when the standards with which they had to comply were a matter of national rather than of international regulation. It will be observed that a considerable part of the Bill now before the House deals with the issue of these certificates and with the recognition of certificates issued by other Governments when presented by ships visiting Indian ports. This, then, is the scope of the Safety Convention, but, before I leave that Convention, I may mention a particular matter which is of special interest to India. It was realised, when the Convention was framed, that it would not be entirely practicable and advantageous to apply all its provisions to ships employed in the carriage of large numbers of unberthed passengers in certain special trades which include the Indian deck passenger and pilgrim trades. The Convention accordingly provided that steps should be taken to formulate rules which would be suitable to the particular circumstances of those trades, and that these rules should be formulated in concert by the Governments interested in these trades. The Government of India took a leading part in the formulation of these special rules. A Conference was held at Simla in 1931 at which the other Governments interested in the unberthed passenger trade were represented and the result of the labours of this Conference is known as the Simla Rules, 1931. These rules provide, as it were, an appendix or supplement to the Convention and, when they have been generally accepted by all the contracting Governments, will be applicable, in respect of the matters with which they deal and of the area to which they apply, to the deck passenger and pilgrim trades.

I turn now to the International Loadlines Convention, 1930. The subject matter of this Convention is more technical than that of the

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Safety Convention, but the importance of securing international uniformity in this sphere is, if possible, even greater. A well-known authority has said :

“ The theory of the load line is that there is a maximum load which a given ship can carry in safety and security across the ocean and this is determined by fixing the point on the side to which the ship may be immersed. If this line is placed too low on the ship's side, an amount of cargo will be shut out which could safely be carried and in the aggregate this will mean a loss of carrying power and an unnecessary increase in the cost of carriage. On the other hand, if the mark is fixed too high, the ship's progress will be slower, she will suffer more from strain, dock damage and delays, there will be increased danger to the men on deck and, finally, a risk that the ship may be lost with all on board.”

The task of the Loadline Conference was to draw up uniform loading rules which should be binding on the ships of all nations in all the seas of the world and that task they accomplished. They produced a set of rules which are regarded as a marked advance on anything of the kind which had preceded them and which, it is considered, will lead to greater justice as between ship and ship and nation and nation than the loadline regulations previously in force in the various countries. A matter which was of special importance to India was the fixing of the tropical period in certain zones. There are certain areas of the ocean in which it is considered that weather conditions in certain times of the year are so favourable that ships may safely be allowed to load more deeply when plying in those areas at those times of the year than would normally be allowed. These areas and periods used to be known as the Indian Summer Zones and the Indian Summer Periods, but in the Convention the term “Tropical” has been substituted for “Indian Summer”. Now, one of the tropical zones, in which India is particularly interested, is the Bay of Bengal. The tropical or Indian summer period in the Bay of Bengal has hitherto been the 15th December to the 30th of April. Before the Convention, the commercial interests concerned and the Government of India were of opinion that this period could safely be extended by the inclusion of the first half of December and these views were placed before the International Conference by the delegates of India. Unfortunately, however, they were not accepted. It was found at the Conference that the only way in which agreement could be reached regarding the tropical zones and the tropical periods in various areas throughout the world was to apply a single meteorological criterion uniformly to all such areas. The criterion was that there should not have been on the average more than one hurricane in ten years during any particular month in that zone. The result of the application of this criterion was that whilst the existing tropical period in the Arabian Sea was extended, the tropical period in the Bay of Bengal was shortened by 15 days at the end of April. The Government of India are well aware that shipowners and commercial interests have been disappointed by this result. It must, however, be borne in mind that the importance of subscribing to an international system for the regulation of loadline throughout the world is so great that we must be prepared to make some sacrifice in order to reap the benefits of such a system. Moreover, the other maritime countries of the world, and in particular the greatest maritime country of all, namely, the United Kingdom, have already decided to ratify the Convention and to apply the new loadline rules to their own shipping when trading in the tropical zones. It would be exceedingly difficult and inconvenient for India alone to decline to apply to her ships, when trading on international

voyages in the particular area in question, the standards which the rest of the world has agreed to apply. Such a course would, moreover, involve a refusal to ratify the International Loadline Convention. For these reasons, the Government of India, after careful consideration, have decided that they should accept the conclusion of the Conference and adhere to the International system embodied in the Convention.

