

6th September, 1933

THE

# LEGISLATIVE ASSEMBLY DEBATES

(Official Report)

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Volume VI, 1933

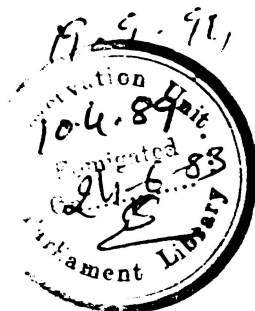
*(5th September to 14th September, 1933)*

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SIXTH SESSION

OF THE

FOURTH LEGISLATIVE ASSEMBLY,  
1933



NEW DELHI  
GOVERNMENT OF INDIA PRESS  
1934

# Legislative Assembly.

*President :*

THE HONOURABLE SIR SHANMUKHAM CHETTY, K.C.I.E.

*Deputy President :*

MR. ABDUL MATIN CHAUDHURY, M.L.A.

*Panel of Chairmen :*

MR. H. P. MODY, M.L.A.

MR. K. C. NEOGY, M.L.A.

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

SIR ABDULLA-AL-MAMUN SUHRAWARDY, KT., M.L.A.

*Secretary :*

MIAN MUHAMMAD RAFI, BAR.-AT-LAW.

*Assistant of the Secretary :*

RAI BAHADUR D. DUTT.

*Marshal :*

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

*Committee on Public Petitions :*

MR. ABDUL MATIN CHAUDHURY, M.L.A., *Chairman.*

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

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

MR. GAYA PRASAD SINGH, M.L.A.

KUNWAR HAJEE ISMAIL ALI KHAN, O.B.E., M.L.A.

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# LEGISLATIVE ASSEMBLY.

Wednesday, 6th September, 1933.

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

## QUESTIONS AND ANSWERS.

### RACIAL RESTRICTIONS AGAINST INDIANS TO BUY LAND IN KENYA.

656. \***Mr. Gaya Prasad Singh** : (a) Has the attention of Government been drawn to an article in the *Tanganyika Opinion*, dated the 3rd February, 1933, at page 5 under the heading " Sub-divisions of Plots in Highlands " ?

(b) Is it a fact that there exists in Kenya Highlands a racial restriction against Indians to buy land even for non-agricultural purposes, and that this restriction affects the Indian interests prejudicially ? What steps have Government taken in the matter ?

**Mr. G. S. Bajpai** : (a) Yes.

(b) So far as the Government of India are aware the restriction is intended to apply to agricultural land only. As the Honourable Member probably knows the matter has been referred to a Select Committee of the Kenya Legislative Council. Government have asked for a copy of the Committee's report and, after considering it, will take suitable action, if necessary.

**Mr. N. M. Joshi** : In view of the fact that Government recognise that the Kenya Government, with the approval of the British Government, impose racial discrimination and restrictions against Indians, may I ask whether they will represent to the British Government that the Government of India should have similar powers in the future constitution for imposing restrictions upon the subjects of those colonies where restrictions are imposed upon Indians ?

**Mr. G. S. Bajpai** : My Honourable friend asked a similar question the other day and I informed him that the Joint Select Committee of Parliament and His Majesty's Government are now seized of the matter.

**Mr. N. M. Joshi** : May I ask whether the Government of India have considered paragraph 122 of the White Paper ?

**Mr. G. S. Bajpai** : I am not in a position to answer whether they have considered paragraph 122 or not.

**Mr. N. M. Joshi** : May I ask whether they will consider that paragraph 122 from the point of view of the facts that have arisen out of this question ?

**Mr. G. S. Bajpai** : The Honourable Member's suggestion will be conveyed to the proper quarter, Sir.

( 1003 )

## LEASES IN KENYA NATIVE RESERVES.

**657. \*Mr. Gaya Prasad Singh :** (a) Has the attention of Government been drawn to an article in the *Tanganyika Opinion*, dated the 3rd February, 1933, at page 6 under the heading "Leases in Kenya Native Reserves" ?

(b) Is it a fact that leases of plots which have already been commercially developed by them, have been refused to Indian traders, and that in future there is a danger of that policy being more vigorously pursued ? If so, what steps have Government taken to safeguard the interests of the Indians ?

**Mr. G. S. Bajpai :** (a) and (b). Government have no information beyond what is contained in the newspaper report referred to by the Honourable Member and await the report of the Kenya Land Commission.

## DISCRIMINATION AGAINST ASIATIC STAFF IN THE TANGANYIKA RAILWAYS.

**658. \*Mr. Gaya Prasad Singh :** (a) Has the attention of Government been drawn to a leading article in the *Tanganyika Opinion*, dated the 10th February, 1933, at page 7 under the heading "Railway Methods", and also to another leading article in the *Tanganyika Opinion*, dated the 14th July, 1933, at page 8 under the heading "The Asiatic in Railways", relating to the severity with which discrimination against the Asiatic staff is practised in the Tanganyika Railways ?

(b) Will Government be pleased to state if they propose to take some steps to guarantee to the Indian staff on the Tanganyika Railways an equitable treatment as common subjects of His Majesty ?

(c) Has the attention of Government been drawn to a report in the *Tanganyika Opinion*, dated the 10th February, 1933, at page 12 under the heading "Mr. Gibb's Report on Railway Rates and Finance" ?

(d) Have Government received a copy of that report from the Colonial Office ? If so, have Government considered the recommendations made in the report and its effects on the Indian settlers in Tanganyika ? And if so, will Government be pleased to lay on the table of this House a statement showing the results of such consideration and examination, indicating how they affect the Indian settlers ?

**Mr. G. S. Bajpai :** (a) and (c). Yes.

(b) Government have made enquiries.

(d) Government have received and examined the report of Mr. Roger Gibb on railway rates and finance in Kenya, Uganda and Tanganyika Territory and propose to address the Secretary of State shortly. The Honourable Member will appreciate that while the matter is under correspondence with His Majesty's Government who are also awaiting the views of the Colonial Governments concerned, the Government of India cannot disclose the recommendations that they might make. A copy of the report has been placed in the Library.

**Mr. Lalchand Navalrai :** May I ask whether Indians are actually and, as a matter of fact, on the staff of the Tanganyika Railways ?

**Mr. G. S. Bajpai :** Yes, Sir ; Indians are on the staff of the Tanganyika Railways all right.

**Mr. Lalchand Navalrai :** Is it a large number, or only a few men have been taken ?

**Mr. G. S. Bajpai :** No, Sir. I said that the practice, so far as the railways in the whole of East Africa are concerned, for a long time, has been to recruit Indians for certain positions.

**Mr. Gaya Prasad Singh :** With regard to the answer to part (b) of my question, what is the result of the inquiries which Government say they have instituted ?

**Mr. G. S. Bajpai :** I have not yet had a reply from the Government of Tanganyika.

POSTAL UNION IN EAST AFRICA.

**659. \*Mr. Gaya Prasad Singh :** (a) Has the attention of Government been drawn to the following :

- (i) a leading article in the *Tanganyika Opinion*, dated the 17th February, 1933, at page 4 under the heading " Postal Union in Action " ;
- (ii) a leading article in the *Tanganyika Opinion*, dated the 17th March, 1933, at page 9 under the heading " Postal Union in Limelight " ;
- (iii) a leading article in the *Tanganyika Opinion*, dated the 24th March, 1933, at page 2 under the heading " Postal Union in Limelight II " ;
- (iv) a leading article in the *Tanganyika Opinion*, dated the 28th April, 1933, at page 14 under the heading " Is It Mutual Agreement " ;
- (v) a leading article in the *Tanganyika Opinion*, dated the 26th May, 1933, at page 7 under the heading " Some Aspects of Postal Union in Action " ;
- (vi) a leading article in the *Tanganyika Opinion*, dated the 26th May, 1933, at page 10 under the heading " Postal Union Notions of False Economies " ;
- (vii) a leading article in the *Tanganyika Opinion*, dated the 26th May, 1933, at page 11 under the heading " Postal Union Agreement a Hocus " ?

(b) Are Government aware that the Postal Union of East Africa has not proved an economic measure, and has been responsible for seriously undermining the status and service conditions of the Indian staff in Tanganyika and more particularly the finances of Tanganyika ?

(c) If the reply to part (b) be in the affirmative, are Government prepared to take adequate steps in the matter to safeguard the interests of the Indians ?

**Mr. G. S. Bajpai :** (a) Yes.

(b) and (c). In reply to the Honourable Member's question No. 342, I stated on the 20th February that Government's main concern is to ensure that the amalgamation of postal services does not differentially affect Indian interests, mainly as regards the employment of Indians.

They have had no evidence of this so far but the Honourable Member may rest assured that they will watch the situation carefully with a view to safeguarding Indian interests.

#### AMELIORATION OF THE CONDITION OF INDIAN EDUCATION IN BRITISH GUIANA.

660. \*Mr. Gaya Prasad Singh : (a) Has the attention of Government been drawn to a report published in the *Tanganyika Opinion*, dated the 10th March, 1933, at page 2 under the heading "Indians in British Guiana" ?

(b) Will Government be pleased to state what steps have been taken to ameliorate the condition of Indian education in that colony ?

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

(b) The question of educational reform in British Guiana was comprehensively reviewed by the British Guiana Commission who made important recommendations in the matter. The Government of India are not aware what action has been taken in regard to those recommendations but are making inquiries.

#### SAFEGUARDING THE LEGITIMATE INTERESTS OF INDIANS IN FIJI.

661. \*Mr. Gaya Prasad Singh : (a) Has the attention of Government been drawn to the news items published in the *Tanganyika Opinion*, dated the 26th May, 1933, at page 13 under the heading "Indians in Fiji", and dated the 14th July, 1933, at page 3 under the heading "Fiji M. L. C. Resigns His Seat", relating to the serious state of affairs in Fiji about the status of Indians in that colony ?

(b) Will Government be pleased to state what steps have they so far taken to assist the Indian community of that colony to safeguard their legitimate interests ?

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

(b) I have nothing to add to the Government of India, Department of Education, Health and Lands Resolution, dated the 12th January, 1927, and to the reply given to part (e) of the Honourable Member's question No. 634 on the 22nd September, 1931, and the connected supplementaries.

#### MAIZE POOL SCHEME IN KENYA.

662. \*Mr. Gaya Prasad Singh : (a) Has the attention of Government been drawn to an article published in the *Tanganyika Opinion*, dated the 16th June, 1933, at page 2 under the heading "Kenya Maize Pool Scheme" ?

(b) Are Government aware of the resolutions of the Federation of Indian Chambers of Commerce and Industry on the subject of the Maize Pool Scheme in Kenya and its dangers to the Indian interest ?

(c) What steps do Government propose to take in the matter to afford protection to the Indian interests in that colony ?

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

(b) Government have seen the resolutions.

(c) It is understood that the Maize Pool Scheme which was put forward by the Kenya Farmers' Association was referred to a Sub-Committee of the Board of Agriculture. The Sub-Committee has agreed that it cannot recommend the scheme.

AGITATION OF THE WHITE SETTLERS IN KENYA AGAINST INCOME-TAX.

663. \*Mr. Gaya Prasad Singh : (a) Has the attention of Government been drawn to the leading article in the *Tanganyika Opinion*, dated the 23rd June, 1933, at page 2 under the heading "No More Income-tax." ?

(b) Are Government aware that the East African Indian community will be hard hit by the decision of the Secretary of State for Colonies to withdraw the income-tax proposals on account of the agitation of the white settlers in Kenya against income-tax ?

(c) Do Government propose to consider the question of making representations to the Imperial Government against the decision referred to above ?

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

(b) and (c). The scheme of taxation alternative to the income-tax was recommended by a Committee on which the Indian community had two representatives. It was agreed to by the Indian members, subject to a reservation by one of them in regard to the graduated male non-native poll-tax. The Secretary of State for the Colonies has suggested for consideration that the existing rate of this tax, which is 30s. per annum, should remain unaltered for persons with yearly incomes not exceeding £100, and this is designed to meet the objection of the Indian representative, referred to, that a minimum rate of 40s., which increases the present poll-tax by one-third, will bear harshly on the poorer Indians. Since these proposals were published in Kenya, the Government of India have received no representations against them and have no reason, therefore, to suppose that their help is required.

AMELIORATION OF THE CONDITION OF INDIANS IN THE LAKE PROVINCE IN TANGANYIKA.

664. \*Mr. Gaya Prasad Singh : (a) Has the attention of Government been drawn to a leading article in the *Tanganyika Opinion*, dated the 7th July, 1933, at page 6 under the heading "Misfortunes of the Lake Province" ?

(b) Are Government aware of the great amount of Indian interest in jeopardy in the Lake Province of the Tanganyika Territory, as a result of the Marketing (Amendment) Ordinance, 1932, of the Government of Tanganyika ?

(c) Do Government propose to consider the question of making necessary representations to the proper authorities for the amelioration of the Indian condition in that Province ?

Mr. G. S. Bajpai : (a), (b) and (c). Government have seen the article referred to by the Honourable Member. They have not received any representation on the subject from the Indian community in Tanganyika but are making inquiries as to what the exact position is.

**Mr. Gaya Prasad Singh :** Am I to understand that the result of that inquiry will be communicated to the House ?

**Mr. G. S. Bajpai :** It depends upon the importance of the result.

**DEMAND OF WHITE SETTLERS FOR THE CONTROL OVER THE FINANCES OF KENYA.**

**665. \*Mr. Gaya Prasad Singh :** (a) Has the attention of Government been drawn :

- (i) to an article in the *Tanganyika Opinion*, dated the 28th July, 1933, at page 2 under the heading " Kenya Plunged into Political Controversies " ;
- (ii) to a leading article in the *Tanganyika Opinion*, dated the 28th July, 1933, at page 3 under the heading " Kenya Politics " ;
- (iii) to an article in the *Tanganyika Opinion*, dated the 28th July, 1933, at page 8 under the heading " Writing on the Wall—A Call to Tanganyika " ?

(b) Are Government aware of the text of the resolutions of the Executive Committee of the East African Indian National Congress as a sequel to the white settlers' demand for control over the finance of the Kenya colony, and of the unanimous opinion of the Indian press of Kenya opposing the demands of the Kenya whites ?

(c) Will Government be pleased to state what steps, if any, have been taken in the matter ?

**Mr. G. S. Bajpai :** (a) and (b). Yes.

(c) The attention of the Honourable Member is invited to the Press Note on the subject issued on the 11th August, 1933.

**CONSTRUCTION OF A BRIDGE ON A CANAL BETWEEN MOGHALPURA AND LAHORE ON THE NORTH WESTERN RAILWAY.**

**666. \*Mr. Gaya Prasad Singh** (on behalf of Sardar Sant Singh) : Is it a fact that a bridge is being constructed on a canal on the North Western Railway line, between Moghalpura and Lahore station ? If so, will Government be pleased to furnish detailed information about the bridge on the following points :

- (i) width of the canal, (ii) date when the work was started, (iii) estimated cost, (iv) cost actually incurred, (v) date when the bridge is likely to be completed ?

**Mr. P. B. Rau :** The bridge in question is called the Bari Doab Canal bridge :

- (i) The width of the canal is 47 ft. but the Railway crosses it at an angle and so the length of the bridge is very much greater than the width of the canal.
- (ii) The work was started in March, 1933.
- (iii) The estimated cost is Rs. 1,55,000.
- (iv) The expenditure incurred to date is about Rs. 1,65,000 but credits amounting to about Rs. 40,000 will accrue on completion of the work.

(v) The bridge is expected to be completed within a month from now.

**Mr. Lalchand Navalrai :** May I know if new constructions are undertaken by the Railways nowadays ?

**Mr. P. B. Rau :** That hardly arises out of this question, but I can assure my Honourable friend that the question of new constructions is being carefully considered by Government as was explained in the Budget speech of the Honourable Member for Railways.

**Mr. Lalchand Navalrai :** With regard to this bridge, may I know whether it is a new construction or only repairs to an old bridge ?

**Mr. P. B. Rau :** I should like to have notice of that question.

**Mr. B. V. Jadhav :** In consideration of the fact that the rates of labour and material have fallen down, why should there be an excess over the estimates ?

**Mr. P. B. Rau :** The estimate was not exceeded, Sir.

**Mr. Gaya Prasad Singh :** The Honourable Member answered the question, but does he not know whether it is a new bridge or an old bridge that is being repaired ?

**Mr. P. B. Rau :** I have answered all the questions put on the paper. This was not on the paper and I am not aware as to what is happening on the North Western Railway.

**Mr. Gaya Prasad Singh :** My question is whether this bridge, of which mention is made in this question, is a new bridge or an old bridge which is repaired ?

**Mr. P. B. Rau :** If the Honourable Member will put down a question, I shall be glad to give him a reply.

**Mr. Lalchand Navalrai :** Does the Honourable Member get only half replies to these questions from the Agents of the Railways ?

**Mr. P. B. Rau :** I get full replies to all questions that are put down on the paper.

**Mr. Lalchand Navalrai :** There is a difference of opinion on that. But when the Honourable Member got information about the construction of this bridge, was he not informed whether it is a new bridge or an old bridge which is being repaired ?

**Mr. P. B. Rau :** I may point out that it is not a question of difference of opinion, but a question of fact. I have replied to every question that has been put on the paper.

**Mr. Gaya Prasad Singh :** The question was, if it is a fact that a bridge is being constructed on a canal on the North Western Railway line, between Moghalpura and Lahore station ?

**Mr. P. B. Rau :** And the answer is in the affirmative.

**Mr. Gaya Prasad Singh :** And the supplementary question was whether it is a new bridge which is being constructed or an old bridge which is being repaired.

**Mr. P. B. Rau :** For that I shall have to consult the North Western Railway and if my Honourable friend desires to have the information, he should put down a question on the paper.

**Mr. Lalchand Navalrai :** Does not the Honourable Member think that if it was an old bridge, which is being repaired, they would not have used the word "constructed", but they would have said "repaired"? In view of that, does not the Honourable Member think that this is a new construction?

**Mr. P. R. Ran :** That is a question of difference of opinion about the meaning of the word "constructed".

**THREE DECIPHERABLE CURRENCY NOTES OF THE LAHORE CIRCLE.**

667. **\*Mr. Gaya Prasad Singh** (on behalf of Sardar Sant Singh) :

(a) Are Government aware that three notes of hundred rupees each of Lahore Circle (Currency Office) were sent to the Lahore Office by Messrs. Khushiram Behari Lal through the Allahabad Bank, Limited, Lyallpur Branch, for being cashed? If so, with what result?

(b) Is it not a fact that the said notes were cut into two halves each by a cutting machine and when joined together numbers and letters were easily decipherable? If so, why do Government regard such notes as unidentifiable?

(c) Will Government be pleased to lay the rules on the table?

(d) Has the said firm of Messrs. Khushi Ram Behari Lal served Government with a notice of their claim, as prescribed by Section 80, C. P. C.? If so, have Government consulted their legal advisers? If so, with what result?

(e) Are Government aware that such acts of avoiding payment of these notes on technical grounds go to affect the credit of Government in the commercial world?

**The Honourable Sir George Schuster :** (a), (b) and (d). Government have no information regarding the case to which the Honourable Member refers.

(c) The Honourable Member will find a copy of the rules in the Library of this House.

(e) No.

**MANAGEMENT OF THE HINDU REFRESHMENT ROOM AT LAHORE RAILWAY STATION.**

668. **\*Mr. Gaya Prasad Singh** (on behalf of Sardar Sant Singh) :

(a) Will Government be pleased to state since how long the Hindu Refreshment room at Lahore Railway station has been in existence?

(b) Who has been running the Hindu Refreshment room at Lahore Railway station during the last ten years?

(c) Who has been given the contract now and since when?

**Mr. P. R. Ran :** (a) About 30 years.

(b) S. Tara Singh, prior to December, 1925, and S. Prabh Singh from December, 1925 to 31st July, 1933.

(c) Mehta Bishan Dass from 1st August, 1933.

**Mr. Lalchand Navalrai :** May I know from the Honourable Member if he is prepared to advise the Agent to consult the advisory committee



when giving these contracts for refreshments ? Does it arise out of this question or not ?

**Mr. P. R. Rau :** Is that question addressed to me or to the President ?

**Mr. Lalchand Navalrai :** It is addressed to the Honourable Member.

**Mr. P. R. Rau :** May I know what is the question ?

**Mr. Lalchand Navalrai :** I hope my voice is loud enough to be heard even perhaps outside the House. Will the Honourable Member be pleased to advise the Agent that in giving contracts of this nature the advisory committee of the railway should be consulted ?

**Mr. P. R. Rau :** No. These are purely executive matters.

**Mr. Lalchand Navalrai :** I cannot understand the reply : whether it is an executive matter or any other, we are entitled to know from the Honourable Member whether he is going to give advice or not. I want an answer in a cool manner without putting on any air.

**Mr. P. R. Rau :** I have already given an answer to the Honourable Member. I said this was a purely executive matter and not the function of the advisory committee.

**Mr. Lalchand Navalrai :** Will the Honourable Member please tell me what are the duties of an advisory committee ?

**Mr. P. R. Rau :** I think the duties of the advisory committee are contained in a publication which is in the Library of the House.

**Mr. Lalchand Navalrai :** May I know whether the Honourable Member does not know them ?

**Mr. P. R. Rau :** They are rather long and I cannot burden my memory with the whole list of their duties.

**Mr. Lalchand Navalrai :** Yet, the Honourable Member says that this is not the business of the advisory committee : may I know from the Honourable Member if that is correct ?

**Mr. P. R. Rau :** I am really afraid I cannot understand my Honourable friend's question.

**Mr. Lalchand Navalrai :** I think I have made it very plain : I have asked whether the Honourable Member, without knowing the rules, knows that this is not a matter for the advisory committee ?

**Mr. President** (The Honourable Sir Shanmukham Chetty) : Order, order. Question time ought to be utilised for eliciting information from Government and not to subject Members of Government to cross-examination.

**Mr. Lalchand Navalrai :** With all deference to your ruling, I submit that when questions are being answered in a manner which is absolutely not satisfactory, I think the only way of getting a reply is by cross-examination.

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

## MANAGEMENT OF THE HINDU REFRESHMENT ROOM AT LAHORE RAILWAY STATION.

669. \***Mr. Gaya Prasad Singh** (on behalf of **Sardar Sant Singh**) :

(a) Are Government aware that the Sikhs have religious scruples in taking meat other than Jhatka ?

(b) If the reply to part (a) above be in the affirmative, are Government aware that Jhatka meat is sold at higher rates than the other kinds of meats ?

(c) Is it a fact that a Hindu has been given the management of the Hindu refreshment room at Lahore Railway station ?

(d) Are Government aware that strong representations have been made by the whole Sikh community, as well as Sikh press, against granting the management of the Hindu Refreshment room at Lahore Railway station to a Hindu on the ground that the Sikhs cannot be certain of the kind of meat prepared therein ?

(e) Has the attention of Government been drawn to the resolution passed by S. G. P. C., the Chief Khalsa Diwan and a number of other Sikh institutions on this subject ?

(f) Is it a fact that a deputation waited upon the Agent, North Western Railway, on behalf of the Sikh Central Youth League, Lahore ? If so, will Government be pleased to state what representations were made by the members of the deputation and what was the reply given to their representation ?

(g) Is it a fact that retired military officers have expressed their resentment at the action of Government in granting the management of the refreshment room to a Hindu ? If so, do Government propose to consider the question of remedying the evil thus done ?

**Mr. P. B. Rau** : (a) Yes.

(b) I understand that no change has been made in the tariff rates with the change of contractors.

(c) Yes. The Agent, North Western Railway, reports that the previous Sikh Contractor had been warned several times for unsatisfactory work and as there was no improvement he was constrained to withdraw his licence.

(d) and (e). Certain representations were made to the North Western Railway Administration regarding the termination of the previous contract. The matter was discussed by the Chief Commercial Manager with certain leading Sikhs of Lahore and Amritsar, and the subject was discussed informally also at a meeting of the Lahore Advisory Committee. It was decided that wherever practicable Hindu Refreshment Room Contractors would purvey Jhatka meat only, as such meat was said to be acceptable to others using the Hindu Refreshment Rooms. Instructions to this effect have been issued and no complaints have since been received.

(f) No deputation was received by the Agent ; the matter was discussed as stated in parts (d) and (e) of my reply.

(g) Certain retired Sikh officers had made a representation. Government do not consider that any necessity has arisen for their intervention in this matter.

**Mr. Gaya Prasad Singh :** May I know if a change in the tariff rates had been made, the local advisory committee would have been consulted ?

**Mr. P. R. Rau :** I understand that no change has been made.

**Mr. Lalchand Navalrai :** Will they be consulted if there is a change ?

**Mr. P. R. Rau :** That is a hypothetical question, Sir.

MEMORIAL SUBMITTED BY ASSISTANT WAY INSPECTORS, NORTH WESTERN RAILWAY, FOR MODIFICATION IN THEIR CONDITION OF SERVICE.

670. **\*Mr. Gaya Prasad Singh** (on behalf of Sardar Sant Singh) :

(a) Is it a fact that a memorial was recently submitted by Assistant Way Inspectors, grade I, asking for certain modification in their conditions of service ? If so, what action has been taken in the matter ?

(b) Are Government aware of the training given in T-10 course to Assistant Way Inspectors, grade I, equivalent to that given to the Apprentice Permanent Way Inspectors in the same school ? If so, is it a fact that preferential treatment is given to the latter, over-ruling the seniority, experience, and the qualifications attained by the former ? If so, why ?

(c) Are the Assistant Way Inspectors, grade I, after qualifying themselves in T-10 course, considered fit to hold charge as Permanent Way Inspectors ? If so, how many such men are available on the North Western Railway ?

(d) Is a sufficient number of such class of men who have passed the course of T-10 available, and if so, will Government be pleased to state what is the necessity of incurring a lot of expenditure in recruiting inexperienced outsiders ?

(e) During the period of the last five years how many Assistant Way Inspectors, grade I, and grade II, i.e., Apprentice Permanent Way Inspectors, were promoted and confirmed as Permanent Way Inspectors respectively ? What is the percentage of each class ?

(f) Is it a fact that a number of Assistant Way Inspectors, grade I, without passing the Walton Training School have been promoted to Permanent Way Inspectors' post ? If so, why are the Assistant Way Inspectors, grade I, after qualifying themselves again in the school left behind the Apprentice Permanent Way Inspectors ? Is it a fact that a smaller percentage is fixed for Assistant Way Inspectors, grade I, for promotion to Permanent Way Inspectors' job ?

