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LEGISLATIVE ASSEMBLY DEBATES

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OF THE

FOURTH LEGISLATIVE ASSEMBLY, 1933



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Legislative Assembly.

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LEGISLATIVE ASSEMBLY.

Wednesday, 30th August, 1933.

ADDRESS BY HIS EXCELLENCY THE VICEROY TO THE MEMBERS OF THE COUNCIL OF STATE AND THE LEGISLATIVE ASSEMBLY.

His Excellency the Viceroy : Gentlemen, it is a great pleasure to meet you, the Members of the Indian Legislature, once again and to welcome you to the labours of another Session. May I in the first place congratulate both my old friends, Sir Maneckji Dadabhoy and Sir Shanmukham Chetty, upon their elevation to the very important offices which they now occupy, as this is the first occasion upon which I have addressed you since their election as Presidents of the Council of State and Legislative Assembly, respectively. I offer them both my best wishes in the execution of their functions and responsibilities.

It is now my duty to give you an account of current affairs since last we met in Delhi, and, in doing so, it will not be necessary for me to keep you from your Parliamentary labours for so great a length of time as I have done on previous occasions, for I am glad to say that I think I can fairly claim that general conditions in India today are more satisfactory in many ways than they have been for a considerable period, and consequently there are fewer matters of a controversial nature for me to bring to your notice. And I should like very sincerely to thank you for your share in bringing this about, not only by the sound and steady judgment which you have generally shown in the debates which have taken place in both Houses, but also by your votes on the many important matters which have come before you. Criticism there certainly has been—criticism there should be—fair criticism is of value to any Government and, I am sure, I can rely on my Government receiving from you that same fair and helpful criticism during the present Session as they have received in the past thereby assisting them to work for our common purpose—the increasing welfare of your country.

In regard to Foreign Affairs, I am happy to be able to inform you that cordial relations continue to be maintained with all our neighbours. You will, however, regret to learn that a rebellion which broke out this spring in the Sinkiang Province in China against Chinese rule has resulted in the murder of a number of British Indian subjects and of certain loss in property. Much though I deplore this loss of life, I am glad to be able to record that the presence of His Majesty's Representative at Kashgar has been of considerable effect in minimising the danger to British Indian subjects and that he is making every endeavour to bring about the arrest and punishment of the perpetrators of these crimes.

The long standing disputes between the Afghan and British tribes on the Kurram border have recently been satisfactorily settled through a joint Indo-Afghan Commission, the result of which will, I trust, ensure the peace of this portion of the border for a considerable time to come.

[H. E. the Viceroy.]

I must now refer to certain events on the North-West Frontier Province which have recently been creating a considerable amount of interest. I wish from the outset to emphasise that we as a Government are responsible for maintaining friendly relations with our neighbours and for preserving law and order within the confines of India. In view of the recent constitutional changes in the North-West Frontier Province and the coming changes in India as a whole, it is particularly important that these responsibilities should be faithfully discharged.

In the particular case to which I refer the Government of India received information that certain ill-disposed persons had arrived in Bajaur, who were likely to prove not only disturbers of the peace within our Frontier, but also a source of grave embarrassment to our neighbours across the Border.

We have already had experience of the extent of trouble such agitators are capable of causing by events which occurred in Khost earlier in the year, and it was clearly the bounden duty of my Government to take any and every step to prevent the recurrence of such incidents. In the meantime, for motives of their own and egged on by hostile agitators, the Upper Mohmands made a sudden and unprovoked attack from their semi-independent territory on one of our most loyal tribes, the Halimzai. Whether the action of the Upper Mohmands was in any way connected with the activities of the agitators in Bajaur it is impossible to say, but realising that this particular portion of the Frontier holds many firebrands, whose main occupation in life is to flout all recognised forms of law and order, and knowing the pace at which infection is likely to spread on the Frontier, I, in consultation with my Government, decided that immediate action was imperative.

This action was not forced upon us by any overt rebellion against our own authority, but it was our obvious duty to support our assured clans against unwarranted aggression, and for this reason a column was despatched into the Halimzai country, to support the Halimzai and to afford them some measure of protection. The column was received with professions of gratitude and has had precisely the effect desired. The loyal elements among our clans have been encouraged and fortified, and the hostile lashkars have now dispersed and disappeared.

The problem in Bajaur was not so simple for, owing to the inaccessibility of the villages in which the agitators had taken up their abode, direct action of the nature mentioned above within a reasonable time was impracticable, in fact impossible, owing to the destruction by floods of the bridge over the Panjkora River.

Again, after full consideration, we decided in the first instance to issue notices to certain individual Khans who were known to be harbouring the offenders, demanding their surrender. We even went so far as to offer a reward for their surrender, and to intimate that no action would be taken against them beyond removing them to a safe distance from the Frontier. On the other hand, we made it clear that failing compliance with our orders, the Government would take such action as they considered necessary.

These notices produced no effect; and it was then, and only then, after considering the alternatives open to us, that Air action was instituted against

a single small and remote village called Kotkai in which it was known that the principal offender was being harboured.

In view of the criticism which this decision has evoked during the past few weeks, without perhaps a full knowledge of the facts, I wish to make it quite clear that our action has in no way infringed the canons of international law or the dictates of humanity; Air action of this type has been taken on many occasions in the past 12 years without exciting comment or protest. It is not directed against the inhabitants of the villages, much less against women and children; it is never undertaken without the express authority of the Government of India and without due warning; and it seldom results in the destruction of human lives. On the present occasion no loss of human life occurred and as far as we know only one man was injured. Its effect lies in the economic loss inflicted by the destruction of dwellings and by the inconvenience and disturbance caused to normal everyday life.

I can assure you once more that our sole object is to maintain those conditions of peace and good relations on the Frontier which are so essential to the ordered progress of the country as a whole.

Although internal disturbances have, I am glad to say, been less frequent than in the preceding two years, there have been occasions on which the aid of troops has had to be invoked by the civil power. The promptness and efficiency with which the Army and the Royal Air Force have met all calls upon them command my admiration and should, I venture to suggest, be a matter of congratulation to us all. Heavy retrenchments have been made in the Defence Estimates and the search for further economies has by no means been abandoned. Special attention is being paid to certain suggestions that were made by Honourable Members in the last Budget debates; but it is becoming increasingly clear that further savings cannot be secured on a scale to compare with the very large retrenchment of the past two years.

The Imperial Council of Agricultural Research has continued to do useful work in the promotion of agricultural research. Since its inception it has been able to allocate funds aggregating 43 lakhs to no less than 49 research schemes most of which extend over a five-year period. There is evidence of an increasing appreciation of the Council's efforts to supplement the work which is already being carried on by the Agricultural and Veterinary Departments of the various Provinces, and at the Central Research Institutes at Pusa and Muktesar. Though in common with other beneficent activities the work of the Research Council has had to be curtailed during the present period of financial stringency, the existence of its Research Fund, which was created in 1929 on the recommendation of the Royal Commission on Agriculture and with your approval, has saved much useful work from interruption. Though my Government has not yet been able to restore the Council's annual research grant of five lakhs, it was found possible, again with your approval, to make a supplementary grant of five lakhs to it last March. This enabled the Council to start a number of useful schemes which were awaiting the provision of funds.

It is only four years since the Research Council was established and less than three since its first research schemes came into operation, so that it is

[H. E. the Viceroy.]

too early to expect results. But I was interested to observe that at the recent Sugar Conference convened by the Government of India several Provincial Ministers for Agriculture and Industries spoke appreciatively of the work done by the Sugar Technologist and by the Sugar Committee of the Council.

The Council has recently taken on new responsibilities in connection with the development and utilisation of the tariff preferences on agricultural products secured to India by the Ottawa Trade Agreement; and rightly so, for unless Indian agricultural produce is as well-handled and graded, and of as good a quality as that of our principal competitors, the full advantage of these important preferences in the United Kingdom will not be realised.

As you are aware, the Whitley Commission made a number of suggestions for the revision of the Factories Act. These have now been examined in detail by the public, by the Local Governments and by my Government and we shall shortly place before you our proposals in the form of a new Factories Bill, designed to replace the Act of 1911 and the various amending Acts passed since that date.

Another measure that you will have to consider is the question of affording protection to Indian States against activities in British India which tend to subvert or to excite disaffection towards their administrations.

It has been represented to my Government that the existing law is inadequate for the purpose, and my Government feel that the Indian States are entitled to a similar measure of protection against unfair and subversive activities in British India as the present law affords to British Indian Provinces. The Indian States have invariably co-operated with the British Government in suppressing activities in their States subversive to the administration of British India, and I feel there is little need for me to stress the desirability of what I may best characterise as reciprocity in this matter, especially when we envisage the proposed Federal Constitution of which States and Provinces will alike be Units.

When I addressed the Legislative Assembly last January, I made a brief reference to certain matters relating to Indians overseas. The hope, which I then expressed, that our representations to the Union Government on the subject of Indian unemployment in Natal would prove fruitful, has been realised. Relief to unemployed Indians is now being given in Durban and Pietermaritzburg. The Commission to enquire into the occupation of proclaimed land by Indians in the Transvaal continues its labours. Our Agent and his staff have been assisting the Indians in the Transvaal to place their views before the Commission. Two recent events in East Africa may be of interest to Honourable Members. The Indian community in Uganda has long been desirous to see its representation on the Legislative Council of this territory increased. His Majesty's Secretary of State for the Colonies has announced that a second Indian member will shortly be nominated to the Council. Members are appointed to the Council, not to represent communities but by reason of their fitness to serve the general interests of the country. Indians in Uganda will, I feel sure, justify the choice, which will now fall on

one of them, by using this opportunity to promote the welfare and prosperity of Uganda. In Kenya Indians have decided, without prejudice to their preference for the principle of a common electoral roll, to enter the Legislative Council. The Government of India consider this a wise decision and hope that, by the contribution which this will enable them to make to the common weal of that territory, complete harmony among the different communities may be rapidly established.

It will be remembered that towards the end of the last Session of the Legislature the Government of India were compelled to ask His Majesty's Government that formal notice should be given of their desire to terminate the Indo-Japanese Trade Convention. This serious step was taken with the utmost reluctance and only under the threat of grave injury to many of the indigenous industries of India. Our action was conceived in no spirit of hostility or aggression; it was purely a measure of self-defence and it is regrettable that in certain quarters it has been otherwise construed. The problem with which we were confronted was a difficult one. The depreciation of the currency of Japan relatively to the rupee had given to that country an advantage in Indian markets which rendered competition impossible. Our choice lay between inaction—which spelt ruin to many of our industries—and the denunciation of the Convention which had governed the friendly trade relations of India and Japan for so many years. No other practical solution offered itself and notice of denunciation of the Convention was therefore given, and the Convention will expire on 10th October next.

Though by the denunciation of the Convention and by the passing of the Safeguarding of Industries Act we have taken power to protect our own interests, we have nevertheless been ready at all times to consider any alternative solution that might be put forward. We ourselves were fully conscious of the disadvantages of a discontinuity in our treaty relations with Japan, and I am happy to say that, as a result of preliminary conversations, a Delegation from Japan will shortly arrive in India with a view to the negotiation of a fresh trade agreement. I take this opportunity of welcoming the representatives of Japan now on their way and of expressing the earnest hope that a solution may be found satisfactory to all the parties whose interests are involved. The fact that these negotiations will take place in Simla between the Government of India and the Government of Japan is one of great significance for India.

Of significance too is the fact that India is to be the scene of a tripartite conference between the textile industrialists of India, Lancashire and Japan. In this conference the Government of India will not take part, but they would welcome any agreement consonant with the welfare and interests of India as a whole.

You will be invited to give legislative sanction to the agreement that has been reached between the tea growers of India, Ceylon and the Netherlands East Indies. The Restriction Scheme which they have themselves evolved is as yet in its initial stages and it is perhaps too early to proclaim it a success, but it has already engendered in the trade a very welcome feeling of buoyancy and confidence.

[II. E. the Viceroy.]

I now turn to the question of Finance about which in these times of unparalleled uncertainty it is necessary to speak with caution. I think it is fair to say that on all sides there is a feeling of greater confidence and that it is possible to detect signs of definite improvement in many directions. The World Economic Conference, though it failed to produce any agreed plan of co-operation, has at least done much to clear the air, while the discussions between the Empire countries in which India's representatives took a prominent part led to a declaration of a monetary policy which justifies the hope of an improvement in the sterling prices—and therefore also in the rupee prices—of commodities.

So far as our budgetary position is concerned, it is too early yet in the year to make any reliable forecasts. The results for the four months to the end of July are interesting. Exports of merchandise show an increase of about Rs. 7½ crores over last year, while imports of merchandise are lower by about Rs. 11½ crores. The result is that customs receipts to date are disappointing, but on the other hand India's favourable balance of payments has been much larger than last year, and Government has been able to remit exceptionally large amounts of sterling—over Rs. 19 crores—as compared with less than Rs. 1½ crores at the same period last year.

The reduction in imports may signify that India is relying more on her own industrial production, and this combined with the increase in the favourable balance of payments can be interpreted as signs of strength in the intrinsic position of India. But it also shows how such an improvement in the general position, and in particular how the replacement of dutiable imports by Indian manufactures, may actually increase the budgetary difficulties; so that we cannot contemplate any relaxation in our policy of rigorous economy in recurrent expenditure.

In the meanwhile it may be said that our position remains one which compares favourably with that of any other country. The credit of the Government stands high and the favourable results as regards remittance have a significance at the present juncture to which I wish to call special attention. These remittances have enabled us so to strengthen our sterling balances that if this position continues we shall have made the provision of adequate external reserves for setting up a Reserve Bank an immediate practical possibility.

This brings me to a question which will be of close interest to you—not only from the financial, but also from the constitutional standpoint—that of early legislation for the setting up of a Reserve Bank. I have been particularly glad to note the most satisfactory course of the discussions in London on this subject at which the Indian Legislature was strongly represented and which has resulted in the production of a unanimous report. I should like to take this opportunity of expressing my appreciation of the valuable service rendered by the Members of the Legislature and other Indian representatives in these discussions. With this report to guide us, we propose to introduce a Bill into the Legislature this Session and to proceed to the stage of recommending to you that it should be referred for detailed examination by a Select Committee of both Houses. If this procedure is approved by you, it is our intention to

arrange for the further stages of the Bill as reported by the Select Committee to be taken at a special Session to be convened in the latter half of November. It is our earnest desire to proceed as expeditiously as possible with the inauguration of the Reserve Bank in view of its importance in the general constitutional plan, and, with your help, on which I now feel that I can confidently rely, combined with the improvement of our position as regards external reserves to which I have already called attention, I have every hope that it will be possible to have the Reserve Bank successfully functioning well in advance of the earliest possible inauguration of the new constitution.

Before leaving the field of Finance, there is one other matter which I must mention. One practical result of the World Economic Conference was the conclusion of an agreement between the representatives of the countries interested in silver, the details of which have already been fully reported in the press. We believe that this agreement will operate to the substantial advantage not only of India but of the other countries concerned, while it offers the further great advantage of removing what was a cause of friction and misunderstanding between this country and the United States of America. This agreement is subject to ratification by the Legislatures of the various countries concerned, and it will be put before you for your consideration at the earliest convenient opportunity.

When I addressed you in February last I ventured to express the belief that the march of events would gradually carry the leaders of the civil disobedience movement further and further away from the sterile methods of negation and obstruction, and that they would find themselves caught up in the living forces of constructive politics which the near approach of the new constitution is releasing on all sides. I think that what has happened in the last few months has borne out that belief. It is true that civil disobedience still maintains a precarious existence through the personal influence of its author, but the popular judgment has really discarded it, and the pathway to happier conditions is broadening out before us. The minds of men and women are turned in the direction of constructive work rather than of continuing an unmeaning struggle. I hope we can feel that an unhappy page in the history of the country has been turned over, and that advanced political thought in India can henceforth address itself to the problems of the future. In that, new India to which we are advancing there is need, and there will be scope, for the co-operation of many diverse elements. I believe that those whose main political outlook is usually summed up in the word "nationalist" will find in the new constitution satisfaction for their claim that the centre of gravity in the Government should be shifted unmistakably from the officials to the representatives of the people, and will discover ample scope for new activities and new policies in dealing with the many urgent social and economic problems that confront the country. The conservative elements will also have their part to play, as they have in every country, balancing enthusiasm with caution and ideas with facts. The struggle, for we can never get away from struggles in politics, will be no longer between those who would break and those who would uphold the law, or between those who would maintain and those who would destroy the British connection, but it will be a struggle between different policies for meeting the practical problems that face us, problems that have perhaps never been in any age so insistent and so

[H. E. the Viceroy.]

complicated as they are now throughout the world. Out of that struggle will emerge, I hope, solutions that will truly advance the welfare of the peoples of this great country.

The improvement in the situation in Bengal in regard to the terrorist movement of which there were some signs last February has, I am glad to say, continued, and there has been no serious outrage in recent months. But the movement, though checked, is still active. It would be the greatest mistake to suppose that these subterranean forces have yet been overcome or that there can be any relaxation of the steady and unremitting pressure to which, in conjunction, I hope, with an improved, convinced and active public opinion, they will in the end yield. The success which has been so far achieved in Bengal has been due to an unswerving resolution on the part of the Government of Bengal that this menace should be faced and beaten, and to the admirable efforts made in pursuance of that policy by the servants of Government, both civil and military, and the effective co-operation of all those who have been engaged in this campaign. It was a matter of great satisfaction to me that His Majesty the King-Emperor recently conferred a special mark of his appreciation on two officers, one civil and one military, whose work has been most valuable in securing the great improvement which is evident in conditions in the Chittagong District.

But while conditions in Bengal are slowly improving, we have had a reminder recently of the manner in which the infection of these poisonous doctrines may spread to parts of India which have hitherto happily been free from this form of crime. Recently terrorist outrages or attempts at outrages have occurred in the Madras Presidency. I am glad to think that the prompt and effective action of the Madras Government and Police has succeeded in dealing with this development in its initial stages, and I have no doubt that the people of Madras will give all possible co-operation to the authorities in their efforts to prevent the youth of the Presidency becoming tainted with these disastrous doctrines, doctrines which are essentially alien to the culture of the people among whom it is sought to propagate them.

When last addressing you on the question of Constitutional Reforms the third Round Table Conference had concluded its session, and with feelings of keen anticipation we were awaiting the presentation to Parliament of the proposals of His Majesty's Government. I have frequently described the progress of the Reforms discussions of these past years in terms of the stages of a journey. The publication on the 18th March of the Indian White Paper marked so definite a stage that I feel I can well ask Honourable Members to look back for a moment to the stages we have covered before they cast their eyes forward to those which lie ahead. When the Government of India Act of 1919 was passed, Parliament recognised that the constitution then given was transitional and made provision for its review. By virtue of that provision the Indian Statutory Commission was appointed and its labours opened the way to the great developments which followed the publication of its report. The first Round Table Conference will for all time hold an honoured place in the constitutional history of this country, for it was at that Conference that the conception of bringing this great continent within the embrace of an all-India Federation was first brought within the range of practical politics. That idea

we have since held consistently before us. It is now the corner-stone on which we have built. Each of the two succeeding Conferences made its own particular contribution to the completion of our task, and the intervals were occupied with expert enquiries into one aspect or another of the many difficult problems inherent in so great a constitutional change. When I look back over this period of preparation, my confidence in the future is stimulated by the encouragement I derive from that splendid spirit of common endeavour, which has throughout inspired the free exchange of views between the representatives on the one side of His Majesty's Government and on the other side of British India and the Indian States. Compressed within the pages of the White Paper there lie the evidences of this collaboration, in which by the help so readily given the Indian representatives have played so notable a part.

While the Joint Parliamentary Committee has been at work in London, but without prejudice to its conclusions, my Government has set up a Committee of officials and non-officials to consider administrative problems relative to the separation of Orissa. It is intended also to set up a similar Committee for Sind to assemble and start work early in the coming cold weather.

The White Paper is now in the hands of the Joint Parliamentary Committee. Its terms of reference charge the Committee with the momentous responsibility of considering the future Government of India and, in particular, of examining and reporting upon the proposals in the White Paper. We have all followed with close attention the reports appearing in the press of the Committee's proceedings, and, conscious of what Indian co-operation has achieved in the past, I rejoice to think that Indian opinion is again given the fullest opportunity to make itself felt at this last and formative stage when the work that has been done comes finally before Parliament for decisions to be taken. No part of the Committee's proceedings has given me greater pleasure than the generous acknowledgments by Indian delegates of the great contribution made to the discussions by the Secretary of State, who in the course of his evidence displayed a grasp of these great constitutional issues which evoked tributes from representatives of all sections of opinion in the Committee. Early in October the Committee will reassemble and resume its labours. I would ask Honourable Members to join with me in wishing the Committee and its collaborators an early and successful conclusion to their great work of investigation, scrutiny and review before the Committee places its own recommendations before Parliament for consideration.

In conclusion, let me turn for a moment to the future. If we are to ensure the rapid progress which we all desire in the way of Constitutional Reforms, we must create the atmosphere in which that progress can develop. Little can be done by Government alone. An equal responsibility must lie upon Honourable Members themselves and other leaders of political thought in India to whom we must look to use their influence by their speeches, by public meetings and propaganda to see that the electorates of the future are made fully aware of the great advance we are striving to achieve through the White Paper proposals. I appeal to you, therefore, with all the sincerity at my command, to take up this responsibility with courage and energy so as to help your country forward to the attainment of her ultimate goal as an equal partner in the shaping of the destinies of the British Empire.

The Assembly met in the Assembly Chamber at Quarter Past Twelve of the Clock, Mr. President (The Honourable Sir Shanmukham Chetty) in the Chair.

QUESTIONS AND ANSWERS.