In the foregoing observations, I have endeavoured to put before the House the significance—and especially the significance for 11 P.M. India—of the Safety and Loadline Conventions. Honourable Members will find, however, on turning to the Bill that many of the matters to which I have referred are not specifically mentioned or, at any rate, not in any great detail in the Bill. The reason is that the subject matter is so technical that legislation has, of necessity, to take the form of rule-making powers, and details of the subject have to be provided for by rules issued under the provisions of the Act. Thus, the whole of the detailed technical arrangements for the assignment of loadlines will have to be provided by the framing of statutory rules. The Bill provides, broadly speaking, for the inspection and survey of ships to see that they comply with the rules made under the Act, for the grant of certificates to ships which do so comply and for the recognition of similar certificates granted by other countries which have adhered to the International Conventions. It also provides penalties for the contravention of these rules and authorises the detention of ships which attempt to proceed to sea in an unsafe or unsatisfactory condition.

I do not think I need detain the House any longer by further observations. There are, however, a few matters not connected with the Safety and Loadline Conventions regarding which we have taken this opportunity to introduce a few amendments into the Indian Merchant Shipping Act as it now stands. Honourable Members will be interested to note that the phrases "native passenger" and "native passenger ship" which have for so long been embodied in our legislation and against which protests have frequently been raised by Select Committees will now disappear from the Indian Merchant Shipping Act. The term which we propose to substitute, namely, "unberthed passenger" is already recognized by International usage and has the advantage that it is based on no racial criterion, but covers indiscriminately all passengers for whom no special accommodation is reserved in any cabin, State room or saloon. Other minor amendments have been explained in the Notes on Clauses.

Sir, I have done. The International Conventions which this Bill will enable us to ratify have been described as a great charter for the safety of human life at sea, and I have no doubt that this House will be glad to subscribe the name of India to that charter.

Sir, I move.

Mr. President (The Honourable Mr. R. K. Shanmukham Chetty):
Motion moved:

"That the Bill further to amend the Indian Merchant Shipping Act, 1923, for certain purposes (*Second Amendment*), be referred to a Select Committee consisting of the Deputy President, the Honourable Sir Joseph Bore, Bhai Parma Nand, Mr. S. G. Jog, Mr. Gaya Prasad Singh, Mr. Muhammad Azhar Ali, Mr. B. V. Jadhav, Mr. S. C. Mitra, Sir Lealie Hudson, Khan Bahadur Haji Wajihuddin, Mr. B. N. Misra, Sir Muhammad Yakub and the Mover, and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

Mr. S. C. Mitra (Chittagong and Rajshahi Divisions: Non-Muhammadian Rural): Sir, I agree with the Honourable Member, Mr. Raisman, in referring this Bill to the Select Committee. I tried my best to hear attentively the most exhaustive speech that he made on this Bill, and in accepting this motion we are accepting inerey the principle and in the Select Committee we shall be able to discuss the clauses in detail. But in such a big Bill it is very difficult even to find out the main principle; and that is our trouble. If Mr. Raisman assures us that he will not be very anxious in the Select Committee to raise any technical objection about what may be the principle of such a Bill, which we have already accepted, I hope from this side of the House we shall accept his motion without much discussion. Sir, I support the motion.

Mr. O. S. Ranga Iyer (Rohilkund and Kumaon Divisions: Non-Muhammadian Rural): Sir, I congratulate my Honourable friend, Mr. A. Raisman, on the very informing, useful and interesting speech that he delivered. We listened to it with great interest. (A Voice: "It was a maiden speech.") My friend, Sir Muhammad Yakub an ex-Speaker of this House, was just pleased,—to borrow a very familiar expression of the Leader of the Opposition,—to "ejaculate" that the Honourable gentleman was making a maiden effort. I do not know, Sir, but I can say that he delivered it in any case without the blushes of a maiden. (Laughter.) It was a very good speech and it was a great pleasure to us to listen to it and it was a pity that the Honourable gentleman cut short his speech and passed over two pages of interesting matter, to which also we would have liked to listen. I saw him hurriedly passing over those two pages, which he need not have done had he only recollected the House of Commons traditions at this hour of the night. (Laughter.)