(g) Is the pay of the Assistant Way Inspector, grade I, Rs. 60—2—90—2½—110 and of grade II, i.e., Apprentice Permanent Way Inspectors Rs. 65, 80, 95, 125 plus 5 to 155 ? If so, why is such a big difference in pay being maintained ?

**Mr. P. R. Rau :** No memorial has been received by the Railway Board. The matter seems to be within the competence of the Agent, North Western Railway, to deal with ; and I am sending a copy of this question to him for any action that he may consider necessary.

**Mr. Lalchand Navalrai :** Does the Honourable Member get any replies to the questions that are sent to the Agent ?

**Mr. P. B. Rau :** Not unless a reply is asked for.

**Mr. Lalchand Navalrai :** Does the Honourable Member generally ask for a reply ?

**Mr. P. B. Rau :** No ; if the question is within the competence of the Agent to decide, I do not ask for a reply.

**COMMUNAL COMPOSITION OF THE CLERICAL STAFF IN THE MILITARY GRASS AND DAIRY FARMS.**

671. **\*Mr. Gaya Prasad Singh** (on behalf of Sardar Sant Singh) : Will Government please state the total clerical strength of the Military Grass and Dairy Farms, and the number of Sikhs in each as compared to Muslims and Hindus ?

**Mr. G. R. F. Tottenham :** I place on the table a statement giving the information desired by the Honourable Member.

*Statement showing the Communal Composition of the Clerical Staff in the Military Grass and Dairy Farms.*

	Sanctioned estab- lishment.	Actual.				Total
		Hindus.	Muslims	Sikhs.	Others.	
<b>Military Dairy Farms—</b>						
Clerks .. ..	93	76	10	5	2	93
<b>Military Grass Farms—</b>						
Clerks .. ..	116	77	30	4	5	116
<b>Total ..</b>	<b>209</b>	<b>153</b>	<b>40</b>	<b>9</b>	<b>7</b>	<b>209</b>

**EXAMINATION FOR RECRUITMENT OF AUDITORS IN THE SUBORDINATE RAILWAY AUDIT SERVICE AND CLERKS IN THE OFFICES OF THE CHIEF AUDITORS AND STATE RAILWAYS.**

672. **\*Mr. Gaya Prasad Singh** (on behalf of Sardar Sant Singh) :  
(a) Is it a fact that an All-India competitive examination was held by the Director of Railway Audit in February, 1930, for recruitment of Auditors in the Subordinate Railway Audit Service and of clerks in the offices of the Chief Auditors and State Railways ?

(b) Is it a fact that successful candidates were given jobs as Auditors and clerks ?

(c) Is it a fact that in the office of the Chief Auditor, North Western Railway, three of the successful candidates were posted as Auditors and three as clerks ?

(d) Is it a fact that these successful candidates were exempted from appearing in Part I examination and were to qualify themselves by appearing in Part II examination ?

(e) Is it a fact that when retrenchment was carried out two of the clerks thus appointed were brought under reduction ? If so, is it due to the orders of the Government of India to the effect that retrenchment should be carried on according to the length of service ? Was no distinction made on account of the qualifications of the persons retrenched ? Is it a fact that in future recruitment, the Railway Board had issued a circular that the retrenched men should be provided first ? If so, is it a fact that in March, 1933, four supernumeraries were created in North Western Railway and one in the Attached office ? If so, is it also a fact that one of these posts has been given to an outsider ? If so, why ?

(f) Do Government propose to issue instructions to the Chief Auditor, North Western Railway, to make further recruitment from amongst the retrenched hands, according to their departmental qualifications and seniority ?

**The Honourable Sir George Schuster :** The information has been called for and will be laid on the table in due course.

#### RETRENCHMENT OF INDIANS EMPLOYED IN THE OFFICE OF THE HIGH COMMISSIONER FOR INDIA.

673. **\*Mr. S. C. Mitra** (on behalf of Mr. Bhuput Sing) : (a) Will Government be pleased to state the number of the Indians employed in the office of the High Commissioner for India in London ?

(b) Will Government be pleased to state whether a retrenchment committee was appointed in London to recommend retrenchment in the office of the High Commissioner for India in London ?

(c) If so, when was it appointed and by whom was it appointed ?

(d) Will Government be pleased to state the number of members appointed on the said committee and the number of Indians and Europeans separately appointed as members of the said committee ?

(e) Will Government be pleased to state how many I. C. S. and other Indian Imperial Service men retired or otherwise were appointed as members of the said committee ?

(f) Will Government be pleased to state the total number of men showing separately the number of officers and other subordinate staff working at present in the High Commissioner's office and their respective numbers before the said retrenchment committee was appointed ?

(g) Will Government be pleased to state separately the number of Indians employed as officers and other subordinate staff in the office of the High Commissioner's office before the retrenchment ?

(h) Will Government be pleased to state separately the number of Indians employed as officers and other subordinate staff in the High Commissioner's office after the retrenchment ?

(i) Will Government be pleased to state separately the number of Indians, officers and other subordinate staff, who have been retrenched by the retrenchment committee ?

**The Honourable Sir Joseph Bhore :** Information is being collected and will be furnished to the House in due course.

**EMPLOYMENT OF INDIANS IN THE OFFICE OF THE HIGH COMMISSIONER FOR INDIA.**

674. \***Mr. S. C. Mitra** (on behalf of Mr. Bhuput Sing) : (a) Will Government be pleased to state separately the number of Indians now unemployed in London and all other places of the United Kingdom taken together ?

(b) Is it a fact that out of a total number of 350 officers and subordinate staff employed in the High Commissioner's office before the last retrenchment, there were only 13 Indians employed in that office ?

(c) Is it a fact that out of the 13 Indians so employed, nine were retrenched as a result of recommendation of the last retrenchment committee appointed for the office of the High Commissioner for India in London ?

(d) Do Government propose to reserve all the posts in the High Commissioner's office for employment of Indians ?

(e) If not, will they be pleased to state the reasons ?

(f) Are Government aware that a large number of Indians well qualified in all branches of Engineering and other technical qualifications required for holding the posts of officers and possessing other subordinate ranks in the office of the High Commissioner for India in London, are always available there ? If not, have they ever enquired into the matter ? If not, why not ?

(g) Will Government be pleased to state whether the posts of officers, when vacant, are advertised by the High Commissioner's office before being filled up ? If not, why not ?

(h) Do Government propose to do so in future ? If not, why not ?

**The Honourable Sir Joseph Bhore :** The information is being collected as far as is possible and when complete will be laid on the table.

**IMPORT OF COPPER SULPHATE INTO BRITISH INDIA.**

675. \***Dr. F. X. DeSouza :** (a) Will Government be pleased to state (i) what quantities of copper sulphate were imported into British India during the last three years ; and (ii) what is the scale of customs duty levied on copper sulphate ?

(b) Are Government aware that 90 per cent. of the imported copper sulphate is used as a germicide for making up spraying mixtures and for other agricultural purposes ? If so, are Government prepared to see their way to remit the customs duty on copper sulphate used for agricultural purposes ?

**The Honourable Sir Joseph Bhore :**

			Cwts.
(a) (i)	1930-31	.. ..	.. 18,110
	1931-32	.. ..	.. 17,648
	1932-33	.. ..	.. 22,739
(ii)	Standard	Preferential.	
	U. K. Colonies.		
	30 p.c.	20 p.c.	20 p.c.
	Ad val.	Ad val.	Ad val.

(b) Government are aware that imported copper sulphate is used for spraying purposes but they have no information as to the exact proportion of the imports so used. Representations urging the remission of the duty on copper sulphate have been received by Government, and they are receiving consideration.

**Dr. F. X. DeSouza :** If the facts are, as stated in the question, namely, 90 per cent. of the imported stuff is being used for agricultural purposes, and only 10 per cent. for industrial purposes, are Government in a position to state whether they will remit this customs duty on imported copper sulphate ?

**The Honourable Sir Joseph Bhore :** I think if my Honourable friend had listened to the concluding portion of my reply, it would have been unnecessary for him to put me this question : I said that representations had been received and were under the consideration of Government.

**Dr. F. X. DeSouza :** I did listen carefully to the last part of the Honourable Member's answer : but I put a hypothetical case : if the facts stated by me are true, will Government remit the customs duty ?

**The Honourable Sir Joseph Bhore :** On his own admission, my Honourable friend has put me a hypothetical question and I must decline to answer it.

**Dr. F. X. DeSouza :** Are Government aware that according to the report of the Director of Agriculture in Mysore, the use of copper sulphate is highly beneficial to agriculture, and that in many cases it raises the profit of agriculture by as much as Rs. 50 per acre ?

**The Honourable Sir Joseph Bhore :** I am not aware of the report my Honourable friend refers to : but I have no reason to doubt that what is stated there is correct.

**Dr. F. X. DeSouza :** If that is so, will Government not take steps to remit this taxation considering it is a heavy duty against agriculture ?

**The Honourable Sir Joseph Bhore :** I really cannot waste the time of the House further. I can only repeat what I have already said, that the matter is under consideration.

**Mr. F. E. James :** May I ask two supplementary questions ? The first is, are Government aware that copper sulphate is imported into other coffee-producing countries free of customs duty ? Secondly, in view of the fact that this matter has been before the Imperial Council of Agricultural Research for more than a year, will Government be pleased to expedite the consideration of the application made ?

**The Honourable Sir Joseph Bhore :** It is a little difficult to answer two questions at the same time. As regards the first part of my Honourable friend's question, I am grateful for the information conveyed. As regards the second, I am afraid I am not responsible for the operations of the Imperial Council of Agricultural Research ; but I shall pass on my Honourable friend's question to the authorities concerned.

#### IMPORT OF RUBBER HOSE INTO BRITISH INDIA.

676. **\*Dr. F. X. DeSouza :** (a) Will Government be pleased to state :

(i) what quantities of rubber hose were imported into British India during the last three years ; and

(ii) what is the customs duty levied thereon ?

(b) Are Government aware that about 80 per cent. of the imported article is used for spraying machines? If so, are Government prepared to consider the question of exempting this from customs duty?

**The Honourable Sir Joseph Bhore :** (a) (i) Imports of rubber hose are not separately recorded in the Trade Accounts.

(ii) Ordinarily rubber hose is assessable to duty at 20 per cent. (preferential) and 30 per cent. (standard) *ad valorem* as manufactures of rubber not otherwise specified. When, however, it has been given some special shape or quality peculiar to its use as a component part of machinery, it is assessable at 10 per cent. *ad valorem*. If of canvas impregnated with rubber, it is assessable at 25 per cent. *ad valorem*.

(b) Government have no information as to the extent to which hose for spraying machines figures in the total imports. It is understood, however, that a large proportion of spraying machines are used for non-agricultural purposes. The latter part of the question does not arise.

**Dr. F. K. DeSouza :** Will Government inquire and find out what proportion of rubber hose which is imported is used for agricultural purposes as parts of Spraying Machinery?

**The Honourable Sir Joseph Bhore :** I am afraid, Sir, it would be almost impossible to get accurate information on that point.

**Mr. F. E. James :** Arising out of that answer, would it not be possible for the new organization in regard to Statistical Research to obtain some figures from the agricultural interests concerned as to the amount, for example, of copper sulphate used for agricultural purposes and the amount of rubber hose used for agricultural purposes? If he cannot give an answer, I would suggest to the Honourable Member in charge that he should obtain this information from the interests concerned.

**The Honourable Sir Joseph Bhore :** I cannot say straight off whether it is possible to get information along the lines suggested by my friend, but I will certainly pass on the suggestion that he has made to the proper quarters.

#### FREIGHT ON MANURES AND FERTILISERS ON THE MADRAS AND SOUTHERN MAHRATTA AND SOUTH INDIAN RAILWAYS.

677. **\*Dr. F. X. DeSouza :** (a) Will Government be pleased to state what is the scale of railway freight per ton charged on manures and fertilisers on the Madras and Southern Mahratta and South Indian Railways?

(b) What is the freight charged on lime?

(c) Are Government aware that a considerable proportion of lime transported by railway is used for manurial purposes? If so, are Government prepared to direct the Railway authorities in the matter of assessing the freight to accept the certificate of firms of repute that a particular consignment of lime is intended to be used as a manure?

**Mr. P. R. Rau :** (a) and (b). I lay a statement on the table giving the required information.



(c) Government have no information as to the first part of the question, but I am sending a copy of the question to the Railway Administrations concerned so that the suggestion may be examined.

*Statement showing the freight charged on Manures, etc., on certain Railways.*

(a) On the Madras and Southern Mahratta and South Indian Railways manure is charged at the C/FF Schedule rate, i.e., at a flat rate of  $\frac{1}{6}$  pie per maund per mile.

(b) Lime is charged on the Madras and Southern Mahratta and South Indian Railways at the following rates :

*Madras and Southern Mahratta Railway.*—At the C/M Schedule, viz. :

Miles.	Pie per maund per mile.
1—75 .. .. .	·380
76—300 .. .. .	·200
301 & over .. .. .	·100

Various station-to-station rates are also quoted for this commodity in local booking.  
*South Indian Railway* :—

(i) When declared that the commodity is for manurial purposes for inland use only .....  $\frac{1}{6}$  pie per maund per mile.

(ii) When used for other than manurial purposes—At C/N Schedule, i.e. :

Miles.	Pie per maund per mile.
1—75 .. .. .	·333
76—150 .. .. .	·200
151—300 .. .. .	·170
301—400 .. .. .	·125
401 & over .. .. .	·100

**REPRESENTATION OF THE TRAVELLING PUBLIC AT THE RAIL-ROAD CONFERENCE HELD AT SIMLA.**

678. **\*Mr. Rahimtoola M. Chinoy :** (a) Will Government be pleased to state whether any delegate to represent the views of the travelling public was invited to the Road-Rail Conference held at Simla in April, 1933 ? If not, why not ?

(b) Are Government aware of the existence, in Bombay, of an organisation called the Passengers' and Traffic Relief Association which has been working for about 18 years past in the interests of the travelling public ?

(c) Will Government be pleased to state whether it is a fact that this organisation requested Government for its representation at the Conference to enable it to place the point of view of the travelling public before the Conference ?

(d) If the answer to part (c) be in the affirmative, will Government be pleased to state the reasons why such representation was not accorded to such an old institution ?

- (e) Will Government be pleased to state what action, if any,  
 (i) they have taken so far,  
 (ii) they propose to take,

to give effect to the resolutions adopted at the Road-Rail Conference held in Simla in April, 1933 ?

**The Honourable Sir Frank Noyce :** (a) No delegate to represent the views of the travelling public was invited to the Road-Rail Conference. Government did not overlook the importance of the interests of the travelling public but did not find it possible to arrange for direct representation of those interests as they did not appear to be as yet sufficiently organised while such organisations as existed appeared to be upon a provincial or even more local basis. It is, I think, clear that there would have been great difficulty in selecting a delegate who would be fully representative of those interests for the purpose of a Conference of this nature. I would, however, point out that it was and is open to such interests to represent their views to Local Governments and that any representations they may make will be given the fullest consideration.

(b) and (c). The replies are in the affirmative.

(d) The reasons are given in the reply to part (a) of the question.

(e) Local Governments have been addressed in respect of the action to be taken on Resolutions Nos. 1—4 and 6 and 7, while Resolutions Nos. 5 and 8 are still under consideration by the Government of India.

**Mr. Lalchand Navalrai :** May I know, Sir, whether this Passengers' and Traffic Relief Association was consulted in these matters as a matter of course ?

**The Honourable Sir Frank Noyce :** No, Sir.

**Mr. Lalchand Navalrai :** Do the Government admit that this Association is in existence to look after the convenience of the travelling public and that they represent the views of the public ? Why are they not consulted then ?

**The Honourable Sir Frank Noyce :** I have explained in my reply that it is open to this Association to represent their views to the Local Governments, and those views will be given the fullest consideration.

**Mr. Lalchand Navalrai :** I was merely asking, why were they not consulted on this question beforehand ?

**The Honourable Sir Frank Noyce :** There seemed no necessity for such previous consultation in matters of this kind.

**Mr. Lalchand Navalrai :** What are the reasons for saying that there is no necessity ? The point is that this Association is in existence to look to the convenience of the passengers, and the Association knows the actual wants and difficulties of the travelling public, and, if it is consulted beforehand, I don't think there will be any harm done to any one.

**The Honourable Sir Frank Noyce :** I would point out to the Honourable Member that, in any case, the Conference is now over, and also that it was concerned with a specific issue, the competition of motors transport with railways. I am not very certain how the Passengers' and Traffic Relief Association would be in a position to offer any opinion of real value on that particular issue. On the question of railway amenities, I

admit that it might be desirable that they should be consulted, but that was not the issue with which the Conference was concerned.

**Mr. N. M. Joshi :** May I know, Sir, whether the passengers will not be affected in any way by the decisions of the Rail-Road Conference ?

**The Honourable Sir Frank Noyce :** That is obviously so, but in a very indirect manner.

**Mr. Gaya Prasad Singh :** Is this the only Association of its kind in this country ?

**The Honourable Sir Frank Noyce :** No, Sir ; I believe there is one in Madras and one in Sangli.

**Mr. M. Maswood Ahmad :** Question No. 679 has already been answered on a short notice question, Sir, and so I shall not put it.

REDUCTION IN THE INCOME OF THE COMMISSIONERS FOR THE PORT OF CALCUTTA.

680. **\*Mr. Nabakumar Sing Dudhoria :** Will Government be pleased to state :

- (a) whether there has been recently an appreciable reduction in the income of the Commissioners for the Port of Calcutta due to decline of trade and other causes ;
- (b) whether the work of the Port Trust has not thereby decreased appreciably ;
- (c) if the reply to part (b) be in the affirmative, whether Government contemplate retrenchment in the Port Trust Office by discharging some officials who draw high salaries ;
- (d) if so, the names of such officials together with their designations and monthly salaries ;
- (e) the total income that the Port Trust of Calcutta earned during 1929-30, 1930-31 and 1931-32 ?

**The Honourable Sir Joseph Bhore :** Information is being called for and a complete reply will be laid on the table in due course.

AMOUNT SPENT BY THE CALCUTTA PORT TRUST ON THE PURCHASE OF MATERIALS IN INDIA.

681. **\*Mr. Nabakumar Sing Dudhoria :** Will Government be pleased to state :

- (a) the amounts (to be shown year by year) that the Calcutta Port Trust has expended on the purchase of materials in India during 1929-30, 1930-31 and 1931-32 ;
- (b) the amounts that the Calcutta Port Trust has disbursed for payment to Messrs. Bird and Company, Calcutta, under the head 'Supply of Labour' during 1929-30, 1930-31 and 1931-32 ;
- (c) who were the chairman and the secretary, respectively, of the Port Commissioners when the labour contract was first given to Messrs. Bird and Company ?

**The Honourable Sir Joseph Bhore :** (a) The Honourable Member is presumably referring to the purchase of stores by the Calcutta Port Trust. If so, the figures are approximately as follows :

			Rs.
1929-30	..	..	34.46 lakhs.
1930-31		..	25.75 lakhs.
1931-32	..	..	15.80 lakhs.

These are exclusive of the value of stores and equipment purchased by the Engineering Department of the Port Trust, of which the figures are not available.

(b) The attention of the Honourable Member is invited to the reply given by me on the 1st September, 1933, to Mr. Gaya Prasad Singh's starred question No. 375.

(c) The information asked for is being obtained and will, when received, be laid on the table.

#### TECHNICAL APPRENTICES IN THE CALCUTTA PORT TRUST WORKSHOPS.

**682. \*Mr. Nabakumar Sing Dudhuria :** Will Government be pleased to state :

- (a) the number of technical apprentices that the Calcutta Port Trust had in their Workshops in 1929-30, 1930-31, 1931-32 and 1932-33 ;
- (b) how many of such apprentices were (i) Indians, (ii) Anglo-Indians, (iii) Europeans ;
- (c) how many of the apprentices were taken from outside the Technical Institutions or the Engineering Colleges meant specially for specialised training ;
- (d) whether every facility and assistance was afforded to those apprentices to learn their work ;
- (e) whether the different departmental Heads have from time to time supervised the work of these technical apprentices and tested their practical knowledge ;
- (f) if so, the names of departmental Heads and the names of apprentices whose work was so supervised and knowledge tested ;
- (g) whether any of those technical students from outside has been absorbed in the service of the Port Trust ;
- (h) whether it is a fact that some non-Indian hands retrenched in one department have been appointed in another, either temporarily or permanently ?

**The Honourable Sir Joseph Bhore :** The information asked for is being obtained and will, when received, be laid on the table.

#### MEERUT CONSPIRACY CASE.

**683. \*Mr. Nabakumar Sing Dudhuria :** Will Government be pleased to state :

- (a) the total amount that has been spent on prosecution in the Meerut Conspiracy Case from start to finish ;
- (b) the full duration (in years, months and days) of the trial in (i) the Lower Court, (ii) the High Court ;
- (c) the names of prosecuting Counsels who had the charge of the case during the different periods ;
- (d) the amounts that were received by each of them ;
- (e) the number of accused that were originally sent up for trial ;
- (f) how many of such accused dropped off (i) by death, (ii) by discharge or acquittal during the trial ;
- (g) (i) how many of them were sentenced, (ii) how many were acquitted at the end of the trial ;
- (h) the names of the accused who were sentenced, together with the nature of the sentence on such ;
- (i) the names of the accused who had their sentences reduced or modified or entirely removed on appeal by the High Court, together with the kind of sentence each received after its modification or reduction ;
- (j) the names of accused who have been acquitted by the High Court ;
- (k) whether their attention has been drawn to the criticisms that the *Manchester Guardian*, the *Daily Herald*, the *Morning Post*, and the *Observer* have expressed on the trial ;
- (l) whether their attention has been drawn to the leader of the *Statesman* of the 13th August last, regarding Law's Delays ;
- (m) if so, whether they contemplate altering the Criminal Procedure Code on the lines suggested by the *Statesman* ?

**The Honourable Sir Harry Haig :** (a) Rs. 18½ lakhs approximately.

(b) The trial in the Lower Court including the preliminary enquiry in the Magistrate's Court, lasted about 3½ years, i.e., from 12th June, 1929 to 14th January, 1933. The hearing of the appeal in the High Court was concluded in ten days.

(c) Two Counsels were employed on the case. These were originally the late Mr. J. Langford James and Mr. J. P. Mitter. On Mr. Langford James' death Mr. Kemp replaced him.

(d) The total expenditure on the fees, etc., paid to Counsels was approximately 13 lakhs. Separate figures are not readily available.

(e) to (j). I lay a statement on the table giving the information required.

(k) to (m). Government are aware of the criticisms on the length of the trial, on which the High Court has also commented. These comments will receive the careful attention of Government.

*Statement giving particulars of the 31 accused in the Meerut Conspiracy Case who were committed for trial by the Additional District Magistrate, Meerut.*

Serial No.	Name of accused.	Sentence awarded by the Sessions Judge.	Result of appeal to the High Court.	Remarks.
1	Muzaffar Ahmad .. ..	Transportation for life.	3 years' imprisonment.	
2	Sripad Amrit Dange .. ..	Transportation for 12 years.	Do.	
3	Philip Spratt .. ..	Do. ..	2 years' imprisonment.	
4	Sachhidanand Vishnu Ghatge .. ..	Do. ..	1 year's imprisonment.	
5	Keshav Nilkanth Joglekar .. ..	Do. ..	Do.	
6	Raghunath Shivaram Nimbkar .. ..	Do. ..	Do.	
7	Benjamin Francis Bradley .. ..	Transportation for 10 years.	Do.	
8	Shanta Ram Suvlaram Mirajkar .. ..	Do. ..	Do.	
9	Shaukat Usmani .. ..	Do. ..	3 years' imprisonment.	
10	Sohan Singh Josh .. ..	Transportation for 7 years.	1 year's imprisonment.	
11	Mir Abdul Majid .. ..	Do. ..	Do.	
12	Dharami Kanta Goswami .. ..	Do. ..	Do.	
13	Ajodhya Prasad .. ..	Transportation for 5 years.	Period already undergone in jail.	
14	Gangadhar Adhikari .. ..	Do. ..	Do.	
15	Puran Chandra Joshi .. ..	Do. ..	Do.	
16	Motiram Gajanan Desai .. ..	Do. ..	Acquitted.	
17	Gopendra Chakravarty .. ..	4 years' rigorous imprisonment.	7 months' rigorous imprisonment.	
18	Gopal Chandra Basak .. ..	Do. ..	Period already undergone in jail.	
19	Hugh Lester Hutchinson .. ..	Do. ..	Acquitted.	
20	Radha Raman Mitra .. ..	Do. ..	Do.	
21	Shiavaksh Hormasji Jhabwala .. ..	Do. ..	Do.	
22	Kedar Nath Sehgal .. ..	Do. ..	Do.	
23	Shamsul Huda .. ..	3 years' rigorous imprisonment.	Period already undergone in jail.	
24	Arjun Atmaram Alve .. ..	Do. ..	Acquitted.	
25	Gobind Ramchandra Kasle .. ..	Do. ..	Do.	
26	Gauri Shankar .. ..	Do. ..	Do.	
27	Lakshman Rao Kadam alias Lakshmi Narain Kadam.	Do. ..	Do.	

Serial No.	Name of accused.	Sentence awarded by the Sessions Judge.	Result of appeal to the High Court.	Remarks.
28	Vishwa Nath Mukharji <i>alias</i> Biswanath Mukherjee.	Acquitted.		
29	Shib Nath Banerji .. ..	Do.		
30	Kishori Lal Ghosh .. ..	Do.		
31	Dhondi Raj Thengdi ..			Died during the Session trial.

CONTINGENT ALLOWANCE SANCTIONED FOR CERTAIN POSTAL OFFICIALS.