SUFFERINGS OF DECK PASSENGERS COMING FROM RANGOON TO CALCUTTA DUE TO OVERCROWDING.

174. ***Mr. Gaya Prasad Singh :** Are Government aware that deck passengers coming from Rangoon to Calcutta by the British India Steam Navigation Company steamers often suffer from over-crowding, and that a number of them are huddled together at odd corners and places on the deck, and that I myself witnessed their plight when travelling by the S. S. "Arankola" which left Rangoon on the morning of 9th May last for Calcutta ? Do Government propose to take any steps in this matter ?

The Honourable Sir Joseph Bhore : As a result of the enquiries made in the matter it is understood that the British India Steam Navigation Company's steamers running between Rangoon and Calcutta seldom carry the full complement of deck passengers which they are certified to carry. In the specific case of the S. S. "Arankola" cited by the Honourable Member the actual number of deck passengers carried by her on the voyage in question was 1,232 whereas the steamer was certified to carry 1,250 deck passengers. I may add for the information of the Honourable Member that under the rules and instructions in force such ships are, prior to their departure from a port, inspected by a Government official who sees that the number of passengers carried does not exceed that which the ship is certified to carry and that the vessel complies with other requirements of the law. In the circumstances the Government of India do not propose to take any further action in the matter.

EXPORT OF DUTY-PAID FOREIGN SUGAR FROM KARACHI TO KASHMIR AND JAMMU STATES.

175. ***Seth Haji Abdoola Haroon :** (a) Will Government be pleased to state whether it is a fact that duty-paid foreign sugar is exported from Karachi to Kashmir and Jammu States ?

(b) If so, do the Karachi Customs authorities, after sealing the sugar bags, give certificate to sender showing therein the amount of duty paid ?

(c) What quantities of sugar have been exported from Karachi to the above States during the official years 1931-32 and 1932-33 ?

(d) Is any part of the duty received retained by the Government of India ?

The Honourable Sir George Schuster : (a) Yes.

(b) Yes.

(c) During the year 1931-32, 5,302 tons were exported from Karachi to Kashmir and during 1932-33, 5,073 tons.

(d) No.

EXPORT OF FOREIGN SUGAR TO AFGHANISTAN AND DUZDAP.

176. ***Seth Haji Abdoola Haroon** : Will Government be pleased to state :

- (a) Whether it is a fact that sugar on which duty is not paid is transhipped to Afghanistan and Duzdap (Persia) from Karachi ?
- (b) Whether there is also in force a practice under which consumers who buy duty-paid sugar get refund on receipt of goods in Afghanistan and Duzdap (Persia) of customs duty paid at Karachi after deduction of 10 per cent. on production of a certificate proving payment of duty at Karachi ?
- (c) What quantity of foreign sugar has been exported to Afghanistan and Duzdap (Persia) during the official years 1931-32 and 1932-33 ?

The Honourable Sir George Schuster : (a) Sugar intended for the Government of Afghanistan is allowed to be re-exported without payment of duty. All other sugar whether intended for Afghanistan or Persia is liable to duty in the first instance.

(b) Sugar on which duty has been paid is entitled to a refund of 15/16ths of the duty on proof of arrival in Persia. Sugar on which duty has been paid and which has been declared at the time of import as being intended for Afghanistan is entitled to a refund of the whole duty on proof of arrival in Afghanistan.

(c) During the year 1931-32, 4,982 tons of sugar were exported to Afghanistan and during 1932-33, 6,990 tons. These figures represent the quantity certified as having entered Afghanistan.

During the year 1931-32, 780 tons were exported to Persia and during 1932-33, 165 tons. These figures represent consignments despatched from Karachi under Customs supervision for transmission to Persia.

EXPORT OF FOREIGN SUGAR FROM KARACHI TO PERSIAN GULF PORTS.

177. ***Seth Haji Abdoola Haroon** : (a) Will Government be pleased to state whether it is a fact that foreign sugar on which customs duty is not paid is exported to Persian Gulf ports from Karachi ?

(b) If the reply to part (a) be in the affirmative, will Government state what quantity of such sugar has been exported to Persian Gulf ports during the official years 1931-32 and 1932-33 ?

The Honourable Sir George Schuster : (a) Yes.

(b) The quantity of foreign sugar exported from bonded stock without payment of duty was 2,743 tons during 1931-32 and 3,446 tons during 1932-33.

ENLISTMENT OF 'Y' CADETS.

178. ***Sardar Sant Singh** : Will Government kindly state the number of 'Y' Cadets, who have been enlisted up-to-date since June, 1931, their names with academic qualifications and the regiments to which they are now attached ?

Mr. G. R. F. Tottenham : A statement is laid on the table giving the names of the gentlemen and the units in which they are serving.

List of Indian gentlemen enlisted since June 1931 under special terms with a view to qualifying for a nomination to the Indian Military Academy.

Name.	Unit with which serving.
1. Indar Singh	} Passed into I. M. A.
2. Mohammed Azam Khan	
3. Dalip Chaudhuri	
4. Gurkupal Singh	
5. Mohammed Ayub Khan	Hodson's Horse (Nominated for I. M. A.).
6. Goverdhan Lall Chandha	5th Bn., 2nd Punjab Regiment.
7. Sultan Maqarrab	2nd Bn., 2nd Punjab Regiment.
8. Jogindar Singh	5th Bn., 13th F. F. Rifles.
9. Waheed Haider	5th Bn., 14th Punjab Regiment.
10. Ram Narain Saxena	2nd Bn., 15th Punjab Regiment.
11. Mohammed Abdel Ali	5th Bn., 7th Rajput Regiment.
12. Swarup Singh	7th Light Cavalry.
13. Jagat Singh	3rd Bn., 9th Jat Regiment.
14. Jaswant Singh	Probyn's Horse.
15. Vithalrao Bhaskar Rao Jadhao	P. A. V. O. Cavalry (11th F. F.)
16. Sampuram Bachan Singh	3rd Bn., 5th Mahratta L. I.
17. Sataya Prakash	1st Bn., 11th Sikh Regiment.
18. Harbans Singh Bawa	19th K. G. O. Lancers.
19. Jal Sorab Cama	1st Bn., 2nd Punjab Regiment.
20. Mohammed Barkat Ullah	The Royal Deccan Horse.
21. Mohindar Singh	1st Bn., 15th Punjab Regiment.
22. Manohar Lal Katyal	1st Bn., 12th F. F. Regiment.
23. Syed Wajid Ali	1st Bn., 2nd Punjab Regiment.
24. Sadiq Ullah Khan	7th Light Cavalry.
25. Sikandar Khan	5th Bn., 12th F. F. Regiment.
26. Hardip Singh Uberoio	} Discharged at own request.
27. Mahbub Khan	
28. Gurbakhsh Singh	
29. Abdul Hamid Khan	5th Bn., 2nd Punjab Regiment.
30. Wazir Chand	10th Bn., 1st Punjab Regiment.
	3rd Bn., 7th Rajput Regiment.

ENLISTMENT OF 'Y' CADETS.

179. ***Sardar Sant Singh** : (a) Is it a fact that, when 'Y' Cadets were selected in 1931, the non-commissioned officers of the Indian Army were not eligible for King's Commission ?

(b) Is it a fact that 'Y' Cadets were given to understand that they would be given every facility for nomination to the Indian Military Academy ?

(c) Is it also a fact that after the selection of 'Y' Cadets and the understanding referred to in part (b) above, the non-commissioned officers were made eligible for King's Commission ? If so, from what date, and why was the old rule altered ?

(d) Are Government aware that the alteration of the rule in favour of the non-commissioned officers has affected the 'Y' Cadets adversely in regard to their nomination to the Indian Military Academy ?

(e) Are Government aware that this change of rules having affected the 'Y' Cadets adversely after their selection has been the cause of grave apprehensions in the minds of the parents of 'Y' Cadets in regard to the latter's future career ?

(f) Are Government also aware that this change of rules has been interpreted to be a definite breach of understanding given at the time of the selection of 'Y' Cadets ?

(g) Do Government propose to remove the grievance of the 'Y' Cadets and their parents by reserving at least 75 per cent. of the nominations to Indian Military Academy for the 'Y' Cadets so long as they are not absorbed ? If not, why not ?

Mr. G. R. F. Tottenham : Before answering this question I should like to remove an evident misapprehension as to the meaning of the term "Y" cadet. The term used to be applied in England to men from the ranks who were admitted to Sandhurst in order to be trained as officers, but no one was a "cadet" until he actually joined the College. The same term has been loosely applied to a number of Indian gentlemen who failed to pass the open examination for entry to the Indian Military Academy but who were given a chance of qualifying for a nomination to the Academy by passing through the ranks of the Army. They cannot strictly be described as cadets before they join the Academy.

The answers to the various parts of the question are as follows :

(a) Yes.

(b) They were told that they would, be given every help, *e.g.*, by being commended to the special attention of their Commanding Officers, but they were certainly not given to understand that they would be specially favoured.

(c) Yes, the change formed part of the general revision of the rules regarding the recruitment of Indians for King's Commissions recommended by the Indian Military College Committee. The new rules were actually introduced in September, 1932.

(d) and (e). Certainly not. The gentlemen in question were well aware that the change was likely to take place when they were offered enlistment ; and the increase in the number of Indian Army vacancies at the Academy has actually been in their favour.

- (f) There is no justification for such an interpretation. As I have already explained, the gentlemen were given no promise of any kind and were fully aware that their chance of obtaining a nomination depended on their own efforts.
- (g) No. It would be prejudicial to efficiency and to the success of the scheme of Indianisation if nominations were not given to the best men. But I can assure the Honourable Member that the claims of the persons in question will receive every possible consideration at the hands of the military authorities and that every effort will be made to give nominations at the Indian Military Academy to those who prove themselves likely to make good officers.

DISPOSAL OF CERTAIN PUBLICATIONS AS WASTE PAPER ON THE EVE OF THE TRANSFER OF THE CENTRAL PUBLICATION BRANCH TO DELHI.

180. *Mr. S. C. Mitra : (a) Will the Honourable Member in charge of the Department of Industries and Labour be pleased to state whether he is aware that a large stock of publications of various descriptions was disposed of as waste paper in Calcutta on the eve of the transfer of the Central Publication Branch to Delhi ?

(b) If so, will the Honourable Member kindly lay on the table a statement showing the following details :

- (i) The titles of the publications ;
- (ii) The number of copies of each of the publications ;
- (iii) The total value of the stock of such publications on the basis of their respective published prices ;
- (iv) The total amount of sale proceeds obtained and credited to Government account on disposal ;
- (v) The period during which the work of disposal of stock as waste paper was undertaken ;
- (vi) The total weight of the publications disposed of ; and
- (vii) The rate per maund at which these publications were sold ?

(c) Will the Honourable Member kindly say if the vacant space caused by the disposal of stock as waste paper would suffice to obviate the difficulty on the score of paucity of accommodation, referred to in the Proceedings of the Standing Finance Committee sanctioning the expenditure for the move ?

(d) Will the Honourable Member kindly say whether the following aspect of the question received due consideration before going in for sanction of transfer : whether the difficulty regarding insufficiency of space could be overcome by pursuing the process of weeding out the superfluous stock of publications ?

The Honourable Sir Frank Noyce : (a) Yes.

(b) The total weight of publications sold was 1,601 1½ maunds. The rate per maund was Rs. 1-12-0 and Rs. 2,802-11-3 was credited to Government. I am not in possession of a list of the publications or of their published prices, but lists can be consulted in the office of the Controller of Printing and Stationery at New Delhi. The weeding of stocks of old publications is carried on throughout the year.

(c) No.

(d) Yes.

Mr. N. M. Joshi : In view of the fact that Government had to dispose of their own publications as waste paper, will they reconsider their policy as regards the free distribution of Government publications to public and to Members of the Legislature ?

The Honourable Sir Frank Noyce : I do not see any justification for that. If any of these publications were wanted, they would have been purchased.

Mr. N. M. Joshi : May I ask Government whether they are aware that there are many public libraries and public men also who are anxious to read these publications and cannot do so because of their high price ?

The Honourable Sir Frank Noyce : I imagine that is the case, but I do not consider it a sufficient reason for making a free gift of the publications.

Mr. N. M. Joshi : May I ask, Sir, whether it is more economic and more in the interests of the public that these publications should be sold as waste paper instead of being given free to those people who are anxious to read them ?

The Honourable Sir Frank Noyce : I believe it is the case that publications have occasionally been offered to public bodies at cheap rates and sometimes even free.

Mr. Lalchand Navalrai : May I ask the Honourable Member whether it is not a fact that these publications are published in more abundance than they are required ?

The Honourable Sir Frank Noyce : I understand that an investigation has been made into that question and that experience has shown that it is not the case. I believe that the practice now is that the number of copies of any particular publication which should be published is scrutinised more carefully than was the case in the past and I need hardly say that it will be our endeavour to follow that practice in the future. We will take every step we can to ensure that the number of copies of any publication is not likely to be in excess of the demand. But my Honourable friend will, I am sure, understand that everybody is liable to make mistakes and that incorrect estimates at times are possible.

Mr. S. C. Mitra : Is it not a fact that most of these publications, that were treated as waste paper, were the reports and evidence volumes of many of the Royal Commissions and other Committees ?

The Honourable Sir Frank Noyce : I have no information on that point.

Mr. S. C. Mitra : My question referred to that. I wanted to draw the Government's attention that, instead of wasting these valuable books as waste paper, they might have been distributed, as my Honourable friend, Mr. Joshi, has suggested, among the Members of the Assembly and of different Local Councils.

The Honourable Sir Frank Noyce : I cannot find any reference in the Honourable Member's question to Reports of Royal Commissions.

Mr. S. C. Mitra : I wanted to know the names of the publications ?

The Honourable Sir Frank Noyce : There is a great number of them. I can make the list available for the Honourable Member's inspection if he is willing to wait until we move down to New Delhi.

Mr. S. C. Mitra : I know that most of the volumes are the reports and evidence volumes of such Commissions as the Royal Commission on Labour, on Agriculture and many other such Commissions. I want to know what was the difficulty in selling them at a reduced price or even distributing them free to the Members of the Legislature ?

The Honourable Sir Frank Noyce : I am quite prepared in future, before these publications are sent to the waste-paper basket, to have a list placed in the Library of the House so that if any Honourable Member wishes to have a copy, he can do so.

Mr. N. M. Joshi : May I ask, Sir, whether Government will consider the utility not only of placing the list in the Library of the Legislature, but also sending it to the public bodies and Libraries of the country asking them whether they wanted any of the volumes before they are thrown in the waste-paper basket ?

The Honourable Sir Frank Noyce : I doubt if that would be worth while. I think if any public body regarded a report of a Royal Commission as really worth having, it would be prepared to pay for it.

Mr. N. M. Joshi : Are Government aware that I wanted a set of the report of the Royal Commission on Indian Labour and I could not get it from the Department of Industries and Labour ?

The Honourable Sir Frank Noyce : I think every Member of the Royal Commission was presented with a free copy of the report and evidence.

Mr. N. M. Joshi : I have got two libraries and I wanted two sets instead of one. (Laughter.)

Mr. B. Das : Is it not a fact that the Stores Retrenchment Committee, after visiting, and making an inspection of, the Calcutta Publication Branch, recommended that all these obsolete documents, books and forms that were lying there, should be disposed of and, in accordance with that recommendation, these documents were sold ?

The Honourable Sir Frank Noyce : I cannot remember all the details of the recommendations of the Stores Retrenchment Committee. I am perfectly prepared to accept my Honourable friend's statement.

Mr. Lalchand Navalrai : May I know if these publications were, as a matter of fact, sold as waste paper ?

The Honourable Sir Frank Noyce : They were, Sir. The ones referred to in the question.

Mr. Lalchand Navalrai : May I know whether it has ever been considered to amalgamate the two presses, the one at Calcutta and the other at Delhi and locate them in one place ?

Mr. President (The Honourable Sir Shanmukham Chetty) : That question does not arise out of this.

Mr. S. C. Mitra : Before the Government treat these books as waste paper, they can reduce the price so that there may be a chance for public bodies to purchase them at reduced prices. If the original price is, say, Rs. 80 or Rs. 100 per volume, and if they are sold for Rs. 10 or Rs. 12, it is much more than what Government could get by selling them as waste paper.

The Honourable Sir Frank Noyce : I think that has been done in most cases, but I shall be very happy to examine how much farther we can take the procedure suggested by my Honourable friend.

EXPENDITURE INCURRED ON THE TRANSMISSION OF PUBLICATIONS FROM THE GOVERNMENT OF INDIA PRESS, CALCUTTA, TO THE CENTRAL PUBLICATION BRANCH, DELHI.

181. *Mr. S. C. Mitra : (a) Will the Honourable Member in charge of the Department of Industries and Labour kindly lay on the table a list of priced publications, including journals and periodicals, that were printed off from the Government of India Press, Calcutta, in the course of the last six months ?

(b) How many of those items of publications were transmitted to the Central Publication Branch, Delhi ?

(c) Will the Honourable Member be pleased to lay on the table a statement showing the total amount of railway freight that was incurred by the Central Publication Branch, Delhi, in the course of the last four months to clear consignments of publications that were sent to Delhi by the Government of India Press, Calcutta ?

(d) Do Government realize that the Central Publication Branch has been saddled with this expenditure only because of the said office having moved away to Delhi ?

(e) If so, will Government kindly say how is it proposed to cut down the expenditure on account of railway freight for publications that are to be received by the Central Publication Branch from the Calcutta Press ?

The Honourable Sir Frank Noyce : (a) The list desired by the Honourable Member includes 521 items and runs to 31 pages. I do not propose to lay it on the table but it can be consulted in the Industries and Labour Department if the Honourable Member so desires.

(b) 350.

(c) The amount was Rs. 3,277.

(d) No : a considerable portion of the expenditure would in any case have been incurred by the Central Publication Branch if it had remained in Calcutta in distributing publications required by offices in Delhi or Simla.

(e) Does not arise.

SANCTION OF ADDITIONAL STAFF FOR THE CENTRAL PUBLICATION BRANCH TO COPE WITH THE WORK CONNECTED WITH THE TRANSFER OF THE PATENT OFFICE SPECIFICATIONS.

182. *Mr. S. C. Mitra : (a) Is it a fact that the stock of about 20,000 kinds of patent office specifications has, of late, been transferred to the Central Publication Branch from the office of the Controller of Patents and Designs, Calcutta ?

(b) If so, do Government propose to sanction additional men for the Central Publication Branch to cope with this additional work ?

The Honourable Sir Frank Noyce : (a) Yes.

(b) No.

ARRANGEMENTS FOR LIGHTS IN THE COMPARTMENTS OF THE BROACH JAMBUSAR RAILWAY.

183. *Mr. M. Maswood Ahmad : Will Government be pleased to state what action was considered necessary, and whether any action has been taken, by the Agent, Bombay, Baroda and Central India Railway in regard to the arrangements for lights in the compartments of the Broach Jambusar Railway and the extinguishing of light at Samni Station just after the leaving of the train ?

Mr. P. R. Rau : With your permission, Sir, I shall reply to this and the next question together. The matter being within the competence of the Agent, Government merely brought it to his notice leaving them to him to take such action as he might consider necessary, and have not asked for a report from him on the subject.

Mr. M. Maswood Ahmad : Will the Honourable Member be pleased to have a report from the Agent and place it before the House ?

Mr. P. R. Rau : The Government expect that the Agent has taken all the necessary action to remove the inconvenience complained of and, unless the Honourable Member has any reason to believe that no action has been taken, I do not consider any useful purpose would be served in obtaining the information.

Mr. M. Maswood Ahmad : What is the source for Honourable Members of this House to know what action has been taken by the Agents ?

Mr. P. R. Rau : These are matters which can be discussed in the Local Advisory Committees.

Mr. M. Maswood Ahmad : What is the source for Honourable Members of this House to know what action has been taken by the Agent about matters which were referred to him by the Railway Board ?

Mr. P. R. Rau : I take it, Sir, but I speak subject to correction, that interpellations in this Assembly are meant to bring matters that require correction to notice and not merely, if I may say so, to satisfy an idle curiosity.

Mr. M. Maswood Ahmad : I think questions are asked for getting information as well. Do Government agree with this ?

Mr. P. R. Rau : No, Sir ; Government consider that in these matters of trifling importance minute examination by Government is unnecessary.

Mr. M. Maswood Ahmad : In what scale do Government weigh and decide whether a matter is trifling or not ? It is for the Member who asks a question to decide.

Mr. P. B. Rau : It seems to me that if Government are to be responsible for the running of railways, they must, as a practical measure, devote their attention to matters of major importance.

Mr. M. Maswood Ahmad : When a question is admitted by the President, it becomes a matter of public importance. Do Government agree to that ?

Mr. President (The Honourable Sir Shanmukham Chetty) : Government cannot but agree to that. Otherwise there is no meaning in allowing that.

HARDSHIPS FELT BY PASSENGERS VISITING THE FAIR AT AJMER.

†184. ***Mr. M. Maswood Ahmad :** Will Government be pleased to state what action was considered necessary, and whether any action has been taken, by the Agent, Bombay, Baroda and Central India Railway, in the matter of the inconvenience mentioned in question No. 79 asked on the 2nd February, 1933 ?

FARES OF DIFFERENT CLASSES ON STATE RAILWAYS.

185. ***Mr. M. Maswood Ahmad :** (a) Will Government be pleased to state what is (i) the average cost per first class compartment, (ii) the average income per first class compartment in a year, (iii) the average contribution to the depreciation fund for each first class compartment, and (iv) the average running and recurring cost per first class compartment ?

(b) Is it a fact that fare for first class is generally double that of the second class on all the State-managed Railways ?

(c) Will Government be pleased to state whether or not the cost of a first class compartment is also double that of a second class compartment ?