Sir, a Committee which consists of such representative personalities like my friend, Bhai Parma Nand on one side and Sir Muhammad Yakub on the other, representing as each of them does honestly the cream of the opinions and the convictions of their respective communities, though each of them has his own different way of presenting the case; also so representative a Committee as consisting of the Honourable the Commerce Member on one side, whose judgment this House throughout has recognised as sound by its action and it has great respect for him and Sir Leslie Hudson on the other, representing as he does all the talents of the European Non-Official Benches which sometimes make us wish, with a pardonable envy

Mr. President (The Honourable Mr. R. K. Shanmukham Chetty): Order, order. What time the Honourable Member would take?

Mr. O. S. Ranga Iyer: Not very long, Sir. I believe I will not embarrass the Chair by making so long a speech as to keep you here in the small hours of the morning. (Laughter.) I was just going to say that the Committee is so representative that we should not press the motion to a division, provided, as Mr. Mitra made it very clear on behalf of the Opposition, that the Honourable gentleman, Mr. Raisman, will make it possible for Members opposite to raise the relevant points regarding this motion in the Select Committee instead of taking his stand on

the quintessence of technicality, as the Member in charge of a previous motion, I mean his boss, took on a previous occasion.

Mr. N. B. Gunjal (Bombay Central Division: Non-Muhammadan Rural): (The Honourable Member spoke in the vernacular).

Mr. B. Das (Orissa Division: Non-Muhammadan): Sir, the Merchant Shipping Act was passed ten years ago. Since then that Act has been amended on the floor of this House some seven or eight times. I want the Honourable the Commerce Member to tell me what he has done or his Department has done since then to develop the marine mind in India. I admit there is a training ship "Dufferin" which trains a few boys to life on the sea; some of these boys are still undergoing practical training on the ships of my friend, Sir Leslie Hudson . . .

Sir Leslie Hudson (Bombay: European): Not mine.

Mr. B. Das: But is it not time that there should be a board of trade examination introduced in India? Since that Act was passed, we have passed the Lighthouses Act. Sir, I congratulate my friend, Mr. Raisman, on his admirable speech. He talked about the Bengal Pilot Service and so many other things, but how does the Indian intellectual play a part in those things? Today the Indian brain is not allowed to get Board of Trade certificates in India. If two or three have secured those posts—there are some Parsi gentlemen who have secured certificates of captainships and are working as Captains of ships—others have not been able to get any certificates. What is the use of my passing this Bill and going and hobnobbing

Mr. A. Raisman: On a point of explanation, may I say that anybody can take the Board of Trade examinations in India and that people do so every month?

Mr. B. Das: But, has my friend got similar machinery as the Board of Trade and Admiralty have got for the proper examination in England? Have we got any college for marine engineering or any nautical school? Are the Government of India going to give similar facilities to evolve similar intellectual atmosphere and the intellectual nucleus in India so that Indians can come out in dozens passing the Board of Trade examinations to fill the Bengal Pilot Service, the superintendentship of different lighthouses and the harbour masters of different docks and harbours, which we gave sanction for in 1927 under another Indian Merchant Shipping (Amendment) Act. Nothing has been done, and I know there are European officers who are serving as dock masters or directors of dockyards or as port officers: they are doing admirable work, but when they retire, their knowledge is lost to this country, and so I do not take any delight in that. While I was in Geneva in 1929, when I had the privilege to attend the International Labour Conference with you, Sir, I had the privilege of occasionally sitting in a Committee where part of this International Convention was being discussed, although the final touch was given in London. Sir, I support this reference to Select Committee. I do not like that Indians should appear to be barbarians before European countries and I do not like them to say

of [Mr. B. Das.]

that India does not like to ratify certain Convention; but I do blame the Commerce Department and the Government of India that they are not fostering in the country the marine spirit amongst the Indian educated classes to become shipping masters and harbour masters and pilots, and I think it is high time that my friend, the Commerce Member, should bring forward a Bill next Session to amend the Indian Merchant Shipping Act or any Act, so that the Indian intellectual nautical atmosphere may be evolved.