684. \*Khan Bahadur Haji Wajihuddin : Will Government be pleased to state :

- (a) whether a contingent allowance is sanctioned for Superintendents of Post Offices in India at a universal rate of Rs. 10 per month ;
- (b) whether the same formula is applied to first class head offices in sanctioning contingent allowance ; if not, why not ;
- (c) whether a first class Postmaster is required to do enquiry and inspection work, as done by the Superintendent of Post Offices ;
- (d) whether it is a fact that a contingent allowance at a universal rate of Rs. 3 is sanctioned for the Inspector of Post Offices in India ? If so, whether the same amount is also sanctioned for the Town Inspector of Post Offices attached to first class head offices ? If not, why not ;
- (e) if the replies to parts (b) and (d) be in the negative, the reasons for the differential treatment meted out to the first class Postmasters, and whether they are prepared to remove this grievance by introducing the same formula as is applied in the case of Divisional Superintendent of Post Offices ?

**The Honourable Sir Frank Noyce :** (a) The facts are not as stated by the Honourable Member. In offices of Superintendents of Post Offices in India the contingent allowance is fixed at rates ranging from Rs. 10 to Rs. 13 according to the number of clerks in each office.

(b) No. The contingent allowance of post offices including first class head offices is regulated according to the actual requirements of each office and at the discretion of the Head of the Postal Circle concerned.

(c) Yes, in respect of town sub and branch post offices under his control.

(d) A contingent allowance at Rs. 3 a month each is sanctioned generally for those Inspectors of Post Offices who are in charge of postal

sub-divisions on the ground that they have to maintain their own offices. Town Inspectors form part of the establishment of the head post offices to which they are attached and for which contingent allowances are sanctioned. The necessity for the grant to them of a separate contingent allowance does not, therefore, exist.

(e) The principles on which the contingent allowances of the offices of Superintendents of Post Offices in India and of first class post offices are fixed have been arrived at after taking into account the difference in the work performed. It would not be possible to devise a common formula suitable for both classes of offices.

**Khan Bahadur Haji Wajihuddin :** With regard to answer to part (a), may I ask what are the real facts ?

**The Honourable Sir Frank Noyce :** The real facts are as stated in my reply to the question as a whole.

#### SPECIAL PAY SANCTIONED FOR THE TOWN INSPECTORS OF POST OFFICES.

685. \***Khan Bahadur Haji Wajihuddin :** Will Government be pleased to state whether special pay at Rs. 30 and Rs. 20 is sanctioned for the Town Inspectors attached to first and second class head post offices, respectively ? If so, will Government be pleased to state whether the duties and responsibilities of the Town Inspectors attached to first class head offices are greater than the ones attached to the 2nd class head offices ? If so, in what respect, and if not, why is a different rate of pay sanctioned for the Town Inspectors attached to first class head offices ?

**The Honourable Sir Frank Noyce :** Replies to the first and second parts of the question are in the affirmative. As regards the last part, Town Inspectors attached to offices with a numerous delivery staff and required to perform their duties in large centres of population have greater responsibilities and more arduous conditions of duty than those working in less important places and attached to smaller offices.

#### SPECIAL PAY SANCTIONED FOR POST OFFICE ACCOUNTANTS.

686. \***Khan Bahadur Haji Wajihuddin :** Will Government be pleased to state the rate of special pay sanctioned for the Accountants of first and second class Head Post Offices ? If the rates are the same for these offices, are Government prepared to sanction the special pay for the Accountants attached to the first class head offices at Rs. 30 per mensem ?

**The Honourable Sir Frank Noyce :** Ordinary time-scale clerks of the Post Office who have passed the qualifying departmental examination for posts of Postal Accountants while actually holding the posts of Accountants or Assistant Accountants designated as such in Head Post Offices, either first class or second class, are entitled to draw special pay at Rs. 10 per mensem for those on pay below Rs. 70 and Rs. 15 per mensem for those on pay of Rs. 70 and above. For future incumbents the rate of special pay will be Rs. 10 per mensem for all. As regards the last portion of the question, Government do not propose to make any change in the existing arrangements.



**DIFFERENTIAL TREATMENT IN SANCTIONING SPECIAL PAY FOR TOWN INSPECTORS AND ACCOUNTANTS OF POST OFFICES.**

687. \***Khan Bahadur Haji Wajihuddin** : (a) Will Government be pleased to state whether it is necessary to pass any examination for appointment as (i) Town Inspectors, and (ii) Accountants ?

(b) If the reply regarding the Town Inspector's post is in the negative, and for the Accountants in the affirmative, will Government be pleased to state the reasons for this differential treatment in sanctioning the special pay for the appointments of the Town Inspectors and Accountants ?

(c) Will Government be pleased to state whether the responsibilities and duties of the Town Inspectors are greater than those of the Accountants attached to first class head offices ; if not, why the same rate of special pay is not sanctioned for the Accountants of the first class Head Offices ?

**The Honourable Sir Frank Noyce** : (a) The Honourable Member presumably refers to Town Inspectors and Accountants in the ordinary clerical time-scale of pay attached to Head Post Offices. The posts of Accountants are filled generally by officials who have passed a departmental examination, while no such examination is prescribed for posts of Town Inspectors.

(b) The special pay of Accountants and Town Inspectors has been sanctioned in consideration of the nature of the duties and responsibilities which they have to discharge.

(c) The duties and responsibilities of Accountants and Town Inspectors are entirely different and no comparison between them is possible.

**Mr. Lalchand Navalrai** : May I know from the Honourable Member if outsiders are directly taken for the post of Inspector or Accountant for the departmental examination ?

**The Honourable Sir Frank Noyce** : I am afraid I must ask for notice of that question. My acquaintance with these details is distinctly limited.

**REVISION OF THE SCALE OF PAY OF ACCOUNTANTS ATTACHED TO CERTAIN POST OFFICES.**

688. \***Khan Bahadur Haji Wajihuddin** : Will Government be pleased to state whether the Accountants sanctioned for the Divisional Engineering Telegraph offices are in the scale of Rs. 200—20—360 while the Accountants of first class head offices are on the time-scale of Rs. 45—145 with a small special allowance of Rs. 10 or Rs. 15 per mensem ? If so, will Government be pleased to state the reasons for this differential treatment and whether the duties and responsibilities of the Accountants attached to Divisional Engineering Telegraphs offices and Postal Audit offices are greater than those of the Accountants in first class Head Offices ; and if not, whether Government are prepared to consider the matter and revise the scales of pay of the Accountants attached to the first class Head Offices, so as to make them similar to that sanctioned for the Accountants in other Departments or Divisional Engineering Telegraph offices, or above the time-scale clerks of the Post offices ?

**The Honourable Sir Frank Noyce :** Accountants in the offices of Divisional Engineers, Telegraphs, draw pay on scales varying from Rs. 120—270 to Rs. 220—380, while in first class Head Post Offices, accountants are either in the selection grades on scales of pay of Rs. 160—230 and Rs. 250—350 or in the ordinary time-scale on scales of pay which vary, according to locality, from 35—135 to Rs. 70—170 *plus* the special pay referred to by the Honourable Member. The responsibilities of Accountants in the offices of Divisional Engineers are greater than those of Accountants in Head Post Offices, and the difference in the rates of pay correspond to this fact. The last part of the question does not arise.

#### EXAMINATION PAPERS OF THE POST OFFICE ACCOUNTANTS.

689. **\*Khan Bahadur Haji Wajihuddin :** Will Government be pleased to state whether the examination papers of the Accountants are dealt with by the Audit office, while the Accountantship papers of the Superintendents of Post Offices and Inspectors and Head Clerks are dealt with by the departmental officers? If so, are Government prepared to order the conduct of the papers of the Accountantship examination by departmental officers?

**The Honourable Sir Frank Noyce :** It is the case that the examination papers of Post Office Accountants are dealt with by the Accounts Officers.

There is no Accountantship Examination for Superintendents, Inspectors and Superintendents' Head Clerks, but the papers set in the examinations which these officers have to pass contain questions relating to accounts : these papers are dealt with by the departmental officers.

The conditions of the different examinations have been prescribed with due regard to the particular requirements of the Department in each case and Government see no need to make the change suggested by the Honourable Member.

#### RETRENCHMENT IN THE UNITED PROVINCES POSTAL CIRCLE.

690. **\*Khan Bahadur Haji Wajihuddin :** Is it a fact that the officials in the United Provinces Postal Circle, who have got 30 years' service, but are below 55 years of age, are retrenched while the selection grade officials and gazetted officers who have got more than 30 years' service are retained in the Department? If so, do Government propose to retire the officials of the selection grade and gazetted posts who have 30 years or more service in order to create vacancies for abolition or conversion of the time-scale clerks in chain of arrangements?

**The Honourable Sir Frank Noyce :** Government have no precise information but for the purposes of retrenchment, officials in the ordinary time-scale and in the selection grades are treated as in one category, while gazetted officers are treated as belonging to another category. Within a given category retrenchment is carried out by selection, and it is therefore possible that cases such as those alluded to by the Honourable Member may have occurred. Government are not however prepared to treat officials in the gazetted and non-gazetted cadres as of one category for purposes of retrenchment and therefore regret that they are unable to accept the Honourable Members's suggestion.

**Mr. Lalchand Navalrai :** May I know from the Honourable Member whether persons over 55 years of age or, who are 55 years of age, are yet retained in service and given extension ?

**The Honourable Sir Frank Noyce :** I rather think there is another question on the paper relating to that which will be answered later.

RETIREMENT OF OFFICIALS HAVING THIRTY YEARS' SERVICE IN POSTAL  
CIRCLE OFFICES.

691. **\*Khan Bahadur Haji Wajihuddin :** (a) Is it a fact that under his letter No. E.S.-227-1|32, dated 3rd September, 1932, the Director General, Posts and Telegraphs, has ordered, in order to obtain the full complement of Lower Division clerks, that it is not intended that indiscriminate retrenchment should be effected amongst the time-scale clerks, but that conversion of ordinary time-scale posts into posts in the Lower Division should be effected (i) gradually as vacancies occur in the former class in the ordinary course, (ii) by the acceptance of offers of voluntary retirement from the ordinary time-scale clerks, (iii) by the compulsory retirement of such of them whose record of service has been consistently unsatisfactory, and (iv) by the compulsory retirement under Fundamental Rule 56, i.e., on attaining 55 years of age ?

(b) Is it a fact that officials in the Circle office with 30 years or more service are allowed to continue to work while the Post office officials of the same service are retrenched ? If so, do Government propose to order retirement of the officials who have 30 years' service at their credit in Circle offices, and to provide the officials of the post offices in their places, resultant vacancies to be utilised for the conversion and abolition of the time-scale posts in the Post Offices ?

**The Honourable Sir Frank Noyce :** (a) The reply is in the affirmative.

(b) As regards the first part Government have no precise information. I may, however, state that as the Circle Office staff forms a cadre distinct from that of the Post Office and has accordingly been treated separately in carrying out retrenchments, it is possible that such cases as those alluded to by the Honourable Member may have occurred.

As regards the second part, Government are not prepared to treat the two different cadres as one for purposes of retrenchment as suggested by the Honourable Member.

GRANT OF COMPENSATORY ALLOWANCE TO TRAVELLING TICKET INSPECTORS  
ON THE EAST INDIAN RAILWAY.

692. **\*Khan Bahadur Haji Wajihuddin :** With reference to reply to question No. 488 (c), dated 25th February, 1933, in this House, will Government be pleased to state :

(a) whether the sanction of revised rates of allowances to the old Travelling Ticket Inspectors has compensated them in respect of Provident Fund, leave-salary and retiring gratuity, a loss which they incurred on the abolition of mileage allowance ;

(b) if not, whether they are prepared to consider the question of compensating the Travelling Ticket Examiners for the loss

incurred by them on this account and which they are still continuing to suffer ?

**Mr. P. R. Rau :** I would refer the Honourable Member to the reply given to question No. 476, by Sardar Sant Singh on the 4th September, 1933.

CONSOLIDATED ALLOWANCE OF TRAVELLING TICKET INSPECTORS AND THEIR  
DIVISIONAL INSPECTORS ON THE EAST INDIAN RAILWAY.

693. **\*Khan Bahadur Haji Wajihuddin :** (a) Will Government be pleased to state why the revised rates of consolidated allowance have been denied to those Travelling Ticket Inspectors and their Divisional Inspectors who are working on station duty and as Inspectors and who, like their colleagues, now working as Travelling Ticket Examiners, drew a mileage allowance in their substantive capacity ?

(b) Is this not in contravention to the decision of the Railway Board as communicated in this House on 25th February, 1933 ?

(c) Are Government prepared to see that the orders of the Railway Board are carried out in respect of the staff mentioned in part (a) above ?

**Mr. P. R. Rau :** (a), (b) and (c). I am obtaining certain information and will lay a reply on the table in due course.

CONSOLIDATED ALLOWANCE OF TRAVELLING TICKET INSPECTORS AND THEIR  
DIVISIONAL INSPECTORS ON THE EAST INDIAN RAILWAY.

694. **\*Khan Bahadur Haji Wajihuddin :** (a) Will Government be pleased to state if it is a fact that the old Travelling Ticket Inspectors and their Divisional Inspectors' mileage allowance was replaced by consolidated allowance and travelling daily allowance from 1st June, 1931 ?

(b) Is it a fact that special rates of allowances have been sanctioned from 1st December, 1932, by way of compensation ?

(c) Has any consideration been made for the loss the said staff incurred between 1st June, 1931, and 1st December, 1932 ? If not, why not ?

(d) Are Government prepared to consider the necessity for compensating them for the period between 1st June, 1931, and 1st December, 1932 ?

**Mr. P. R. Rau :** (a) Yes.

(b), (c) and (d). As I have already explained, consolidated travelling allowances sanctioned from the 1st December, 1932, were purely *ex-gratia* and Government are not prepared to give retrospective effect to them.

EXPULSION OF CERTAIN CHETTIARS FROM INDO-CHINA.

695. **\*Mr. Gaya Prasad Singh :** (a) Will Government be pleased to make a statement relating to the expulsion of Chettiars from Indo-China, indicating the latest development, if any, on the subject, particularly since the 1st June ?

(b) Is it not a fact that some Chettiars have been compelled to sign up with the Long Term Credit Office ? Are Government aware that this action is prejudicial to the interests of the Chettiars there ?

(c) Is it a fact that even the British Consul in Saigon has proposed that the co-operation of the French Administration should be invited in sending out a small Committee of Indians for local enquiry and individual settlement of all the Chettiar accounts with the Long Term Credit Office ?

(d) Do Government propose to open direct negotiations with Saigon, for speedier settlement of this question, in the same manner in which they did with the Union of South Africa in 1925 ?

(e) Is it a fact that some Chettiars have sent up a petition to the Governor General of Indo-China requesting him to intervene ?

**Mr. B. J. Glancy :** (a) As a result of the representations made by His Majesty's Government on behalf of the Government of India, the Governor General of Indo-China has rescinded the expulsion orders issued against two of the Indian bankers who had not yet left the country. (Cheers.) Negotiations between the Government of Indo-China and the Indian bankers are continuing and it is hoped that they will result in an amicable arrangement. The latest reports from Saigon indicate that the French authorities while unwilling for the present to rescind the expulsion orders passed against the four Chettiars who have actually been deported are prepared to allow them to return to Cochin China on safe conduct and to resume their business.

(b) Government understand that the Chettiars have accepted the cancellation of a portion of their loans which were demanded of them and have also declared that they are disposed to adopt in other questions of litigation the same attitude as European Bankers and financiers. Government have no further information.

(c) Government have no information.

(d) Since the negotiation in progress have already been largely successful in achieving their object, Government do not propose to adopt any other course than that so far followed.

(e) Government have no information.

**Mr. Gaya Prasad Singh :** With regard to part (c) of the question, have the Government of India been in communication with the British Consul at Saigon with regard to the statement which is referred to in that part of the question ?

**Mr. B. J. Glancy :** Government have received no further information either from the British Consul in Saigon or from any one else on the subject.

**Mr. Gaya Prasad Singh :** Have the Government of India written to the British Consul in Saigon in order to obtain the information which is contained in part (b) of the question ?

**Mr. B. J. Glancy :** Government have not put forward any suggestion that a small committee of Indians should go out, because this is a delicate matter. It is a question of dealing with a foreign Government, and although Government have got every sympathy with the Chettiars and are trying to do what they can to assist them, they have to be careful in what they do.

**Mr. Gaya Prasad Singh :** Have the Government of India enquired from the British Consul in Saigon whether he has actually made a proposal that a small committee should visit ?

**Mr. B. J. Glancy :** Not as far as I am aware.

**Mr. F. E. James :** Is it a fact that two of the four Chettiars, who were originally expelled under the French Government's expulsion order, have, in fact, returned to Saigon under safe conduct ?

**Mr. B. J. Glancy :** Government have no information on that point.

**Mr. F. E. James :** Are Government aware of the widespread apprehension that the continued existence of the expulsion order against the four Chettiars is being used by the Government of Indo-China as a weapon with which to enforce discriminatory terms against the settled Chettiar community there ?

**Mr. B. J. Glancy :** No.

**Mr. F. E. James :** Will Government continue to request His Majesty's Government to represent to the French Government that the expulsion order against the four Chettiars should be promptly rescinded as being discriminatory and unjustified and that its withdrawal should not be dependent upon the settlement of the debt question ?

**Mr. B. J. Glancy :** Yes. Government will continue to do all they can.

#### TRANSFER OF THE CONTROL OF THE BADRINATH TEMPLE TO THE RULER OF THE TEHRI ESTATE.

696. **\*Mr. Gaya Prasad Singh :** Will Government be pleased to state if the question of the proposed transfer of Badri Nath Temple, in the District of Garhwal (United Provinces) has yet come up before them ? If so, has any decision been arrived at ? What is the recommendation, if any, of the United Provinces Government on the subject ?

**Mr. B. J. Glancy :** I would refer the Honourable Member to the answer given on the 22nd August, 1933, to unstarred question No. 2, on the same subject.

**Pandit Satyendra Nath Sen :** Are Government aware that the orthodox opinion is against the proposed transfer ?

**Mr. B. J. Glancy :** The views that have been expressed have already been passed on to the Government of the United Provinces under whose consideration the matter now is.

**Pandit Satyendra Nath Sen :** May I know whether this proposal first came from the U. P. Government or from the Tehri Durbar ?

**Mr. B. J. Glancy :** I regret I have no information on that point.

**Mr. Lalchand Navalrai :** May I know whether the pilgrims or those interested in this temple have made representation one way or the other ?

**Mr. B. J. Glancy :** I have seen no representation, but it is possible they may have made one to the Government of the United Provinces.

**Mr. Gaya Prasad Singh :** Do I take it that the question has not yet come up before the Government ?

**Mr. B. J. Glancy :** No, Sir. Government will not consider until they have received the views of the Government of the United Provinces.

**Pandit Satyendra Nath Sen** : May I know when this question will be finally settled by the U. P. Government ?

**Mr. B. J. Glancy** : The Government of India will no doubt be consulted. In fact they have got to be consulted.

**Mr. Lalchand Navalrai** : Can the Government inform us whether there have been any difficulties in keeping Badrinath where it is, I mean not transferring it ?

**Mr. B. J. Glancy** : I am not aware of any precise difficulty, but the question will be easier to answer when the views of the U. P. Government have been received.

**Mr. Gaya Prasad Singh** : Will the Hindu community at large be given an opportunity to express their views on this question before it is finally decided by the Government of India ?

**Mr. B. J. Glancy** : I take it that the U. P. Government will, in the first instance, ascertain what Hindu opinion is.

**Pandit Satyendra Nath Sen** : Are Government aware that an inquiry commission was appointed in June last by the All-India Varnashrama Swarajya Sangha to examine the question of transfer and that they have submitted their report against the transfer ?

**Mr. B. J. Glancy** : I am quite prepared to take the Honourable Member's word for it and I trust that this committee has passed on what it has got to say to the Government of the United Provinces who will no doubt consider it.

**Mr. S. C. Mitra** : Are Government aware that the temple of Badrinath is not a concern of the Hindus of the U. P. alone ?

**Mr. B. J. Glancy** : I think that Government are no doubt aware of that, but primarily I should imagine that it is the concern of the U. P.

**Mr. S. C. Mitra** : Will the Honourable Member take it from the Hindu Members on this side that this Badrinath temple is a big temple and that it is the concern of the Hindus throughout India and not of the U. P. alone ?

**Mr. B. J. Glancy** : I did not mean to suggest that it is the concern of the Hindus of the United Provinces only. I merely intended to suggest that they are the people who are probably principally interested in it.

**Mr. S. C. Mitra** : Will the Honourable Member also take it from us that this temple is the concern of the Hindus in general, because it is a temple which is revered and respected and held in high esteem by Hindus of all parts of India. It is not a local temple of a particular place ?

**Mr. B. J. Glancy** : I should be very glad to take it from the Honourable Member.

**Mr. S. C. Mitra** : Will the Honourable Member take into consideration the fact that this is not the view of the orthodox people only, but also of people of advanced view, that this temple should not be transferred to a Native State without consulting the public opinion of Hindus in general.

**Mr. B. J. Glancy** : Yes, Sir.

**Mr. Gaya Prasad Singh** : I want to make one point clear without prejudicing the question of the transfer of the Badrinath temple. I should like to know whether any opportunity will be given by the Government of India to the Hindu community to express their opinion before any decision is arrived at—either this House or the Hindu community in general ?

**Mr. B. J. Glancy** : Government will certainly do their very best to ascertain the views of the Hindu community.

**Mr. K. P. Thampan** : May I ask whether the Government of India will be pleased to send a copy of these questions and the answers to the U. P. Government ?

**Mr. B. J. Glancy** : Yes, Sir. The Government of the United Provinces have already been informed of the previous question and the answer given.

#### AIR BOMBING ON THE NORTH-WEST FRONTIER OF INDIA.

697. \***Maulvi Muhammad Shafee Daoodi** : (a) Are Government aware that there is a very strong feeling in the country against aerial bombing at Kotkai and other places on the border of the North-West Frontier Province ?

(b) Do Government contemplate any change in their policy in regard to the territory belonging to the independent tribes on the border ?

(c) Will Government be pleased to state the reasons for the recent trouble on the border ?

(d) Are Government prepared to allay the public feeling in this matter and declare that the aforesaid bombing was the last of its kind ?

**Mr. G. B. F. Tottenham** : (a) No.

(b) No.

(c) and (d). Government have nothing to add to the statements that have already been made on this subject.

#### NEW TEN-RUPEE AND FIVE-RUPEE CURRENCY NOTES.

698. \***Mr. M. Maswood Ahmad** : (a) Are Government aware that the new ten-rupee and five-rupee notes are disliked by the people ?

(b) Is it a fact that the paper used in printing these notes is of an inferior quality than the paper which was used previously ?

(c) Do Government propose to stop the printing of notes on paper of such an inferior quality ?

**The Honourable Sir George Schuster** : With your permission, Sir, I shall reply both the questions Nos. 698 and 699 together.

The attention of the Honourable Member is invited to the replies given to starred questions Nos. 338 and 339 asked by Mr. Badri Lal Rastogi on the 1st September.



**Mr. M. Maswood Ahmad :** Do Government propose to print the numbers on five rupee notes at more than one place ?

**The Honourable Sir George Schuster :** No, Sir.

**Mr. M. Maswood Ahmad :** May I know why they do not propose to do so ?

**The Honourable Sir George Schuster :** Because it is considered desirable in the public interest to print it in one place only.

**Mr. M. Maswood Ahmad :** By printing in one place, it will be difficult to recognise the number if it is torn. In the past the numbers were printed in four places.

**The Honourable Sir George Schuster :** Government have taken that into account.

**Mr. M. Maswood Ahmad :** Still, Government do not propose to do it ?

**The Honourable Sir George Schuster :** I repeat " No ".

#### NEW TEN-RUPEE AND FIVE-RUPEE CURRENCY NOTES.

†699. **\*Mr. M. Maswood Ahmad :** (a) Is it a fact that the numbers on the old ten-rupee and five-rupee notes were found at more than one place ?

(b) Is it a fact that the number on the new ten-rupee and five-rupee notes is at one place only ?

(c) Do Government propose to print the number in future on the ten-rupee and five-rupee notes at more than one place ?

#### APPLICATION FROM JAMIAT-UL-ULEMA FOR GIVING EVIDENCE BEFORE THE JOINT PARLIAMENTARY COMMITTEE.

700. **\*Mr. M. Maswood Ahmad :** (a) Will Government be pleased to state whether they, or the Chief Commissioner, or the Reforms Office, had received any application, in connection with giving evidence before the Joint Parliamentary Committee, from the Jamiat-ul-Ulema ?

(b) If the reply to part (a) be in the affirmative, will Government be pleased to lay on the table a copy of the letter or letters and a copy of the reply ?

**The Honourable Sir Joseph Bhore :** (a) An application from the Jamiat-ul-Ulema-i-Hind that witnesses should be sent on their behalf to give evidence before the Joint Select Committee was received in the Reforms Office on the 7th June, 1933.

(b) Government do not propose to lay a copy of the correspondence on the table.

**Mr. M. Maswood Ahmad :** Is the correspondence a confidential one ?

**The Honourable Sir Joseph Bhore :** I should not think so, but I would like to have notice of that question.

**Mr. M. Maswood Ahmad :** Will Government be pleased to state the reasons for not placing it on the table ?

**The Honourable Sir Joseph Bhore :** No, Sir.

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†For answer to this question, see answer to question No. 698.

## RELEASE OF KHAN ABDUL GHAFFAR KHAN.

701. **\*Mr. M. Maswood Ahmad** : Will Government be pleased to state when Khan Abdul Gaffar Khan, the frontier Gandhi, will be released ?

**The Honourable Sir Harry Haig** : He will be released when Government are satisfied that his detention is no longer essential in the public interests.

## ILLNESS OF KHAN ABDUL GHAFFAR KHAN'S BROTHER.

702. **\*Mr. M. Maswood Ahmad** : (a) Will Government be pleased to state whether it is a fact that they were in correspondence with the North-West Frontier Province Government about Khan Abdul Gaffar Khan's brother's serious illness ?

(b) Will Government be pleased to state the condition of his health ?

**The Honourable Sir Harry Haig** : (a) and (b). There has been no such correspondence. If the Honourable Member is referring to Khan Abdul Ghaffar Khan's brother, Dr. Khan Sahib, who is a State Prisoner in Hazaribagh Jail, I may inform him that he is in good health.

**Mr. M. Maswood Ahmad** : Has the Honourable Member received any representation at Delhi in regard to this gentleman and was there an undertaking given that this matter would be taken up with the N. W. F. Government ?