(d) Are Government aware that a first class compartment is not a paying concern ?

(e) Do Government propose to consult the Central Advisory Committee for Railways about examining the question of fares for the different classes, and placing their recommendations before the Railway authorities ?

Mr. P. B. Rau : (a) (i). The approximate proportionate cost of a modern first class broad gauge compartment intended to seat six persons is Rs. 14,000.

(ii) The average earnings per first class seat amounted to Rs. 226 in 1931-32.

(iii) The contribution to the Depreciation Fund on account of a carriage is 1/35th of the capital cost.

(iv) The average annual proportionate cost of workshop and running repairs for a modern first class broad gauge compartment is about Rs. 400.

†For answer to this question, see answer to question No. 183.
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The average cost of hauling a bogie vehicle, which ordinarily consists of four first class compartments and a servants compartment, was 62.9 pies on State-managed Railways in 1931-32.

(b) This is generally so, but there are exceptions.

(c) The approximate proportionate cost of a second class compartment intended to seat 12 passengers is roughly Rs. 12,400.

(d) This is a matter of opinion.

(e) These are matters where uniformity is not possible. Rates and fares must be fixed for each individual railway separately, though the maxima and minima are fixed by Government, and the question of fares is therefore more suitable for discussion in Local Advisory Committees.

Mr. N. M. Joshi : May I ask whether part (d) is a matter of opinion ? Are Government aware that a first class compartment is not a paying concern ? May I ask whether this is a matter of fact or a matter of opinion ?

Mr. P. B. Rau : Government consider that it is a matter in which opinions might vary.

Mr. N. M. Joshi : How is it a matter of opinion whether a compartment is a paying concern or not ? It is a matter of fact.

Mr. P. B. Rau : It all depends upon what the Honourable Member means by "paying".

Mr. N. M. Joshi : May I ask the Honourable Member what his conception of "paying" is ?

Mr. P. B. Rau : That is a matter of opinion.

RESTRICTION ON THE POSSESSION OF SWORDS.

186. ***Mr. M. Maswood Ahmad :** (a) Will Government be pleased to state in which areas restriction on the possession of swords has been imposed by the Central or Local Governments ?

(b) Have Government received any complaints that the discretion for granting licences for fire-arms is unreasonably exercised by the Local Governments ?

(c) Do Government propose to direct the Local Governments to mention the reasons for not granting licences to the persons who are entitled to have licensed arms ?

The Honourable Sir Harry Haig : (a) The general position is that except in the Punjab, Burma and Delhi, swords have been exempted by the Government of India from all the prohibitions and directions contained in the Arms Act, but Schedule II of the Indian Arms Rules, 1924, empowers Local Governments to apply all or any of the said prohibitions and directions in respect of any class of persons or of any specified area. I am not in possession of complete information of the restrictions which in exercise of this power the various Local Governments have found it necessary to impose on the possession of swords.

In the Punjab the possession or carrying of swords does not require a licence in a number of districts, but in the remaining districts this privilege is confined to certain specified classes. In Burma and Delhi

swords are subject to all the prohibitions and directions contained in the Arms Act.

(b) No.

(c) Certain persons are exempt from the provisions of the Arms Act but no person is entitled to a licence for an arm or arms. The rules under the Arms Act provide for appeal against an order of a licensing authority rejecting an application for the grant of a licence. Government do not consider it necessary to issue the instructions suggested by the Honourable Member.

Mr. M. Maswood Ahmad : Do Government realise that when the Honourable the Home Member of the Government of India is not in a position to say in which parts the keeping of swords has been prohibited by Local Governments, how can the public be able to know which areas are prohibited areas ?

The Honourable Sir Harry Haig : The Government of India are not supposed to know all the details of local administration in every province in matters which have been deliberately left to the discretion of the Local Governments.

Mr. S. G. Jog : Is it a fact that Local Governments have recently become rather stricter in granting licences to the local people ?

The Honourable Sir Harry Haig : Does the Honourable Member refer to swords ?

Mr. M. Maswood Ahmad : Will Government be pleased to state what sources the public have of knowing what areas are prohibited or not ?

The Honourable Sir Harry Haig : I think there is not the smallest difficulty. The inhabitant of any district is well aware whether licences are or are not required for the carrying of swords.

Mr. Lalchand Navalrai : Is the Honourable Member aware that there was exemption for these swords in the Bombay Presidency and that recently the exemption has been taken away ? Have not the Bombay Government, therefore, become stricter ?

The Honourable Sir Harry Haig : I was not aware of that. As I have already said, I am not aware of the action taken by the various Local Governments in exercise of the discretion vested in them.

Mr. S. G. Jog : Is it a fact that the Government of India have issued any special instructions to the Local Governments ?

The Honourable Sir Harry Haig : The Government of India have certainly, in connection with terrorist outrages, given instructions to Local Governments to tighten up the administration of the Arms Act so far as relates particularly to revolvers and pistols. But I am not aware that we have issued any instructions about swords.

Mr. Lalchand Navalrai : Will the Honourable Member be pleased to inquire from the Local Governments whether these instructions are being applied to terrorists only or to the general public also ?

The Honourable Sir Harry Haig : No, Sir. So far as swords are concerned, the discretion is left to the Local Governments and I do not propose to interfere with it.

Mr. M. Maswood Ahmad : Will Government be pleased to state what are the reasons for not mentioning in the order on what grounds the licences are not granted ?

The Honourable Sir Harry Haig : I suggest to the Honourable Member that as an appeal lies it follows that some reasons must obviously be given and, therefore, it is unnecessary for the Government of India to address Local Governments on that matter.

Mr. S. G. Jog : Is the Honourable Member aware that there have been complaints in the Central Provinces and Berar as regards the grant of these licences ?

The Honourable Sir Harry Haig : No, Sir ; but I would suggest that matters of this sort which relate to the administration of the Arms Act might be raised in the Local Councils concerned.

Mr. Lalchand Navalrai : May I know if there is any second appeal or revision to the Government of India ?

The Honourable Sir Harry Haig : No, Sir ; certainly not.

Mr. M. Maswood Ahmad : Are Government aware that in Bihar and Orissa, on these applications it is simply written : " Disallowed " ?

The Honourable Sir Harry Haig : I am not aware of that, but if the Honourable Member has any complaint, I would suggest that he should ventilate it or get it ventilated in the Bihar and Orissa Legislative Council.

SALE OF FIVE PICE AND FOUR PICE POSTAGE STAMPS.

187. ***Mr. M. Maswood Ahmad :** (a) Is it a fact that the sale of five pice stamps in the year 1932-33 was less in number than the sale of four pice stamps in 1930-31 ?

(b) Is it a fact that Government did not gain any amount by raising the postal rate ?

The Honourable Sir Frank Noyce : (a) Government have no information as separate statistics are not maintained for the sale of individual denominations of postal stamps.

(b) No. I would draw the Honourable Member's attention to the reply given to starred question No. 611 asked on the 2nd March, 1933, by Lala Rameshwar Prasad Bagla.

REDUCTION OF THE COST OF POST CARDS.

188. ***Mr. M. Maswood Ahmad :** (a) Is it a fact that the additional duty on imports and postal rate for envelopes were increased by 25 per cent. ?

(b) Is it a fact that the rate for poormen's post card was raised by 50 per cent. ?

(c) Do Government propose to reduce the increased rate of post cards ?

The Honourable Sir Frank Noyce : (a) Yes.

(b) The internal post card rate has been raised from six to nine pies irrespective of the sender's financial position.

(c) Not at present.

REPRESENTATION OF MUSLIMS IN THE SERVICES UNDER THE CONTROL OF THE GOVERNMENT OF INDIA.

189. ***Mr. M. Maswood Ahmad** : Will Government be pleased to explain their recent policy as regards the representation of the Muslim community in the services under their control ?

The Honourable Sir Harry Haig : As explained in the Home Department Office Memorandum No. F. 176/25-Ests., dated the 5th February, 1926, a copy of which is available in the Library, the policy of the Government of India is to prevent the preponderance of any one class or community in the public services. Instructions were issued in 1930 for the recognition of the position of Muslims as the most important of the minority communities in the application of this policy. There has been no change in the policy, but Government have under consideration the question of some modification of the existing orders on the subject.

Sardar Sant Singh : May I know since when have Government created these different degrees of importance among minority communities, i.e., important, more important and most important minority communities ? (Laughter.)

The Honourable Sir Harry Haig : I should have thought it was an obvious fact that the Muslim community was the largest and, I suppose we must conclude, the most important minority community in this country.

Sardar Sant Singh : Are not Government prepared to call the Muslim community the second major community in India ?

The Honourable Sir Harry Haig : If the Honourable Member prefers that nomenclature.

FACILITIES FOR THE MOUNT EVEREST AIR EXPEDITION.

190. ***Mr. M. Maswood Ahmad** : (a) Will Government be pleased to state what facilities were given to the Mount Everest air expedition in 1933 ?

(b) Will Government be pleased to state what facilities are ordinarily given to such expeditions by the Government of India ?

Major W. K. Fraser-Tyler : (a) The following facilities were afforded to the Mount Everest Air Expedition in 1933 :

1. Loan of the services of six airmen. (Insurances, travelling and incidental expenses, other than contribution for pay and pensions were borne by the expedition).
2. Loan of three canvas hangars. (Transport, erection and damage were paid for by the expedition).
3. Permission to use the Royal Air Force Landing Ground at Purnea.

4. Exemption from customs duty in respect of their equipment and stores.

(b) 'The facilities extended by the Government of India to scientific expeditions depend upon the nature of each expedition. Exemption from customs duty in respect of their equipment and stores is, as a general rule, granted to scientific expeditions which pass through India and operate outside it. Such other assistance is given as circumstances may permit.

Mr. S. G. Jog : May I know whether a money grant was given to this expedition by the Government of India ?

Major W. K. Fraser-Tytler : I do not think so.

Mr. Gaya Prasad Singh : Is it a fact that certain Indian gentlemen wrote to the Government of India for the usual facilities for a Mount Everest expedition, but that they were refused to them ?

Major W. K. Fraser-Tytler : I have no information on that point.

UTILISATION OF THE TWO ANNA PETROL TAX.

191. *Mr. M. Maswood Ahmad : Will Government be pleased to place on the table of the House a statement for the financial year 1932-33 showing :

- (a) the total amount realised from the two-anna petrol tax for the construction of roads in India in each Province ;
- (b) the total amount of 10 per cent. reserve with the Government of India for making experiments on roads ;
- (c) a detailed account as to how the 10 per cent. reserve with the Government of India has been spent till now ;
- (d) the balance from the 10 per cent. reserve with the Government of India, and how Government propose to utilise this fund ;
- (e) the conditions on which money is lent to each Provincial Government from this fund ; and
- (f) the total amount lent to every Province from this fund ?

The Honourable Sir Frank Noyce : I lay on the table of the House a statement containing the information asked for by the Honourable Member, so far as it is available.

Statement showing the information relating to the amount of revenue, expenditure, etc., in the Road Development Account.

(a) Information relating to the amount of revenue credited to the road development account during the entire financial year 1932-33 is not yet available. The revenue for the first six months of the year 1932-33 is however estimated to be Rs. 55,54,351 and including this figure, the total amount realised up to the 30th September, 1932, is Rs. 3,58,51,209. This is the proceeds of the additional duty on petrol of two annas per gallon up to September, 1931, and with the 25 per cent. general increase of duties, two and a half annas subsequently. On the basis prescribed by paragraphs (2), (3) (a) and (b) of the Legislative Assembly Resolution of February 4th, 1930, a

sum of Rs. 70,000 has been set aside in respect of civil aviation and the balance of Rs. 3,57,81,209 has been distributed as follows :—

	Rs.
10 per cent. reserve with the Government of India ..	35,78,120
Share of Madras	48,58,163
Share of Bombay	57,63,690
Share of Bengal	47,83,393
Share of United Provinces	19,38,999
Share of Burma	33,75,045
Share of Burma (Shan States)	2,76,199
Share of Punjab	23,63,120
Share of Bihar and Orissa	12,36,152
Share of Central Provinces	10,77,423
Share of Assam	7,11,496
Share of North-West Frontier Province	6,77,855
Block grant for minor Administrations and States ..	48,59,422
Balance on hand with the Government of India as margin for adjustment of differences in allotment for the year 1932-33	2,82,132
	<hr/>
	3,57,81,209

(b), (c) and (d). It will be convenient to furnish the information asked for under these three heads in one statement :—

The amount so far credited to the reserve is :—

	Rs.
(1) As above	35,78,120
(2) Voluntary contribution by the oil companies in 1929 ..	9,38,900
	<hr/>
	45,16,020

This has been applied as follows :—

	Rs.
A. Administration (Road Engineer and office, etc., expenditure to March 1933)	1,21,537
B. Earmarked for grants for experimental works ..	5,00,000
C. Reserved for special grants for special works ..	38,94,483
	<hr/>
	45,16,020

B. Grants amounting to approximately Rs. 1.45 lakhs have been sanctioned for experiments in various Provinces and States.

C. On the assumption that the total amount available in the reserve for special grants for special works in the five year period for which the account has been instituted would amount to about Rs. 40 lakhs, the Government of India, on the advice of the Standing Committee, have made a selection of works for which grants have been or are being offered, vide proceedings of the Standing Committee on Roads of March 19th, 1932, copies of which are in the library. Under the provisions of the Resolution of the Legislative Assembly above referred to, any balance in the reserve not eventually utilised for these purposes will be distributed in the same manner as the rest of the receipts in the Road Development Account.

(e) and (f). The Honourable Member is referred to the reply given to parts (e) and (f) of Nawab Nuharsingji Ishwarsingji's starred question No. 82 in this House on the 2nd February, 1933.

IMPORT OF MOTORS INTO INDIA AND THE DUTY THUS REALISED.

192. *Mr. M. Maswood Ahmad : Will Government be pleased to supply a statement showing :

- (a) the total number of motors—buses, touring cars and trucks—of English, French, Italian, American and other makes imported into India during the years 1931-32 and 1932-33 ; and
 (b) the total amount of duty realised from, and the rate of duty, on these cars ?

The Honourable Sir Joseph Bhoze : (a) and (b). I lay on the table a statement furnishing the information required.

Statement showing the number of motor cars, etc., imported from certain countries and the amount of duty realised from and the rates of duty on these cars.

Countries whence imported.	1931-32.		1932-33.	
	Motor cars (including taxi cabs).	Motor omnibuses, etc.	Motor cars (including taxi cabs).	Motor omnibuses, etc.
United Kingdom ..	No. 2,178	No. 435	No. 3,958	No. 517
France ..	161	11	84	
Italy	510	10	226	1
United States of America ..	3,368	3,236	1,201	1,793
Other countries	1,003	610	732	365
Total ..	7,220 Rs.	4,302 Rs.	6,201 Rs.	2,676 Rs.
Amount of duty realised ..	49,34,000	14,86,000	45,74,000	10,05,000

Rates of duty on motor cars, etc., from April 1931 onwards.

Rate of duty.	Motor cars (including taxi cabs).	Motor omnibuses, etc.
April to September 1931	Per cent. 30	Per cent. 20
October 1931 to December 1932	37½	25
January to March 1933—		
Standard rate of duty "	37½	25
Duty on goods produced or manufactured in the United Kingdom	30	*17½

*Applicable only to Motor omnibuses, the rate for Motor vans and lorries being 25 per cent.

Mr. President (The Honourable Sir Shanmukham Chetty) : Order, order. In this connection the Chair would suggest to Honourable Members to use their discretion in deciding what ought to be a starred question and what ought to be an unstarred question. Questions Nos. 191 and 192 of Mr. Maswood Ahmad simply ask for the laying on the table of certain statements, and the Chair would suggest to the Honourable Member that such questions might be left as unstarred questions. (Applause.)

PERSONS IN JAIL IN CONNECTION WITH THE CIVIL DISOBEDIENCE MOVEMENT OR OTHER POLITICAL MOVEMENTS.

193. *Mr. M. Maswood Ahmad : Will Government be pleased to state the number of persons in jail in different provinces (each province separately) on the 30th June, 1933, in connection with the Civil Disobedience Movement or other political movements ?

The Honourable Sir Harry Haig : I lay a statement on the table giving the information in my possession relating to the Civil Disobedience Movement.

Statement showing number of persons (under ordinary law and central and provincial Acts) undergoing imprisonment.

Province.	Number of convicted persons undergoing imprisonment at the end of 30th June 1933.
Madras	480
Bombay	2,105
Bengal	830
U. P.	875
Punjab	116
Bihar and Orissa	716
Central Provinces	28
Assam	114
N.-W. F. P.	1,558
Delhi	26
Coorg	56
Ajmer-Merwara	11
Total	6,915

DETENUIS KEPT IN DIFFERENT PLACES.

194. *Mr. M. Maswood Ahmad : Will Government be pleased to state the number of detenus kept in different places on the 30th June, 1933, with their nationality and community ?

The Honourable Sir Harry Haig : I lay on the table a statement giving the particulars required so far as they are available.

Statement of persons in jails or internment camps under (a) the Bengal Criminal Law Amendment Act, and (b) as State Prisoners under Regulations III of 1818 and XXV of 1827.

(a) The number of persons detained in jails or detention camps under the Bengal Criminal Law Amendment Act on the 30th June, 1933, was 1,407 all of whom were in Bengal except 97 in Deoll. These persons are all inhabitants of Bengal.

(b) The number of State Prisoners in jail was 35 as follows :

No. of State Prisoners.	Province of origin.	Province of detention.
1	Bombay ..	Bombay.
18	Bengal ..	<div> <div>8 in Madras.</div> <div>4 in the Punjab.</div> <div>4 in the C. P.</div> <div>2 in the N.-W. F. P.</div> </div>
2	United Provinces ..	2 in Delhi.
9	Punjab ..	Punjab.
4	N.-W. F. P. ..	<div>2 in the U. P.</div> <div>2 in B. & O.</div>
1	Delhi ..	United Provinces.
35		

GOLD EXPORTED FROM INDIA SINCE GREAT BRITAIN WENT OFF THE GOLD STANDARD.

195. ***Mr. M. Maswood Ahmad** : Will Government be pleased to state the total weight in tolas and the total value of gold exported from India since Britain went off the gold standard up to the 30th June, 1933 ?

The Honourable Sir George Schuster : 18½ million fine ounces of gold were exported from India between the 22nd September, 1931, and the 30th June, 1933, of a value of approximately as 141½ crores.

Mr. S. G. Jog : In view of the large exports of gold, is it likely that there will be any change in the policy of the Government of India as regards putting a ban on the export of gold now ?

The Honourable Sir George Schuster : The answer is in the negative.

Mr. B. Das : Will the Honourable Member kindly tell us how much of this huge amount of gold exported is distress gold ? What proportion does it bear to the total quantity exported ?

The Honourable Sir George Schuster : Will my Honourable friend please give me a definition of "distress gold" ?

Mr. B. Das : What this side of the House understands by "distress gold" is gold that comes out of the sale of trinkets of the peasants and the distressed people of this country to pay the land revenue of the Government and the dues of the landholders and also to satisfy the gnawing hunger to which they are victims owing to economic distress.

The Honourable Sir George Schuster : I am afraid it is impossible to answer my Honourable friend's question, but I would refer him to the very full statement that I gave analysing the effects of the export of gold in my budget speech for the Budget of 1933-34.

Mr. B. Das : As far as I recollect, did not the Honourable Member say at the time that about £9 million came from distress gold ?

The Honourable Sir George Schuster : I think my Honourable friend will find that I was very careful not to use the expression "distress gold" at all.

Mr. Lalchand Navarai : Might I know from the Honourable Member what is his definition of "distress gold" ?

The Honourable Sir George Schuster : I think that is clearly a request for an expression of opinion on my part.

DETENUS SENT TO THE DEOLI DETENTION CAMP.

196. ***Mr. M. Maswood Ahmad :** Will Government be pleased to state how many more detenues were sent to Deoli Detention Camp in the month of July, 1933, and what are their names ?

The Honourable Sir Harry Haig : 97 detenues were sent to Deoli in July. I do not propose to publish their names.

Mr. M. Maswood Ahmad : Was the majority of detenues from Bengal ?

The Honourable Sir Harry Haig : Yes : all from Bengal.

FOREIGN COMPANIES DOING INSURANCE BUSINESS IN INDIA.

197. ***Mr. M. Maswood Ahmad :** (a) Will Government be pleased to state : (i) how many foreign companies are doing insurance business in India, and (ii) how much Indian capital has been invested in these companies ?

(b) What amount was paid as income-tax by these firms to the Indian exchequer ?

The Honourable Sir Joseph Bhowe : (a) (i). 146.

(ii) The information is not available.

(b) The information is not available as we do not compile separately income-tax statistics for tax paid by foreign insurance companies.

DERAILMENT OF THE PUNJAB MAIL IN THE DINAPORE DIVISION, EAST INDIAN RAILWAY.

198. ***Mr. M. Maswood Ahmad :** (a) Is it a fact that some accident took place in Dinapore division, East Indian Railway, in the month of May, 1933, and the 2 Down Punjab Mail was derailed ?

(b) Is it a fact that 16 Down Express passed before that accident on the same line ?

(c) Is it a fact that the Divisional Superintendent, Dinapore, or some other officer of that division passed in a saloon by the 16 Down Express and he had some talk with the Station Master at Kiul Junction ?

(d) Will Government be pleased to lay on the table the list of the casualties on account of the accident ?

Mr. P. R. Rau : (a) Yes. At about 23-20 hours on the 2nd May, 1933, No. 2 Down Mail was derailed between Dumra and Burhee stations on the East Indian Railway.

(b) Yes.

(c) The Divisional Superintendent, East Indian Railway, Dinapore, was advised of the accident at Jasidih Junction while on his way to Calcutta on duty by 16 Down Express and returned from that station to the scene of accident by 1 Up Punjab Mail.