Mr. B. V. Jadhav (Bombay Central Division: Non-Muhammadan Rural): Sir, I join in the chorus of praise that was showered upon my friend, Mr. Raisman, for the fine speech he made—shall I say, this morning or this evening? I must say that I could not understand more than 25 per cent. of what he said, because he read the whole speech at an extra speed. I shall have to wait for about a week or ten days more before I receive the full report of his speech, and then I think I shall profit by it.

My friend, Mr. B. Das, has ventilated the grievances of the educated men of India. All they are in need of is a job and their prayer goes to Government to provide them with jobs and more jobs. He accuses Government of not taking measures for preparing the youths of India for the pilot service, for the lighthouse service and for the other thousand and one services connected with shipping. But he has forgotten to accuse the Government for their negligence in providing or in encouraging the Indian mercantile marine. Government have been very prompt in providing an Act ten years ago; and they have been very prompt in bringing amendment Bills every one or two years and this year also there have been two Bills; but if we ask them what they have been doing to encourage the Indian mercantile marine, I think they will not have a very good account to render. Government have been neglecting this and that is the reason why India does not possess a respectable mercantile marine and also no men who will be manning those ships and touring round the seas bringing riches of other countries to this land and taking cargoes from here. As for the Bill under consideration, it is very regrettable that this motion was made not only at the fag end but at the extreme end, I shall say, of the Session. It is a very desirable measure no doubt, because the Convention ought to be ratified, but so many changes have been introduced in the Indian Merchant Shipping Act recently that I think it would be better if a new consolidating measure embodying all the changes made were introduced. As an amending Bill, the present measure is a very long one, and, therefore, I think a consolidating Bill is very desirable. The Select Committee will take care to thrash out the various provisions in this Bill, and in that way I think the safety at sea will be increased. I support this measure.

Mr. President (The Honourable Mr. R. K. Shanmukham Chetty): Order, order. Evidently, this Bill has excited a great deal of interest among the Members, and, in view of the very interesting speech which the Honourable Member on behalf of Government made, full opportunity must be given for a full discussion on this motion, and the Chair therefore, thinks that the debate must now conclude and the House will resume it at its next sitting.

Mr. A. Raisman: Sir, I would like to point that it is very necessary that this measure should be put on the Statute-book as soon as possible. The position at present is, as I explained in my speech on the motion to refer this Bill to a Select Committee, that a large number of countries have already ratified these Conventions, and it is very necessary that India should also adopt them. If there is delay in undertaking this legislation, there will be serious administrative inconvenience, and I would, therefore, suggest that this matter should be expedited as much as possible.

Mr. President (The Honourable Mr. R. K. Shanmukham Chetty): The Chair has done its very best to expedite the business during this Session, but it finds that very many Honourable Members are still getting up in their seats. Anyhow, it will be open to Government to place this motion on the first agenda in the next Session and get it through. It is not justifiable on the part of the Chair to ask Honourable Members to sit any longer.

Mr. D. G. Mitchell (Government of India: Nominated Official): Sir, if there are many Honourable Members particularly anxious to speak, they can do so, because this is a very important measure and we do not like there should be any delay in putting it on the Statute-book.

Mr. M. Maswood Ahmad (Patna and Chota Nagpur *cum* Orissa: Muhammadan): Sir, we cannot accept even the principle of the Bill. That is the point.

Mr. President (The Honourable Mr. R. K. Shanmukham Chetty): It is not possible for the Chair to ask the Members to sit any longer tonight. The Chair would only, before adjourning the House, wish all Honourable Members a very pleasant holiday after the strenuous labours of the Session.

The Assembly then adjourned *sine die*.