**The Honourable Sir Harry Haig** : I think the Honourable Member must have in mind some other member of Khan Abdul Ghaffar Khan's family or relative, certainly not his brother.

**Mr. M. Maswood Ahmad** : Will Government inform us who is the other member referred to by my Honourable friend ?

**The Honourable Sir Harry Haig** : If the Honourable Member will give me the reference, I shall be glad to give him an answer.

## PROVISION OF CERTAIN NECESSITIES TO KALANAUR, DISTRICT GURDASPUR.

703. **\*Shaikh Sadiq Hasan** : (a) Are Government aware that (i) in the town of Kalanaur, District Gurdaspur, the Emperor Akbar was crowned ; (ii) at one time it was a big city ; (iii) now it has declined on account of lack of communications ?

(b) Are Government aware that there is neither a railway station, nor a telegraph office, in Kalanaur ?

(c) Are Government prepared to take steps to provide Kalanaur with the above-mentioned necessities ?

**The Honourable Sir Frank Noyce** : (a) (i). Yes.

(a) (ii) and (iii). Government are not in possession of precise information on these points.

(b) Yes.

(c) As regards railway communications I have ascertained that an investigation was made in 1928 of the financial prospects of a line, Dera Baba Nanak—Gurdaspur, which would have served Kalanaur but that it

was found that this would not be remunerative ; a short branch line terminating at Kalanaur would be even less likely to pay. As regards telegraph communication enquiry is being made as to the need for this and whether it would pay to provide it.

WORKING OF THE OIL-PRESS IN JAILS.

**704. \*Pandit Satyendra Nath Sen :** (a) Is there any jail rule directing that convicts punished with rigorous imprisonment should generally be employed in working the oil-press during the first month of their imprisonment ? If so, why ?

(b) Are Government aware that the working of the oil-press is regarded as a very severe punishment ? If so, why is it not postponed till the appeal period is over ? Do Government propose to issue such instructions to Jail authorities ?

**The Honourable Sir Harry Haig :** (a) I am aware of no such rule. The ordinary rule is that jail labour is divided into three main classes, hard, medium and light, and a convict is only employed on labour of the class for which the Medical Officer has certified him to be fit. The oil-press is ordinarily classed as hard labour.

(b) Does not arise.

**Mr. Lalchand Navalrai :** May I know if it is harder than the *chakki* ?

**The Honourable Sir Harry Haig :** I should not imagine so. I should imagine that both are classed as hard labour.

ALLOTMENT OF QUARTERS IN NEW DELHI.

**705. \*Pandit Satyendra Nath Sen :** (a) Will Government be pleased to state if it is a fact that applications for allotment of quarters at New Delhi were called for by the Estate Officer so as to reach him on or before the 15th March, 1933, instead of by 1st July as in previous years ?

(b) Is it a fact that this early date was fixed in order to enable the Estate Officer to make the allotment of Delhi quarters in good time before the move takes place ?

(c) Is it a fact that a provisional allotment for non-lien holders only was made by the Estate Officer about the first week in August last ?

(d) Will Government be pleased to state if this provisional allotment was after about one week modified by the Estate Officer by deleting certain names of Government of India men ? If so, why ?

(e) Will Government be pleased to state if this was done in order to provide quarters to men employed in the New Delhi Municipality ?

(f) Are Government aware that there is already a shortage of quarters for the migratory staff of the Government of India ?

(g) If the reply to part (f) be in the negative, will Government please state the percentage of men moving from Simla for winter who succeeded in getting quarters at Delhi ? Why was the idea to provide quarters to men employed in the New Delhi Municipal Committee not postponed pending the construction of more quarters, which is under contemplation ?

(h) Will Government be pleased to state why no final allotment of quarters at Delhi has taken place so far ?

(i) Are Government aware that this delay in the allotment is responsible for hardships to the staff of the Government of India who are unable to make private arrangements for quarters in the absence of any definite knowledge regarding the allotment ? If the reply be in the affirmative, what steps do Government propose to take to prevent a recurrence ?

(j) Will Government please state how many times from the commencement of the present Simla season the Estate Officer and his staff have visited Simla, and on what business ? Will Government please state the amount of expenditure incurred on account of travelling and daily allowances in this connection ?

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

(c) No provisional allotment was made. A purely provisional list of probable allottees was communicated to Departments to enable those who were not likely to get quarters to make other arrangements.

(d) No. Some changes were made in the provisional list after three weeks, because certain quarters are occupied by the staff of the New Delhi Municipal Committee and the Government had under consideration the question whether or not this staff should continue in occupation during the ensuing winter season.

(e) Yes.

(f) Yes. There is a shortage of quarters for both migratory and non-migratory staff.

(g) The first part of the question does not arise. As regards the other part, some of the staff of the Committee are employed on very essential services and in the interests of efficiency, it is necessary that they should be provided with accommodation close to their work as hitherto.

(h) The final allotments have recently issued. They could not issue earlier because, as a consequence of the revised rules, Government have had to deal with several representations received from employees of various Departments from time to time and allotments had to be withheld pending issue of the final orders thereon.

(i) There may have been some inconvenience this year, but this was unavoidable.

(j) The Estate Officer and his staff visited Simla three times during the current Simla season and their visits, as usual, were in connection with the allotment of bungalows and quarters in Delhi and in Simla. The amount of expenditure incurred in this connection was Rs. 891.

**Sir Cowasji Jehangir :** Will the Honourable Member kindly inform the House for whom the Western Hostel was constructed at Delhi ?

**The Honourable Sir Frank Noyce :** I venture to think that that hardly arises out of this question, but I believe it was constructed mainly for the benefit of the Members of the Legislature.

**Sir Cowasji Jehangir :** Is the Honourable Member aware that a major portion of it is occupied by those who are not Members either of this Assembly or of the Council of State ?

**The Honourable Sir Frank Noyce :** I understand, to the best of my recollection, that there are a certain number of rooms which are reserved for the Members of this Assembly and of the Council of State, but I am not quite sure what the rules are.

**Sir Cowasji Jehangir :** Is the Honourable Member aware that the accommodation reserved for the Members of this Assembly and perhaps for the Members of the Council of State is not sufficient for the purpose for which the Western Hostel was constructed and that sometimes there is a scarcity of accommodation in the Western Hostel, although the major portion of it is occupied by non-Members of the Assembly ?

**The Honourable Sir Frank Noyce :** No, Sir, I am not aware of that but I shall be glad to look into the matter.

**Sir Cowasji Jehangir :** If the Honourable Member will look into the matter next year, he will be conferring a great benefit on the Members of the Assembly.

**Mr. President** (The Honourable Sir Shanmukham Chetty) : The Chair would suggest that this question might be examined by the House Committee which can go into details.

TEST OF RED SEAL BRAND METAL POLISH AND SILVER POLISH BY THE  
ALIPORE TEST HOUSE.

706. \***Pandit Satyendra Nath Sen :** (a) Are Government aware that Messrs. Sett and Dass Company are the manufacturers of Red Seal Brand metal polish and silver polish ?

(b) Is it a fact that the Alipore Test House gave Messrs. Sett and Dass Company a Test Report on that polish originally on receipt of a fee of Rs. 48 from them just at the time of Tender for 1932, which was challenged by Messrs. Sett and Dass Company as wrong ?

(c) Is it a fact that the Test Report satisfying the Indian Stores Department Specifications was granted to Messrs. Sett and Dass Company after the challenge without receipt of any further fee of Rs. 48 ?

**The Honourable Sir Frank Noyce :** (a) Yes.

(b) The first report of the Government Test House on a sample of Red Seal metal polish was issued on the 20th June, 1931. The accuracy of the analysis was subsequently challenged by the firm.

(c) No. No sample satisfying the specification has yet been received from the firm.

TEST OF RED SEAL BRAND METAL POLISH AND SILVER POLISH BY THE  
ALIPORE TEST HOUSE.

707. \***Pandit Satyendra Nath Sen :** (a) Is it a fact that the Alipore Test House originally obtained the result of an analysis of Red Seal metal polish by heating the article, which spoilt the original quality of the goods ?

(b) Is it a fact that Messrs. Sett and Dass Company pointed out to the Indian Stores Department that the said method of analysis was wrong ?

(c) Is it also a fact that Messrs. Sett and Dass Company brought to the notice of the Chief Controller of Stores the great difference in the analysis made by the Alipore Test House and that of Dr. H. K. Sen of the Science College, Calcutta, whereupon the Chief Controller of Stores ordered re-test of Messrs. Sett and Dass Company's metal polish free of charge ?

(d) If the answer to part (c) be in the affirmative, is it a fact that on re-test, it was found to satisfy the Indian Stores Department Specifications and to agree almost with Dr. H. K. Sen's report ? If so, what action, if any, was taken to prevent such wrong analysis in future with respect to Indian products ?

(e) Is it a fact that Mr. Sen of Alipore Test House at first remarked " Insufficient Sample " in the Tender Sample Receipt ? Is it a fact that one pound (1 lb.) nett was submitted to them by Messrs. Sett and Dass Company, as per terms of the Tender, and that afterwards on their protest the Test House amended the same ?

**The Honourable Sir Frank Noyce :** (a) The analysis was carried out by the usual method. This involved heating the metal polish. This process has no adverse effect on metal polish satisfying the specification. In the case of a metal polish, such as that mentioned, containing ingredients not authorised by the specification, decomposition may have occurred. This was impossible to verify, since, by the time the point was raised by the firm, the metal polish had all been consumed.

(b) It is a fact that Messrs. Sett and Dass Company claimed that the method of analysis was wrong.

(c) Yes.

(d) It is not a fact that on re-test a sample was found to satisfy the specification, neither did the result agree with that obtained on another sample by Dr. H. K. Sen.

(e) As far as the officer concerned can recollect, the firm at first submitted two tins which were thought insufficient and the firm therefore sent a further two tins to make a sufficient sample.

REJECTION BY THE ALIPORE TEST HOUSE OF A TENDER SAMPLE OF MESSRS. SETT AND DASS COMPANY.

**708. \*Pandit Satyendra Nath Sen :** (a) Is it a fact that the Tender Sample given by Messrs. Sett and Dass Company for 1933-34 was rejected by the Alipore Test House on the ground of formation of " Hard Cake " which necessitated cutting open the tin containers for analysis ?

(b) Is it a fact that Messrs. Sett and Dass Company submitted to the Indian Stores Department a Test Report from Messrs. R. V. Briggs and Company, who gave their report after retention of the same sample for a period of 27 days, during which the aforesaid formation of " Hard Cake " was proved to be impossible ?

(c) Is it a fact that Messrs. Sett and Dass Company also submitted a sealed sample along with the Tender for 1933-34 to the Indian Stores Department and, after the report by Messrs. R. V. Briggs and Company, requested for the same being sent to an impartial chemist in Calcutta for analysis ?

(d) Is it a fact that instead of sending that sealed sample to another chemist the Indian Stores Department sent it to the Alipore Test House against whom Messrs. Sett and Dass Company had complained ?

(e) Is it a fact that the Superintendent of the Alipore Test House asked Mr. Sett of Messrs. Sett and Dass Company, twice by phone, to inspect and open the sample within the Alipore Test House Chamber on condition that no outsider should be allowed there ?

(f) Is it a fact that Messrs. Sett and Dass Company wanted to open the said sample in the presence of a Notary Public and a chemist from the Science College, which request was refused by the Alipore Test House ?

(g) If the reply to part (f) be in the affirmative, why was the request for such inspection in the presence of a Notary Public refused by the Indian Stores Department also ?

**The Honourable Sir Frank Noyce :** (a) Yes.

(b) Messrs. Sett and Dass Company submitted a report by Messrs. R. V. Briggs and Company showing that a sample tested by them did not form a hard cake.

(c) Yes.

(d) Yes.

(e) The Superintendent (once, not twice) asked Mr. Sett on the telephone to be present when the sample was opened. Mr. Sett wished to bring two outsiders to which the Superintendent did not agree. The Superintendent then asked Mr. Sett to come to discuss the matter. Mr. Sett agreed, but failed to keep the appointment.

(f) Yes.

(g) The offer was made to open the tin in the presence of Mr. Sett and any of his staff whom he wished to bring with him. This offer was refused, and as the general procedure followed in the Government Test House does not permit outside parties to be present during examination and tests, no further action was possible.

**REJECTION BY THE ALIPORE TEST HOUSE OF A TENDER SAMPLE OF MESSRS. SETT AND DASS COMPANY.**

709. \***Pandit Satyendra Nath Sen :** (a) Is it a fact that Messrs. Sett and Dass Company quoted prices in the Tender for 1933-34 which, if accepted, would have saved a good deal of Government money ?

(b) Was there any enquiry made into the allegation of Messrs. Sett and Dass Company ? If so, were they requested to withdraw the allegation ?

(c) Was any request made by Messrs. Sett and Dass Company to the Chief Controller of Stores to reconsider the opinion of the Alipore Test House by opening their sealed tender sample in their presence accompanied by a chemist from the Science College ? If so, why was this request refused ?

(d) Is it a fact that Messrs. Sett and Dass Company informed the Indian Stores Department of the last successful Test Report which they submitted along with the Tender for 1933-34, as per Tender terms, and that no consideration was given to such Test Report, which was very recently submitted to Messrs. Sett and Dass Company ?

**The Honourable Sir Frank Noyce :** (a) The sample submitted by the firm was unacceptable and therefore the question of savings does not arise.

(b) Yes.

(c) Yes, the attention of the Honourable Member is invited to answer given to part (g) of question No. 708.

(d) When forwarding their tender for 1933-34 requirements, Messrs. Sett and Dass Company referred to test report No. 1897/C., dated the 12th October, 1931, which showed their sample to be unacceptable. Before deciding the tenders for 1933-34 the reports on the examination of samples submitted in accordance with the tender conditions were also considered, but the sample submitted by the firm again showed that the quality of their material was unacceptable.

#### COLLIERIES WORKING IN BENGAL AND BIHAR COAL-FIELDS.

710. \***Mr. K. C. Neogy :** Will Government be pleased to state :

- (a) the total number of collieries working in Bengal and Bihar coal-fields in the year 1923 ;
- (b) the number of those owned and managed by Indians and by Europeans ;
- (c) the total number of coal mines owned and managed by Indians, which have stopped working during the period January, 1923 to December 1932 ;
- (d) the total number of collieries owned and managed by Europeans which have stopped working during the period January, 1923, to December, 1932 ?

**The Honourable Sir Frank Noyce :** Enquiries are being made and such information as is available will be laid on the table in due course.

#### COAL RAISED IN INDIA.

711. \***Mr. K. C. Neogy :** Will Government be pleased to state :

- (a) the total quantity of coal raised in India during the calendar years 1930, 1931, and 1932 ;
- (b) the total amount of despatches of coal in railway wagons during the calendar years 1930, 1931 and 1932 ;
- (c) the total quantity raised and despatched, respectively, during each of the above three years in the Bengal and Bihar and Orissa coal-fields ?

**The Honourable Sir Frank Noyce :** (a), (b) and (c). A statement is laid on the table giving the figures for all three years in respect of (a) and (b) and for 1930 and 1931 in respect of (c). Particulars for 1932 in respect of (c) are being obtained and will be laid on the table in due course.



*Statement showing the total quantity of coal raised and despatched from mines regulated by the Indian Mines Act, 1923.*

		1930.	1931.	1932.
(a) Raisings—(tons)	.. ..	22,683,861	20,514,597	18,719,587
(b) Despatches—(tons)	.. ..	20,018,525	17,681,474	16,152,757
(c) Raisings—(tons)	.. ..	21,311,535	19,198,967	
Despatches (tons)	.. ..	18,731,303	16,441,473	

RESTRICTION OF RAISINGS OF COLLIERIES OWNED BY RAILWAYS.

712. **\*Mr. K. C. Neogy :** (a) Do Government contemplate further restriction of raisings of collieries owned by State Railways as well as Company-managed railways ?

(b) If the answer to part (a) be in the affirmative, will Government please state the extent to which such restriction will be made ?

(c) Are Government aware that smaller collieries have been the hardest hit by the depression in the coal trade, and do Government propose to purchase the quantity thus released and made available for purchase from market, mainly from small collieries whose average raisings are below 50,000 tons per year ?

**Mr. P. R. Rau :** (a) and (b). A proposal made by the Indian Mining Association is under consideration at present, but Government have not come to any conclusions, even tentative, in the matter and I am unable to make any statement about it at present.

(c) This suggestion which was also made by the Indian Mining Federation will also be considered along with the main question.

EXPORT OF BENGAL AND BIHAR COAL.

713. **\*Mr. K. C. Neogy :** Is it a fact that the export of Bengal and Bihar coal is mainly restricted to a small number of collieries commanding big output and mainly owned and managed by Europeans ?

**The Honourable Sir Joseph Bhoré :** Inquiries are being made and the result will be furnished to the House in due course.

WITHDRAWAL OF SURCHARGE ON COAL.

714. **\*Mr. K. C. Neogy :** (a) Is it a fact that the Indian Mining Association and the Indian Mining Federation made representations to the Railway Board for abolition of the 15 per cent. surcharge on despatches of coal introduced in January 1932 ?

(b) Do Government propose to consider the withdrawal of the surcharge ?

(c) If the answer to part (b) be in the affirmative, will Government please state how soon they would come to a decision on the point ?

**Mr. P. R. Rau :** (a) Yes.

(b) The representation is under consideration.

(c) As soon as certain statistical information which is awaited from the East Indian Railway is received, I think Government will be in a position to arrive at a final decision.

**LOWER SCALE OF RAILWAY FREIGHT ON COAL FROM PENCH AND CHANDA VALLEY COLLIERIES.**

715. **\*Mr. K. C. Neogy :** (a) Is it a fact that the Great Indian Peninsula Railway Administration introduced in 1923, a lower scale of railway freight for coal from Pench and Chanda Valley collieries than that applicable for coal from the Bengal and Bihar coal-fields in order to facilitate free movement of coal from the former, which, for want of market for their output, were likely to close down ?

(b) Is the same scale still operating ?

(c) Are Government aware that the Indian Mining Federation made repeated representations to the Railway Board for abolition of this discrimination against Bengal and Bihar coal ?

(d) Are Government aware that Bengal and Bihar coal has lost its custom to Pench and Chanda Valley coast at stations on the Great Indian Peninsula and Bombay, Baroda and Central India Railways ?

(e) Do Government contemplate abolition of the above discriminatory rates of freight ?

(f) If the answer to part (e) be in the negative, will Government please state the reason why ?

**Mr. P. R. Rau :** (a), (b) and (e). Yes.

(d) Government have no reliable information in their possession which can definitely show whether this is the case, but are making enquiries.

(e) and (f). The question is under consideration.

**APPLICATIONS FOR REGISTRATION OF FIRMS RECEIVED BY THE INCOME-TAX OFFICER IN KARACHI.**

716 **\*Seth Haji Abdoola Haroon :** Will Government be pleased to lay on the table of this House a statement showing for each of the three years 1930-31, 1931-32 and 1932-33 (a) the number of applications for registration of firms received by the Income-tax Officers in Karachi ; (b) the number of cases in which registration was refused ; and (c) the number of applications which appertained to partnerships between members of Muhammadan families ?

**The Honourable Sir George Schuster :** (a) 260 in 1930-31, 301 in 1931-32 and 331 in 1932-33.

(b) 4 in 1930-31, 9 in 1931-32 and 7 in 1932-33.

(c) Information is not available.

AGE OF COMPULSORY RETIREMENT IN RAILWAY BOARD'S OFFICE.

**717. \*Mr. M. Maswood Ahmad :** Is it a fact that Government issued certain orders last year that the age of compulsory retirement on Railways in India shall be 55 and no extensions beyond that age should be granted to Railway servants ? If so, does that order apply to the Railway Board's office ? If not, why not ?

**Mr. P. R. Rau :** Orders were issued to the State-managed Railways in September, 1932, that for the present in units in which there is a surplus or a likelihood of it or in which there is a waiting list, extensions of service after the age of 55 should not as a rule be granted to railway employees.

These instructions do not apply to the office of the Railway Board.

**Mr. Lalchand Navalrai :** May I know, Sir, if there are persons in the Railway Board who are enjoying extensions after the age of 55 ?

**Mr. P. R. Rau :** I do not think so, but I should like to have notice of that question.

**Mr. M. Maswood Ahmad :** Is it a fact that the Railway Board has extended the age of superannuation from 55 to 56 years ?

**Mr. P. R. Rau :** Yes, Sir, recently as a temporary measure.

**Mr. M. Maswood Ahmad :** Is the Honourable Member aware that in reply to my question the Home Member said the other day that the question of increasing the age of superannuation is not under the consideration of the Government ?

**Mr. P. R. Rau :** The age of superannuation for the clerical staff is 60, and not 55.

**Mr. M. Maswood Ahmad :** Will the Honourable the Home Member say whether the reply he gave before was in respect of clerical staff only or was it for officers as well ?

**The Honourable Sir Harry Haig :** I have no recollection of the particular reply which the Honourable Member is referring to.

**Mr. M. Maswood Ahmad :** Will the Honourable the Financial Commissioner for Railways say whether the Railway Board consulted the Home Department when they increased the age of superannuation from 55 to 56 ?

**Mr. P. R. Rau :** No, Sir. It was unnecessary, because the rules lay down the age of superannuation for the clerical staff at 60 and each Department is competent to reduce it to the extent required above 55.

**Mr. M. Maswood Ahmad :** May I take it, then, that the increase in the age of superannuation from 55 to 56 was made without consulting the Home Department ?

**Mr. P. R. Rau :** I have already told my Honourable friend that this relates to the clerical staff only.

**Mr. M. Maswood Ahmad :** For whom the age of superannuation is 55 ?

**Mr. P. R. Rau :** For the superior staff—officers—it is 55.

**Mr. M. Maswood Ahmad :** Then the age of superannuation for the superior staff has been raised from 55 to 56 ?

**Mr. P. R. Rau :** No, Sir.

WAITING LIST OF RETRENCHED PERSONNEL IN RAILWAY BOARD'S OFFICE.

718. **\*Mr. M. Maswood Ahmad :** (a) Is it a fact that there is a large waiting list of retrenched personnel in the Railway Board's office ? If so, what action, if any, do Government propose to take to have them employed either in the Railway Board or some other Railway offices ?

(b) Is it a fact that some persons whose names appear on the retrenched list maintained in the Railway Board's office are at present employed in other offices ? If so, is it proposed to remove their names from the waiting list to give a chance to others who are below them on that list ?

**Mr. P. R. Rau :** (a) The list can hardly be described as " a large waiting list ". The position is that of an original list of 25 men, three have obtained permanent employment elsewhere, nine have temporary employment with the Railway Board, the Central Standards Office and the Eastern Bengal Railway, and four are known to be unemployed. The situation of the remaining nine men is not known, as they have left no permanent address with the Railway Board. The waiting list has already been circulated to subordinate offices with the object of procuring employment for the retrenched personnel if possible.

(b) No ; as retrenched persons obtain permanent employment their names are removed from the waiting list.

**Mr. Lalchand Navalrai :** May I ask, Sir, if the retrenchment is still going on in the case of State Railways or has it been stopped ?

**Mr. P. R. Rau :** I have no knowledge of any recent retrenchment.

**Mr. M. Maswood Ahmad :** In view of the long waiting list, do Government propose that those officers who have reached the age of superannuation will not be given an extension ?

**Mr. P. R. Rau :** I have already told that this can hardly be considered. There are only four people on the waiting list.

**Mr. President** (The Honourable Sir Shanmukham Chetty) : Does the Honourable Member, Mr. James, want to ask short notice question\* ?

12 NOON.

**Mr. F. E. James :** No, Sir.

\*Mr. F. E. James : Will Government be pleased to make a statement as to the present situation with regard to :

(a) the expulsion order against certain members of the Chettiyar community in Saigon ;

(b) the position of the Chettiyar Bankers in regard to their banking operations in Indo-China with special reference to their dealings with the " Long Term Society " ?

## STATEMENTS LAID ON THE TABLE.

**The Honourable Sir Joseph Bhole** (Member for Commerce and Railways) : Sir, I lay on the table :

- (i) the information promised in reply to supplementary questions to starred question No. 1201 asked by Mr. K. P. Thampan on the 15th November, 1932 ; and
- (ii) the information promised in reply to supplementary questions to starred question No. 451 asked by Mr. M. Maswood Ahmad on the 23rd February, 1933.

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### DUMPING OF CEYLON COPRA INTO INDIA.

\*1201. During the last year or so there have been certain limited imports of Ceylon copra into Malabar and it is possible that in some instances a certain amount of this was mixed with the local copra in exports to the North from the West Coast. It is very unlikely, however, that this admixture has been at all common or that pure Ceylon copra is being exported in any quantity worth consideration. The Government of India understand that copra supplied to Northern India markets from Bombay is Malabar copra and not Ceylon copra. Copra imported from Ceylon is principally used for oil extraction and as there are no oil extracting mills in the Punjab, it is gathered that the copra which is exported to Northern India is Malabar copra for eating purposes.

Representations were received by the Government of India from four different Chambers of Commerce against the reduction or abolition of the import duty on copra.

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### CONDITION OF AGRICULTURE AND INDUSTRIES IN FOREIGN COUNTRIES.

\*451. No reports of any important agricultural or industrial schemes in the countries named in reply to part (a) of the main question have been received from the Government of India's representatives in those countries during the last three years.

As regards the circulation of periodical reports received from the Government of India's representatives in question, the position, so far as the Department of Commerce is concerned, is as follows. Quarterly as well as annual reports are received from the Indian Trade Commissioners at London and Hamburg. The former are printed in the Indian Trade Journal, copies of which are available in the Library of the House, and copies of the annual reports are also placed in the Library. The Government of India do not consider it necessary to circulate any of these reports amongst the members of the Legislative Assembly. Copies are, however, supplied to members of the Departmental Standing Advisory Committee.

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**The Honourable Sir Harry Haig** (Home Member) : Sir, I lay on the table the information promised in reply to unstarred question No. 104 asked by Mr. M. Maswood Ahmed on the 22nd March, 1933.

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### SERVICE UNIONS, ASSOCIATIONS, ETC., RECOGNISED BY GOVERNMENT.

104. The rules relating to recognition by Government of associations formed by its employees were issued in 1921. A statement showing the associations of Government servants recognised since that year by the Government of India and the Departments under their administrative control is attached.