(d) The casualties were 5 killed and 13 injured.

Mr. M. Maswood Ahmad : Who was the officer who was travelling on this 16 Express ?

Mr. P. R. Rau : The Divisional Superintendent, East Indian Railway, Dinapore.

Mr. M. Maswood Ahmad : Did he feel any jerking when he was going by the 16 Express ? My information is that there was some jerking and that he asked the Station Master at Kiul : and so I want to know this.

Mr. P. R. Rau : I am afraid, I must ask for notice of that question.

SEPARATION OF ADEN FROM INDIA.

199. ***Mr. M. Maswood Ahmad :** (a) Is it a fact that Government have recommended to the Secretary of State for India-in Council the separation of Aden from India ?

(b) Will Government be pleased to state whether the different interests in Aden were consulted ?

(c) Will Government be pleased to lay on the table the opinion they have received and the correspondence which has passed between them and the Secretary of State for India on this matter ?

(d) Do Government propose to give some chance in this Session to discuss the question of separation of Aden on the floor of this House ?

Major W. K. Fraser-Tytler : (a) and (b). I have nothing to add to the information given in the communiqué issued by the Government of India on the 20th June of which I lay a copy on the table.

(c) It would not be in the public interest to comply with this request.

(d) Yes.

Government of India Press Communiqué, dated the 20th June, 1933.

His Majesty's Government have recently received representations from different communities among the inhabitants of Aden as well as from certain quarters in India expressing their various views in regard to transfer of the administration of Aden from the control of the Government of India to His Majesty's Government. The matter is one which is now receiving the consideration of His Majesty's Government and of the Government of India in connection with impending constitutional changes. Full opportunity will be given for discussion in the Indian Legislative Chambers at their next session and for all interests concerned to state their views. Meanwhile, His Majesty's Government think that it would be convenient that the considerations which

suggest the desirability of a transfer of the administration and the conditions that would be entailed by such a transfer should be made known, so that the problem can be discussed with full knowledge of the facts. The reasons which suggest that Aden should not remain linked with India under the new constitution are that it is an area geographically remote from India; that it would not naturally fit into the new federation; that it is already to some extent under Imperial control and that it is inseparable in practice from the Aden Protectorate, which has already passed wholly out of Indian control. If it should be decided that the administration of Aden should be separated from that of India, His Majesty's Government contemplate that the following conditions would be established :—

- (1) India would be relieved of the annual contribution of approximately £150,000 sterling or rupees twenty lakhs at present payable towards the military and Political administration.
- (2) The right of appeal in judicial cases to the Bombay High Court would be maintained.
- (3) His Majesty's Government would maintain the existing policy of making Aden a free port unless some radical change in the present economic situation should take place. From their own point of view abandonment of this policy would clearly, in existing economic conditions, be financially unsound since the prosperity of Aden depends largely upon its transit trade.
- (4) His Majesty's Government would do their utmost to maintain the present standard of administration and would not impose any additional taxation unless such a course became in their opinion absolutely necessary.
- (5) A proportion of Indian Service Administrative personnel would be retained in the Aden Service for some years after the transfer took place.
- (6) No racial legislation or segregation would be permitted by His Majesty's Government.

Mr. Lalchand Navalrai : Might I know from the Honourable Member if the opinion of the public of India has been secured on this question ?

Major W. K. Fraser-Tytler : Yes ; the opinion of the public of India has been secured.

Mr. Gaya Prasad Singh : May I know whether the opinions of the different classes of people affected in Aden have been collected, and whether they will be laid before this House when the question of the transfer of Aden comes before us for discussion ?

Major W. K. Fraser-Tytler : Yes : I think I am right in saying that the opinion of the different communities in Aden has been received, and Honourable Members, during the discussion, will have an opportunity of inquiring what that opinion is, and will be informed.

Mr. B. Das : Will the Honourable the Leader of the House kindly give us an indication of the probable date on which the subject of Aden will be discussed on the floor of this House ?

The Honourable Sir Joseph Blore : I am afraid I cannot give any information at this moment ; but when I am making an announcement as to the course of public business, I will in due course make mention of the date on which the Resolution will be taken.

Mr. M. Maswood Ahmad : Have Government received any representation from any one in India favouring the idea of the separation of Aden from India ?

Major W. K. Fraser-Tytler : No : I do not think we have.

RE-OPENING OF THE CELLULAR JAIL IN THE ANDAMANS.

200. ***Mr. M. Maswood Ahmad** : Is it a fact that the Cellular Jail in the Andamans has been re-opened for the deported political prisoners from India ? Are Government aware of the vehement popular feeling against this re-opening ?

The Honourable Sir Harry Haig : The Cellular Jail has never been closed. The amount of feeling aroused by the transfer of terrorist prisoners to that jail is a matter on which the Honourable Member and I would probably differ.

ILLNESS OF MR. DHIRENDRA CHANDRA KUNDU ROY, A DETENU IN THE DEOLI DETENTION CAMP.

201. ***Mr. M. Maswood Ahmad** : (a) Is it a fact that Dharendra Chandra Kundu Roy, B.A., detenu in Deoli, is suffering from insomnia, piles and other diseases ?

(b) Was any prayer for home internment at Munshigunj made by his father ?

(c) Is it a fact that his condition is taking a serious turn now and his life is in danger ?

(d) Do Government propose to give facilities to him to be treated in his home district by his family doctor ?

The Honourable Sir Harry Haig : (a) and (c). The detenu is suffering from insomnia and piles but not severely. He has been working hard for the Intermediate Law Examination and is neurasthenic. He was recently examined by the Chief Medical Officer in Rajputana and treatment was prescribed for him.

(b) and (d). Yes. The petition is under the consideration of the Government of Bengal.

GOLD AND SILVER RESERVES IN INDIA.

202. ***Mr. M. Maswood Ahmad** : (a) Have Government increased their gold reserves in India since England went off the gold standard, i.e., from the 22nd September, 1932 ?

(b) Will Government be pleased to lay on the table a statement showing their gold reserves and silver reserves, in fine ounces or tolas in India and in England (separately) on the following dates :

- (i) 31st March, 1931,
- (ii) 22nd September, 1931,
- (iii) 31st December, 1931,
- (iv) 31st March, 1932,
- (v) 31st December, 1932,
- (vi) 31st March, 1933,
- (vii) 31st July, 1933 ?

The Honourable Sir George Schuster : (a) and (b). A statement is laid on the table.

Statement showing the amount of gold and silver held in the Gold Standard Reserve and the Paper Currency Reserve on certain dates.

Dates.	Gold Standard Reserve.		Paper Currency Reserve.		
	Gold in India.	Gold in England.	Gold.	Silver coin.	Silver bullion.
	(tolas.)	(tolas.)	(tolas.)	(Rs.)	(tolas.)
(i) 31-3-31	3,921,908.86	1,351,206.84	12,170,013.25	1,17,86,15,363	63,603,518
(ii) 22-9-31	17,407,708.14	1,351,206.84	2,112,060.12	1,26,68,35,961	53,712,216
(iii) 31-12-31	17,374,749.34	1,351,206.84	2,149,165.75	1,15,04,41,687	72,823,140
(iv) 31-3-32	17,046,291.36	1,351,206.84	2,477,025.91	1,01,96,22,120	84,557,074
(v) 31-12-32	10,743,941.26	1,351,206.84	8,794,084.86	97,82,95,103	117,645,626
(vi) 31-3-33	7,298,647.90	1,351,206.84	12,239,040.01	96,33,82,488	142,256,454
(vii) 31-7-33	5,835,905.10	1,351,206.84	13,716,396.00	95,28,02,586	90,199,797

N.B.—Amounts are in fine tolas except in the case of silver coins which are in rupees.

Re. 1 = 8.47512 grains fine gold or 165 grains pure silver.

RESOLUTIONS PASSED BY THE PROVINCIAL CONFERENCE OF THE TRANSVAAL INDIAN CONGRESS HELD AT JOHANNESBURG.

203. ***Mr. M. Maswood Ahmad** : (a) Are Government aware of the resolutions passed by the Provincial Conference of the Transvaal Indian Congress held at Johannesburg on 24th and 25th May, 1933, under the Presidentship of Mr. C. K. T. Naidoo ?

(b) Will Government be pleased to lay on the table a copy of those resolutions ?

(c) Is it a fact that the Agent of the Government of India was represented by his Secretary ?

(d) What steps Government have taken in the matters referred to in the resolutions ?

Mr. G. S. Bajpai : (a) and (b). Government have only seen Press reports of the resolutions so far and are therefore unable to comply with the Honourable Member's request at present.

(c) The Secretary to the Agent in South Africa attended the meetings.

(d) Government have not been approached by the Congress to take any action, nor does the reported subject matter of the resolutions disclose that, where the Government of India have not already taken action, their Agent in South Africa would not be in a position to do whatever might be necessary.

Mr. B. Das : May I inquire if the Honourable Member has not received officially a copy of these resolutions from the Agent in South Africa ?

Mr. G. S. Bajpai : No : because it is the practice of the Agent to forward copies when he receives them from the Congress ; and he does not appear to have received official copies from the Congress.

Mr. B. Das : May I inquire if the Agent or his Secretary does not furnish the Honourable Member's Department week by week with the trend of events in South Africa ?

Mr. G. S. Bajpai : Certainly ; we get a fortnightly report from the Agent and a monthly report from the Secretary, but the question relates to resolutions passed by the Congress and not to the general trend of events.

BODIES IN TRANSVAAL REPRESENTING THE INDIAN INTERESTS.

204. ***Mr. M. Maswood Ahmad :** Is it a fact that there are two bodies in Transvaal representing the Indian interests, namely (i) Transvaal Indian Congress, and (ii) Transvaal Indian Commercial Asiatic Association ?

Mr. G. S. Bajpai : The answer is in the affirmative ; but the proper designation of the second body is the Transvaal Indian Commercial Association.

AMOUNT CONTRIBUTED BY THE GOVERNMENT OF INDIA TO DIFFERENT PROVINCES FOR THE BENEFIT OF AGRICULTURE.

205. ***Mr. M. Maswood Ahmad :** What amount have the Government of India contributed to the different provinces (each province separately) for the benefit of agriculture ?

Mr. G. S. Bajpai : The Government of India do not give direct financial aid to provinces for the benefit of agriculture. They place a lump sum annually, for research work, at the disposal of the Imperial Council of Agricultural Research, which considers all schemes of all-India importance, including those submitted by Local Governments, and decides the measure of financial assistance to be given in each case. A statement showing the amounts placed at the disposal of various Local Governments since the Council came into being is laid on the table.

Statement showing the grants sanctioned and funds actually allotted for research schemes by the Imperial Council of Agricultural Research since its constitution in June, 1929, to July 31, 1933.

Serial No.	Provinces, Indian States or Central Institutes.	Total amount sanctioned to date.	Total amount allotted to date.
1	Madras	7,07,075	5,42,979
2	Bombay	7,51,993	7,51,993
3	Bengal	4,32,497	3,39,687
4	United Provinces	8,08,986	8,00,386
5	Punjab	4,45,152	4,07,924
6	Burma	1,22,518	1,22,518
7	Bihar and Orissa	5,49,576	4,59,586
8	Central Provinces	1,60,450	1,60,450
9	Assam	2,38,440	2,38,440
10	N. W. F. P.	50,000	50,000
		42,66,687	38,73,963

EXPORT DUTY ON RICE.

206. *Mr. M. Maswood Ahmad : (a) Are Government aware that the export duty on rice has affected the export of rice to a very great extent ?

(b) Are Government aware of any foreign country where there is export duty on rice ?

(c) Are Government aware that in foreign markets Indian rice cannot compete with the rice of other countries on account of the export duty ?

(d) Are Government aware of the cost of growing (including the cost of separation and polishing) rice in India and the average selling price of rice in India in 1932 and 1933 ?

The Honourable Sir Joseph Bhore : (a) and (c). Government have received representations containing statements to this effect.

(b) Export duties are levied in Siam and Indo-China—the two principal rice producing countries whose products compete with Indian rice in foreign markets.

(d) There are no reliable data on which to base an estimate of the cost of production of rice in India. A statement showing the average prices of rice at four different centres in India for the period January to June, 1932, and January to June, 1933, is laid on the table.

Statement showing the average prices of rice at four different centres in India for the period January to June, 1932, and January to June, 1933.

Centre.	Trade Description.	Average price January to June.	
		1932.	1933.
		Rs. A. P.	Rs. A. P.
1. Calcutta	Ballam No. 1	3 8 0	2 15 0
2. Rangoon	Small Mills special	2 13 0	1 14 0
3. Patna	Ballam No. 1	4 3 0	4 0 0
4. Bangalore	Delta imported	5 10 0	5 1 0

Mr. M. Maswood Ahmad : Are Government aware what are the rates of export duty in those countries ?

The Honourable Sir Joseph Bhore : No ; I have not inquired into that matter.

Mr. M. Maswood Ahmad : Will the Honourable Member be pleased to inquire and lay in due course this information on the table ?

The Honourable Sir Joseph Bhore : I shall certainly do so.

QUALIFICATIONS FOR APPOINTMENT AS CHIEF CLAIMS CLERK IN THE OFFICE OF THE DEPUTY CHIEF COMMERCIAL MANAGER, EAST INDIAN RAILWAY.

207. *Mr. M. Maswood Ahmad : (a) Is it a fact that qualifications required for appointment as Chief Claims clerk in the office of the Deputy Chief Commercial Manager, East Indian Railway, Calcutta, are special aptitude for commercial work, intelligence and education with ability to guide, direct and control the staff subordinate to him ?

(b) Will Government be pleased to state what is the test for the qualifications mentioned in part (a) ?

Mr. P. B. Rau : (a) Yes. My Honourable friend is apparently quoting from a reply I gave in this House in February last.

(b) Obviously these qualifications will be judged by the past record of the clerks from among whom a selection is made.

PASSES OF DIFFERENT CLASSES ALLOWED TO RAILWAY EMPLOYEES.

208. *Mr. M. Maswood Ahmad : Will Government be pleased to state the principle according to which passes of different classes are allowed to Railway employees ?

Mr. P. B. Rau : Gazetted Officers (including those holding honorary rank) get first class passes ; as regards subordinates the class depends on the pay drawn and the classification is not exactly the same on all railways ; but generally persons drawing over Rs. 125 get second class passes and those drawing less than Rs. 50 get third class passes. The others get intermediate class passes.

Mr. M. Maswood Ahmad : Is it a fact that teachers of the Oakgrove School do not get first class passes apart from this rule ?

Mr. P. B. Rau : I think, Sir, my Honourable friend has another question on the paper regarding that.

ISSUE OF RAILWAY PASSES TO GOVERNMENT SERVANTS INSTEAD OF GRANTING TRAVELLING ALLOWANCE.

209. *Mr. M. Maswood Ahmad : (a) Will Government be pleased to state the principle according to which first and second class fare is allowed to the Government servants other than Railway employees ?

(b) Do Government propose to allow passes to all the Government servants instead of allowing them Railway fare for travelling allowance ?

The Honourable Sir George Schuster : (a) Government servants of the first and second grades are allowed $1\frac{1}{2}$ first class or second class fares respectively when on tour in order to cover the cost of their own transport as well as inevitable incidental expenditure.

(b) No.

Mr. M. Maswood Ahmad : Are Government aware that issuing of passes would lead to decrease in expenditure ?

The Honourable Sir George Schuster : I am not in possession of any information which leads me to suppose that Government will gain anything. The proposal was considered very carefully some time ago,

and the change in procedure would involve considerably increased amount of accounting work, and it was rejected on that ground.

Mr. M. Maswood Ahmad : Was the question of issuing passes discussed ?

The Honourable Sir George Schuster : Yes.

PERSONS DETAINED IN DIFFERENT DETENTION CAMPS IN INDIA.

210. *Mr. M. Maswood Ahmad : Will Government be pleased to state the total number of persons who are still detained in different detention camps ?

The Honourable Sir Harry Haig : Up to the end of July, 1933, which is the latest information I have, there were 1,139 persons under detention in detention camps including those confined in the Deoli Detention Jail.

FIRST CLASS RAILWAY PASSES ALLOWED TO THE HEAD MISTRESS OF THE OAKGROVE SCHOOL.

211. *Mr. M. Maswood Ahmad : Will Government be pleased to state whether the allowing of First class passes to the Mistresses of Oakgrove School was a personal concession to the Head Mistress who was in service in the time of the late Board of Directors of the East Indian Railway Company or was it personal for all the Mistresses of the Oakgrove School ?

Mr. P. E. Rau : The privilege of allowing first class passes to the teaching staff of the Oakgrove School has been treated as personal to the present permanent incumbents and it has been decided that it will not apply to their successors.

Mr. M. Maswood Ahmad : Do Government propose to discuss this question of issuing passes to mistresses and other teaching staff of the Oakgrove School at the next meeting of the Central Advisory Committee for Railways, because this school is intended for two Railways, the N.-W. R. and the E. I. R. ?

Mr. P. E. Rau : I am not sure, Sir, what question the Honourable Member wishes to discuss. I have already informed the House that it has been decided that this privilege will not be continued to the successors of the present staff.

EXTENSION OF CERTAIN PRIVILEGES TO THE BIHAR AND ORISSA AND CALCUTTA MUSLIM CHAMBERS OF COMMERCE.

212. *Mr. M. Maswood Ahmad : (a) Is it a fact that the question of extending the privileges to the Bihar and Orissa Muslim Chamber and the Calcutta Muslim Chamber of Commerce which are usually extended to recognised Chambers of Commerce, has been under consideration ?

(b) Will Government be pleased to state what is their decision in the matter mentioned above ?

The Honourable Sir Joseph Bhoré : (a) Yes.

(b) Both the Bihar and Orissa Muslim Chamber of Commerce and the Muslim Chamber of Commerce, Calcutta, have been included in the

Net of Chambers of Commerce recognised by the Government of India for the supply of official papers of commercial interest.

SEATS FOR MUSLIMS IN THE BIHAR AND ORISSA LEGISLATIVE COUNCIL.

213. *Mr. M. Maswood Ahmad : (a) Is it a fact that according to the Premier's previous decision, 24 per cent. seats in the whole House were given to Muslims by separate electorate in the Bihar and Orissa Provincial Legislative Council ?

(b) Is it a fact that the combined Muslim seats in the Bihar Province and in the new Orissa Province compared with the total strength of the legislatures of both the provinces according to the Premier's second announcement are less than 22 per cent. ?

The Honourable Sir Joseph Bhore : (a) and (b). The answer is in the affirmative, except that the decision in each case was the decision not of the Prime Minister, but of His Majesty's Government.

Mr. M. Maswood Ahmad : Do Government propose to inform the Secretary of State of this fact ?

The Honourable Sir Joseph Bhore : I should say that the Secretary of State is already aware of this "fact".

Mr. M. Maswood Ahmad : He is so well aware that in the second award the percentage of Muslims has been decreased. Is that not so ?

The Honourable Sir Joseph Bhore : I have no reason to assume that His Majesty's Government were not aware of the full facts of the case before they came to their final conclusion.

Mr. M. Maswood Ahmad : Are Government aware that some of the facts may escape his notice, because, after all, the Secretary of State is also a human being ?

The Honourable Sir Joseph Bhore : I believe, Sir, that no relevant facts have escaped the notice of His Majesty's Government.

Mr. M. Maswood Ahmad : Are Government prepared to forward a representation containing full facts to the Secretary of State, if they receive one ?

The Honourable Sir Joseph Bhore : I shall wait, Sir, until we receive that representation.

Mr. B. Das : Is it not a fact, Sir, that one of the Muslim delegates raised this question in England ?

The Honourable Sir Joseph Bhore : I am not aware of that.

VALUE OF SERVICE STAMPS.

214. *Mr. M. Maswood Ahmad : Will Government be pleased to state whether the value of service stamps is shown in the income of the Postal Department ?

The Honourable Sir Frank Noyce : By "Postal Department", the Honourable Member presumably refers to the "Posts and Telegraphs Department". If so, the reply is in the affirmative.

ACTION TAKEN ON THE RECOMMENDATIONS CONTAINED IN MR. K. M. HASSAN'S REPORT.

215. *Mr. M. Maswood Ahmad : (a) Have Government issued any order or circular on Mr. K. M. Hassan's report ?

(b) If the reply be in the negative, will they be pleased to state at what stage the recommendation of the Railway Board is pending ?

(c) Will Government be pleased to state when they propose to issue any circular on the recommendation of the Railway Board for Muslim representation in Railway services ?

Mr. P. B. Rau : (a) No.

(b) and (c). The whole question of the representation of the minority communities in the Services, including the Railway Department, is still under the consideration of the Government of India.

GOVERNMENT'S SHARE IN COMPANY-MANAGED RAILWAYS.

216. *Mr. M. Maswood Ahmad : (a) Will Government be pleased to state what is the proportion of their share in the Bombay, Baroda and Central India Railway ?

(b) Will Government be pleased to state what is the proportion of their share in the Assam Bengal Railway ?

(c) Will Government be pleased to state what is the proportion of their share in the Bengal-Nagpur Railway ?

(d) Will Government be pleased to state what is the proportion of their share in the Madras and Southern Marhatta Railway ?

(e) Will Government be pleased to state what is the proportion of their share in the South Indian Railway ?

(f) Will Government be pleased to state what is the proportion of their share in the Burma Railways ?

Mr. P. B. Rau : It is presumed that the Honourable Member wishes to know Government's share in the capital of the six Railways named. I may explain that all these Railways are already the property of Government and one of them, the Burma Railways is managed by Government and the whole of the capital is Government capital. In regard to the other five Railways, the information required by the Honourable Member is contained in Accounts Nos. 25 and 25-A of the Finance and Revenue Accounts of the Government of India, copies of which are in the Library, but I place a statement on the table giving in each case the Government capital outlay, the share capital and debentures found by the managing company and capital contributed by other parties, e.g., Indian States and District Boards.