*Statement.*

Name of Association.	Year of recognition.
*Association of the uncovenanted service of the Government of India (Headquarters) .. .. .	1922
Indian Police Association .. .. .	1922
Indian Civil Service Central Association .. .. .	1922
Punjab and Frontier Association of European Government Servants .. .. .	1923
Indian Officers' Association .. .. .	1923
The High Court Association, Calcutta .. .. .	1925
Government of India Attached and Subordinate Offices Association .. .. .	1925
Imperial Secretariat Record Sorters and Daftaries Association .. .. .	1926
All-India Association of European Government Servants .. .. .	1927
Imperial Secretariat Jemadars' and Peons' Association .. .. .	1932
Government of India attached and subordinate offices Record Sorters (including Record Lifters) and Daftaries Association (non-migratory) .. .. .	1933
Survey of India (Class II) Association, Calcutta .. .. .	1923
Survey of India Lower Subordinate Association, Dehra Dun .. .. .	1924
Central Association of <i>European Officers</i> of the Indian Agricultural Service, Bombay .. .. .	1923
All-India Association of <i>Indian Officers</i> of the Indian Agricultural Service, Coimbatore .. .. .	1926
Indian Veterinary Service Association, Calcutta .. .. .	1923
Imperial Department of Agriculture (Pussa) Association .. .. .	1930
Civil Engineers' Association, India .. .. .	1923
Indian College Engineers' Association .. .. .	1924
All-India Specialists' Association .. .. .	1924
India-recruited European Engineers' Association .. .. .	1925
Meteorological Department Clerks' Association (now designated as the Meteorological Department Non-Gazetted Officers' Association) .. .. .	1928
All-India (including Burma) Postal and R. M. S. Union, Delhi .. .. .	1922
All-India Burma Postmasters' Association, Bombay .. .. .	1922
The Postal Officers' Association, India, Calcutta .. .. .	1922
The Telegraph Engineers' Association, Delhi .. .. .	1922
Indian Telegraph Association, Limited, Calcutta .. .. .	1923
All-India Telegraph Union, Calcutta .. .. .	1924
All-India Postal and Telegraph (including R. M. S.) Administrative Offices Association, Lucknow .. .. .	1925
All-India R. M. S. Inspectors' Association, Delhi .. .. .	1925
All-India (including Burma) Postmen and Lower Grade Staff Union, Bombay .. .. .	1925
The Association of the All-India Postal Town Inspectors, Calcutta .. .. .	1928

\*This Association subsequently changed its name to "Imperial Secretariat Association".

Name of Association.	Year of recognition.
All-India (including Burma) Postal Accountants' Association, Poona .. .. .	1929
The Telephone Service Association of India and Burma, New Delhi .. .. .	1929
Indian Audit and Accounts Service Association .. ..	1923
Customs Service Association of All-India and Burma, Calcutta ..	*1923
Imperial Opium Officers' Association .. ..	1923
N. I. S. R. Department Officers' Association, Sambhar ..	1924
Bengal Income-tax Association, Calcutta .. ..	1925
Income-tax Department Ministerial Officers' Association, B. and O., Ranchi .. ..	1926
Association of the Gazetted Officers of the Income-tax Department, Bombay .. ..	1927
Clerks Association of the Income-tax Department, Punjab, N. W. F. P. and Delhi Province, Lahore .. ..	1927
Central Board of Revenue Ministerial Officers' Union, Bombay ..	1928
Income-tax Officers' Association, United Provinces .. ..	1928
Income-tax (Gazetted) Service Association, Bengal .. ..	1928
Income-tax Ministerial Officers' Association, United Provinces ..	1928
N. I. S. R. Department Clerks' Association .. ..	1928
Government Peons Union, Bombay .. ..	1928
Income-tax Department Non-Gazetted Officers' Association, Central Provinces and Berar, Nagpur .. ..	1929
Income-tax Inspectors' Association, Punjab, N. W. F. P. and Delhi Province, Lahore .. ..	1930
Income-tax Officers' Association, Punjab, N. W. F. and Delhi Provinces, Lahore .. ..	1930
Income-tax Department Non-Gazetted Officers' Association, Madras .. ..	1930
Income-tax (Gazetted) Service Association, Bihar and Orissa ..	1931
Association of the Non-Gazetted Superior Staff of the Income-tax Department in Sind .. ..	1931
Currency Association, Calcutta .. ..	1922
Currency Association, Cawnpore .. ..	1927
Currency Association, Lahore .. ..	1924
Currency Association, Bombay .. ..	1923
Currency Association, Madras .. ..	1923
Currency Association, Karachi .. ..	1925
Currency Association, Rangoon .. ..	1922
All-India (including Burma) Currency Offices Union .. ..	1925
Non-Gazetted Civil Accounts Brotherhood, United Provinces ..	1922
Civil Accounts Association, Punjab .. ..	1922
Non-Gazetted Civil Accounts Association, Burma .. ..	1922
Accounts Offices Association, Bengal .. ..	1922
Non-Gazetted Civil Accounts Office Association, Madras ..	1923

\*Recognition was withdrawn in 1926 but restored in June, 1928.

Name of Association.	Year of recognition.
Delhi Posts and Telegraphs Audit Clerks' Union .. ..	1923
Civil Accounts Association, Bombay .. ..	1923
Non-Gazetted Postal Accounts Offices Association, Nagpur ..	1923
Madras Postal Audit Clerks Association .. ..	1922
Accountants Association, Rangoon .. ..	1922
Civil Accounts Office Association, Nagpur .. ..	1924
Civil Accounts Association, Assam .. ..	1924
Public Works Accountants Association, U. P. .. ..	1924
Bombay Public Works Accountants Association .. ..	1925
Civil Accounts Association (A. G. C. R.), Delhi .. ..	1926
Public Works Divisional Accountants Association, Punjab ..	1926
Madras Divisional Accountants Association .. ..	1930
Burma Railways Statutory Audit Office Clerks' Association, Rangoon .. ..	1930
Railway Audit Accountants Association, Rangoon .. ..	1930
Railway Auditors Association, Bombay .. ..	1930
Bengal Divisional Accountants Association .. ..	1931
Stores Audit Association, New Delhi .. ..	1931
Great Indian Peninsula Railway Statutory Audit Office Clerks' Association .. ..	1931
North Western Railway Auditors Association, Lahore .. ..	1932
Subordinate Statutory Railway Auditors' Association, Madras ..	1931
Railway Auditors Association, Calcutta .. ..	1932
Divisional Accountants Association, Assam .. ..	1932
North Western Railway Audit Clerks' Union .. ..	1932
Frontier Civil Accounts Association, Peshawar .. ..	1933
Government Audit Clerks Association, Bengal Nagpur Railway ..	1933
Foreman's Association of India .. ..	1919
Civilian Clerks' Association (M. E. S.), North-West Frontier Province, Peshawar .. ..	1922
All-India Arsenal Clerks' Association .. ..	1922
Army and Royal Air Force Headquarters Association .. ..	1923
All-India Association of Clerks of Ordnance Factories .. ..	1924
Indian Ordnance Civilian Gazetted Officers' Association .. ..	1926
Association of the All-India Royal Air Force Units' Clerks ..	1927
*Harness and Saddlery Factory Labour Union .. ..	1928
Cordite Factory Labour Union .. ..	1928
Indian Army Service Corps Civilian Association .. ..	1928
Gun Carriage Factory Labour Union .. ..	1931
Association of Storekeepers and Storemen of the Indian Army Ordnance Corps .. ..	1932
All-India Association of the Supervising Staff of Ordnance and Clothing Factories .. ..	1932

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\*Recognition withdrawn on the 8th February, 1933.



Name of Association.	Year of recognition.
Military Accounts Association, Poona .. ..	1921
Military Accounts Association, Calcutta .. ..	1928
Military Accounts Association, Maymyo .. ..	1926

**The Honourable Sir Frank Noyce** (Member for Industries and Labour) : Sir, I lay on the table :

- (i) the information promised in reply to starred question No. 619 asked by Mr. K. P. Thampan on the 4th March, 1932 ;
- (ii) the information promised in reply to starred question No. 1067 asked by Sardar Sant Singh on the 1st April, 1933 ;
- (iii) the information promised in reply to starred questions Nos. 1075, 1076 and 1077 asked by Mr. D. K. Lahiri Chaudhury on the 1st April, 1933 ; and
- (iv) the information promised in reply to starred question No. 1205 asked by Maulvi Sayyid Murtuza Sahib Bahadur on the 10th April, 1933.

#### MEMORIALS FROM ENGINEERING SUPERVISORS, TELEGRAPHS.

\* 619. (a) Yes, except that the memorials were received before August, 1931.

(b) The case of the memorialists and of other Engineering Supervisors, General, who were appointed to their posts on a substantive basis after 4½ years' service as Telegraphists and three years' service as temporary Engineering Supervisors has been reviewed by the Director-General in consultation with Government. The number of officials affected is 57. The review has revealed that most of the memorialists had more than one chance to qualify for promotion to the grade of Deputy Assistant Engineer, Telegraphs, prior to the discontinuance of the old system of training. Further, of the memorialists and other Engineering Supervisors, many were over age, some did not possess the requisite qualifications for selection for training and others had had at least three opportunities.

Government consider that those who were over age, those who did not possess the prescribed qualifications and those who had had three opportunities but did not take advantage of them have no legitimate grievance and that therefore the cases of 16 Engineering Supervisors only require special consideration. Of these 16 eleven had two opportunities, four had one opportunity and the remaining one had no opportunity to qualify. It is impossible to give any of them further chances of qualifying under the old system as that system has been abolished, but it has been decided that the eleven officials who had two opportunities to qualify will be given one more chance, the four officials who had one opportunity to qualify will be afforded two more chances, and the remaining official who had no opportunities to qualify will be given three chances. For this purpose, they will be given a special course of training in the Electrical Engineer-in-Chief's Office, subject to their passing an entrance examination. Thus all Engineering Supervisors who had the requisite qualifications will have had at least three chances to qualify for promotion to the grade of Deputy Assistant Engineers whether or not they took advantage of their opportunities prior to 1920.

(c) The reply to the first part is in the negative. The second and third parts are covered by the answer to part (b).

(d) Yes. Recruitment was previously made partly from telegraphists of not less than 4½ years' service who were not required to pass any examination ; and partly from telegraphists who had undergone a special training for 2½ years and had successfully passed an examination at the end of it. Under the orders of 1927, which had effect from the 1st January, 1929, these methods were replaced by a new system of recruitment partly from within, and partly from outside the Department, designed to obtain men with better educational qualifications. As regards seniority those Supervisors who had completed a nine months' course of training for promotion to the grade of Deputy Assistant Engineer in 1927 were ranked for seniority after those who had already passed that course ; the Supervisors who passed that course in 1928 were

classed for the purposes of promotion to the grade of Deputy Assistant Engineers with the men who completed the 2½ years' course of training in 1925, and their relative seniority was fixed according to the percentage of marks obtained in the examinations. In cases where the marks are identical, seniority was decided according to the length of service. These arrangements were decided on in consideration of various factors including allowances for the ages and experience of the different batches of passed staff.

#### PAINTS USED BY THE EASTERN BENGAL RAILWAY FOR PAINTING THEIR WAGON.

\*1067. (a) The numbers of the Specifications mentioned by the Honourable Member are not correct. Specification No. G/O.P.-121 and G/O.P.-121|1 are presumably meant. Specification No. G/O.P.-121 for black paint requires the pigment to be equal in staining power and tone to the standard which contains 20 per cent. of lamp black. The pigment will not necessarily itself contain 20 per cent. of lamp black, but may contain more or less according to the grade of lamp black used. Specification No. G/O.P.-121|1 for black paint second quality requires the pigment to be equal in staining power and similar in tone to the standard which contains 3 per cent. of carbon black.

(b) No. In addition to the specifications for black paint mentioned in reply to part (a) there is another specification No. G/O.P.-122 for bone black paint.

(c) Presumably Muraco special black paint is referred to. This is a paint of an altogether different type from paints made to comply with specifications described in replies to (a) and (b). It is not known how much carbon black, if any, it contains. The loss on ignition of the pigment is about 80 per cent.

#### TENDER CALLED FOR BY THE INDIAN STORES DEPARTMENT FOR ENAMEL NAVY GREEN.

\*1075. (a) The Indian Stores Department called for tenders for 6,400 gallons of enamel Navy green on the 29th May, 1929.

(b) Yes.

(c) *1st Part.*—Yes. 300 gallons were purchased in June, 1929, and 3,700 gallons in August, 1929. The price in both cases was Rs. 11-4-0 per gallon.

*2nd Part.*—It is not practicable to purchase enamels for railway use on the results of analytical tests. Such enamels are chosen on the basis of actual exposure tests, as in the analogous case of railway varnishes. This is well-known to paint manufacturers. At the time of this particular order the results of exposure tests were not available. The Government Test House therefore recommended that an order for a part of the quantity of enamel required should be placed with Messrs. Jenson and Nicholson (India), Limited. This recommendation, which was accepted by the Chief Controller of Stores, was made on the strength of the results obtained on the exposure tests carried out on varnishes manufactured by the firm which showed them to compare favourably with other varnishes tested practically by the Government Test House. As varnishes form the most important ingredient of enamels, it was considered that the firm's enamel would also give good results. That this reasoning was valid is shown by the fact that when the practical tests had been completed the enamel was found to be satisfactory.

(d) No complaints have been received from the Railway Administration concerned and, as stated in the answer to part (c), the enamel gave satisfactory results in the exposure tests carried out at the Government Test House.

(e) *First part.*—The firm named quoted Rs. 6-4-0 per gallon.

*Second part.*—The composition of the pigment of the sample submitted by Messrs. Murarka Paint and Varnish Works, Limited, conformed to the specification for green enamel. The exposure tests on the varnish manufactured by this firm had, however, proved very unsatisfactory and the firm's offer was therefore not accepted. When the results of exposure tests on the enamels were completed, this firm's enamel was found to be unsatisfactory.

(f) No. Messrs. Murarka Paint and Varnish Works' varnish gave a much less glossy film than that of Messrs. Jenson and Nicholson (India), Limited.

### TESTING OF SAMPLES OF ENAMEL NAVY GREEN BY THE GOVERNMENT TEST HOUSE, ALIPORE.

\*1076. (a) *First part.*—Yes.

*Second part.*—No report was submitted as no sample was received from Messrs. Jenson and Nicholson.

(b) Does not arise.

(c) The Government do not propose to place a copy of the report referred to on the table of the House. The report was prepared for the information of the Chief Controller of Stores. If any manufacturer requires a report on the tests and analyses of any of his products, it can be obtained from the Government Test House, Alipore, after the examination of samples of the product and on payment of the prescribed fees.

(d) *First part.*—Out of the 4,000 gallons of enamel, Navy Green, purchased from Messrs. Jenson and Nicholson (India), Limited, in 1929, 3,700 gallons were purchased on the recommendation of the Government Test House, Alipore.

*Second part.*—The attention of the Honourable Member is invited to the answer given to part (c) of question No. 1075.

### SUPPLY OF ENAMEL PURPLE BROWN TO THE EASTERN BENGAL RAILWAY THROUGH THE INDIAN STORES DEPARTMENT.

\*1077. (a) Yes.

(b) No.

(c) Enamel Purple Brown was purchased at the price named from Messrs. Jenson and Nicholson while the Rate Contract with Messrs. Hoyle, Robson and Barnett for Enamel Purple Brown to E. B. R. shade was in force, but it was not the same stuff as that covered by the Rate Contract with Messrs. Hoyle, Robson and Barnett.

(d) The difference between Rs. 40 per cwt. and Rs. 9-8-0 per gallon amounts to Rs. 61-5-4 per cwt., but the material on contract with Messrs. Hoyle, Robson and Barnett was inferior to that purchased from Messrs. Jenson and Nicholson and was not suitable for the particular purpose for which it was required by the E. B. Railway.

(e) *First part.*—3,010 gallons.

*Second part.*—The question of loss does not arise, for, as already explained in the answers to parts (c) and (d), the two materials are not comparable.

(f) The Government are already aware of the reasons for which the purchase was made. These have been explained in the answer to part (d).

(g) The purchase was made by the Controller of Purchase, Calcutta, and, as already explained in parts (c) and (d), the two materials are entirely different, and the question of loss does not therefore arise.

### RENT OF GOVERNMENT QUARTERS PAID BY THE STAFF OF THE OFFICE OF THE DEPUTY ACCOUNTANT GENERAL, POSTS AND TELEGRAPHS, DELHI.

\*1205. (a) to (f). The clerks concerned are entitled to pay rent under Fundamental Rule 45A. They are not however entitled to have Government quarters allotted to them in Old Delhi or in New Delhi, because they are not required to reside in either place on duty with the Government of India. But this does not affect the question of the payment of rent by them, and the circular of the Deputy Accountant General calling on them to express readiness to pay rent under Fundamental Rule 45B will be cancelled.

(g) The substantive pay of the officer is below Rs. 600 per mensem. He is therefore eligible for clerks' quarters and has been given 'B' Class quarters as there are no 'A' class orthodox quarters in Old Delhi.

**Mr. P. R. Ray** (Financial Commissioner, Railways) : Sir, I lay on the table :

- (i) the information promised in reply to starred question No. 375 asked by Seth Haji Abdoola Haroon on the 20th February, 1933 ;
- (ii) the information promised in reply to parts (b), (c), (d) and (e) of starred question No. 845 asked by Pandit Satyendra Nath Sen on the 21st March, 1933 ; and
- (iii) the information promised in reply to unstarred question No. 109, asked by Pandit Satyendra Nath Sen on the 22nd March, 1933.

#### PASS SECTION OF THE NORTH WESTERN RAILWAY.

\*375. (a) The Agent, North Western Railway, reports that prior to the 1st May, 1930, the strength of the Pass Section was six consisting of one Head Clerk and five clerks but that it was increased with effect from the 1st May, 1930 to eight, consisting of one Head Clerk and seven Clerks. The increase was necessitated on account of considerable increase in work which will be apparent from the figures given below :

No. of passes issued in 1928 .. .. .	25,280
No. of passes issued in 1929 .. .. .	29,622
No. of letters received for the Pass Section :—	
In 1926 .. .. .	12,021
In 1929 .. .. .	16,779
Suburban tickets issued in 1928 .. .. .	735
Suburban tickets issued in 1929 .. .. .	840

(b), (c) and (d). No.

(e) It has been decided to continue the present arrangements. Attention is drawn to the reply to the question referred to which has since been laid on the table.

#### PROMOTION OF CLERKS IN THE EAST INDIAN RAILWAY ACCOUNTS DEPARTMENT.

\*845. (b) Yes.

(c) Yes.

(d) (i) 25.

(ii) 3.

(e) Government do not propose at this distance of time to cancel the 22 irregular promotions which were made as a result of misunderstanding of the rule.

#### RETRENCHMENT IN THE RAILWAY CLEARING ACCOUNTS OFFICE, DELHI.

109. (a) and (b). I understand that six clerks who had been retained out of turn under misunderstanding were not included in the list laid on the table of the House in reply to starred question No. 461 (c) and (d), dated 23rd February, 1933.

(c) These six clerks, who had held permanent appointments on the Eastern Bengal and Bombay, Baroda and Central India Railways, came over to the Railway Clearing Accounts Office along with their work, and owing to a misapprehension, the Director considered that, irrespective of their total length of service, these clerks were not to be brought under retrenchment.

I am informed, however, that the men with longer service who were discharged as a result of the irregular retention of these six men have since been either re-entertained or offered posts, in the Railway Clearing Accounts Office.

## BILLS PASSED BY THE COUNCIL OF STATE.

**Secretary of the Assembly :** Sir, in accordance with the provisions of rule 25 of the Indian Legislative Rules, I lay on the table the following Bills which were passed by the Council of State on the 5th September, 1933 :

1. A Bill further to amend the Indian Arbitration Act, 1899, for a certain purpose ; and
2. A Bill further to amend the Cantonments (House Accommodation) Act, 1923, for a certain purpose.

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## MESSAGE FROM THE COUNCIL OF STATE.

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

“ I am directed to inform you that the Council of State has, at its meeting held on the 5th September, 1933, agreed without any amendments to the Bill further to amend the Workmen's Compensation Act, 1923, which was passed by the Legislative Assembly, at its meeting held on the 28th August, 1933.”

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## THE COTTON TEXTILE INDUSTRY PROTECTION (AMENDMENT) BILL.

**Mr. President** (The Honourable Sir Shanmukham Chetty) : The House will now resume further consideration of the motion that the Bill further to amend the Cotton Textile Industry (Protection) Act, 1930, be taken into consideration.

**Mr. H. P. Mody** (Bombay Millowners' Association : Indian Commerce) : On behalf of the agriculturists and the hand loom weavers of India (Applause), I warmly support the Bill before the House. (Laughter.) I do not know what my friends are laughing about ; with the possible exception of my Honourable friend, Mr. Lahiri Chaudhury, I claim to be as stout a champion of these interests as anyone in this House. I shall never, I hope, be found in this House coming forward for relief to any interests which I represent if it was found that such relief could only be given at the expense of some other interest. As was so admirably put by my Honourable friend, Mr. Ranga Iyer, yesterday, a proper balance has to be struck in these matters, and every measure has got to be considered on its merits, and with reference to its implications, not only as regards the particular industry concerned, but every other industry as well. One of these days, though I feel it rather a difficult task, I hope to convince some of my Honourable friends here, that those like me, who are fighting for the rights of industries, are trying at the same time to serve the best interests of the masses.

With these preliminary observations, I shall now attempt, as briefly as I can, to answer some of the points raised in the debate, and I shall impose the same restraint on myself as was observed by my Honourable friend, the Commerce Member. My Honourable friend, Mr. Raju, on the first day of the debate, spoke for the hand loom weavers. I respect that attitude, but I want to point out to him that he is altogether wrong in thinking that any measure calculated to advance the interests of the textile industry constitutes a threat to the hand loom weaver. It is true that the

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hand loom industry today is in a rather deplorable condition, as is every other industry, whether conducted by hand or by power. What are the causes? To a certain extent it is true that the competition of the power factories has affected the fortunes of the hand loom industry; that is bound to happen. But we have this consolation that unlike almost any other country or any other industry that I know of, the hand loom industry has survived in this country for centuries, and has withstood the competition of power factories for the last 70 years more or less successfully, and today it holds almost the same position in the economy of this country as it has ever held. In that I see a gleam of hope, but what I would like to point out to my Honourable friend is that one reason why that industry has suffered is because of the cheap imports from foreign countries, and if we in this House fight for adequate protection for our interests, we are at the same time fighting for the best interests of the hand loom weavers. The duty on cloth has helped the hand loom weaver just as much as it has helped those who are conducting the industry in factories.

**An Honourable Member :** What about the duty on yarn?

**Mr. H. P. Mody :** My Honourable friend asks, how about the duty on yarn. I shall answer that question as well. The duty on yarn has not affected the hand loom industry to anything like the extent which my friends imagine, basing their arguments perhaps on what has been said in a recent communiqué of the Madras Government. My Honourable friends must know that there are today a great many mills which are switching over from the production of yarn for sale to the production of cloth. Why are they doing that? They are doing that for the simple reason that there is no economic price to be obtained for yarn. I am giving this as a positive fact, you can verify it by the figures of mills in India today which are engaged in the manufacture of yarn for sale and which find it increasingly necessary to switch over to the production of cloth, because there is no market for yarn at an economic price. If it happens, as it is bound to happen some day, that all mills in India turn their attention to the production of cloth, then the dependence of the hand loom weaver would be more or less on the imported yarn and he is going to get very little shrift or mercy from the exporters of such yarn. It may be that today he is enjoying the benefit of cheap imports, but tomorrow he may find that the foreigner has established himself firmly in this country and that he is able to exact his own price with the elimination of the competition of the mills. Now, I hope, that is a sufficient answer to my Honourable friend. I recognise that my Honourable friend is not opposing this measure, but he has put forward a point of view which is perfectly legitimate and which I have tried to answer to the best of my ability. I turn now to my Honourable friend, Mr. B. Das. My Honourable friend's democratic sympathies and vivid imagination embrace the whole of Indian humanity; he said he spoke for the 350 millions of India.

**An Honourable Member :** *Minus* the millowners.

**Mr. H. P. Mody :** I am sorry for the 350 millions *minus* the millowners. Now, Sir, what was his argument when he presented himself to this House as the champion of these 350 millions? He said there would be retaliation on the part of Japan, and that there had been actual retaliation in 1927. I am afraid, my Honourable friend is rather careless in his handling of facts.

**Mr. B. Das** (Orissa Division : Non-Muhammadan) : Not at all.

**Mr. H. P. Mody** : There was a retaliation on the part of Japan in the matter of pig iron at a time when there was no question of increasing the duties on textiles. The duties on pig iron were put up by as much as 250 per cent. at one stroke what time the industry had not obtained the measure of relief it has now got. As regards cotton, my Honourable friend, with that delightful incoherence which he exhibits, contradicted himself. He said Japan was retaliating in the matter of cotton, and, in the next breath, he said that within the next five years Japan will grow as much cotton as she wants in Manchuria and other places. If Japan is anyhow going to do that some day, then where comes the question of retaliation ? I do not want, Sir, to strike a controversial note upon this question in view of the very important negotiations which are going to take place in the next few months. But I will say this that if there is going to be a threat to the interests of the agriculturists in India, the proper answer is not whining impotence, but adequate counter measures which I hope this House will most heartily endorse. But I do hope that that unhappy eventuality will be avoided, that, as a result of the Conference which is going to take place, we shall be able to reach an agreement which will ensure friendship between the two countries, and that there will be no more talk of boycott or counter-measures of reprisals.

Now, Sir, Mr. Das, again with the same carelessness with regard to facts, talked of bloated profits. I do not know whether he is still living in the lectic days of 1920. The answer to his imaginings is to be found in an Associated Press message today which says that another few thousand employees have been turned out of their jobs in Bombay mills on account of depression and on account of Japanese competition. Since April, 15 thousand hands have been thrown out of employment in addition to the many thousands who had been thrown out in previous years. But it may be said that this is the position in regard to the Bombay mills only. It is by no means so. Mills at Indore, mills in the Central Provinces and mills in other places are feeling the draught almost as acutely, and there is widespread unemployment everywhere.