Statement showing distribution of Capital outlay in State-owned, Company-managed Railways as at 31st March, 1932.

Railway.	Government Capital outlay.	Capital found by Companies.			Capital contributed by other parties.	
		Share Capital.	Debenture capital (cash received).	Total (converted into Rupees at contract rate).	Indian States.	District Boards.
	Rs.	£	£	Rs.	Rs.	Rs.
Assam Bengal ..	19,90,36,603	1,500,000	728,992	3,60,87,021	..	
Bengal Nagpur ..	66,24,11,964	3,000,000	4,119,763	10,53,13,386	..	
Bombay, [Baroda and Central India.	68,09,28,839	2,150,750	959,384	4,64,00,464	86,85,000	
Madras and Southern Mahratta.	42,42,37,848	5,000,000	2,692,804	10,68,24,944		..
South Indian (including Coonoor Ootacamund Tinnevely Quilon Railways).	88,33,63,076	1,000,000	2,691,494	5,56,51,423	..	80,46,952

MURDER OF ONE SARDAR SHER SINGH IN CALIFORNIA, UNITED STATES OF AMERICA.

217. ***Mr. M. Maswood Ahmad :** (a) Is it a fact that one Sikh, Sardar Sher Singh Sathi, who was a member of the Sikh community in the United States of America, was murdered at Elcentro in California ?

(b) Are Government aware of the number of Indians in California and in the whole of the United States of America ?

(c) Are Government aware of any *Ghadar* party in California ?

(d) Is it a fact that the late Sardar Sher Singh was murdered in connection with the *Ghadar* party ?

(e) Will Government be pleased to state the information which they are in possession of about the *Ghadar* party ?

(f) Is it a fact that three more victims during the past 18 months in the United States of America, were Sant Ram Pandi, Ram Dhani and Lal Singh ?

Major W. K. Fraser-Tytler : (a) and (d). The Honourable Member is referred to my answer to Mr. Gaya Prasad Singh's question No. 155.

(b) 1930 Census shows 2,233 Indians resident in California and 5,850 in all in the United States of America.

(c) Yes.

(e) The Honourable Member is referred to the judgment in the Lahore Conspiracy Case of 1915 and the complaint in the Mandalay Conspiracy Case of 1915 which gave the origin object and the activities of the Ghadar party. That party is known to be still in existence but it will not be in the public interest to disclose Government's information of its present activities.

(f) According to the information received by the Government of India, Lal Singh was murdered on the 26th November, 1931, by one Achal alias Bhagat Singh, in California, who when arrested was wearing the pin of membership of the Hindustan Ghadar party. Government have no information about the murder of Sant Ram Pandi and Ram Dhani.

Mr. M. Maswood Ahmad : Is there a copy of that judgment, to which the Honourable Member refers, in the Library of the House ?

Major W. K. Fraser-Tytler : I do not know. I should think it probably is. I am not certain.

Mr. M. Maswood Ahmad : If that copy is not in the Library, will the Honourable Member please see that a copy is placed there so that we may refer to it ?

Major W. K. Fraser-Tytler : Certainly, Sir.

REPORTS OF MR. I. M. PEKHAM, UNITED STATES ATTORNEY, ABOUT THE
Ghadar Party Magazine.

218. ***Mr. M. Maswood Ahmad :** (a) Is it a fact that the United States Attorney, Mr. I. M. Pekham, in a report says :

" All Hindus, though but few of them can read, are forced to subscribe to " Kirti " the *Ghadar* party magazine at five dollars a year. So fear-stricken and benighted are the *Ghadar* that they dare not refuse the demands for money which they are told is in payment for bringing them into the United States and keeping them here. Two thousand dollars from the war chest was recently sent to Lahore to defend bombers who killed a high British officer " ?

(b) Are Government in possession of all the four reports of the Attorney, Mr. I. M. Pekham, in this connection ?

Major W. K. Fraser-Tytler : (a) Government have seen the report which was published in the *San Francisco Chronicle* of April 25, 1933. If the report is correct the answer is in the affirmative.

(b) No, Sir.

CALLING OF INDIANS AS HINDUS IN THE UNITED STATES OF AMERICA.

219. ***Mr. M. Maswood Ahmad :** (a) Is it a fact that Indians are called Hindus in the United States of America ?

(b) Do Government propose to draw the attention of the authorities in the United States of America through their representatives there to mention Indians in official records as Indians and not as Hindus ?

Major W. K. Fraser-Tytler : (a) While Indians are generally called ' Hindus ' in the press, the term " East Indian " is understood to be normally used in official circles.

(b) Government do not consider that any useful purpose would be served by making such representations, especially as the term " Indian "

in the United States of America normally connotes the indigenous North American Indian.

Mr. M. Maswood Ahmad : Are Government aware that the term "Hindus" for Indians has misled many people in that country?

Major W. K. Fraser-Tytler : No, Sir; I am not aware of that.

Mr. M. Maswood Ahmad : Are Government aware that in India there are many classes of people who call themselves Hindus, Muslims and Sikhs, and, that therefore, is it not better that instead of calling them Hindus the term "Indians" should be used for all of them?

Major W. K. Fraser-Tytler : In that case apparently there will be some difficulty in the United States of America in distinguishing them from the North American Indian.

Mr. S. G. Jog : Is it not a fact, Sir, that Mussalmans there are called Hindus?

Major W. K. Fraser-Tytler : Yes.

EXAMINATION FOR RECRUITMENT OF ASSISTANTS AND CLERKS IN THE GOVERNMENT OF INDIA SECRETARIAT AND ATTACHED OFFICES.

220. *Mr. Lalchand Navalrai : Have Government's attention been drawn to a letter by a candidate, published on Tuesday, 4th July, 1933 in the *Sind Observer* in connection with the competitive examination to be shortly held by the Public Service Commission for appointment of Assistants and clerks in the first and second divisions of the ministerial establishment of the Government of India Secretariat and attached offices?

(b) Is it a fact that in the notice inviting applications no idea was given as to how many appointments had to be filled up from amongst the candidates appearing for the examination?

(c) Is it a fact that the number of seats reserved on the communal basis and the number of seats for general competition were announced so late as only about a week before the date of the examination?

(d) Is it a fact that only six appointments were intended to be filled up by general competition?

The Honourable Sir Harry Haig : (a) and (b). The replies are in the affirmative.

(c) The examination referred to was held on the 3rd July, 1933, and the notice announcing the number of vacancies expected to be available for the examination was issued on the 22nd June.

(d) Six appointments were offered for open competition, and six to be filled by competition among members of minority communities. The vacancies announced are those that were reported to the Public Service Commission at the time of the issue of the notice. As vacancies that may occur up to the 30th September, 1934, are under the rules, to be filled on the results of the examination in question, the number of vacancies announced is not necessarily the maximum. I understand that some additional vacancies have since been reported to the Public Service Commission.

Mr. Lalchand Navalrai : Is there any difficulty in giving the approximate number of candidates that would be taken up so that many candidates may not apply? Will it be difficult for the Honourable Member

to advise the Public Service Commission to always state the approximate number of candidates that would be appointed ?

The Honourable Sir Harry Haig : The difficulty, Sir, arises out of the fact that the examination is held not only for a certain number of vacancies that have already occurred, but for those that will occur apparently during the next year.

Mr. Lalchand Navalrai : It is, therefore, that I have used the word "approximate".

The Honourable Sir Harry Haig : It is very difficult to give an estimate of the number of vacancies that will occur during the coming year.

Mr. Lalchand Navalrai : Will the Honourable Member be pleased to enquire from the Public Service Commission whether the course that I am suggesting would be very difficult or impossible ?

The Honourable Sir Harry Haig : I am not quite sure what the suggestion of the Honourable Member precisely is.

Mr. Lalchand Navalrai : The suggestion is, will it be very impossible for the Public Service Commission to gauge how many candidates have to be appointed ? Could they not know the approximate number of vacancies likely to occur ?

The Honourable Sir Harry Haig : As far as possible, the Public Service Commission do carry out the procedure suggested by the Honourable Member, that is to say, they make enquiries from the various Departments as to the number of vacancies which may be regarded as certain and they do announce those, but that is not necessarily the maximum.

Mr. Lalchand Navalrai : What I wanted to know was whether they give in the notice the approximate number of vacancies that are likely to occur ?

The Honourable Sir Harry Haig : It is obvious that the later that information is collected the more complete it is likely to be.

Mr. Lalchand Navalrai : May I request the Honourable Member to issue instructions to the Public Service Commission that they should consider the advisability of giving the approximate number of vacancies in their notice ?

The Honourable Sir Harry Haig : I am not sure what the Honourable Member means by the notice.

Mr. Lalchand Navalrai : I mean the notice published in the papers that the Public Service Commission is going to hold an examination. In that notice they do not say how many candidates are going to be appointed, at least approximately, so that people may know. If there are only six vacancies, 1,500 people will not apply as at present. What I am suggesting is that the Public Service Commission should be instructed to mention in the notice the approximate number of candidates that they are going to take up.

The Honourable Sir Harry Haig : If the notice to which the Honourable Member refers is published a long time before the examination, as I have explained, the estimate would be likely to be far from accurate, but I am perfectly prepared to pass on the Honourable Member's suggestion to the Public Service Commission for their consideration.

Mr. Lalchand Navalrai : I thank you very much.

Bhai Parma Nand : May I know from the Honourable Member what he means by the minority community in Sind ?

Some Honourable Members : There was no question like that.

The Honourable Sir Harry Haig : I do not think that there was any reference to Sind.

Bhai Parma Nand : My question is whether Sikhs are regarded as a minority.

The Honourable Sir Harry Haig : I referred to all minority communities.

Mr. Muhammad Anwar-ul-Azim : Will the Government of India tell us whether it is a fact that last time when candidates were called for by the Public Service Commission, the Government earned about Rs. 50,000 by that process and ultimately it was found that there were only six vacancies ?

The Honourable Sir Harry Haig : The next question on the paper relates to that matter.

ADMISSION FEE FOR THE EXAMINATION FOR RECRUITMENT OF ASSISTANTS AND CLERKS IN THE GOVERNMENT OF INDIA SECRETARIAT AND ATTACHED OFFICES.

221. *Mr. Lalchand Navalrai : (a) Will Government be pleased to state how much admission fee for the Public Service Commission examination for the First and Second Divisions of the Government of India Secretariat was levied from each candidate and how much in aggregate was gathered ?

(b) How do Government justify so large an amount being recovered ?

(c) Is it a fact that about 1,500 candidates have been admitted for six appointments only ?

(d) Do Government propose to reduce the admission fees for such examinations, especially when the number of candidates is likely to be so large and the number of appointments to be filled so small ? If not, why not ?

The Honourable Sir Harry Haig : (a) The fee fixed for admission to the examination was Rs. 20 per candidate. The total amount of fees realised was Rs. 26,580.

(b) and (d). The Government of India do not consider that there is justification for reducing the fees for this examination which are not excessive in themselves.

(c) 1,278 candidates were admitted.

Mr. M. Maswood Ahmad : What was the cost which was incurred by the Government of India on this examination ?

The Honourable Sir Harry Haig : I doubt whether it will be possible to calculate the cost precisely, because it depends on the work of a permanent staff.

Mr. Lalchand Navalrai : How do the Government justify the appropriation of so much money when only six persons were to be appointed ?

The Honourable Sir Harry Haig : It is not intended to be a commercial transaction. (*Some Honourable Members :* " Oh, it is ".) It is necessary to fix a definite examination fee and the Public Service Commission feel very definitely that there would be practical disadvantages in lowering that fee, because it would only result in an unmanageable number of candidates coming forward. As it is, they regret the fact that a large number of candidates, who have no possible chances of success, insist on entering and paying that Rs. 20.

Mr. Lalchand Navalrai : So much money has been recovered and only a few candidates have been successful, and will the Honourable Member consider the question of refunding the fees to the unsuccessful men ? (*Laughter.*)

Mr. K. C. Neogy : Does not the Honourable Member recognise in this large number of candidates for a small number of appointments an index of the unemployment that prevails among the educated young men of the country ?

The Honourable Sir Harry Haig : Yes, I think it certainly is an index, but at the same time one has got to bear in mind that apparently a large number of candidates who, as I say, have no possible chance of success, because their qualifications are obviously inadequate, still enter imagining that they may have some chance.

Mr. K. C. Neogy : Having regard to the fact that the Honourable Member recognises that this state of things reflects a serious condition of unemployment among the young men of the country, what action do the Government of India propose to remedy the situation ?

The Honourable Sir Harry Haig : That, Sir, is not a question, I am afraid, that should be addressed to me.

Mr. N. M. Joshi : May I ask whether this system of imposing fees does not lead to Government jobs being given only to those people who can gamble away with the amount of the fee ?

The Honourable Sir Harry Haig : It would if the rate of fee were very high, but the fee is only Rs. 20.

Mr. K. C. Neogy : Does the Honourable Member consider it to be compatible with the moral principles observed by Government, to allow the Public Service Commission to earn a dividend for the Government of India ?

The Honourable Sir Harry Haig : Well, Sir, the Government would be very pleased if the Honourable Member could suggest to us some means whereby the number of candidates can be reduced.

Mr. K. C. Neogy : I thought the Government of India could be expected to have a policy of their own in regard to reduction of unemployment in the country. I am not the Government of India.

The Honourable Sir Harry Haig : No, Sir. I thought the Honourable Member's suggestion was that the Public Service Commission were in some way responsible for deriving undue revenue from these fees. I maintain that that is not so, and, so far as the Public Service Commission is concerned, they would be very glad if the number of candidates could be strictly limited to those who really have a chance of passing the examination.

Mr. K. C. Neogy : Would it not be true to say that the Government of India are trading upon the distress of the unemployed in the country in this particular fashion ?

The Honourable Sir Harry Haig : No. It certainly would not. I have to repeat for the third time that the majority of these fees come from persons who, whether there was unemployment or there was not unemployment, could not possibly succeed in the examination.

Mr. Gaya Prasad Singh : Will Government seriously consider the question of asking the Public Service Commission to mention in their notice the approximate number of appointments that are likely to be offered ?

Mr. President (The Honourable Sir Shanmukham Chetty) : Order, order. That question has been asked and answered.

Mr. T. N. Ramakrishna Reddi : Will Government seriously consider the question of closing down many of the arts colleges which are turning out so many educated people without any employment in Government service, and opening technical and commercial institutions so that students may find employment elsewhere by taking to trade and commerce ?

The Honourable Sir Harry Haig : That again, I think, is a question which might be addressed to one of my Honourable colleagues.

Mr. C. S. Ranga Iyer : Is there not a danger, if the fee is lowered, of the number of unqualified or incompetent candidates increasing abnormally.

The Honourable Sir Harry Haig : That is precisely the point. I entirely agree.

PANEL OF CHAIRMEN.

Mr. President (The Honourable Sir Shanmukham Chetty) : I have to inform the House that under Rule 3 (1) of the Indian Legislative Rules, I nominate Mr. H. P. Mody, Mr. K. C. Neogy, Sir Leslie Sewell Hudson and Sir Abdulla-al-Māmūn Suhrawardy on the Panel of Chairmen for the current Session.

COMMITTEE ON PETITIONS.

Mr. President (The Honourable Sir Shanmukham Chetty) : I have also to announce that under Standing Order 80 (1) of the Legislative Assembly Standing Orders, the following Honourable Members will form the Committee on Petitions :

Sir Leslie Sewell Hudson.

Mr. B. Sitaramaraju.

Mr. Gaya Prasad Singh.

Kunwar Hajee Ismail Ali Khan.

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 Sir Shanmukham Chetty) in the Chair.

STATEMENTS LAID ON THE TABLE.

The Honourable Sir Harry Haig (Home Member) : Sir, I lay on the table the information promised in reply to starred question No. 1190 asked by Mr. B. N. Misra on the 10th April, 1933.

MOTOR DRIVERS OF POLICE OFFICERS IN DELHI.

*1190. The posting of personal orderlies to gazetted officers of Police is sanctioned by the Punjab Police Rules which apply to the Delhi Police. Provided that the sanctioned scale of orderlies is not exceeded officers are allowed to employ an orderly as motor driver and cleaner, but they are not allowed to employ a police constable on this duty over and above the sanctioned scale of orderlies.

Major W. K. Fraser-Tytler (Foreign Secretary) : Sir, I lay on the table the information promised in reply to starred question No. 275 asked by Mr. Lalchand Navalrai on the 8th February, 1933.

COMPLAINTS AND HARDSHIPS OF INDIANS IN THE PANAMANIAN COUNTRIES, AMERICA.

*275. (a) and (b). Government have no precise information which would enable them to reply to the Honourable Member's question. The number of Indians in Panama in 1931 was stated to be approximately 1,000, the majority of whom were interested in business.

(c) Government have no reason to suppose that British Indians in that country are treated less fairly than any other class of foreigners. Panamanian law requires that the employees of all business establishments operating in the Republic shall consist to the extent of at least 75 per cent. of Panamanian nationals. This obligation rests upon all such establishments, whether they be owned by Panamanians or by foreigners. In the case of British Indian firms, however, the proportion of Panamanian employees to be engaged by them will, for special reasons and as a special concession, amount to no more than 50 per cent. up to December 19th, 1935, after which date the full quota of 75 per cent. will be applicable.

(d) His Majesty's Minister, Panama, knows of no such restriction.

(e) Government have no information on this subject.

(f) Some scurrilous circulars have been distributed, it is suggested, at the instigation of native labour organisation. But there is nothing to indicate that the Panamanian authorities approved of such distribution or that they were in any way privy to it. The circulars do not appear to have attracted much attention.

(g) Government have no information about this. If however the Honourable Member is referring to Immigration laws it is understood that no special restrictions are now placed on the entry of British Indians into Panama.

(h) There is a British Minister at Panama.

(i) and (j). The case of British Indian merchants in the matter of the employment of Panamanian nationals was duly presented by His Majesty's Minister to the Government of Panama from which it received the fullest measure of sympathetic consideration possible in view of the stipulations of the law.

(k) Government will again bring to the notice of His Majesty's Minister at Panama any further complaints which Indians in Panama may have to make.

Mr. G. S. Bajpai (Secretary, Department of Education, Health and Lands) : Sir, I lay on the table :

(i) the information promised in reply to starred question No. 789 asked by Mr. Gaya Prasad Singh on the 20th March, 1933 ;
and

- (ii) the information promised in reply to starred questions Nos. 1206 and 1207 asked by Mr. Uppi Sahib Bahadur on the 10th April, 1933.

CLOSING TO THE PUBLIC OF THE VICTORIA PARK IN QUEEN'S GARDEN, DELHI.

*782. The so-called Victoria Park is a grass plot, 1,433 sq. yds. in area, which has not been open to the public for some years mainly to protect the lawn and thus provide an appropriate setting to the statue of Queen Victoria which it surrounds.

PROTECTORS OF HAJ PILGRIMS AT KARACHI.

*1206. (a) Khan Sahib Abdul Kadir Umar Khan.

(b) A clerk in the Office of the Commissioner in Sind and then Mukhtiarkar and Mir Munshi to the Commissioner.

(c) Sixty-six years.

PROTECTORS OF HAJ PILGRIMS AT KARACHI.

*1207. (a) and (b). The local authorities from whom enquiries were made have stated that the Khan Sahib is fit for the post, both physically and mentally, and that he has been performing his duties to their complete satisfaction.

Mr. P. E. Rau (Financial Commissioner, Railways) : Sir, I lay on the table :

- (i) the information promised in reply to starred question No. 389 asked by Rai Bahadur Lala Brij Kishore on the 21st February, 1933 ;
- (ii) the information promised in reply to starred question No. 997 asked by Mr. N. M. Joshi on the 28th March, 1933 ;
- (iii) the information promised in reply to starred question No. 993 asked by Mr. Nabakumar Sing Dudhoria on the 28th March, 1933 ;
- (iv) the information promised in reply to starred question No. 1096 asked by Rai Bahadur Lala Brij Kishore on the 1st April, 1933 ;
- (v) the information promised in reply to parts (a) and (c) of starred question No. 1218 asked by Mr. B. N. Misra on the 12th April, 1933 ; and
- (vi) the revised information to be substituted for the information laid on the table of the House on the 7th April, 1933, in reply to starred question No. 964 asked by Mr. B. N. Misra on the 28th March, 1933.

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

*389. (a) Yes.

(b) 16 Up and 16 Down trains.

(c) Yes, but this refers particularly to the gate at the West end of the station.

(d) It is understood that, with the recent introduction of cabin interlocking at Unao and the construction of the Unao-Madhoganj line, delays to vehicular traffic at these level crossings have increased in duration.

(e), (f) and (g). The Railway Administration reports that complaints have been made by the public regarding the inconvenience caused at the level crossings, and the question of minimising the inconvenience has been receiving the careful consideration of the Administration. Arrangements are being made to provide—

- (1) additional platform starters for broad gauge lines at the West end of the station,
- (2) a sand dead end siding at the West end of the station to permit of two broad gauge trains being crossed more readily, and
- (3) barrier type lifting gates at the West end to admit of quicker manipulation.

(h), (i) and (j). It is expected that the steps which are being taken will considerably minimise the present detentions. The cost of providing a sub-way or overbridge has not been estimated, but such a project is bound to be very expensive and may not be feasible, due to the close proximity of residential buildings.

PROMOTIONS OF THE OLD OUDH AND ROHILKHAND RAILWAY STAFF TO VACANCIES OF THE OLD EAST INDIAN RAILWAY STAFF.

*997. (a) No.

(b) Does not arise.

(c) No.

ALLEGATIONS AGAINST A RAILWAY OFFICIAL OF THE DINAPORE DIVISION.

*993. (a), (b) and (d). The Agent, East Indian Railway, reports that he has no knowledge of any such occurrence.

(e), (e) and (f). Do not arise.

(g) No.

PROMOTION OF INDIAN ASSISTANT STATION MASTERS TO THE POSTS OF PLATFORM ASSISTANTS ON THE EAST INDIAN RAILWAY.

*1096. (a) and (b). It is not a fact that Indian Assistant Station Masters are debarred from promotion to the grade of Platform Assistants at big junction stations.

There are four grades of Assistant Station Masters, viz.,—

- (1) Rs. 40—4—68.
- (2) Rs. 70—5—95.
- (3) Rs. 100—5—110.
- (4) Rs. 260—10—280.

Intervening between grades (3) and (4) above are the following grades :

Station Masters—

- (1) Rs. 78—4—90.
- (2) Rs. 95—5—120.

Controller, grade II—

Rs. 85—10—145.

Guards, grade I—

Rs. 90—10—180.

Relieving guards—

Rs. 210 (fixed).

Platform Assistants—

Rs. 200—10—240.

Four of these grades intervene between the grade of Assistant Station Master (Rs. 100—5—110) and Platform Assistant's grade (Rs. 200—10—240). The reason why the promotion to the Platform Assistant's grade (Rs. 200—10—240) is normally made from the Relieving Guard's grade (Rs. 210) is because this is the normal channel

of promotion to the next higher grade. The Controller's grade II (Rs. 85-5-145) is open to all Assistant Station Masters and thereafter the Guards grade I and the Relieving Guard's grade (Rs. 210) are also open to them.

No Indian Assistant Station Master has yet been promoted to the grade of Platform Assistant for the reason that none have so far passed through the intervening grades, but they may advance in time to the grade of Platform Assistant on their individual merit as vacancies occur.

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

*1218. (a) Yes.

(i) Yes.

(ii) I am not aware that the Court of Enquiry made any such recommendation. The standing instructions of Government are that when it is proposed to effect a comparatively large reduction of staff—say 100 employees or more, the recognized trade union should be informed.

(iii) It is understood they will not be discharged but arrangements will be made to absorb them elsewhere as opportunity offers.

(c) The present Superintendent has not previously held charge of a school but the Agent reports that he is fully trained in all technical and administrative matters and competent to hold the post.

DENIAL OF HILL ALLOWANCE TO THE RAILWAY STAFF STATIONED AT DEHRA DUN.

*964. Owing to the unhealthiness of and higher cost of living on the Hardwar-Dehra Dun Section, the staff stationed there are granted an allowance. This allowance is not paid to subordinate staff stationed at Dehra Dun, in whose case the allowance is included in their rates of pay. They are, however, granted a house allowance at Rs. 5 per mensem, if not provided with railway quarters. The inferior staff at Dehra Dun receive an allowance of Rs. 2 per mensem.

Mr. P. B. Rau : In this connection I have to apologise to the House for the wrong information supplied which on further investigation was found to be inaccurate.

THE INDIAN RAILWAYS (AMENDMENT) BILL.

Mr. President (The Honourable Sir Shanmukham Chetty) : The House will now resume further consideration of the motion moved by the Honourable Sir Joseph Bore that the Bill further to amend the Indian Railways Act, 1890, for a certain purpose, as reported by the Select Committee, be taken into consideration, together with the two amendments, one for circulation and the other for re-committal to the Select Committee.

Mr. K. P. Thampan (West Coast and Nilgiris : Non-Muhammadan Rural) : Sir, as a member of the Opposition, I do not feel called upon to support the Government in a measure of this kind, but as one who was a member of the Select Committee and had a large share in shaping the Bill in its present form, I owe it to myself and to the House to explain what we did in the Select Committee and what were the reasons that actuated us to recast the Bill in the manner we did. Sir, what the House should remember at this stage is that, by its first reading, it has

committed itself to the principle involved in the Bill, namely, that of allowing certain railways to start schemes of motor and other means of transport. What we in the Select Committee were asked and expected to do was to make it as acceptable as possible to the popular demands. It was in that light that we entered the Select Committee and I may say that in our humble way we have done our best. We were supplied with literature of all kinds including the opinions collected on the subject and we very carefully went into the whole of it and tried our best to meet all the points that were raised. I may say that the present Bill is not only an improvement on the old Bill, but it has been recast in such a manner that every possible objection has been satisfactorily removed. It is due to the Government that we should acknowledge that they accepted all the suggestions that were put forward by the non-officials, and, if the Bill is not more acceptable to the popular demands, the fault is perhaps, if I may say so, on our side and not on the side of the Government.

So far as I could understand, the chief objections to the Bill were, (1) that these railway companies, without confining themselves to their own tracks, are making an encroachment upon the public roads : (2) that with the enormous resources at their back they will crush all the private enterprises : (3) that as many as 45,000 bus owners in the country will suffer, and (4) that if this Bill is passed into law, about 90,000 people, depending on this service, will be thrown out of employment. These, Sir, were the chief objections which, so far as we were able to see, we had to deal with as contained in the literature that was supplied to us. With regard to the objection that the railways were encroaching upon the public roads, I would say that though it was a question of principle on which the House has already given a decision, it is not all the great railways, such as East Indian, Great Indian Peninsula and North Western Railways, that are invested with the right of starting motor services, but only the light railways and the feeder railways. I will present one aspect of the question. You know, Sir, that in the Presidency from which you and I come, the District Boards are the owners of these feeder railways and it is out of the money paid by the tax-payers in the shape of a special cess that these feeder railways were started. It is our duty to protect and safeguard the interests of the tax-payers and as such it is highly necessary that these District Boards ought to be allowed to start motor services over the roads which they themselves built if they would thereby be able to keep them up. The other light railways stand more or less on the same footing. With regard to the second objection, namely, that the railways have enormous resources and they would soon crush the private enterprise, it does not apply to this class of railways. They are very impecunious and, it is because of their impecuniosity, that they have been forced to approach the Legislature to get permission to start schemes of this kind.

With regard to the apprehension that special privileges are sought to be given by this measure, if Honourable Members will kindly read the present Bill, particularly sub-clause 4, it will be apparent that railways are allowed to work only on level terms with other services and subject to all rules and regulations. How this will act prejudicially to the railways I will show later on. With regard to the fourth objection, namely, that a large number of bus owners and people who eke

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out a livelihood from them will suffer, unfortunately the official report with regard to rail and motor controversy does not specifically mention the number of buses that will be affected if this Bill is passed. The figure 45,000 is for the whole of India and not the number that is going to be affected. I am sure, there will be only a very small number of buses and people depending upon them that will suffer, because it is only here and there that these services will be started. With regard to the complaint that it will work as a hardship to private owners and other vested interests, we thought the very fact that roads and communications, being transferred subjects, are administered by the popular Ministers in the provinces was sufficient guarantee. These Ministers are responsible to the people at large and as all those people who have got buses have their own votes in their capacity as tax-payers they will be in a position to dictate the policy of Local Governments in this respect. So, if there are local interests and parties that are going to be affected and aggrieved, the Ministers of Local Governments will see that such special interests are duly considered before permission is given to open these schemes. As a matter of fact, we have provided that no scheme can be launched upon without the permission of the Local Government. The clause specifically provides for that. Now, Sir, even with regard to the so-called level terms, I must say that the balance of advantage is on the side of private bus owners. I shall explain myself. A private owner has not got to apply to the Government of India or to the Local Government before he starts a service. He has only to pay the money to the District Board and get a permit. They are bound to give him a permit. There was recently a case in Madras where it was decided that the District Boards were bound to give a permit for running a motor service in any line whenever a party applies for it. They are not competent to go into the question whether conditions in the particular line justifies the grant or not. The only thing necessary is payment of money. But, according to this Bill, if a railway wants permission to introduce a scheme, they have to apply to the Governor General in Council who will refer to the Local Governments which mean the Ministry who will in turn consult the local boards concerned. It is a long and tardy process and finally sanction might be refused. A private owner has not got to do anything like that. He has only to go to a District Board, pay the money and get the permit and start the service straightaway. Further, there is a provision for the withdrawal of sanction or modification of the terms if any Local Government thought that a particular service was acting prejudicially to the local interests. A private bus owner has nothing like that to face. What I maintain is that though the terms are said to be on a level basis, the weightage of restrictions is very much against the railways. With regard to the utility of this Bill, I must confess I have my doubts. A Railway can never compete with private service. We have seen in Madras the electric tramway company once tried bus service and lost a good deal. There were similar cases elsewhere. These public bodies have got to maintain an expensive staff of conductors, drivers, cleaners, and so on. In the case of the private owner, the owner himself is a driver, conductor, cleaner and also a mechanic, with the result that private service can be done on very cheap basis as compared with a railway company or an electric

tramway company who has to meet heavy expenses on staff and overhead charges. As a business proposition, I am afraid, this Bill is not going to be utilised by any railway. My own fear is that it will remain more or less a dead letter. For these reasons, I think there is no need either to re-circulate this Bill or remit it back to the Select Committee. If the Government are anxious to proceed with this measure, there is no harm in allowing this Bill to go through. That is my considered opinion.

Mr. K. C. Neogy (Dacca Division : Non-Muhammadan Rural) : As one who did not give a very enthusiastic reception to this measure when it first came up for consideration, I owe it to this House to acknowledge the great improvement that has taken place in the Select Committee in the measure as originally introduced. My Honourable friend, Mr. Thampan, need not have stated that he was largely responsible for the improvements that we find in the measure before us. I, for one, know it full well that when Mr. Thampan is on any Select Committee, he can be depended upon to see to every possible improvement of an obnoxious measure. But the Bill has been so much improved that that itself is a ground for supporting my Honourable friend, Dr. DeSouza's motion. As Honourable Members will note, if they compare the Bill, as it was originally introduced, and the Bill, that has subsequently emerged from the Select Committee, the only passages common to both are the title and the preamble of the Bill. I entirely agree that the Select Committee did their best to improve the measure, but then my quarrel with the Select Committee is that, in spite of the drastic changes that they have made in this measure, they thought that the changes were not of such a character as to warrant the Bill to be re-circulated. The expression "blank cheque" has been used by a previous speaker in characterising the original Bill. If the original Bill was a blank cheque, it was a blank cheque demanded in favour of the railways of a certain category from this House ; and the only distinction that has been brought about in the present amended measure, as far as I can see, is that that blank cheque is now demanded of this House in favour of the Government. Government say : "Depend upon us. We will fill in the details, the amount, the name of the company to whom it should be endorsed. Leave everything to us." So it is still a blank cheque, the only distinction being that the cheque will be drawn in favour of Government instead of being drawn in favour of a large body of unknown railways which are governed by this Act. I do not think that such a measure can be given support by any Legislature in the world with the possible exception of this.

An Honourable Member : Why this ? You are here.

Mr. K. C. Neogy : I know my strength and it will be ascertained when the matter goes to division. The position is indicative of the helplessness of the Legislature in India and it is indicative of the place that the Legislature occupies in the Government of the country. I have had occasion to go through various measures of British legislation which have been passed to secure more or less the same object as is aimed at under this Bill, and I found that all possible details were provided by legislation there. Nothing was left beyond some very petty details to the Government to determine either by way of framing rules or by way of the exercise of their executive discretion. Now the Honourable Members opposite will say, as has been said by my friend, Mr. Thampan, that, when we make it obligatory upon the Government of India to consult the Local Governments, they cer-

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tainly will do all that is needed for the purpose of ascertainment of public opinion in the matter.

Now, Sir, the problem unfortunately is not a very simple one and it has got to be faced as a comprehensive question which will be beyond the competence of any single provincial Government to deal with effectively. That indeed was recognised by the summoning of the Road Rail Conference that met here in April last ; and any one who has cared to go through the proceedings of that Conference will bear me out when I say that the problem, as disclosed there, is a very complicated and a very complex one, and it is not right to attempt to find a partial solution of that problem by a piecemeal legislation of this character. Now, Sir, it has been said that the scope of the present Bill is very much restricted in so far as the Indian Railways Act deals with a particular category of what I may call the smaller railways, and that the State Railways are under no statutory disability and they are in a position at the present moment to have their own road services if they like, and further that it is not intended at the present moment, at least by the present Honourable Member in charge of the portfolio, to suggest any amendment of the corresponding British Statute. I am very glad to have that assurance from the Honourable gentleman, because several other authorities, including his immediate predecessor, thought differently, at least to my mind, on this particular point.

Now, Sir, I am not quite clear,—I may be exposing my ignorance,—but I am not quite clear as to how it is that the State Railways enjoy this privileged position. I had a cursory look at the Railways Act and, to my mind, the particular section of the Railways Act does not make any distinction in favour of the State Railways ; and although it uses the expression “ railway company ”, when we turn to the definition of that expression, I for myself cannot make out whether it is intended by the Act to make any distinction in favour of the State Railways. However, as I say, I may be disclosing my own ignorance and I am perfectly open to conviction in the matter. Whatever that may be, assuming that the State Railways are under no statutory disability, can it be imagined for a moment that the State Railways would be allowed by the Government of India and by the Railway Board to take to the road, as they say, while the company lines suffer from this kind of disability ? Therefore, I say, Sir, that even though theoretically it is possible for the State Railways to have their own road services, from the practical point of view, unless this House endorses this policy in this particular measure, the State Railways are going to do nothing of the kind ; and that similarly the disability imposed by the British Statute cannot be removed so long as the corresponding disability imposed by the Indian Act continues in the case of the particular category of railways to which it relates. Therefore, although in a sense, this particular measure has a restricted scope, the problem which it presents to us for consideration is a very comprehensive one and we cannot do justice to that comprehensive and complex problem by merely trying to find a tentative solution for a particular category of the less important railways. This problem, Sir, is not confined to India. Indeed it is a far more serious problem in other parts of the world, and everywhere legislatures and public men have striven to find a proper solution of this problem, not in this summary fashion, but by trying to tackle with the very fundamental facts that go to constitute the particular problem. In England they had to appoint a Royal Commission to go into this question. Then the Royal Commission

was followed by a Conference called the Salter Conference, and they had to enact detailed legislation to tackle with the different aspects of the problem. They have tried to find a solution in that blessed word "co-ordination", and not merely co-ordination but rationalisation and even "nationalisation" of all forms of transport which alone, according to some, perhaps including my Honourable friend, Mr. Joshi, would provide a real and abiding solution for this problem. Similarly, the Conference, that met in Simla in April last, in a series of Resolutions, began by saying that the time had come for increased co-operation and more intelligent co-ordination, etc.—that is the first Resolution,—and they end by saying that suitable machinery should be established in the centre and in the provinces to ensure adequate co-ordination between all forms of transport and their future development. I should like to know from the Honourable Member in charge as to how far the spirit of those Resolutions can possibly be carried out under the provisions of this particular enactment. The Honourable Member is merely going to authorise a few of the less fortunate railways,—I will at once admit,—to operate their own road transport services just as a measure of self-defence. But what about the poor competitor who is already in the field? You cannot possibly penalise him. So long as the disability stood as it does, under the Railways Act, in respect of railways, it was perfectly open to private enterprise to come and capture the road. Now, as we are called upon to undertake a deliberate amendment of that measure, we should see to it that the legitimate interests of the people, who were not at all at fault in this matter in having captured the road, are protected in an adequate manner. My Honourable friend desires,—intensely I take it,—that this measure would prove a success so far as safeguarding the interests of the smaller railway companies is concerned. If he wishes them success, is he not at the same time wishing that failure should overtake the competitor who may be already in the field? As far as I have been able to see, the Mitchell-Kirkness Report proceeds on the assumption that in many instances, if not in all, the private road services are being run at uneconomic rates. Therefore, Sir, there being no further field for reduction in the rates, the only effect of putting a comparatively powerful company on the field will be to crush its smaller competitors out of existence. Now, Sir, I daresay, that is not the intention of Government. The discussions of the Road-Rail Conference go to show that that was never the intention of Government. They have put forward a very elaborate scheme as to how far the needs of the country as a whole would be met by a better balancing, as they said, of the transport system. I take it the

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intention of Government is to see the interior of the country developed as much as possible, and that the private bus owner, if he must be diverted, should be diverted to the new roads that might spring up for the purpose of serving the interests of the interior of the country so far undeveloped. I also assume that, in so far as the railways are being hit by the motor competition at the present moment, the intention of Government is to see to it that the road services to be operated by the railways were confined more or less to competitive roads and not that they should be diverted to the new roads that are in contemplation and which will open up the country as desired at the Road-Rail Conference. Therefore, unless and until something has been done in regard to the development of these supplementary road schemes in the provinces, what is going to happen to the poor bus driver who will have to meet with stern competition from a powerful rival? Therefore, I say,

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that unless and until we have a comprehensive programme of balancing the traffic system of the country and of providing feeder roads and making them suitable for motor transport, it is not right that we should be placing a particular party in an advantageous position, because it has got to be admitted that in spite of the disabilities, to which reference has been made by my friend, Mr. Thampan, which attach to the railway companies in the matter of operating a bus service, they are certainly in a position to command capital far better than the average bus owner whom we know, who is also very often the bus driver and a man of very limited means. Therefore, I do not like the haste with which this House is being asked to give this large power to this particular category of railways. At least I should have liked to hear from the Honourable Member in charge of the Department of Industries and Labour as to what progress has been made with regard to the other items of the programme which was laid down at the Road-Rail Conference over which he presided. Now, my Honourable friend, Mr. Aggarwal, was filled with consternation at seeing the Honourable Member in charge of the Department of Industries and Labour occupying a seat next to that of the Honourable Member in charge of the Railways.....

The Honourable Sir Joseph Bhore (Member for Commerce and Railways) : I am not an untouchable ! (Laughter.)

Mr. K. C. Neogy : You would be under the statutory railway authority. I do not share that consternation of my Honourable friend. As a matter of fact, one point on which I wanted to have information was as to when this amended Bill refers to the Government of India, whether both the Departments which are represented on that particular Bench will put their heads together in considering the scheme, or whether it will be the Member in charge of the Railways alone who will determine.....

The Honourable Sir Joseph Bhore : My Honourable friend may take it that any decision that may be come to in connection with or arise out of the administration of this Act will certainly be come to after the fullest consultation between the Department of Industries and Labour and the Railway Board.

Mr. K. C. Neogy : I am very pleased to have that assurance from the Honourable gentleman, because I feel that if anybody in the Government of India is responsible, to a certain extent, for having encouraged private bus service, that gentleman is sitting next to my Honourable friend who has just spoken, because, in so far as my Honourable friend's Department has a voice in the determination of the application of the allotment from the road funds towards the improvement of the provincial road system, the Honourable gentleman has indirectly encouraged the private bus system to compete with the railways, because, as far as I know from the experience of my province, the roads on which the choice of my Honourable friend's Department has fallen have been almost invariably the very roads along which it is possible to compete with the railways.....

Mr. T. N. Ramakrishna Reddi (Madras ceded Districts and Chittoor : Non-Muhammadan Rural) : The condition is the same in regard to Madras.

Mr. K. C. Neogy : I am assured by my Honourable friend that the same remark applies to Madras. Therefore, if anybody is responsible for having brought about this state of affairs, so far as the Government of India is concerned, it is my Honourable friend, Sir Frank Noyce.

The Honourable Sir Frank Noyce : May I remind the Honourable Member that my Honourable colleague on my left was Member in charge of the Industries and Labour Department before I was ?

Mr. K. C. Neogy : There ought to be really an internecine quarrel between the two gentlemen, if not also between Sir Joseph Bhore, the Labour Member and Sir Joseph Bhore, the Railway Member.

Now, in all these discussions in Conferences and Committees and in the discussions here, I have not so far found any Member on behalf of the Government acknowledging the necessity of the railways themselves to improve their services. That is a point that has not been touched upon by any. Honourable Member sitting opposite ; and although the cartoonist has made us familiar with a portrait of Sir Frank Noyce holding the scales even between Mr. Joshi and Mr. Mody. I find that, at the Road-Rail Conference, the way the discussions went compelled my Honourable friend to give a stern reminder to no less a person than the Honourable Sir Jogendra Singh that the Conference was not entirely in the interests of the railways and Sir Jogendra Singh had to exclaim : " I see ! " Now, that is the spirit in which all the discussions that have gone on in this House and elsewhere have been conducted, so far as the Government are concerned. Nowhere do we find any single word proceeding from any responsible Member of the Government in which it has been recognised that there is something to be done by the railways themselves by way of improving the facilities that they offer to their customers ; and yet what a strange contrast it is when I turn to the Report of the Royal Commission on Transport where, in the Final Report, in paragraph 141 and paragraph 142, they have discouraged the anxiety of the railways to have their own motor service on the roads. This is what they say in one sentence.

" On the general principle of the policy now being followed by the railway companies "

—they are referring to the policy of the railway companies acquiring large interests in the road transport services in England and getting more or less a kind of controlling voice over the private road services,—

" on the general principle of the policy now being followed by the railway companies, we cannot refrain from expressing a feeling of doubt whether it is wise for companies to expend large capital sums for the purpose of establishing services which may be in direct competition with their business as railways "

Then, Sir, I find that, in a later publication, the Chairman of that Royal Commission has put the matter far more clearly. He summarised the conclusions of the Commission over which he presided, and he said that the Commission held that the Railway Companies must " take every possible step themselves to render their services efficient and attractive to the public, and that this was the way by which lost traffic should be recovered "

Then, further on, he says :

" They appear to be more anxious to get on to the roads themselves, and in some cases actually to compete with their own rail services than to improve the latter. "

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Now, Sir, there is one particular suggestion of a very small character that occurs to my mind and which I should like to present to the Government for their consideration. We are aware that, so far as the larger railways are concerned, they have Advisory Councils attached to their administrations which furnish a point of contact between the railway companies and their customers. As far as I know, none of the light railways has got an Advisory Council for that purpose, and I should request my Honourable friend, apart from the subject matter of this legislation, to take up this point and pursue it for the purpose of bringing about uniformity in regard to the facilities which the public at large have in connection with the larger railways for putting forward their grievances.