Then, my Honourable friend talked of mismanagement of Bombay mills, and in this connection he is rather fond of quoting my Honourable friend, the Member for Industries and Labour. Sir, in spite of my Honourable friend, Sir Frank Noyce's free trade proclivities, I have a warm regard for him, and I have always said that his report in 1927 was a most valuable contribution to the literature on the subject, and was full of suggestions for the amelioration of the industry. But I want to know, in what part of that report does my Honourable friend find support for his theory that there has been gross mismanagement in Bombay mills ? It is true that Sir Frank Noyce has made valuable suggestions for the improvement of the industry, but that is very different altogether from saying that the industry is mismanaged. This continual talk of mismanagement which is being heard, and which no amount of facts and figures can manage to scotch, will, at any rate I hope, be scotched when the Report of the last Tariff Board, a Board which was competent to judge, is published. And if from no other point of view, at least from this particular standpoint, I am anxious that that Report should be released to the public at the earliest possible moment. I hope that Report will give a positive lie to the statements which are being recklessly flung about with regard to the mismanagement of the Bombay

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mills. (Interruption by Mr. B. Das.) After all, the Report must be based upon evidence ; I know what evidence has been laid before the Board, and I say that unless they ignore altogether the facts placed before them, they could not come to the conclusion that the industry is suffering from mismanagement. Sir, the real trouble with my Honourable friend, Mr. Das, is not that he does not understand exactly what he is talking about,—though it is sometimes rather difficult to believe that he does understand (Laughter)—he has got enough experience as a politician and as a publicist ; he is a man of affairs, he knows trade and industry ; but the trouble with him is that Mr. Das is a capitalist at heart. (Laughter.) Now, Sir, the capitalist unfortunately today has gone a bit out of fashion, and it does not do for any good patriot to come forward and say that he is an exponent of either capitalist or industrial interests. And, therefore, it is that my friend, Mr. Das, who at heart is as bad a capitalist as any one of us, comes forward to prate about the woes of the agriculturist ; I doubt very much whether he has been within a hundred miles of any village (Laughter) or whether his acquaintance with the agricultural problem goes very much beyond the purchase of a few mangoes or bananas. (Laughter.)

Now, Sir, I will deal briefly with my Honourable friend, Mr. Joshi. In spite of the fact that we always argue against each other, we are great friends. Mr. Joshi propounded a very novel doctrine, that whenever the textile industry came up for some measure of relief, that must be an occasion for imposing on the industry certain conditions with regard to the welfare of labour. Surely these questions are entirely apart. Whether you give protection to the industry or not, a certain standard of life is to be maintained and enforced with regard to labour, all those ameliorative measures, which flow from the Government of India with their increasing labour sympathies, have been designed to improve the lot of labour irrespective of whether the industry has received adequate protection or not. Does my friend require a double dose of protection, namely, industrial legislation proceeding at a rapid pace, irrespective of Protection, and again when the industry comes up for some measure of relief ? That, I say, Sir, is a wholly untenable proposition and I hope it will not be supported anywhere.

I said that I would be very brief ; I have only a few words more to say. My Honourable friend, Mr. Das, speaking on behalf of the Democratic Party, said that they were going to oppose this measure. I hope it is not correct ; I hope at any rate the Democratic Party will reconsider their attitude. What would happen, supposing a large section of the House, a majority section in this House, were of the same opinion ? One of two things would happen. The Tariff Board's Report and the Government of India's decision on that report would have to be immediately published and brought up before the House, and some fresh measure of protection recommended. That I say is obviously out of the question for the simple reason that negotiations are on foot, and it does not do, when the Lancashire deputation and the Japanese deputation are on their way, to present them with a measure of protection at the same time that profess yourself willing to come to a settlement with them. That would be one way of dealing with the matter. The other way would be to do away with protection altogether and to leave the industry to the tender mercies of foreigners. Is that the position which the Democratic Party propose to take up in this House, namely, that the industry should have no protection at all ?



Whose interests would they be serving thereby except the interests of the foreigner ? I respectfully ask them whether they have realised the implications of such an attitude. I am sure that no other section in the House will support it. I am not merely concerned with getting votes, not merely concerned with getting this measure through : I want that every Member of this House, realising his responsibility, will whole-heartedly support the measure which has been put forward by my Honourable friend, the Commerce Member.

**Mr. C. S. Ranga Iyer** (Rohilkund and Kumaon Divisions : Non-Muhammadian Rural) : Sir, I must at the outset congratulate my friend from Bombay on the able way in which he began espousing the cause of the agriculturists. I am sure the Honourable Member from Bombay is very receptive, and he probably felt that he was considerably misunderstood yesterday and took the earliest opportunity to clear the misunderstanding and define the position that he has consistently taken up as an old Congressman following the footsteps of Sir Pherozeshah Mehta before the Congress changed its policy. As every millowner in this country has proved by his action, there is a close contact between the agricultural and industrial interests, as evidenced by the fact that the largest quantity of short staple cotton produced in this country is consumed by the millowners themselves. There is no use for supporters of agricultural interests to ignore this essential fact that between agriculture and industries there is an unbreakable connection. It is good to build upon the connection and I welcome, therefore, the observation of the champion of industrial and tariff interests in Bombay. I must say a word in defence of my friend, Mr. B. Das, once upon a time the champion of the Nationalist Party and its most industrious whip. When Mr. B. Das said that he was going to oppose this Bill, I think he governed it with a condition, till the publication of the Tariff Board Report.....

**Mr. B. Das** : Quite so.

**Mr. C. S. Ranga Iyer** : .....and I suppose it was only his vigorous way of putting that the Tariff Board Report must be published, and not that this Bill should be opposed, for even Mr. Scott has not chosen to oppose this Bill. What Mr. Scott stated in his usually eloquent and almost convincing and seductive style was this, that the Government of India's policy was more or less typical of "Wait and see Japanese policy". That was quite a dignified way of concealing some of his apprehensions, because he did not want on an occasion like this to express them, for each and every one in this House is anxious to strengthen the hands of the Commerce Member in the great and important negotiations that are opening before us. In this particular matter and during this debate it is well for us from the Opposition Benches to make clear to the Japanese representatives who are coming to this country that the Leader of this House has the confidence of the House as a whole. (Cheers.) When the Leader of the House denounced the Indo-Japanese Convention in April last, we gave him united and unanimous support, because our agricultural and industrial interests called for such action ; and I, standing on this side of the House, very clearly stated then that the denunciation of the Convention was but the beginning of negotiations leading to a better understanding and better amity and better agreement with Japan in the light of new conditions.

[Mr. C. S. Ranga Iyer.]

Therefore, we ought to give every support to the Honourable the Commerce Member who is animated not by any hostility towards Japan—on the contrary, as he very clearly stated in his lucid and convincing speech, he is anxious once again to revive those fair traditions and conditions of industrial rapprochement which had united India and Japan. We also join him in giving a welcome, a cordial welcome to the Japanese delegates, because as he very clearly stated, Japan is one of our important customers, the principal buyer, as an outside nation, of our short staple cotton. We want to keep Japan as our friend and we hope that Japan will view the debate that has taken place in this House with sympathy and understanding and realise that our Commerce Member enters into negotiations with the fullest support that a leader of a democratic House in a self-governing country can have. (Cheers.) I have only to add that the agricultural interests are watching developments with great interest, and I welcome the Honourable the Commerce Member's observations in regard to their representation in whatever negotiations concerning those interests that might take place. On this two-clause Bill, if we take into consideration the short title also, we have had a two days' discussion. I think it is sufficient that we have taken over two days on this matter, and time that we gave a vote of confidence to the Commerce Member by passing this Bill unanimously and without any opposition, especially in the light of the fact that we are entering into important negotiations in view of which it is better that the protection is extended for the limited period prescribed. (Cheers.)

**Lala Hari Raj Swarup** (United Provinces : Landholders) : Mr. President, the sincerity of Mr. Mody and even of Mr. Das may be doubted in voicing the feelings of agriculturists, but my sincerity cannot be doubted, because I represent the landholders of the United Provinces and I have got a large number of tenants under me who grow cotton and I grow cotton myself. I give my wholehearted support to this measure of protection, because I feel that there is nothing in this Bill which is injurious to the interests of the agriculturists. On the other hand, by attaching too much importance to this argument in our speeches on Monday and today, we are playing into the hands of the Japanese delegation which is about to come out to India. I understand from reliable sources that the Japanese have sent out men in cotton growing districts instigating cotton growers and to put up their demands that their interests are in danger, in order to impress the importance of their so-called boycott of Indian cotton. Sir, if you look into the figures, you will find that they have placed orders for Indian cotton much in advance. For instance, in July, 1931, they purchased cotton for Rs. 425 lakhs. In 1932, they purchased cotton for Rs. 168 lakhs ; in July 1933, their purchases went up to Rs. 571 lakhs. Before announcing the boycott, they placed orders in advance so that they could hold their own for six months at least to come. Secondly, there is nothing in this argument of boycott, because, as we know, most of the Japanese machinery is adapted for short staple cotton, especially cotton produced in India. By resorting to this boycott and by sticking to it, do we take it that they will throw away crores of their capital into the sea and go in for more machinery ? It is a futile argument. Thirdly, if we look into the exports, we find that the exports of Indian cotton have actually been falling in the Japanese markets ; so it means that the time will

come when we will have to depend upon our own market or find other markets in other parts of the world. I have always thought, Sir, from the very beginning that this short Bill should have been passed without much discussion or argument, because this is a time when, instead of weakening the hands of my Honourable friends, the Industries Member and the Commerce Member, we should strengthen their hands by giving our whole-hearted support to this measure, and I take this opportunity from this place in this House to convey to the Japanese delegation that we Indians will not be afraid of their tactics of dealing in international negotiations. You are well aware, Sir, how difficult it is to deal with the Japanese. You have had the privilege of dealing with these people in International Conference in other parts of the world. Therefore, Sir, on behalf of the agriculturists and on behalf of the cotton growers, I wholeheartedly support this Bill, and I would ask every Honourable Member here to accord his full support to the Honourable the Commerce Member.

**Mr. K. P. Thampan** (West Coast and Nilgiris : Non-Muhammadan Rural) : Sir, the scale of duty that is now proposed to be imposed upon cotton textiles has been in existence for some time, and I would like to know what the Government have done during all the time. It is now nearly six months since the rate has been enhanced, and I should like to ask the Government why they have not cared to send out some experts to find out from Japan why the Japanese people are able to dump their goods into this country and how they are able to sell their produce at such low rates ? I do not think, Sir, that the rate of exchange of the yen alone helps the Japanese to do this. My own opinion is that the Government have not done their duty in this matter, and, in asking us to vote for a measure of this kind, Government are asking us to take a leap in the dark as all light, all the relevant data are withheld from us.

— Sir, there are several interests involved in this measure. There are the cotton growers, there are the hand loom weavers, there are the mill-owners, and finally there are the consumers. It is our desire to hold the balance evenly among all these classes. If we can protect the millowners without injuring the interests of other classes of people, we will be the first to do it, because, we know, Sir, there are more than eight lakhs of people who are engaged as labourers in this industry, and it is our earnest desire that they should not be thrown out of employment and that the capitalist should also get a fair return on his investment. Therefore, Sir, if the Democratic Party decided to oppose this measure, it was because the Government had not published the Report of the Tariff Board which we consider would be the most impartial and equitable one, and we naturally thought that, without getting sufficient data on this question, we would not be discharging our duty properly. We refused to allow ourselves to be a party to a measure if it would injure the interests of the agriculturists and other classes of people. The only relevant data that the Government have got on the subject is contained in the Report of the Tariff Board, and that for their own reasons, they have not cared to supply us.

Sir, personally speaking, though I am an agriculturist and a landowner, I do not grow cotton, as you are doubtless aware, but my

[Mr. K. P. Thampan.]

sympathies as an agriculturist are entirely with the cotton growers, and as there are other Members in this House who can speak for cotton growers much better than I can do, I leave the matter to them. But, Sir, there are thousands of hand loom weavers in places, like Tellicherry, Cannanore and throughout the villages in Malabar. There are also weaving factories where beautiful checks and other suitings are manufactured, and a very large number of people depend upon that industry, and, as their spokesman in this House, unless I am convinced that that industry will not be adversely affected by this measure, I cannot lend my support to this Bill.

Sir, not only Malabar, there are other districts also, for instance, the place from which you come, Coimbatore, Salem, Madura, and Tanjore in South India, where there are thousands of hand loom weavers manufacturing very fine *saris*, and other cloths. Their products are said to be very fine, and I am told,—I have not got the figures with me just at the moment,—that cloth worth about  $1\frac{1}{2}$  crores of rupees is sent out to foreign places from the Madras Presidency over and above what is sent to several parts of this country. On the last occasion when I went to Lahore, I was delighted to find that the cloth stalls of some merchants there were filled with Cannanore checks and other cloths. This is the condition of this industry in my part of the country and as one, representing the hand loom weavers also, I feel I must think twice before I lend my support to a measure of this kind.

With regard to the consumer, Sir, I may say that I am a consumer myself of cotton goods, and personally I am willing to put up with higher prices for the cloths I purchase for a time if it will assist the producers, but I cannot be expected for all time to put up with higher prices. Why should I not take advantage of the cheaper world prices, why should I be prevented from enjoying the benefits of a cheaper value as the result of more efficient and scientific manufacture and organisation? Sir, an industry that asks for support always is not worth the name, and the fundamental principle in giving protection to any industry is that it should be given only for a limited period of time, before which the industry concerned is expected to turn the corner. You cannot give protection for all time.

Then, Sir, a good deal was said by my Honourable friend, Mr. Mody, about the alleged mismanagement of the mills. I do not know about the nature of mismanagement in the mills, but I know, Sir,—and I have recently read enough of literature on the subject—of the abuses of the managing agency system that obtains in many of the Bombay mills. Sir, it is an unfortunate thing that the Indian Companies Act is so drafted that any kind of abuse on the part of the managing agents is held to be legal. They get a commission for every purchase they make, they get a commission for the sales they effect, they get a commission for keeping of the office, for repairs, building of houses and for every conceivable thing connected with the mills. Whether the mills lose or gain, the profits of the managing agents are ensured. It is the poor shareholder who loses. The system has become almost a scandal. Until and unless the managing agency system is modified, there is no chance of success or hope for these mills. It may be a matter connected with the amendment of the Indian Companies Act, but whatever it is, I hope, Sir, that Government will see their

way to enquire into the prevailing system of managing agencies and eradicate the evils thereof. I am told, Sir, that there is also a good deal of inefficiency in the mills in Bombay and other places. Their plant is said to be anti-diluvian and their expenses of production are also very excessive....

**Mr. H. P. Mody :** Why don't you wait for the Report before passing judgment ? Wait for the Report and see what it says.

**Mr. K. P. Thampan :** In this connection I would invite the attention of the House to certain portions of a letter which appeared in the *Indian Finance* (Industries Supplement) of the 31st August. The letter is from the Bombay Correspondent of that paper, and it is very relevant to this question, and with your indulgence, Sir, I will read certain portions. The Correspondent refers to the opinion of one Mr. Sasakura, a Japanese, who is associated with the Toyo Poddar Cotton Mill of Bombay. He says :

“ In his opinion, the sorry plight of Bombay cotton mills is due to three causes :

- (1) Accumulated stock due to overproduction in India and heavy increase of imported cloth in 1932.
- (2) Higher cost of production of Bombay mills in comparison with upcountry mills and foreign mills.
- (3) Lack of control against reckless competition among Bombay Mills.

In 1932, Indian mill production increased by 20 per cent. There was also an increase of 58 per cent. in imported cloth. The result is that 1932 supplies were higher by 500 million yards over 1931 supplies. This will be equal to 10 per cent. of India's consuming capacity. If the situation is to be remedied, Indian mills should close down for a month and a half, or imports of cloth should cease for a half-year.”

That means that these mills are producing more than the requirements of this country and hence the trouble :

“ As regards production cost, Indian mills incur higher expenditure on wages, power, stores and miscellaneous (such as taxes).”

It is interesting to see from this letter what the average spinning charges per spindle per day is for Bombay mills and for Japanese mills :

	Bombay Mills.	Japanese Mills.
Wages	5.04 pies.	1.57 pies.
Power	1.87 pies.	1.09 pies.
Store ..	1.16 pies.	0.44 pies.
Miscellaneous	1.90 pies.	1.28 pies.
<b>Total</b>	<b>9.97 pies.</b>	<b>4.38 pies.</b>

With regard to the average weaving charges per 100 looms per day, we find the following :

	Bombay Mills.	Japanese Mills
	Rs.	Rs.
Wages ..	165	43
Power ..	34	6
Store ..	36	18
Miscellaneous ..	29	27
<b>Total</b>	<b>264</b>	<b>94</b>

**An Honourable Member :** What about inefficiency ?

**Mr. K. P. Thampan :** I am coming to that. What a contrast in regard to the cost of spinning and weaving !

“ The following description of Mr. Sasakura in regard to comparative efficiency of labour is interesting :

‘ It requires 19 hands in Bombay Mills for a bale of 20s. against 11 in Japan ; and one Japanese weaving girl can attend 8 looms while a stout Indian male weaver generally handles two looms and recently three or four looms are given to him in a few mills. In a Japanese automatic loom shed, it is not strange to see a girl attending forty looms with comfort, and in spinning, generally a piecing girl attends 1,200 spindles for 40s. against 360 to 400 spindles in Bombay ’.”

In the face of such vast difference between the cost of production and efficiency of Bombay mills and those of Japan, I do not really know at what time salvation will come for Bombay mills. It cannot be, my Honourable friend, Mr. Mody, wants us to continue this system of protection for years to come, and it is too much to expect us to vote for such a proposition.

**Mr. H. P. Mody :** Ask Mr. Joshi.

**Mr. K. P. Thampan :** Sir, before I sit down, I will read one more extract from that letter. It says :

“ An additional handicap of Bombay Mills has been the anti-diluvian nature of machinery in most mills. Lack of capital and lack of *himat* or enterprise is responsible for the continued use of old machinery instead of their being replaced by new. Ahmedabad presents quite a different state of affairs.”

It is heartening to find that in Ahmedabad at least things are better.

I must also say something about the imprudent way in which the profits of these mills were distributed during the time when they were making large profits. I was myself a shareholder in one or two mills in south India. Will you believe me when I say that I got some time as much as 60 per cent. dividend ? The Managing Directors thought it prudent to distribute 60 per cent. dividend. Why could they not reserve a certain portion against rainy days ? They never do that. The Company Law must be so altered that these shareholders ought not to be given more than 12 per cent. If it is the duty of the Legislature to protect the industrialist of the country, it is equally the duty of the industrialist to submit himself to the control of the Legislature. It is mutual. When the shareholders get a good dividend, they are jolly over it, but they approach us with a begging bowl in bad days. That is a mentality to which I object.

These are the various factors connected with this problem, and, without giving adequate consideration to all these aspects, I for one cannot lend my support to this Bill, and, if I may speak for them, that is also the attitude of the Democratic Party.

**Mr. Muhammad Azhar Ali** (Lucknow and Fyzabad Divisions : Muhammadan Rural) : This is a small Bill with one clause of perhaps five or six lines and it has been under discussion in this House for two days.

Sir, the object of this Bill is very simple. It extends the period of protection to the end of March, 1934, instead of the end of October 1933. We have heard of sincere and insincere sympathies expressed by each other—the agriculturist for the industrialist, and the industrialist for the agriculturist, but I do not find anything in this Bill which pertains

either to the workers, *i.e.*, hand loom weavers or to the cultivators of this country. My Honourable friend, Lala Hari Raj Swarup, talked of the benefits of this Bill to the cultivators. Neither in this Bill nor in the original Bill of 1930 anything was said to be done to extend the advantages of the measures to the poor cultivators of India. It is a great pity that the great field of co-operation which was a great blessing at one time to the whole country has been sent away bag and baggage to the provinces. The protection of cultivators could be considered only in the department of co-operation. Sir, the cultivators of India were getting money through these co-operative societies, but, to our great consternation and regret, we find today that their interests are being neglected in the provinces now, although the Industries and Commerce Departments here have joined hands to help the millowners and Japan. The real interest of the cultivators is in the extension of the hand loom industry, by which they can support themselves and their families. It is the hand loom or cottage industry which supplies funds to the cultivators in their hours of leisure for paying land revenue and land rent which they owe to the Government or to the zamindars. I know that there is the Central Cotton Committee and the co-operative societies, but it is really a matter of great regret that in these days of floods and depression nothing is being done here for the interest of those who work on land or on the hand looms. By extending this protection, you will indeed help the Indian mills, but, so far as the cultivator is concerned, there is not a word in this Act or anywhere to say that the cultivators or their hand looms will be helped in any way. Unless and until these cultivators are supplied with money, cattle and seeds in all the provinces now, I do not see how these industries or these workers can be helped in any way. It is very necessary that we here should now find means to help the cultivators and the manufacturers of these hand loom cloths, whether they are for export or for use in India itself. I need not say much on this subject. Every one of the Members here has expressed great sympathies for the cultivator and I know that the Japanese delegation too is coming and, if the Honourable the Commerce Member will take it into his head to do something—at least to his level best—to help the cultivator, that will be the best method of helping the Indian industries too.

**Mr. A. Hoon** (Allahabad and Jhansi Divisions : Non-Muhammadan Rural) : I rise to support that the Bill be enacted into law. As stated by my friend, Mr. Scott, I also wish that the Bill was more comprehensive. I also regret that this Bill should have at all aroused any controversy in this House. The position is this. The present Act expires towards the end of October and we are now being asked to extend it up to the end of March. When this Act was passed, there was a hue and cry in the country that we were faced with a national menace in the shape of the Japanese dumping their goods on our markets. Now, it is considered expedient that before we take any further steps in this matter, we might open negotiations with the Japanese representatives and come to some sort of amicable understanding by which the ill feelings which are now being created between the two countries may be removed. Under these circumstances, my humble submission is that there should have been no controversy whatsoever about this Bill. We should have simply told the Leader of the House “Certainly, extend the provisions of this Bill up to the end of March, but

[Mr. A. Hoon.]

do your best to safeguard the interests of the country". I am sorry to say that a note of discord has been sounded in some parts of this House. The pleadings of Mr. Raju for the agriculturists, supplemented by the appeal of Mr. Das and the homily of Mr. Joshi, I submit, were entirely irrelevant so far as the issue before the House is concerned. We have got our domestic problems and also the foreign problems. The foreign problem now confronting us is, how are we going to fight this foreign competition. The domestic problem is, how the millowners are going to behave towards the agriculturists. What is going to be in the future the relationship between the producers of cotton and the consumers of cotton is another domestic problem. I dare say, we shall have plenty of time to discuss the domestic problems later on. I am sorry that several defects in the working of our mills have been proclaimed. We really do not know how far these statements or charges are correct, but I think it would be much better if at this juncture nothing is said about the weaknesses in our own system of working the mills. We should at this time, with a united voice, send our representatives to the Conference and ask them to safeguard our interests. Much has been made of the fact that the Report of the Tariff Board has not been published and put into the hands of Honourable Members. I really do not know what is the actual cause of the non-publication of the report, but, after the compliments paid by Mr. Ranga Iyer to the shrewdness and sincerity of the Leader of the House, I am inclined to think that it must be some matter of great expediency. The Leader of the House at the very outset of his speech said that we have got to be very cautious and tactful at this particular moment and we should take care that nothing escapes our lips which might do incalculable harm to our cause. I submit that, taking that advice into consideration, we should proceed with this matter. We need not waste any more time of this House in connection with this Bill and we should all express our wish that this Bill may be passed into law immediately.

**Mr. M. Maswood Ahmad** (Patna and Chota Nagpur *cum* Orissa : Muhammadan) : Sir, had it been the last measure of its kind, I would certainly have no objection to support it, but, I am sure, at the Delhi Session, there will be another Bill to give more protection. Government are wanting money and by these means Government want to secure more money. That is my view and, for that reason, I oppose any idea of protection. I have said on several occasions that such protection is given to industries and millowners. There is no sort of protection to Bengal and Bihar agriculturists. Rather you will find that, on account of export duties and other things, the interests of the agriculturists as a whole have always been overlooked.

**The Honourable Sir Joseph Bhoré** (Member for Commerce and Railways) : What about the import duty on wheat ?

**Mr. M. Maswood Ahmad** : It is true that on wheat there is some duty, but Bihar and Bengal are not wheat growing provinces and, on that occasion also, I said that there was a large body of men, who were thousand times more than these millowners, that is the consumers. They are now purchasing wheat at a very high cost, also iron and other



things and they have not sufficient money. The rate of rice and jute is very low.

I would ask my Honourable friend not to overlook the interests of the consumers when he discusses this matter with the Japanese delegation. The consumers have given their last drop of blood to the mill-owners and if my Honourable friend from Bombay is not still satisfied, we cannot help it. If my Honourable friend, Mr. Mody, wants that this protection should go on for an unlimited period, we cannot share that idea. With these words, I do not support this measure.

(Some Honourable Members rose to speak.)

**Mr. President** (The Honourable Sir Shanmukham Chetty) : If it is the general desire on the part of the House to carry on the debate considerably longer, the Chair has no objection, but 15 Members have already taken part in the debate. Does the Honourable Mr. Amar Nath Dutt want to speak ?

**Mr. Amar Nath Dutt** (Burdwan Division : Non-Muhammadan Rural) : Yes, Sir.

**Mr. President** : Mr. Amar Nath Dutt.

**Mr. Amar Nath Dutt** : Sir, when I got a copy of this small Bill and went through the Statement of Objects and Reasons, I had a shrewd suspicion in my mind that the Government had got more than one favourite wife. Sir, it was a Lieutenant Governor of a certain province, more than a quarter of a century ago, who laid down the theory of a favourite wife. As you know, India is a land of polygamy and it is no wonder that our Christian rulers, in spite of their ideas of monogamy, have taken to polygamy here. I was aware of only one favourite wife of the Government of India till recently on whom all sorts of favours have been showered up to this time including the Communal Award and the Poona Pact. But that subject is not at the present moment before the House for discussion. The Honourable the Commerce Member hails from the Presidency of Bombay and he is himself a Christian and I thought that he will not be a party to any theory of a favourite wife, but I find that he has also got a favourite wife, namely, the Bombay millowners.

Sir, this Bill was first enacted in the year 1927 in the interests of the Bombay millowners. A docile Assembly came to the help of this small community who are our countrymen.