Now, Sir, I have in my hand copies of certain correspondence that has passed between a railway concern and its principal customer. I do not want to divulge the names of the parties, because it may not be altogether fair to do so, but if my friend gives me an opportunity of going into this matter informally with him, I will certainly give him the papers that I have in my possession. Now, here is an instance of a light railway which, under the curious process of sub-infudation that is permitted in the matter of railway administration in this country, is owned by a company with a second company as managing agents which get an allowance for simply not managing the railway, and the railway management is actually conducted by a third company. Now, in the process of the division of the profits of such a concern, the original shareholders of the company owning the railway come in for a very small share, with the result that in this particular case when I met the principal shareholder of the company he had not a single word of sympathy for this railway. He had his grievances regarding very many matters, particularly in regard to the high rates prevailing on that particular light railway, and he told me that he was prepared to put on the road a competitive service himself, a person who should be more than anybody else interested in fighting for the railway in which he happens to be the largest shareholder. Then, Sir, when I met the representative of what I have already described to be the largest customer of this particular light railway, a British gentleman, belonging to a first class firm in Bengal, and it was he who placed these papers in my possession,—he also made a similar complaint that he was finding that, as a result of a recent change in the policy, the rates that were being quoted for the carriage of sleepers were so high as not to enable him to compete in the market. And that particular firm, a first class firm, addressed a letter on the 29th of November, 1932, to the company concerned drawing their attention to this particular position. When I inquired as to whether any reply was received, this is what they wrote : “ I would inform you that no reply was received by us ”.

This is dated the 5th of August, 1933. About 8 months later, they say that no reply was received by them from so and so “ barring a postcard acknowledgment ”. Now, I ask, is that the way to treat your principal customer ? Now, Sir, in this case also, this particular firm, at least the representative of that firm who saw me in this connection, said that he

would be happy to see a road service started with powerful lorries which might carry his sleepers. Here we have an instance in which the principal shareholder and the principal customer of a particular light railway are agreed in thinking that they are not getting the attention that they deserve at the hands of this light railway, and both are thinking of having a competitive road transport organized. What are we to do to help concerns like these who are absolutely oblivious to their own interests, who have so far followed the policy of "take it or leave it" having been in the position of monopolists? And now that they are confronted with some kind of competition, they come up to my Honourable friend and he readily obliges them with this kind of legislative protection. Sir, I support the motion that has been so ably moved by my friend, Dr. DeSouza.

Mr. E. Studd (Bengal : European) : Sir, I have listened with considerable interest to the speech of my Honourable friend, Mr. Neogy, and to quite a number of other Members who have spoken in the same strain. It seems to me that one of the main arguments they tried to use in support of the circulation of this Bill has been that, because there is admittedly a very large problem to be tackled in connection with road and rail transport throughout the country, it is quite wrong to attempt to introduce what they were pleased to term a sort of piecemeal bit of legislation of this kind. I confess, Sir, I cannot see that their argument holds any water. Surely, if you are losing money, and you realise that something has got to be done to re-arrange your finances, and amongst other things you find that you have a hole in your pocket, you do not refuse to mend the hole, simply because that is only one of the various measures which you have got to take. My Honourable friend also complained that they were being asked to give a blank cheque to the Government. He seemed to suggest that it was a very dangerous process. He admitted that the cheque was not quite as blank as he originally thought it was going to be, but I submit to him that unless you are prepared to have a certain amount of trust in the people you are dealing with, you will never draw a cheque at all, you will never enter into any sort or kind of business negotiations.

Now, Sir, a good deal has been said as to the injury and the injustice that would be done, it is alleged, to the private bus owner or lorry owner, if this Bill is passed, but no one, as far as I have heard, has referred to the position of the railways, particularly the light railways which for years have been working with their hands tied behind their backs, which years ago foresaw that this competition was going to come, and, that, unless they were allowed to run some kind of motor service of their own, this competition would inevitably take away a great deal of their income. If I have any complaint with regard to this Bill, it is only that the Government have taken three or five years too long to introduce it, and I am perfectly convinced that if this measure had been introduced and passed into law five years ago, there are a number of light railways which are now making losses for which the Government have every half year to produce a large cheque in order to pay the guaranteed dividend to shareholders—which would not be making the losses, but would be earning sufficient to pay that dividend themselves. I confess that it has surprised me somewhat that a House, which, in my comparatively short experience of it, has always been jealous of the interests of railways and

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has always been keenly interested in seeing that everything possible is done to enable them to get as big an income as possible—that on this occasion, as far as I can see, it should have entirely lost sight of the railway side of the question and merely considered the other side with, I think, very little really strong argument to back it up. This Bill has already been through a Select Committee, a large and representative Committee. It has been carefully considered; it has been considerably altered; and the Committee has submitted a recommendation which is unanimous save that one member of the Committee appended a note. It seems to me that the Bill has had very careful thought and consideration given to it, and as I have already submitted, the door has already been open too long and time is of the essence of the contract. If this Bill is to be re-circulated for opinion, it is going to mean another six months anyhow before anything can be done. But, in the meantime, the railways concerned continue to suffer; further large amounts will have to be paid by Government to find the requisite guaranteed interest.

My Honourable friend also suggested that he was sorry that he had heard no reference from Government Benches to the possibility of the railways improving their services. Now, Sir, I think that question is easy to answer. In times of difficulty and depression, when retrenchment becomes the order of the day, I think everybody will admit that the matter of paramount importance is the cutting down of expenses, and in that process there must inevitably be a certain amount of sacrifice of efficiency. That is true of the railways just as much as of any other concern in life. I suggest to my Honourable friend that if he really wants to see an improvement in the railway services, the best way he can do that is to give his support to the passing of this Bill so that the railways may be in a better position to make their earnings cover their expenditure and then they will be able to consider improving their services.

Sir, I have little more to say. It does seem to me that a great deal more has been made of this measure than is really justified. This Bill appears to me to be a simple, straightforward, common sense measure, and I have no hesitation in strongly supporting that it should be considered and passed as soon as possible.

Mr. N. M. Joshi (Nominated Non-Official) : Mr. President, after having listened to the discussion on this Bill, both during the Session held at Delhi and during this week, I am firmly convinced more than ever that the transport system of this country should not be competitive, but should be owned publicly and controlled publicly. It is admitted on all sides in this House that the present competition has led to difficulties as well as to waste, but unfortunately we are not prepared to face the problem boldly.

The difficulties that have arisen in our transport system are due to various causes. To mention only a few, I shall say that the fundamental principle on which the system is based is wrong. The transport system cannot be competitive, and cannot do good to the country if it is based on competition. Secondly, we have shown a lack of foresight in the management of our transport affairs. We are always content with looking after the difficulties of the hour. We refuse to look ahead. Thirdly, Mr. President, in spite of the fact that my Honourable friend

Mr. Neogy, has some prejudice against that word, I say that most of these difficulties are due to want of co-ordination in the management of our affairs. I shall first deal with the difficulties that are due to the system being based on competition. Members on one side have said, let there be competition, but let the competition be fair ; Members on another side say, let there be competition, but the competition should not be cut-throat, it should be economic. Competition means cutting throat ; competition means unfairness. I have not yet seen any competition which was fair ; I have not yet seen any competition which did not mean cutting the throat. (*An Honourable Member* : "Of some.") It is true cutting the throat of somebody. When it is my turn, I say, competition is bad ; when it is the turn of some other person, I say, it is economic competition or fair competition. Otherwise, Mr. President, what is the meaning of the proposals which are before us ? The railways do not make profit, they are making losses ; therefore, the railways which have got large funds behind them want to capture the traffic on the road, cutting the throat of the bus owner and making a profit to themselves. I, therefore, think that those, who want to deal with the evil which has arisen, must deal with the basic principle of competition. You cannot have competition which does not do harm to your rival. That is the very object of competition. When you want competition, you want to put down your rival and want to profit at his cost. There is no other meaning of competition. My Honourable friend, the Member in charge of Railways, is entitled to say "If you want competition, if I cannot make profit by running the railways, let me be free to compete with the bus owners". On the other hand, I am quite prepared to admit with those Members on this side who objected to the railways running buses that if the public roads are to be open to the railway companies, why should not the railway track be open to any one who wants to run railway carriages on the track ? Although Members here are not willing to look to the dangers which are inherent in the principle of competition, they are willing to approach the Government with a request that these dangers should be minimised. They say, let the competition be restricted.

My Honourable friend, Mr. James, said that competition must be economic. Now, what is the meaning of that ? It means that the rates which the bus owners charge must be such that even the railways will be able to compete with them and make profit. Therefore, I think, he did suggest that Government should have the power, although he did not make that suggestion very explicitly, to control the rates which are charged by the bus owners as well as by others who use the roads. Otherwise, how is it possible for the Government to see that the competition is economic ? He clearly means that the Government should take the power by this Bill, if they have not taken it, to control the rates that are charged by all the vehicles running on the roads. But it is not enough that Government should control the rates, if that competition is to be economic. For instance, Government will have also to control not the rates only, but the comfortableness and the standards of the buses themselves. Otherwise some bus owners may give very good buses at the same rates and may capture trade, and members on this side will say that this is unfair competition. Therefore, Government will have to take power also to control the standards of the

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vehicles. If Government are going to do that also, then why should they not themselves manage the whole transport system? If Members really believe that the whole transport system should be left to private people, I can understand it, but they are not prepared to do that. Whenever any party suffers a loss, it goes to the Government and says: "I am suffering loss. Therefore we should control only that matter on account of which I suffer a loss". I, therefore, feel that the evil which has arisen on account of the whole system being based on a wrong principle cannot be remedied by what my Honourable friend, Mr. James, said was only a patchwork, a reform by bits. I agree with him there. If you want to remove these evils, it is wrong to take up these measures bit by bit. Let us deal with our transport system as a whole and then, I am sure, a large number of the difficulties which have arisen will disappear. We are undertaking by means of this Bill to do something by which I have absolutely no doubt a monopoly will be established on the high roads of this country. If the railways decide to compete with small bus companies or private owners, the railways are bound to beat the private bus owners and the small companies. They are going to establish a monopoly on those roads which are near the railway track. Now, I am not against a monopoly if that is run in the interests of the public. But I am certainly against a monopoly being established by a private railway company and I do not understand why Government should do anything by which any private company will be able to establish a monopoly. I now wish to say a few words on the second defect which I mentioned appears in the management of our transport system, namely, want of forethought. The question which I would like to ask the Member in charge of this Department is this. If there is an evil now on account of roads running parallel to the railway and being used competitively by buses, whose fault is it? Who made the roads—not any private people. These roads were made either by Provincial Governments or by statutory bodies. Why did it not occur to the Government that when these roads were made, they should not be made parallel to the railway line. I am not suggesting that under no circumstances should any road run parallel to the railway line, but certainly if competition arises to such a dangerous extent, it would have been better if the roads had not been made to run parallel to the railways, wherever this could be avoided.

Mr. Gaya Prasad Singh (Muzaffarpur *cum* Champaran : Non-Muhammadan) : I do not want to interrupt the Honourable Member, but he will find from the Mitchell-Kirkness report that the majority of the roads were there and the railways were built later on.

Mr. N. M. Joshi : I have no desire to blame any one party. My point is that there was no forethought.

Mr. Gaya Prasad Singh : On the part of the railway.

Mr. N. M. Joshi : I do not suggest on the part of anybody in particular. My object is not to blame any one party. My object is to show that there was no forethought. It is wrong to allow your roads to run parallel to your railway tracks or to make the railway run among parallel roads. I quite realise that all the objects of the road cannot be served by the railway, nor can the roads serve the purposes of the

railway. There are certain things which the railways alone can do and there are certain things for which the buses are more suitable, but, at the same time, it will also be recognised that if your roads and rails run parallel, you are bound to have competition with which you would have to deal with. I, therefore, think that some of the evils could have been avoided if there had been forethought in the management of our transport system. That has been the fault of this Government, not only in the management of our transport system, but in the management of every affair. Take, for instance, our development of industries. If we had taken sufficient care to see, while we were developing industries, that there should be no slums, no money would have been necessary for slum clearance. Similarly, if we had taken care to see that there should be no competition as far as possible between these two systems of transport, we could have avoided some of the difficulties with which we are faced now.

Then, Mr. President, there is the third point on which I wish to speak. Some of the difficulties that we have to face today are due to want of co-ordination. In the first place, it is much better that the whole transport system should be controlled centrally. That is my view. There must be the ultimate control with the Central Government for the whole transport system if you want to avoid wasteful competition. But even if you do not agree to that principle and if you decentralise your powers over the roads as well as the railways, you must take care to see that there is some co-ordination. If you do not want centralisation, if you believe in decentralisation, at least take care to see that there is co-ordination. There are going to be buses, there are going to be railways and there are going to be tramways and, unless you co-ordinate all these means of transport, you are going to have competition and you are going to have evils. It is, therefore, much better that the Government, showing some forethought, should always take care to see that there is some means by which there will be co-ordination between the roads, the railways and the other methods of transport.

[At this stage Mr. President (The Honourable Sir Shanmukham Chetty) vacated the Chair which was then occupied by Mr. Deputy President (Mr. Abdul Matin Chaudhury).]

My friend, Mr. Neogy, dealt with what has been done in England. He said, there was a Royal Commission and they recommended certain things. Here I wish to suggest that what England had to do, after suffering a great deal, let India do without suffering those losses. For instance, in England, especially in London, they had buses, tramways, underground railways and surface railways, and on account of these various systems, everybody began to suffer a loss. Then they appointed a Royal Commission and now they have formed what is called the London Transport Board. I suggest to the Government of India and to this Legislature that instead of waiting to see all these evils crop up, let Government wake up now and devise a bold scheme covering all these systems of transport, so that there will be co-ordination among them. There will be no waste caused and the public also will get benefit from the right principle on which our transport system will be based from the forethought which the Government will show and from the co-ordination of all these systems. So far as this Bill is concerned, I am not interested either in delaying or in passing it at this moment.

Mr. B. V. Jadhav (Bombay Central Division : Non-Muhammadan Rural) : Sir, I was not a member either of the Select Committee or of the Road Board Committee and, therefore, I can speak with an unbiassed mind. The present Bill is for authorising railway companies to start competitive services on the roads on which the bus service has been running and depriving the railway companies of their profits. It is said that the companies that were registered under a charter will not be authorised under this Bill and that the present Government of India have no intention of applying to get those charters amended by getting the Parliamentary Sanction.

The Honourable Sir Joseph Bhore : This is not what I said, but I shall refer to it in my reply.

Mr. B. V. Jadhav : Whatever that may be, it is a fact that the bus service at present is competing with the railway services and on that account the earnings of the railways have suffered a great deal. If a shopkeeper in a street A builds up a great clientele simply for the reason that there was no competitive shop, and then after some years he finds that another shop dealing with similar commodities has been opened in an adjacent street, he need not think of starting a rival shop in the next door premises of his rival's shop, but he ought to see why his hitherto customers were attracted by the other shop. The railway companies have suffered because their passengers have now taken to the road ; they are taking advantage of the buses that are running and the companies are suffering losses. But then the companies ought to see what better facilities are offered by the rival bus service. The companies are not examining their own deficiencies. The companies hitherto have enjoyed a monopoly and, as such, they were as a rule callous and indifferent to the comforts of the travellers. The railway trains were not suitable in their timings ; the overcrowding was not attended to. If complaints were made, they were not promptly heard. The railway companies attended very indifferently to their patrons. When their patrons found a new method of getting better comforts and better service and have left the original companies, they now come forward to open up other similar service to that which is competing with them. The best course for the railway companies will be to study the requirements of their customers. The narrow gauge and feeder railways have suffered the most, and why ? They have not been properly managed, their speed never exceeded 15 miles an hour, perhaps on the average it was about 10 miles ; so if the people complained that time was wasted on the route, they were not wrong. Now, the worst bus goes at a speed of at least 20 miles an hour. So the ordinary traveller finds that it is more speedy to go on the bus than by the railway. The timings of these feeder railways were fixed up with a view to the convenience of long distance passengers and the short distance passengers were never even thought of. The trains started at 3 or 4 o'clock in the morning and the conveniences of the people were never consulted. So, the short distance passengers naturally took to the bus when they found it gave a better service and a speedier service and a service which cared for his conveniences. It is for the small feeder railways, if they want to secure their clientele, to study the wants of the passengers. The best advice that could be given by Government is to start a rival bus service on the railways and not

on the roads. They should have railway trains at convenient times and at good speed running between two stations, so that those passengers who now patronize private buses will be attracted to the rail buses. I would give an instance from my part of the country. Kolhapur and Poona is a distance of 190 miles by railway and 146 miles by road. Three companies have been running regular motor services and the M. & S. M. Railway Company found that their traffic was dwindling. So they studied the wants of the people and what they have now done is that they have reserved two special bogey cars, one containing first, second and third class compartments and another bogey car for third class passengers only to be attached to the mail train from Miraj to Poona. In that way a passenger leaving Kolhapur at about 7 P.M. in the evening reaches Poona comfortably at 6 A.M. and, ever since this through arrangement was made, nearly 100 passengers have been taken by these two cars from Kolhapur to Poona. Had this arrangement not been made for the convenience of the passengers, at least half of them or about 60 per cent. of them would have gone by the buses. So the railway company woke up in time and they saw that, in order, to compete with the bus service, they must offer better service for the convenience of travellers. So they are now running a through train from Poona to Kolhapur in order to preserve their passenger traffic. A man starting from Bombay at 8 A.M. in the morning can easily reach Kolhapur in the evening at 10 P.M. in about 14 hours and, on the return journey, he can leave Kolhapur early in the morning at 6 A.M. and reach Bombay at about 7 P.M. in the evening. So you will see that this railway company studied the convenience of their passengers and found out why their passengers were leaving them and thus they were able to retain their old passengers. If other railway companies would copy the example of the M. & S. M. Railway, they will prosper. If the M. & S. M., on the other hand, had resolved to start a competitive bus service, they would have ruined themselves in competition with the bus service. It is well known that the present bus owners are able to run their service at very cheap rates, because their expenses are very low. If a railway company starts a bus service, it will have to incur heavy expenditure not only in rolling stock but also in repairs and also in inspectors, checkers and ticket collectors, and so on. But a private bus owner is one and all and he does all the work himself and, therefore, it is very difficult, I may almost say impossible, for a railway company to compete successfully with a private bus owner. I fear even if this Bill is passed and the feeder railways are allowed to start a competitive service, they will not be able to gain much. They will have to invest a heavy amount in this competition and, if the competition is fairly carried on, their gain will be nil. What I mean to say by fair competition is that the private bus owners should not be unnecessarily harassed by the law and police authorities should pass their cars and supervise them with a view to see that they are running in a safe and sound manner. Sometimes it happens that zealous police officers are very strict and unnecessarily harass bus drivers and owners and in that way many a time unnecessary prosecutions are launched against them and the magistrates fine them very heavily. If this is carried on in the interest of the railways, and the people fear that the police and the magistracy will be on the side of the railway companies, then of course the competition will not be fair and the bus owner will be handicapped and in that way the bus

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traffic is likely to be killed. So I say that the railway companies ought not to be allowed to start competitive bus services. If they want to regain their old traffic, it is in their own hands. The railways were constructed for the purpose of affording cheap transport for goods and for passengers. If they have now lost custom and the passengers are taking to the buses, then the fault does not lie with the buses, but it lies with the railway companies who up to this time neglected the convenience of their patrons. In the case of goods traffic also the indifference of the railway services has led to the diminution of this traffic also. I will give one instance again on the M. & S. M. In the Bombay bazars, vegetables and fruits are brought from Sasvad Road on that railway. A new station master claimed a certain share of perquisites and he asked the vegetable dealers to give him one anna per basket which was exorbitant and the dealers refused. He also refused to book the vegetables, and the poor merchants were at a loss as to what to do. Then the bus owners came to their rescue and they loaded the baskets of vegetables at Sasvad Road and took them to the Crawford market in Bombay. In about two weeks time, the railway companies, the M. & S. M. and the G. I. P. saw that it was a serious loss to their revenue, and they opened up negotiations with the merchants. The merchants simply thanked them for their good wishes, but were unwilling to give up their patronage to the bus services for the simple reason that the bus service studied their requirements better. The baskets were loaded actually at the gardens and they were unloaded actually at the market. Transport by railway required loading at the railway station and, therefore, the merchants could not have the facilities of loading them at their gardens and, in the case of the railway, the merchants had to transport the baskets from the narrow gauge to the broad gauge and again unload them at the Victoria Terminus station to be taken to the bazar. So the bus owners served their clients much better and they have taken away that custom. There are many such instances which can be multiplied. All I can say is that the railway companies should afford facilities to their clients and study how to get rid of their inconveniences. A rival motor service may be paying for a short time, but, I am afraid, if the competition is fairly carried on, the railway bus service has not got much chance of a success against the road motor service conducted by private owners. So the best advice that should be given to the railway companies is to improve themselves and, if this is done, I do not think there is any necessity for this Bill. It would be much better for Government to withdraw this Bill.