**Mr. B. Das** : It was not docile in 1927.

**Mr. Amar Nath Dutt** : I think in these matters of tariff the Assembly was as docile then as the Government could desire though not in matters of politics and constitutional advance. That is, however, another matter. This Bill was given an extension of life for another three years after its expiry in the year 1930. I think my Honourable friend, Mr. Das, will agree with me that when it was given an extension of life, certainly the House was very docile, because it consisted of men like him and me only to the exclusion of firebrands. Sir, we thought then that this would be the last attempt on the part of the millowners to ask us to open our pockets for their benefit, but that was not to be. The Honourable the Commerce Member again came over to this Assembly a few months ago and the Act was extended to 31st October, 1933. Now,

[Mr. Amar Nath Dutt.]

it is proposed to extend it till March 1934. So, Sir, if I make bold to say that the Government of India have got a soft corner in their heart for the Bombay millowners, I do not think I shall be wrong. To what this is due to, it is not necessary for us to attempt to analyse. It may be that at the present moment the Government of India from the highest to the (*Mr. G. Morgan* : "Lowest") lowest has got a preponderance of Bombay officials or who have served in Bombay and, therefore, have friendship with the Bombay cotton magnates. It may be due to that or it may be due to their great solicitude for the interests of the.....

**Sir Cowasji Jehangir** (Bombay City : Non-Muhammadan Urban) : Sir, it is a very serious charge that the Honourable Member is making on the Members from Bombay. I would really ask him to substantiate this charge. The allegation that the Honourable Member has made is that the Government Benches from the highest to the lowest consist of Bombay men.

**Mr. Amar Nath Dutt** : No, no : that word "lowest" was put into my mouth by Mr. Morgan.

**Sir Cowasji Jehangir** : At any rate, the allegation is that at least the highest officials are from Bombay and that this Bill is introduced on account of their illegitimate sympathies with Bombay. I think the Honourable Member ought to withdraw that remark.

**Mr. President** (The Honourable Sir Shanmukham Chetty) : It is no defamation to call a person a "Bombay man". (Laughter.)

**Sir Cowasji Jehangir** : But I cannot see a single Bombay man ; that is my point.

**Mr. Amar Nath Dutt** : I thank you, Sir, for the kind help which has been rendered to a meek individual who cannot hold his own against such valiant and fierce Knights like Sir Cowasji Jehangir. We expected the Government to show the same keen solicitude for the welfare of the teeming millions of India's population who are at the present moment almost starving, as they showed to the handful of Bombay millowners. Sir, the condition of the country is surely grave. If anyone would care to take note of the conditions of the agricultural population of this country, he will not stop at merely saying that the conditions have become grave, but will try to exert himself to the best of his ability and ask the Government to give relief. That ought to be the first and foremost duty of every Indian in this House before supporting the Government in legislation on matters of this kind which will benefit a handful of millowners. Sir, there have been speeches by landowners and agriculturists. I find that one of them at least pleaded the cause of agriculturists and another gentleman, though pleading the cause of agriculturist, has been hand in glove with the millowners also.

**An Honourable Member** : I do not own a single share in the sugar factory.

**Mr. Amar Nath Dutt** : But I know that you are also an industrialist. Sir, it pained me very much when I found that there was no attempt by the Government to bring any relief and to ameliorate the distressed condition of the agriculturists. There has been no attempt

to give them any relief in their present dire distress. I think that we, the representatives of the people, should stay our hands and take up the question of agricultural distress before the distress, if any, of the Bombay millowners. An economist friend of mine handed over to me a book for my study a few days ago and I recommend that a copy of this book may be kept in the Library of the House and I also suggest that the Honourable Member for Commerce should have a copy of this book, for he will find very valuable material therein. The book is entitled "Indian Tariff Problem in relation to Industry and Taxation" by Dr. Dey. I was presented with this copy. When I went through this book, I found that the help which the millowners of Bombay ask us to give them is not warranted at all. With your permission, I shall read a few extracts from the book. On page 112, we find as follows :

"If the millowners of Bombay had followed a cautious policy of dividend distribution and built up a stable reserve fund, they could have continued to give a reasonable dividend to the shareholders and at the same time succeeded in maintaining a strong financial position."

Sir, instead of doing that, they gave dividend at such a high percentage which will stagger, I do not say, humanity, but which will stagger every Member in this House. The percentage of dividend that has been given will be found in the same book in a foot-note on page 113 which runs thus :

"The extravagant financial management of the Bombay mills will be apparent from the following instance. In 1920, two mills paid dividends of over 200 per cent."

**An Honourable Member :** Name them.

**Mr. President** (The Honourable Sir Shanmukham Chetty) : Order, order. The Honourable Member will resume his speech after Lunch.

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

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

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**Mr. Amar Nath Dutt :** Sir, I was speaking about the dividends that are being earned by the Bombay millowners. The extravagant financial management of the Bombay mills will be apparent from the following instances. In 1920, two mills paid dividends of over 200 per cent., 14 mills paid 100 per cent. and more, and 20 mills 40 per cent. and more. Sir, my Honourable friend, Mr. Mody, whom I do not see here now, wanted authority for this. He will find this in the Report of the Tariff Board, Volume I, page 83. Mr. A. S. Pears instances an extreme case where the shareholders were not satisfied with a 400 per cent. dividend, but expected a 500 per cent. one. This statement will be found in the book named "Cotton Industry of India" at page 65. Sir, the Tariff Board did indeed realise that the distribution of high dividends in the boom period was among the most important factors that had weakened the financial position of the Bombay mills. Nevertheless they went out of their way to justify the action of the millowners. Sir, in this connection I may relate in this House an historical fact which is probably known to every student of history as to what happened during the Swadeshi days in Bengal. That

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unhappy province of Bengal has always been in the forefront of every nationalist movement and it has been its lot to suffer for the same. Taking advantage of the sentiment of patriotism that pervaded from one end of the province to the other, the Bombay millowners raised the prices of Swadeshi cloths to such an extent that they earned a dividend of 100 per cent. and even 200 per cent. at that time. This is a historical fact and I think no one in this House will dispute the correctness of my allegation. That also shows the patriotism which inspires these Bombay cotton millowners. Sir, here they have been asking for protection for a handful of shareholders forgetting the interests of the teeming millions of the people from whose pockets the money will come, specially in this time of agricultural distress. I need hardly say that 85 per cent. of the population of India directly or indirectly lives upon the products of agriculture. In Bengal, paddy was being sold formerly at the rate of Rs. 4 per maund, and what is the price of paddy at the present moment? Only Rs. 1-4-0 and, even for that, you hardly get any purchasers.

**An Honourable Member :** In some areas it is 12 annas per maund.

**Mr. Amar Nath Dutt :** Yes, I read in the papers that in some places the prices were like that. Sir, you will excuse me if I place before the House what the poor agriculturists get by cultivating (say) 20 bighas of land which is about six or seven acres. For these 20 bighas, he has to pay a rent of at least 25 or 30 rupees, he has to purchase oil cakes for his cattle and manure for his field and this would cost him at least Rs. 80 to Rs. 100 a year. I know intimately the condition of rural Bengal and, therefore, I am giving all these details. A poor cultivator's family generally consists of husband and wife, an aged mother and two children, and if he has to grow paddy on these 20 bighas of land which, in the average, yields 5 maunds per bigha, that means he gets only 100 maunds of paddy. He himself labours in the fields, his wife labours in other houses and catches fish from tanks and his small boy probably tends the cattle and carries his tiffin to the fields. All these people have to work and, in spite of this, he does not get even half a seer of rice for each of the heads in his family, because he has to spend more than Rs. 100 for his rent and cattle and manure, etc. Besides that, he has to purchase cloth and other things. These 100 maunds of paddy will not sell for more than Rs. 125 and he cannot sell the whole of the yields of his field, for the consumption of his own family will be about 60 or 70 maunds, and he can hardly meet his other expenses with the 30 or 40 maunds that remain? And so actually he goes starving. I am not drawing this from imagination, but anybody, who cares to go with me to any village in Bengal, will be convinced of the truth of my statement that they do not get a full meal every day. If that be the condition of the villagers, it is up to any Government, and, more so, to a civilised Government, to see how this agricultural distress can be removed. Has a little finger been raised up till now? This House may remember the fate of my Resolution about three years back when we were assured by Government that they got reports from the Provincial Governments, and what more could they do? Yes, you cannot do anything for these teeming millions of the country, because you are well fed, well clothed, and you have your dinners and lunches and banquets at the Cecil Hotel. You cannot think of these poor agriculturists, but a time will come

when, if these poor agricultural people are wiped out,—and I say this in the interest of every Member of this House,—you will find that you also will have to go without food. The same thing may happen which has happened in France, and in Russia. For what is at the root of the revolutions in those countries? It is the distress of the poor people. But if you really want to improve the condition of the country, your activities should not be directed towards the amelioration of the condition of these millowners, but of the ill-paid labourers of the soil, and that ought to be the primary concern and duty of every civilised Government. In this connection, I may also point out to one cottage industry which the Honourable the Commerce Member will be pleased to take note of. I am told—and I think the Honourable the Commerce Member will not deny—that there has been some recommendation in the Tariff Board Report about the preservation of the hosiery industry; and, up till now, not a little finger has been raised in order to preserve this cottage industry: when we have got a nationalist patriot as Commerce Member, I expect that he will do all that lies in his power in order to protect this cottage industry, I mean hosiery. Far more important than this is my friend's "Khaddar". I am not enamoured of the word "Khaddar": in my province that word was not used formerly. But, be that as it may, this coarse cloth, hand-spun and handwoven, which wraps the body of the poor agricultural labourer, needs more protection than the fine cloth which many of my Honourable friends here wear; and I would have been the first man to support this Bill and to give the cotton millowners of Bombay protection even at a sacrifice if I had known that they are agreed to protect our cottage industries.....

**Mr. H. P. Mody:** We are.

**Mr. Amar Nath Dutt:** My Honourable friend says "We are"; but the report which was read to us by my Honourable friend, Mr. Gaya Prasad Singh, the other day, leads me to believe that probably it is otherwise, unless by this time he has changed colour. Be that as it may, I appeal to the Government that they should first devise means to give relief to the agricultural population. Next, in their list, ought to come relief for these cottage industries, especially hosiery, about which, I think, the Tariff Board recommends and which I think the Honourable the Commerce Member will admit. But why is the Report of the Tariff Board not being published? Is it to keep us in the dark about their recommendation? It were better if the Government had taken courage in both hands and come before this House and first legislated for the protection of these cottage industries and afterwards introduced this Bill. But if the Government think that, by helping a few cotton millowners, their position will be more secure than by helping the masses of the poorer people, I have no quarrel with them; but I will only invite them to read the lessons of history, whether in any country the bourgeois population has ever been able to keep up the administration against the onslaughts of the proletariat. If you want to save the country where such ideas are not at all favoured, I mean the Soviet ideals, you ought to first of all try and give the people a full meal a day, and also cloth to wrap their bodies both in winter and during rain. If you do this, you secure this country from the invasion of those outlandish ideas of Karl Marx and other prophets of Europe. If you want to keep away communism, if you want to make the administration safe, that is the only way in which you can do it. If you shut your eyes to these things, I think you are not doing your duty towards this great

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country, because this country has never favoured those outlandish ideas of communism and sovietism. But, quite in desperation, these people may be driven to accept these ideas, and then the Bombay millowners will not be able to help you. I am not uttering any idle threat. It is in the very interests of Government and of every one of us here that I do say that you should relieve the distressed agriculturists, that you should see that they have at least proper food and cloth, and then you can give as many luxuries as you can to the cotton magnates of Bombay and elsewhere ; but I would appeal also to the cotton magnates of Bombay, through you, Sir, to be a little more economical than they have been in the past. They have not been running their business in the most economical way possible, and, in support of my statement, I can do no better than again refer to the book to which I referred before. The managing agency system about which my friend Mr. Thampan spoke is one of the weaknesses....

**Mr. N. M. Joshi** (Nominated Non-Official) : It has gone out of Bombay, but it still exists in Ahmedabad.

**Mr. Amar Nath Dutt** : It has been said that the managing agency system is a family business :

“ In some instances in Bombay but in nearly all instances at Ahmedabad, the membership or partnership of the managing agency is limited to the members of the family or at best to a narrow circle of friends and relatives, while succession to the vacant places is determined by heredity. The institution has, therefore, all the defects of a hereditary system.”

It will be well for me if I place before this House, without further speaking on these matters (“ Here, hear ” from the Government Benches)—I think, if you will patiently listen to, you will find something very cogent.

**Mr. President** (The Honourable Sir Shanmukham Chetty) : The Honourable Member will address the Chair.

**Mr. Amar Nath Dutt** : Yes, Sir. Through you, Sir, I address those Benches. A survey of the development of the cotton mill industry of India from the middle of the 19th century down to the present time and an examination of its conditions in recent years point to certain broad conclusions which may be summarised as follows :

“(a) That throughout the whole course of its history, the industry has registered steady, continuous and, sometimes, even marked, progress.

(b) That up to 1921-22, the import duty, being either altogether non-existent or very nominal, played little part in promoting that development.

(c) That both the spinning and the weaving branches of the industry had been able to capture a substantial and increasing share of the home market before obtaining the differential advantage under the tariffs of 1921-22 and 1930-31.

(d) That the steady expansion of output and the predominant position in the home market continued during the general trade depression that had set in in 1922-23, and that the comparative data regarding output and imports in recent years do not show in any way that the progress of the Indian industry was being hampered by any unusually severe foreign competition.

(e) That considering the severe world-wide and prolonged nature of the depression in trade and industry, the financial condition of the efficiently managed mills has been fairly good in recent years and hardly called for support at the expense of the tax-payers.

(f) That the critical financial condition of a great many of the Bombay mills and some of the upcountry mills is due to incompetence ”,

—here I would draw the attention, through you, Sir, of my friend, Mr. Mody, to this—

“ that the critical financial condition of a great many of the Bombay mills and some of the upcountry mills is due to incompetence, inflation of capital, extravagant dividend payment, grave labour unrest ”,

—and here I would draw the attention, through you, Sir, of my friend Mr. Joshi,—

“ inelastic wage-rates ”,

—which, I think, my friend, Mr. Joshi, will not approve,—

“ and serious, and sometimes fatal, defects in the institution of managing agency, which practically controls the cotton industry in Bombay and elsewhere.

(g) That the financial difficulties of the weaker and comparatively inefficient mills are due in a great measure to the existence of keen and growing competition within the country, and much less to the severity of foreign competition.

(h) The high revenue tariff of 1921-22 has already enabled the millowners of India to levy a considerable tribute from the consumers of cotton cloth in the country.”

Sir, my friend, Mr. Mody, and people of his kind have already taken a considerable tribute from the consumers of cotton cloth in our country :

“ We also saw that the Government of India by abolishing the cotton excise duty in 1925 had sacrificed an appreciable amount of legitimate revenue in order to enable the cotton manufacturers to still further increase their gains at the cost of the general taxpayers.”

The Honourable the Finance Minister, whom I do not see here now, will please take note of this fact that whenever he has a deficit Budget, he can always see that this is one of the contributory causes since the year 1925 of a deficit Budget, because this country has submitted itself to additional taxation, to lowering of the assessable limit of income-taxes, and imposition of surcharges which, we are assured, will not last after March, 1933,—the higher postage rate and many other things the Finance Member had to impose which the country was hardly able to bear :

“ The analysis of the financial condition of a large number of mills in the period 1926-28 will show that a considerable group of well-managed mills upcountry and a somewhat smaller group in Bombay were able, in spite of the prevailing conditions of general depression, to pay reasonable dividends to their shareholders.”

Here I would ask, through you, Sir, my friend, Mr. Mody, to take note of this, that a considerable group of well managed mills upcountry and a somewhat smaller group in Bombay were able, in spite of the prevailing conditions of general depression, to pay reasonable dividends to their shareholders :

“ On the other hand, our examination of the present condition of the cotton mill industry as a whole in Bombay enabled us to see that the financial crisis of a large number of mills there was due to grave defects in organization, financial mismanagement.....”

—I again through you, Sir, request Mr. Mody to take note of this—

“ grave defects in organization, financial mismanagement and disturbed industrial relations, leading to higher costs of production, on account of which Bombay mills were increasingly unable to hold their own against the severe and growing competition of upcountry mills.”

So, Sir, it is the competition between the upcountry mills and Bombay mills that has to be taken into account here :

“ These facts would make it clear that, if the Bombay mill owners had thoroughly re-organized and reconditioned the industry as a whole so as to bring it up to the level of the most efficient units in Bombay as well as upcountry, they would not have required

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the artificial assistance from the general consuming public over and above what had been already secured to them by the high revenue tariff. The Government of India, thoroughly cognisant of these basic facts, rightly refused the aid of the protective tariff to the cotton industry for three years, 1927-1930. But partly due to the persistent and vigorous propaganda carried on by the Bombay Millowners' Association"—

—we have ample evidence here—

“partly on account of the bad state of their own finances, and partly also with a desire to rally the business community to the support of Government in a period of grave political unrest, they had at last to enact the Cotton Industry (Protection) Act of 1930.”

Sir, this is nothing but coercion, that has been practised by the Bombay millowners upon a weak and effeminate Government. In fact, Sir, if I had charge of any of the portfolios, I would have refused to be dictated by the Bombay millowners.

**An Honourable Member :** Thank God, you are not in charge of any of the portfolios.

**Mr. Amar Nath Dutt :** But I may be one day. (Laughter.)

“Under these circumstances, naturally, very scanty consideration was given either to the merits of the case or to the interests of the consumers, on whom a considerable burden of taxation was placed under that Act.”

Here I ask my friend, the Commerce Member, to take note of this that the interests of the consumers in this matter,—and the consumers number about 400 millions of people,—the interests of the consumers ought to have been the primary concern of the Government than the interests of half a dozen Bombay millowners.

Sir, I think I have said all I need say in this matter and if I have taken a little longer time in saying what was uppermost in my mind, viz., that the Honourable the Commerce Member should kindly see that the poor agriculturists do not suffer, and their distressed condition is ameliorated before he comes up with a Bill like this. Of course, I know that the life of this Bill is only till March, 1934. But, Sir, in the meantime, the hosiery industry is going to be killed.

3 P.M.

Let my Honourable friend take up this matter with the same alacrity as he does in the case of the Bombay millowners. An Honourable Member here suggests aluminium industry also. I beg to submit, in general, cottage industry, and my Honourable friend's “Khadi” or “Khaddar”—these two things should be given relief by the Commerce Member before he can think of giving relief to the millowners of Bombay. I have no objection to the millowners getting relief. Instead of getting a few crores, let them get a hundred crores : I do not mind. But I appeal to the Commerce Member and to the Members of the Government generally that it is imperative that they should take note of the distressed condition of the masses of the country and give relief to them before wasting their time on such small matters like this which would not bring relief to the people of this country. I appeal with all the earnestness at my command, and sincerity, as my Honourable friend says, that they should take steps to give some relief to the taxpayers of India by a reduction of income-tax, by lowering the postage rates, and by making a remission of rent or land revenue, whatever it is, before they think of giving relief to the millowners of Bombay. With these words, I resume my seat.

**Some Honourable Members :** Let the question be now put.



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

“ That the question be now put.”

The motion was adopted.

**The Honourable Sir Joseph Bhore** : The debate has been so discursive that I am afraid I shall find it somewhat difficult to prevent my reply from being also discursive in sympathy with it.

My Honourable and democratic friend, Mr. B. Das, was a little more difficult to follow than usual in this matter. I could not understand whether his best friends were the millowners, or labour, or those *harijans* among whom he works when he is in his cottage in Orissa and when he is not in London or on the floor of this House discharging his public duties. (Laughter.) He blew hot and cold and lukewarm, all in the same breath. At one moment he was breathing fire and slaughter against Japan ; in the next, he was shivering with fright at the possibility of retaliation. (Laughter.) At one moment he charged me with being in the pocket of my Honourable friend, Mr. Mody, and at the next he complained that I did not yield to the demands of, I think he called them, the friends of the Bombay capitalists, and publish the Tariff Board's Report. Sir, his inconsistencies do not end there. My Honourable friend charged us with having destroyed the hand loom industry. When I cast my glance across the floor of the House, what do I see ? I see this champion of the hand loom industry clad in the products of the mills which he was so fiercely denouncing. (Laughter.) My Honourable and truly democratic friend claimed to be the representative of a constituency which comprised, I think he first said, 365 millions—one million for each day of the year—but he went on to say that it was not vociferous. Not vociferous ! And my Honourable friend, the representative of that constituency in this House ! He does himself less than justice. But, Sir, I would ask my Honourable friend whether he or any one else in this House seriously contends or thinks that the removal of these textile duties would help the hand loom weaver ? However, I will not continue with my Honourable friend, Mr. B. Das, because I have known him for many years and I know that his bark is far worse than his bite.

**Mr. B. Das** : The removal of the protective duty on cotton yarn will help the hand loom industry.

**The Honourable Sir Joseph Bhore** : As far as I followed the trend of the debate, there seem to me to be three important questions which demand comment from me. The first of these is, I think, the demand for the publication of the Tariff Board's Report. I must express some surprise that the position of the Government has been so misunderstood in this matter. I ought to say that in not publishing the report we are merely following our normal practice and procedure. Except in one case to which I shall refer, we have always withheld a Tariff Board Report until we have been in a position to publish our considered conclusions on the Report. Either the publication of the Report has been simultaneous with the publication of a Resolution giving the conclusions of the Government on the Report, or the publication has preceded by a few days only the actual introduction of legislation into this House. The one case to which I referred is the case of the Sugar Report. But that even is not an exception, because, in that particular case, we actually imposed the duties recommended by the Report as a revenue measure long before the report was

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published. I, therefore, submit that in this instance we are merely following our invariable practice and procedure, a practice and procedure which I submit is founded on very good and sound reasons. The onus, I submit, is upon those who contend that there should be a departure from this sound and well established practice ; the onus is upon them to advance sound and sufficient reasons for such departure. The House will, I hope, bear with me when I say that not a single Member of this House has put forward any strong reasons why that practice should be departed from. I would, however, like to say that in this matter Government are not hide-bound. If good and sufficient reasons are shown why they should depart from this practice, if they are convinced that in this particular case there are special reasons why they should not adhere to that practice, Government will certainly re-examine their position. But, Sir, I think the House may perfectly legitimately take up this position. It may say, " You are now coming before this House and asking us to extend for a few months the application of the principle of protection. Is it fair to expect us to come to a conclusion without even indicating to us what the recommendation of the Tariff Board is in respect of this particular matter ? " That, I think, is a perfectly legitimate position to take. And if it will help and assist Honourable Members in coming to a conclusion, I have no objection to telling them that the Tariff Board has recommended the continuance of the principle of protection in this case. (Cheers.)

Now, Sir, the second point to which I should like to refer has reference to the claims which have been advanced on behalf of labour for equal consideration. My Honourable friend, Mr. Joshi, like Oliver Twist is always asking for more, but I should have liked to have heard from his lips some acknowledgment of the stream of beneficent labour legislation which is proceeding from the Department of my Honourable colleague, Sir Frank Noyce. I do feel that it is wholly unfair to say that the claims of labour have not been receiving generous consideration. But I would like to say this, that Government do expect wholehearted co-operation from employers of labour in seeing that their intentions in regard to labour are carried out in practice. Particularly do they expect this from those industries which are receiving protection from the State and I would ask them to bear this point particularly in mind. The third point to which I now refer is an old point, viz., the case of the consumer. I do not want to weary the House at this stage of the debate with an array of facts and figures, but I would like to remove, if I possibly could, all honest apprehensions which may arise from the level of our existing duties. I would like to take just one or two instances and try and satisfy the House that these enhancements of duty have really not resulted in the imposition of any serious burden upon the consumer. Let me take one or two typical lines of Japanese imports into Bombay and compare the prices in April 1931, April 1932 and July 1933. The first instance I take is that of grey shirting, No. 5151, which is a standard line. A piece of 38 yards cost in April 1931 Rs. 7-14-0, in April 1932 the price was Rs. 7-13-7 and in July 1933 it stood at Rs. 7-4-0. Take another instance, white shirting, No. 800. A piece of 42 yards cost in April 1931 Rs. 11-14-6, in April 1932 Rs. 11-9-7 and in July 1933 Rs. 10-11-0. But I think in fairness to the House I should also give the prices of certain standard commodities over the same period. I have had these prices calculated in terms of percentages, taking the prices of April 1931 as a base line and fixing these at 100. In the case of the

grey shirting I have referred to, 5151, in April 1931 the figure was 100. In April 1932 it had fallen to 99.7 and in June 1933 (I take June, because the wholesale prices in Calcutta are only available up to the end of June) it was 91.5. White shirting, 800, to which I have referred, was 100 in April 1931, it was 97.4 in April 1932 and in June 1933 it was 87.3. Let me turn to raw cotton. Raw cotton was 100 in April 1931, in April 1932 it had risen to 107.2 and in June 1933 it was 104.8. Cereals in April 1931—100, in April 1932, 83.5 and in June 1933, 87.3. Pulses 100 in April 1931, 98.8 in April 1932, and 101.2 in January 1933.

**Mr. K. P. Thampan :** What about the price of paddy ?

**The Honourable Sir Joseph Bhoré :** I have taken the average of all cereals and I refer to the wholesale prices in Calcutta. I hope, Sir, that the House will derive some reassurance from the figures that I have given and that they will not be stampeded by vague and alarming generalisations. I had hoped that I would have had the entire concurrence of the House in the procedure which we are adopting in this Bill. I had hoped that Honourable Members would realise that it was not only wise, but necessary for us to mark time until we were in a position to know the character and strength of the forces which we had to deal with. It is no use disguising the fact that competition from Japan is by far the most important factor that we must take into account in considering the problem of the protection of the cotton textile industry. The negotiations before us might have a profound effect upon that factor and surely, Sir, it is only common sense for us to hold our hand until the position is clarified and until we know the exact nature of the emergency that we have to provide against. Sir, there is nothing more that I should like to say. I had hoped that as suggested by my Honourable friend, Mr. Hoon, with these developments facing us we would close up our ranks, we would set aside our differences and we would for once at any rate abandon that tradition of disunion to which we seem to cling so tenaciously. I will not abandon that hope until you, Sir, have put the question to the House.