Sirdar Harbans Singh Brar (East Punjab : Sikh) : Sir, the main purpose of this Bill appears to be to safeguard the light railways which, as I understand it, are mostly owned by the local bodies or by small shareholders. Mr. Joshi has spoken at some length for co-ordinating the transport services meaning thereby the nationalisation of transport services, but avoiding the use of that word. I think as the arrangement regarding all the Indian railways is that the State is to purchase them after their leases expire, the nationalisation of the railways will automatically be attained. It is only a question of time. In some cases, when the time has actually arrived

4 P.M.

to purchase a railway line, the State does not find itself financially strong enough to acquire it. So there is no lack on the part of the administration or unwillingness on its part to nationalise the transport services as far as they can. The road services at present are, as we all know, running at very uneconomic rates, and if the railways which are already losing are prepared to lose more by running their transport services on the road also, let them try it ; there is no harm, because as at present the lorry owners are not making much out of it, the railways cannot be expected to make much out of it either. The roads being parallel to the railway line is not the fault of the Government, because the roads were in existence long before the construction of the railway lines and it is only on the main lines or on the trunk lines where the roads generally run parallel to the railways. And there is some advantage in that too. They are more or less useful for strategical purposes and, if, at a time of emergency, the railways break down, the road can be resorted to. The Bill was examined by the Select Committee in all its details and they have given a very good report which is signed unanimously,—that speaks very much in favour of the Bill. All interests and all provinces appear to have been represented on that Committee, and, it having been so minutely examined and reported upon, there does not appear to be much useful purpose to be served by delaying the passing of this Bill. It is always open to the Legislature, if afterwards it finds that the Act has not worked successfully, to repeal it. At present a very good case appears to have been made out for allowing these light railways to run their own bus services in places where it appears necessary or desirable. The Local Governments have been given sufficient powers to safeguard the interests of the public in those areas when it has been provided that the Governor General in Council will consult the Local Government before giving permission to a light railway to operate a service on the roads. Provincial autonomy being almost in sight and, even at present, this Department being a transferred Department in the provinces where the Ministers, who are under the control of the Legislatures, administer this Department, we can safely rely upon them to safeguard the interests of their constituents and of the public in those provinces. Therefore, I feel that no useful purpose is likely to be served by circulation and that the Bill may be passed as reported unanimously by the Select Committee. With these few words, I support the consideration of the Bill and oppose the circulation motion.

Several Honourable Members : The question may now be put.

Mr. Deputy President (Mr. Abdul Matin Chaudhury) : The question is that the question may now be put.

The motion was adopted.

The Honourable Sir Joseph Bhoré : Sir, I will apply myself first to the motions for circulation. I regret that my Honourable friend, Dr. DeSouza, should have thought fit to bring forward a motion which, I submit, is purely dilatory in character. The only ground on which the motion could have been supported was the ground that the Bill has been so entirely changed in Select Committee as to make it for all intents and purposes an entirely new measure. Now, Sir, that point has been already met by the remarks of the Select Committee ; but I would add another argument. Most, if not all, of the changes that have been made by the Select Committee have been made in order to meet the criticism

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which was elicited during the first circulation of the Bill and during the discussion of the measure in this House. I submit, Sir, that it is wholly unreasonable that changes which have been made as a result of circulation should themselves be circulated for eliciting further opinion. But, Sir, if I remember rightly, that was not exactly the ground upon which my Honourable friend, Dr. DeSouza, moved his amendment. He desired that the Bill should be recirculated for opinion in the light of the Mitchell-Kirkness Report and of the Resolutions passed at the Rail-Road Conference. Be it remembered, Sir, that at the Rail-Road Conference, Ministers from every province were present and they were in possession of the Report to which my Honourable friend has referred. Now, Sir, the Report of that Committee as well as the relevant Resolution to which he refers are entirely in favour of the principle of this Bill. Does my Honourable friend wish for circulation to cast discredit on the Report and the Resolution referred to ? Or does he desire that public opinion should be given an opportunity of changing as a result of the perusal of the Report and the Resolution ? If the former, I can say that the reference is wholly irrelevant for our present purpose, and, if the latter, it is totally unnecessary. If my Honourable friend had asked that the House should be invited to consider this measure in the light of the Report and the Resolution referred to, I should have been entirely with him. I would ask the House, Sir, to reject this motion as a pure waste of time.

I need not deal with the amendment of my Honourable friend, Mr. Sadiq Hasan. It has received, if I may say so, no support at all in this House, and I may allow it to die a natural death.

I will refer now, Sir, to some of the criticisms that have been levelled by Honourable Members in discussing this Bill. I would like once more to state my position in regard to Parliamentary legislation in respect of those companies which require it. I should like to make it clear that what I said was that I do not personally intend to initiate any action in this direction until this piece of legislation has been in operation for a sufficiently long time to enable us to gauge its consequences on all the interests involved.

Next, Sir, let me turn to what fell from my Honourable friend, Mr. Neogy. He described this as a partial solution of a very big problem and he deprecated its being dealt with by piecemeal legislation. I would point out that a great deal is to be gained by this so-called partial legislation. For one thing it will give us most invaluable experience in dealing with the wider problem when it comes before us. My Honourable friend suggested—and on this point I am in agreement with him—that an Act of this nature cannot by itself save railways which are suffering from competition with motor services. I entirely agree that railways must make their services more attractive and that they must endeavour to meet competition by the provision of greater amenities ; but I do not admit that our railways are not fully alive to this. In the present case, what this Bill does is that it merely removes a disability and this removal, I hope and believe, will be of considerable help and assistance. It does not confer an advantage : it removes what I take to be an unjustifiable disadvantage.

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

Then, my Honourable friend, Mr. Neogy, suggested that the light railways might well consider the appointment of advisory committees in order to enable them to get into closer and more intimate contact with the public which they serve. I am quite ready to pass on that suggestion to these railways, though, as he will recognise, I have no authority to enforce it, and I can do no more than make the suggestion.

Mr. James and, I think, also Mr. Neogy wished to know what action was being taken on the Resolutions which were passed at the Rail-Road Conference. I may assure this House that these Resolutions are at the moment receiving most careful examination in consultation with Provincial Governments. My Honourable friends will realise that the constitutional position being what it is we can only proceed by reason and argument, and that before securing general agreement considerable time may elapse. My Honourable friend, Mr. Joshi, delivered himself of a speech which left me in doubt, until the last sentence, as to whether he was supporting or whether he was opposing this measure. My Honourable friend said he did not understand what was meant by uneconomic competition. Let me give him an example, which was cited by an official at the Rail-Road Conference—an official from Madras : he told us of a case in which private bus owners had offered to carry passengers free, and, in addition, to present them with an umbrella and a handkerchief or a loin cloth, I forget which ! (Laughter.) I would say that that was uneconomic competition.....

Mr. N. M. Joshi : It would pay them to do so : afterwards they would recoup that expense !

The Honourable Sir Joseph Bore : My Honourable friend complained that more forethought and planning was not exercised in our road and railway schemes. As my Honourable friend knows, these began to come into existence probably more than half a century ago, and I can only express regret that my Honourable friend was not born 75 years ago ; for, then, he might have saved us all this trouble.

I must confess to a total inability to understand the reason for the opposition to this measure. Of course I know that vested interests outside this House are averse and very naturally so to further competition. Such further competition, as might result from the institution of services by railway companies, must surely be in the interests of the public and it is a little difficult to understand the solicitude for the interests of private bus owners and the entire ignoring of the interests of the public. It has been assumed that as soon as the bar which at present exists to railway companies running motor services is removed, they will at once embark upon cut-throat competition, that with their superior resources they will ruin their poorer rivals, and, as soon as they have eliminated all competition, they will then dictate their own terms to the public. I do not for one moment believe that this sequence of results can or will result from the removal of what I hold to be an unjustifiable inhibition. My Honourable friend, Mr. Neogy, threw some doubts upon the suggestion that we have always put forward that State Railways are free to run their own motor services. I have great respect for the legal acumen and experience of my Honourable friend. When I retire into private life, I should like to come to him with my legal difficulties provided, of course, he tempers his charges to the shorn *ex-civil* servant. But, with all due regard to my Honourable friend, I can only say that such advice,

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as is at present available, seems to justify us in this opinion ; and it is upon that opinion that we have proceeded. But holding that view, my point is that no State Railway has up to the present instituted such services. As regards monopoly, I myself hold that it is wholly unlikely. It may be that railway motor services once established may cut fares, but I suggest that there can never be anything like monopoly, because the moment they raise their fares, competition is bound to reappear. I do suggest to those who are afraid of monopoly that the ever impending threat of possible competition will be a salutary safeguard so far as unfairly high rates are concerned.

Then the assertion has been made over and over again in this House that private bus owners can run their services far more cheaply than any railway company can do. Well, Sir, I consider that there is a great deal of truth in those assertions ; but, Sir, if those assertions are true, then where is the difficulty ? My friend, Mr. Jadhav, just now said that he is satisfied that railway companies will ruin themselves if they compete with private buses. If that is so, then why should there be any objection to allowing railway companies the pleasure of ruining themselves ?

Mr. K. C. Neogy : We do not want to help them to commit suicide.

The Honourable Sir Joseph Bhore : My own view of the case is rather the view that was expressed by Mr. Hoon the other day. I believe that private buses will provide a cheaper service, but, on the other hand, I believe that railway companies will provide a safer, more comfortable and more regular, if a costlier service. Now, Sir, if there are sections of the public who desire such a service and are prepared to pay for it, why on earth should they be denied it ? Apart altogether from the question of greater safety, greater comfort and greater reliability, I personally, Sir, would prefer to travel by a service which is owned by an authority from whom, in the event of an accident, I should be able to recover damages.....

An Honourable Member : God forbid.

The Honourable Sir Joseph Bhore :.....or from whom in the event of fatality my heirs would be able to recover compensation even if I had to pay higher fares. On the other hand, there are many others who may prefer immediate economy to safety, why should both types of clients not be catered for ?

Then, as regards the possible abuse which, as is feared by certain Honourable Members in this House, might result from the railway companies being allowed to run services, I would only point out that the new clause which has been inserted in this Bill gives the Government very wide powers even to the extent of actually stopping such services. I believe, Sir, that the apprehension entertained in this House was largely due to the fear that, if railway companies were allowed to operate their own services, they would be placed in some sort of privileged position as compared with private bus owners. I attempted on the last occasion to make it perfectly clear that that was not our intention, but now, Sir, that the relevant clause of the Bill makes this clear beyond all possibility of doubt or misunderstanding. I hope that the opposition to this measure will also disappear.

Sir, only a few words more and I have done. I think Honourable Members opposite will admit that I have gone very far,—I went very far in the Select Committee, to meet them in this matter. In fact, I went so far, Sir, that I could not possibly go any further without scrapping the Bill. I want to make the position perfectly clear so that any support that I may get may not be under any misapprehension. I propose, Sir, to oppose the amendments that have been tabled. I do submit that the Bill, in its present form, meets all reasonable objections that have been taken, and I would ask Honourable Members of this House to accord their approval to the Bill in the form in which it has been recommended by the Select Committee.

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

“ That the Bill further to amend the Indian Railways Act, 1890, for a certain purpose, as reported by the Select Committee, be taken into consideration.”

Since which an amendment has been moved :

“ That the Bill, as reported by the Select Committee, be re-circulated for the purpose of obtaining further opinion thereon from the public including the District Boards and Automobile Associations, wherever they exist, in the light of the decisions taken at the recent Rail and Road Conference and the Mitchell-Kirkness Report, by the 30th June, 1934 ”,

and a further amendment has been moved :

“ That the Bill, as reported by the Select Committee, be re-committed to the Select Committee.”

The question that I have now to put is :

“ That the Bill, as reported by the Select Committee, be re-circulated for the purpose of obtaining further opinion thereon from the public, including the District Boards and Automobile Associations, wherever they exist, in the light of the decisions taken at the recent Rail and Road Conference and the Mitchell-Kirkness Report, by the 30th June, 1934.”

The motion was negatived.

Mr. President (The Honourable Sir Shanmukham Chetty) : The question that I have now to put is :

“ That the Bill, as reported by the Select Committee, be re-committed to the Select Committee.”

The motion was negatived.

Mr. President (The Honourable Sir Shanmukham Chetty) : The question that I have now to put is :

“ That the Bill further to amend the Indian Railways Act, 1890, for a certain purpose, as reported by the Select Committee, be taken into consideration.”

The motion was adopted.

Mr. President (The Honourable Sir Shanmukham Chetty) : The question is that clause 2 stand part of the Bill.

Mr. T. N. Ramakrishna Reddi : Sir, I beg to move the amendment that stands in my name, namely :

“ That in clause 2 of the Bill, in sub-section (1) of the proposed section 51A, for the words ‘ motor transport ’ the word ‘ waterway ’ be substituted.”

Sir, now that the House has agreed to give the railways the power to run motor buses, I should like to give them power also to open up waterways, because I do not see any reason why the railway companies

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should be prevented from developing waterways in this country. We all know that waterways are a very economical means of transport of goods from one place to another, and many of the western countries have developed their trade and commerce by means of their waterways. India is wanting in her waterways. India is noted for her large navigable rivers, and it will be to the advantage of the country if more waterways are opened and developed. By opening up waterways, we can develop irrigation works also. Therefore, Sir, I move that the railway companies should also be given power to open waterways in this country. Sir, I move my amendment.

Mr. President (The Honourable Sir Shanmukham Chetty) : Amendment moved :

“ That in clause 2 of the Bill, in sub-section (1) of the proposed section 51A, for the words ‘ motor transport ’ the word ‘ waterway ’ be substituted.”

Mr. C. S. Ranga Iyer (Rohilkund and Kumaon Divisions : Non-Muhammadan Rural) : Sir, I should like to know from the Honourable the Leader of the House, who is also the Railway Member, whether this subject of waterways could not be taken with advantage in a Provincial Council, because it comes more within the jurisdiction of the provinces than within the jurisdiction of the Central Government.

The Honourable Sir Joseph Bhore : Sir, with reference to what my friend, Mr. Ranga Iyer, said, I can only say that I am not amphibious. I am a little perplexed by this amendment. On the face of it, it seems to suggest that my Honourable friend desires that railways should not be allowed to open motor services but that waterways should be substituted for road services.

Mr. T. N. Ramakrishna Reddi : I do not quite follow what the Honourable Member says.

The Honourable Sir Joseph Bhore : But his speech on the amendment rather indicates that he merely wanted to add waterways.

Mr. T. N. Ramakrishna Reddi : Yes. The next amendment deals with motor buses.

Mr. President (The Honourable Sir Shanmukham Chetty) : What exactly is the purport of this amendment ?

Mr. T. N. Ramakrishna Reddi : Of course, when I gave notice of my amendments, I intended that this amendment and the next amendment should form into one amendment. Now that the office has divided it into two amendments, it may look, as the Honourable the Leader of the House has stated, that my desire is to substitute waterways for motor buses. As a matter of fact, that is not my intention. My intention is to substitute here waterways for motor buses and my subsequent amendment will clearly show that motor buses are also included.

Mr. President (The Honourable Sir Shanmukham Chetty) : Does the Chair understand that the amendment that has now been proposed, No. 3, is consequential upon No. 4 ?

Mr. T. N. Ramakrishna Reddi : I cannot say consequential. My amendment No. 4 gives restricted power for running motor buses. That is why I have dealt with it in a separate clause.

The Honourable Sir Joseph Bhore : To cut short this discussion, much as I should like to see railways go both on water and on land, I must say that this question was discussed in the Select Committee. The Select Committee came to the conclusion that waterways should be eliminated and I must stand by the decision of the Select Committee. It is for that reason and for no other reason that I oppose my Honourable friend.

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

“ That in clause 2 of the Bill, in sub-section (1) of the proposed section 51A, for the words ‘ motor transport ’ the word ‘ waterway ’ be substituted.”

The motion was negatived.

Mr. T. N. Ramakrishna Reddi : Sir, I move :

“ That in clause 2 of the Bill, in sub-section (1) of the proposed section 51A, after the words ‘ managed by such company ’ the words ‘ and a motor transport service only on roads that run parallel to railway lines with a terminus on either end at or near a station on the railway owned or managed by such company ’ be inserted.”

As I understand this section, the amended Bill empowers a railway company to run a bus service throughout the country wherever railways exist, with one limitation, that is to say, that it must have a terminus at a station. That is the only restriction that the Select Committee has put on a railway company running a motor bus service. The effect of that will be that a railway company can run motor bus services either parallel to the railway line, or having only one terminus near the station and running to the interior. But, as a matter of fact, the danger that the railways apprehend from the motor bus service is only the danger of competition on parallel lines. A private motor bus service coming from the interior to any railway station does not compete with the railway service at all. On the other hand, it acts as a feeder and brings goods and traffic from the interior villages to the railway station, and so there is absolutely no competition at all. The point of view of the Government is that there should be no uneconomic competition of the motor bus service running parallel to the railway line and thus taking away its traffic, and that has been emphasised in the Rail-Road Conference that took place in Simla recently. In fact, the whole attention of that Conference was devoted to the fact as to how best to eliminate this competition on parallel lines. I have moved this amendment in order to allow these railway companies to run motor buses only on parallel lines where there exists competition and leave other lines for the private bus service. If powerful railway companies enter into competition with private bus service, the latter will go to the wall and then they must have some place where they can ply their trade. So, my amendment seeks to restrict the right of the railway company to run motor bus services on parallel lines. Sir, I move.

The Honourable Sir Joseph Bhore : Sir, we considered this point in Select Committee and we came to the conclusion that it would in all probability defeat the entire purpose of the Bill if the limitation now suggested by my Honourable friend were introduced. Let me give to the House an illustration of what I mean. There are two points on a railway A and B. The railway line between those two points forms a curve or detour intended to serve another point between A and B. If

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my Honourable friend's amendment is adopted, the railway company could not possibly run a motor service from A to B, because, assuming that the road goes straight from A to B and does not follow the bend, it would not be parallel to the railway; but that is just one of those cases in which it would be of the greatest value to the railway to retain the traffic between A and B. It was for that reason that the Select Committee came to the conclusion that it was inadvisable to limit the provision in the way suggested by my Honourable friend. As a matter of fact, in a very large majority of cases, the services will actually be parallel services, but we cannot run the risk of defeating the real intention of this measure. Sir, I oppose.

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

“ That in clause 2 of the Bill, in sub-section (1) of the proposed section 51A, after the words ‘ managed by such company ’ the words ‘ and a motor transport service only on roads that run parallel to railway lines with a terminus on either end at or near a station on the railway owned or managed by such company ’ be inserted. ”

The motion was negatived.

Mr. A. Das (Benares and Gorakhpur Divisions : Non-Muhammadan Rural) : Sir, I move :

“ That in clause 2 of the Bill, to sub-section (1) of the proposed section 51A, the following proviso be added :

‘ Provided the scheme does not involve any preferential treatment or creates a monopoly against private enterprise ’. ”

The two cardinal points which, it appears to me, are vital to the consideration of any Bill relating to transport of passengers and goods are facility to public and cheapness. Regarding facility, there is no doubt that the present bus and lorry service provides large facility to the passengers who are brought nearer their homes whether they start from any bazar or their houses than is the case when they have to get into trains at fixed stations and alight also there. There is also much inconvenience about the strict punctuality of the time not being observed and during the way they can get down at any intermediate place that they may like which would not be possible if they had to travel by rail. Regarding cheapness, take an example which is nearest home. A car from Kalka to Simla can easily accommodate four passengers with about two or three maunds of luggage and the total cost is not more than Rs. 12 per car, while the second class and third class single fare from Kalka to Simla is Rs. 11-3-0 and Rs. 3-6-0 each way besides Rs. 2-14-0 per maund of luggage. Thus, if a man travels with three servants and two maunds of luggage, if he comes by train, he will have to pay about Rs. 27 and the journey will not be half as comfortable, while, if he came by motor, it would cost him only Rs. 12 and he would have the whole monopoly of the car to himself. Look at the enormous difference. A private man who runs his own car for hire is its owner, driver and cooly, and he is satisfied if he makes about Rs. 2 or Rs. 3 per trip, which gives him about 12 per cent. return, with which, in these days of depression, he is well satisfied. Is it ever possible for a railway company to run it as cheaply? My friend, the Honourable Member in charge of the Bill, said that that was not the object of his Bill. If that is the position, then

why have the Bill at all ? That is why the passing of this Bill was opposed, but, with the House, as it is at present constituted, with a solid official block most of the Nominated Members being on their side, and the Opposition being divided into various parties and factions, it is hopeless to carry any legislation or Resolution against the official wish. Since, however, the passing of this Bill cannot be delayed and it has to be considered clause by clause, I have tabled the amendment which stands in my name. It only incorporates the principle of the Select Committee report in paragraph 2 (3) which says :

“ The third important decision we reached was that railway companies should not receive any differential treatment whatsoever in respect of these new services. In particular our intention is that they should not enjoy any exemptions from taxation or from licensing regulations, but should compete with private enterprise on level terms.”

Since on this point, there is no note of dissent, I take it that this principle was accepted by all the members forming the Select Committee. There was much discussion on the floor of this House only a day or two ago that the Bill should not create any sort of monopoly, or ruin the private owners or companies by any unfair competition. I am glad that the Honourable Member also assured on that point in his reply to the debate. My amendment safeguards that purpose. The stock argument that the passing of the Bill is necessary in order to safeguard the light railways against the loss which they are suffering has already been ably replied to in the speech of Mr. Aggarwal and the proposition, that in order to save loss to one concern you can ruin another, will not appeal to any fair minded business man. From a financial point of view, the utility of framing any such scheme which will help any light railway without injuring the trade of others is very doubtful. I for myself will welcome the Bill and any scheme which may be prepared under it if it increases the facility of transport consistent with cheapness. I, therefore, move this amendment for the acceptance of this House. I do not see how this House can refuse my amendment without making itself liable to the serious charge of being inconsistent, as I understand that the Government, when asking for the passing of this Bill, have accepted the recommendations of the Select Committee and my amendment is only a part of that recommendation. Sir, I move.

The Assembly then adjourned till Eleven of the Clock on Thursday, the 31st August, 1933.