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

“ That the Bill further to amend the Cotton Textile Industry (Protection) Act, 1931, be taken into consideration.”

The motion was adopted.

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

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

The motion was adopted.

## THE INDIAN STATES (PROTECTION) BILL.

**The Honourable Sir Harry Haig** (Home Member) : Sir, I rise to move :

“ That the Bill to protect the Administrations of States in India which are under the suzerainty of His Majesty from activities which tend to subvert, or to excite disaffection towards, or to interfere with such Administrations, be referred to a Select Committee consisting of Mr. B. Sitaramaraju, Rao Bahadur B. L. Patil, Mr. Uppi Saheb Bahadur, Mr. Ranga Iyer, Mr. S. G. Jog, Sardar Harbans Singh, Mr. B. R. Furi, Rao Bahadur M. C. Rajah, Captain Sher Muhammad Khan, Mr. F. E. James, Mr. B. J. Glancy, Sardar Nihal Singh, Rai Bahadur S. C. Mukherjee and the Mover, and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five.”

**Mr. D. K. Lahiri Chaudhury** (Bengal : Landholders) : Sir, I rise to a point of order on two grounds. In the first place, the Bill is drafted to protect the Administrations of States in India which are under the suzerainty of His Majesty from activities which tend to subvert, or to excite disaffection towards, or to interfere with such Administrations. My submission on this point is that this Legislature is not empowered by the Government of India Act to pass any legislation to this effect, because this Bill is drafted to protect the administration of Indian States which are outside British India. Section 65 of the Government of India Act says :

“ The Indian legislature has power to make laws for all persons, for all courts, and for all places and things, within British India.”

But this legislation is going to be enacted for the protection of Administrations which are beyond British India. In the second place, clause 2 of the Bill says that the jurisdiction of India is not only confined to British India, but that the word “ India ” denotes British India, together with the territories of any Indian Prince or Chief under the suzerainty of the Queen exercised through the Governor General of India or through any Governor or other officer subordinate to the Governor General of India ”. Therefore, I think that this measure, if passed, will be *ultra vires* of this Legislature on the ground that its jurisdiction is not only confined to India, but extends to parts which are beyond British India. Those are my points of order, Sir.

**The Honourable Sir Harry Haig** : Sir, I think the answer to my Honourable friend's point of order is a very simple one. He has, I think, been misled by the words in the preamble to the Bill which state the object of the Bill, namely, to protect the Administrations of the Indian States, but the law which is to be amended and the action which is to be taken is the law of British India and action within British India. It is not proposed by this legislation to take any powers which can be exercised outside British India. I would like to call your attention, if I may, to a somewhat parallel section which is already in existence, namely, section 125 of the Indian Penal Code, which penalises the waging of war against the Government of any Asiatic Power in alliance or at peace with the Queen. I submit that is a complete parallel.

**Mr. President** (The Honourable Sir Shanmukham Chetty) : The Honourable Mr. Lahiri Chaudhury has drawn the attention of the Chair to the Title and Preamble to the Bill which set forth the object of this enactment. The Honourable the Home Member has pointed out that the jurisdiction of this Bill is meant to be confined to the territories of British India. Is that correct ?

**The Honourable Sir Harry Haig** : Yes, Sir.

**Mr. President** : If that is so, this Legislature is empowered, under section 65 of the Government of India Act, to make laws “ for all persons, for all Courts, and for all places and things, within British India ”. What exactly is the scope of clause 2 of the Bill ?

**The Honourable Sir Lancelot Graham** (Secretary, Legislative Department) : The exact position is that we are trying to protect the Administrations of Indian States, and the protection is to be exercised in British India.

**Mr. President** (The Honourable Sir Shanmukham Chetty) : Clause 2, therefore, defines the persons intended to be protected by this Bill, but the actual act of protection will take place within the British Indian territory. Under such circumstances, the Bill is in order.

**The Honourable Sir Harry Haig** : Sir, I trust that no prejudice will be created against this Bill by the fact that it is brought before the House by the Home Member with all his sins upon him. It is obviously right that the Bill should be introduced by the Home Department for, as I have mentioned just now in reference to the point of order that was taken, we are dealing with the amendment of the criminal law of British India, and, though our object is through the exercise of that law to prevent interference with the administration of Indian States, primarily and essentially this is a question of the criminal law of British India. At the same time, Sir, I wish to make it very clear that this Bill has the strong support of the Political Department and the yet unblemished reputation of my Honourable friend, the Political Secretary, who, I hope, at a later stage of the debate will be able to take part and to supplement the deficiencies in my own presentation of the case.

Now, Sir, before I proceed to the provisions of the Bill, in view of the various amendments that appear on the Order Paper, it may be convenient if I mention the time programme which the Government have in their mind. We have no desire or intention to rush this Bill through the House (Hear, Hear) or to endeavour to get a decision on this Bill in the course of the present Session. That is emphatically not our intention. We realise that this is a matter that requires careful consideration and full discussion. At the same time, we feel that the decision ought not to be postponed unreasonably and we hope to secure the decision and the final passing of the Bill, if the House agrees, in the course of the January or Budget Session. The programme that we would suggest for the consideration of the House is this. If the House will agree to the motion which I have proposed for setting up a Select Committee, that Select Committee should meet during the next Session in Delhi, the special Session in November and December and should present its report then, and the consideration stage of the Bill should be taken up as early as possible in the January Session so that if feasible we should get it out of the way before we become immersed in the budget discussion.

Now, Sir, what does the Bill seek to do ? If I were asked to put it in one sentence, I would say that, broadly speaking, it seeks to extend to the Indian States the same measure of protection from activities directed from British India against their Administrations as the Governments of British India already enjoy. To those, who think of India as a whole, I do not think that proposition would require much argument. Geographically, India is a whole. The Indian States and British India are inextricably intermingled. No great geographical barriers, no racial distribution really separates the States from British India. We pass imperceptibly from one to the other. For good or for ill, Sir, the Indian States are part and parcel of India. Now, realising that, I do not think it requires much argument to show that the various Governments that exist in India—Governments certainly of widely different types, for the general type in the Indian States is quite different to that in British India and there are wide differences among the States themselves—these various Governments in India, however much

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they may differ in form, so long as they remain the Governments established by law and by constitutional right, so long it is necessary in the interests of the country as a whole, in the interests of the general stability of India as a whole, that those Governments should receive the support which they require to protect them against attempts to subvert or interfere with them. Within its own territories, a Government can be trusted to protect itself. We, in British India, have done with the assistance of this House what we can to protect ourselves.

**Mr. H. P. Mody** (Bombay Millowners' Association : Indian Commerce) : May I ask my Honourable friend if this Bill is solely intended to deal with activities directed against Indian States from British India ? One of the clauses does not bear that out.

**The Honourable Sir Harry Haig** : I hope my Honourable friend will raise that point later on. That is the object of the Bill. As I was saying, Sir, within its own territories a Government can be expected to protect itself. But its authority does not extend outside its own territories and if in a country like India activities can be organised and directed against a State from outside its own territories, we might be faced with very serious conditions of unrest and instability. We have thus inevitably accepted the principle of the reciprocal obligation of British India and the Indian States to prevent unreasonable, or I will say, unconstitutional agitation against the Government. If an agitation is directed against British India from a State territory, we expect the State to do what it can to put a stop to it, and, in the same way, if unconstitutional activity is directed against a State from British India, the States can reasonably demand that we should do what we can to put a stop to it. In the past our powers have not always been adequate to fulfil that obligation, and it is for the purpose of making them adequate that this Bill is placed before the House. Now, Sir, I recognise that many, who will admit that proposition in the abstract, may hesitate to apply it to the protection of the Governments of the Indian States, because they argue on these lines ; and let me make it clear that I am using their words and not necessarily accepting their generalisations. They will argue that conditions in some of the States are not what they should be, that it is difficult within the States to organise constitutional movements for reform or for ventilating their grievances and that, consequently, if grievances are to be ventilated, if movements for reform are to be initiated, they can only be initiated outside the borders of the State, that is to say, in British India. That, I think, is the argument that is very commonly employed. Well, Sir, as I say I must not be taken as accepting that generalisation as necessarily accurate, but supposing we do accept that as accurate, I still say that this Bill does not interfere, and is not aimed at interfering, with any legitimate activities carried on in British India. It is aimed solely at unconstitutional activities directed against the States. What are the activities that we deal with in this Bill ? So far as press comments are concerned, we are not penalising comments expressing disapprobation of the measures of a Government with a view to obtaining their alteration by lawful means. There is a definite provision which makes that clear. We are only penalising those comments which are directed to bringing the administration into hatred or contempt, or exciting disaffection towards it. Then, again, Sir, we penalise conspiracy to over-

awe the Administration of a State by criminal force or show of criminal force.

**Mr. H. P. Mody :** Conspiracy in British India.

**The Honourable Sir Harry Haig :** That surely is an unlawful activity. Then we take steps to prevent, if necessary, the formation in British India of bodies of men, known as *jathas*, whose object is to enter the States and interfere with the Administration there, and finally we take a general power to prevent agitation within British India with the object of interference with the Administration of the State or of causing disturbance of public tranquillity within a State. These, Sir, I claim, are all unconstitutional actions and the States have a right to ask for protection against such activities directed against them from British Indian territory. But there is nothing here to prevent the ventilation of genuine grievances, putting forward proposals for reform, the whole range of activities comprised in the word "constitutional". It may further be said that there may be in certain States misgovernment of a scandalous and intolerable kind which justifies and demands interference from outside. Well, Sir, if those conditions arise, my answer is that we cannot allow such interference to be organised by irresponsible people in British India. There is a constitutional way of effecting that interference ; it can be done by the action of the Paramount Power, recognised by constitutional practice. That is something very different from the direct action of organising *jathas* of people from British India to invade the Indian States.

Now, Sir, it is, I think, the recognised practice of this House to refrain from commenting on the cases of individual States. I propose to observe that rule myself and I trust that Honourable Members will also observe it. But I think that in general the House knows that if conditions of serious misgovernment do arise, the Paramount Power does take action.

Now, Sir, with regard to the necessity of the particular powers proposed, I will take first of all the press provisions. There is, as Honourable Members are aware, already in existence an Act known as the Indian States (Protection against Disaffection) Act which was passed in 1922. (*Mr. B. Das :* "Certified, not passed.") This provides in respect of the written word protection similar to that given in our ordinary criminal law by section 124A of the Indian Penal Code, namely, the section that deals with sedition. What we propose by this Bill is to provide the protection given by the Indian Press Act of 1931 as amended by the Criminal Law Amendment Act of last year. Sir, this protection that we propose to extend to the Indian States is not without precedent. I would recall to the House that in fact it was enjoyed by the States for a period of about 12 years from 1910 to 1922, while the old Press Act was in existence ; for that old Press Act of 1910 applied to attacks on the Governments of the States just as it applied to attacks on the Governments of British India. In 1922, the Press Act was repealed for reasons connected with the internal conditions in India. A new constitution had just been introduced and it was thought,—and I do not deny that there were good grounds for thinking,—that in a different atmosphere the attitude of the press would change. Well, Sir, owing to that the States lost in 1922 the protection which they had enjoyed since 1910, but it was thought essential that they should keep

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at any rate that protection which we were keeping for ourselves, namely, protection corresponding to section 124A of the Indian Penal Code ; and it was in order to give that protection that the Indian States (Protection against Disaffection) Act was passed in 1922. Now, Sir, in recent years we have unfortunately come to realise that prosecution is not a very satisfactory remedy against those who are determined to malign and create disaffection towards Government.

**Mr. B. Das :** You want Ordinances.

**The Honourable Sir Harry Haig :** No, Sir, we have the powers, powers given to us by this House. The reasons are several. In the first place, prosecution is a very slow process. That is a point that has been brought prominently to the notice of the House recently. Prosecutions in criminal cases in India are not distinguished for their speed. In the second place, the very fact of prosecution gives the widest possible publicity to the mischievous statements which it is endeavoured to check. Prosecution to a large extent from that point of view defeats its own object. Then again, while prosecutions are dragging out their slow length there is nothing to prevent the newspaper from continuing to publish things of the same kind. And finally, if we assume that at last a conviction is obtained and that the person who has been recorded as the editor is convicted, there is no assurance that he is really responsible for the policy of the paper or even the writer of the articles, and we may after all this effort have merely struck at a man of straw. The States have found precisely these difficulties in trying to take advantage of that Act which was passed in 1922. I may mention a recent case, that is to say, the conviction was recent. I think the article was written in 1929 and though the prosecution instituted has resulted in a conviction the case is at this moment in 1933 under appeal ; that is to say the proceedings have lasted about 3½ years. I think the House will realise that the States do not think that that is a very satisfactory method of dealing with Press attacks.

**Mr. N. M. Joshi (Nominated Non-Official) :** Sir, may I ask one question of the Honourable Member ?

**The Honourable Sir Harry Haig :** I hope the Honourable Member will permit me to proceed with my speech. He will have an opportunity later on of making his points and I hope, at the end of the debate, I shall be able to deal with the points that he raises.

Well, Sir, not unnaturally the States represented that the present law was no real safeguard for them. One Honourable Member, I think Mr. B. Das, referred just now to Ordinances. During the period of those Ordinances we did in fact extend to the States the same protection in this matter as we took for ourselves. But when the Criminal Law Amendment Act was under consideration last year, it was decided in Select Committee to omit from it the provision which had been made including States with British India in that protection, and it was decided that that should, if necessary, be put up for consideration separately and we are now proceeding to take that action. We have hitherto followed the principle of extending to the States in this matter of press legislation the same protection that we felt was necessary for ourselves ; and in regard to the press that is all we are doing now.



It may be hoped that some years hence, with a different atmosphere, with a different constitution, the attitude of the press may change : they may no longer employ their great power and great influence on attacks which are dangerous to the stability of the administration, but at the moment we think that the States deserve, as I have said, the same protection as we feel we require ourselves.

With regard to conspiracies and organisation of *jathas*, I do not think any one is likely to oppose the principle of the provisions we have made in this Bill. The House will remember that when recently a serious agitation of this kind did develop in British India directed against a State, it was found necessary for the Governor General to issue a special Ordinance, because under our existing British Indian law, we had not the power to stop these *jathas*, assembling and marching into the State. I think the House will agree with me that that is a very unsatisfactory position, that, in order to fulfil what we may regard as an elementary obligation, it should be necessary for the Governor General to issue an Ordinance. We want some powers, as part of our general regular law, powers which it will be possible to utilise at the very outset and thereby prevent the development of conditions which are in the interests neither of the States nor of British India.

In conclusion, I would ask the House to look at the position broadly. I do not myself feel that under any system of self-Government India can be a unitary state. The vast extent of the country, the enormous population, the great diversity of conditions, the historical development of particular areas, all those events of the past, that cannot be effaced or ignored, do present a problem of Government more complex than any it has been sought to solve before except by the comparatively simple processes of autocracy. There is, I think, general agreement now that the line of advance is by federation, and that means that while the Central or Federal Government will perform those functions which it is necessary should be performed on uniform lines for the country as a whole, the different local areas and administrations should be left to meet their own local problems in the manner which experience, tradition and their stage of development makes most suitable. It is true that in a Federation one expects ordinarily to find a general similarity in the form of Government in the various units. But the facts of India render that impossible, unless we intend to cut out the Indian States from India—an impossible task, I would suggest—and if we want to achieve that broader unity which is essential in the interests of India as a whole, I think it can only be achieved by recognising a wide diversity in the form of Government in the various units. That, indeed, has been from the beginning one of the obvious and unavoidable facts of the problem. It has been accepted as a fundamental proposition by those who have for some years past now been devoting their attention to the evolution of a new Constitution for India. There is no need to press all units, Princes and Provinces alike, into the same mould ; and any such attempt would lead to complete failure and disruption instead of unity. Therefore, let British India at the outset show that it is not entering into a Federation with the States with a feeling of fundamental hostility to the form of Government that prevails in the States. This is no foundation on which a partnership can

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be built. What we are asking the House to do is not to protect or stereotype misgovernment, but to acknowledge the fact that there are forms of Government other than democratic which are worthy of respect and that when we find these forms of Government existing in our midst, deeply rooted in tradition, in sentiment and in the facts of history, we should frankly accept them and admit that they, like other Governments, can claim to be protected against attempts to subvert them or to bring them into hatred and contempt. We cannot erect our Federation on a basis of intolerance and distrust, and I hope that the House, by its attitude towards this Bill, will show that that is not the spirit in which it approaches the question of our obligations towards the States. (Cheers.)

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

“ That the Bill to protect the Administrations of States in India which are under the suzerainty of His Majesty from activities which tend to subvert, or to excite disaffection towards, or to interfere with such Administrations, be referred to a Select Committee consisting of Mr. B. Sitaramaraju, Rao Bahadur B. L. Patil, Mr. Uppi Saheb Bahadur, Mr. Ranga Iyer, Mr. S. G. Jog, Sardar Harbans Singh, Mr. B. R. Puri, Rao Bahadur M. C. Rajah, Captain Sher Muhammad Khan, Mr. F. E. James, Mr. B. J. Glancy, Sardar Nihal Singh, Rai Bahadur S. C. Mukherjee and the Mover, and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five.”

**Mr. H. P. Mody** : Sir, I have not risen to offer any observations on the Bill, but I want to clear a doubt which has  
4 P.M. arisen in my mind with regard to the legality of some of the provisions which appear in this Bill. My friend told me in reply to my inquiry that this Bill was intended to deal solely with activities conducted in British India against the Indian States. Now, clause 3 of this Bill says :

“ In section 121A of the Indian Penal Code, after the words ‘ or any Local Government ’, the words ‘ or the Administration of any State in India ’ shall be inserted.”

I want to examine and see how this affects the existing section, section 121A. As I read it, it makes it penal for any one who is a subject of British India or of an Indian State to conspire against the Government of British India, whether a Local Government or the Imperial Government. If he conspires against the Government of British India, he is liable to certain punishment ! The addition sought to be made to that section by this Bill would create the position that “ whoever within or without British India conspires against the Government of India or any Local Government or against the Government of a Native State, is liable to punishment”. In other words, Sir, the British Courts will be competent to deal with offences of conspiracy committed by a resident of an Indian State against the administration of that State, and I want to ask my friend whether that is the correct interpretation of the clause. My submission is that clause 3 seeks to interpolate into section 121A an addition to the armoury of the law which makes it possible for a British Court to deal with offences committed against the Administration of an Indian State in the State itself. That is my point.

**Mr. President** (The Honourable Sir Shanmukham Chetty) : That point has to be cleared up.

**The Honourable Sir Harry Haig :** I think the intention of the Bill undoubtedly is to deal with conspiracies within British India directed against Indian States, and not to go beyond that.

**Mr. H. P. Mody :** But the clause seems to me at any rate to go much beyond that.

**The Honourable Sir Harry Haig :** If the clause does go beyond that, it is always possible to amend it in Select Committee.

**Mr. H. P. Mody :** But is it ?

**The Honourable Sir Harry Haig :** That is a point for Select Committee.

**Mr. President** (The Honourable Sir Shanmukham Chetty) : Does the Chair understand the Honourable the Home Member to say that the clause goes beyond the intention of the Government and has to be rectified in the Select Committee ?

**The Honourable Sir Harry Haig :** The intention of Government, Sir, is certainly to deal with activities within British India, and if in fact the wording of the Bill extends to activities outside British India, we shall certainly be prepared in Select Committee to make the necessary amendment.

**Mr. President** (The Honourable Sir Shanmukham Chetty) : It is understood the Honourable the Home Member concedes the point raised by Mr. Mody that clause 3, as it is drafted at present, would bring within the scope of this Bill offences committed against the Indian States within the territory of those States, because the operative part of section 121A, as amended by clause 3 of the Bill, will read as follows :

“Whoever, within or without British India, conspires to overawe, by means of criminal force or the show of criminal force, the Government of India or the Local Government or the Administration of any State in India”,

shall be punished, etc. That will be the operative portion of section 121A.

**The Honourable Sir Harry Haig :** Yes, Sir. If the words “without British India” are held to cover the amendment which we propose to make, then, in that case, it goes beyond our intention.

**Mr. President** (The Honourable Sir Shanmukham Chetty) : That is a point to be rectified in Select Committee, is it not ?

**Sir Lancelot Graham :** The clause does not go beyond the jurisdiction of this House as comprised in section 65 of the Government of India Act : but I understand the Honourable the Home Member to say that the intention is only to penalise offences committed in British India. The clause would appear to go beyond that, so as to make not those offences only liable to punishment. It is always open to the Member in charge of the Bill to restrict the scope of the Bill in Select Committee. There is no question of barring.

**Mr. President** (The Honourable Sir Shanmukham Chetty) : How is it within the jurisdiction of this House to make a law for the conduct of a subject of an Indian State, for an offence committed within the jurisdiction of that State ?

**Sir Lancelot Graham :** It is not. There is the section 121A of the Penal Code,—which says : “ Whoever, within or without British India ”. But if you will refer to section 4 of the Indian Penal Code, you will find that “ the provisions of this Code apply also to any offence committed by any Native Indian subject of Her Majesty in any place without and beyond British India ”; and also to “ any other British subject within the territories of any Native Prince or Chief in India ”. The extent of the Penal Code is not proposed to be extended by this Bill. The extent of the Penal Code is—whoever within or without British India conspires to commit any of the offences, etc., and “ whoever ” is governed by section 4 of the Penal Code. This, Sir, is an Amending Bill, so far as the Penal Code is concerned, and does not profess to extend the scope of the Indian Penal Code.

**Mr. President** (The Honourable Sir Shanmukham Chetty) : The point is, if an Act of the Indian Legislature, passed 20 years ago, had conferred on that Legislature at that time jurisdiction beyond the jurisdiction enjoyed by this Legislature, would this Legislature, by reason of that fact alone, be entitled to incorporate provisions along those lines ?

**Sir Lancelot Graham :** The jurisdiction of this Assembly and of the Council of State together forming the Indian Legislature was settled as far back as the first Councils’ Act,—I think it was in 1861. The Penal Code was passed after that. It was passed under an Act of Parliament which conferred on the Indian Legislature of the time the same jurisdiction which is now enjoyed by this House and the Council of State. The matter, Sir, will have to be settled by reference to the Government of India Act of the time, but actually the wording is precisely the same. Those classes which are referred to in section 4 of the Indian Penal Code are the classes of persons which are referred to in section 65 of the present Government of India Act.

**Dr. Ziauddin Ahmad** (United Provinces Southern Divisions : Muhammadan Rural) : May I know, Sir, if the Honourable Member considers that the Bill, as it is before the Assembly now, is in order ?

**Sir Lancelot Graham :** Certainly.

**Mr. President** (The Honourable Sir Shanmukham Chetty) : So far as this Legislature is concerned, its jurisdiction is covered by the provisions of the Government of India Act which is in force for the time being. It may be that the Parliamentary Statute of 1861 conferred on the Indian Legislature at that time certain powers, but, in attempting to define the powers of this Legislature, the Chair has to look to the provisions of the Government of India Act which is now in force, and that is section 65, and, according to section 65 of the Government of India Act, the Indian Legislature has power to make laws for all persons, for all Courts and for all places and things within British India.

**Sir Lancelot Graham :** Please read clauses (b) and (c).

**Mr. President** (The Honourable Sir Shanmukham Chetty) : “ for all subjects of His Majesty and servants of the Crown within other parts of India ”.

Do I understand that the Honourable Member’s contention is covered by (b) ?

**Sir Lancelot Graham :** Please go on to (c).

**Mr. President** (The Honourable Sir Shanmukham Chetty) : “ for all native Indian subjects of His Majesty, without and beyond as well as within British India ”.

That is, in other words, this Indian Legislature would, by section 65 (1) (c) of the Government of India Act, be entitled to make laws governing the conduct of subjects of Indian States.

**Sir Lancelot Graham :** No, Sir. In section 121A of the Indian Penal Code into which certain words are proposed to be inserted by this present Bill,—the word “ whoever ” will, of course, be restricted to the classes of persons to whom the Indian Penal Code applies. This is an amending Bill as regards this particular clause and it proposes to insert certain words in section 121A of the Indian Penal Code. That section starts with the word “ whoever ”. The word “ whoever ” in that section must be interpreted having regard to the extent provisions with which the Indian Penal Code opens. Those provisions are contained particularly in sections 1, 2, 3 and 4 of the Penal Code. This Bill does not extend the scope of the Indian Penal Code, because the scope of the Indian Penal Code is, as a matter of fact, as wide as the Government of India Act allows any legislation of the Indian Legislature to make it. All that this Bill does is to insert certain words in section 121A, but the insertion of those words does not affect in any way the class of persons to whom the Penal Code already applies.

**Mr. President** (The Honourable Sir Shanmukham Chetty) : No doubt, under the provisions of the Indian Penal Code, the British Indian Courts can take note of offences committed by the subjects of Indian States.

**Sir Lancelot Graham :** In British India.

**Mr. President** (The Honourable Sir Shanmukham Chetty) : An offence committed by the subject of an Indian State in British India can be punished by a British Indian Court according to the Indian Penal Code. In other words, the Indian Penal Code has jurisdiction over the conduct of the subjects of Indian States committed within the territory of British India.

**Sir Lancelot Graham :** Yes.

**Mr. President** (The Honourable Sir Shanmukham Chetty) : What I want to know is this. So far as the Chair has to seek the scope of jurisdiction of this House, it cannot be governed by the provisions of an old Act of the Indian Legislature. It can only be governed by the provisions of the Government of India Act for the time being in force. And the Chair would like to ask this question. Leave alone the present Bill which seeks to amend the Indian Penal Code. Would it be within the jurisdiction of this House, if a new Bill is brought forward, irrespective of the Penal Code, bringing within the jurisdiction of British India subjects of an Indian State for acts committed within British India ?

**Sir Lancelot Graham :** Most emphatically. Even a foreigner, for an offence committed in British India, is liable.

**Mr. President** (The Honourable Sir Shanmukham Chetty) : But this House cannot have jurisdiction over acts committed by Indian State subjects in an Indian State.

**Sir Lancelot Graham** : Quite correct.

**Mr. President** (The Honourable Sir Shanmukham Chetty) : Therefore, clause 3 of the Bill goes beyond the jurisdiction of the Indian Legislature.

**Sir Lancelot Graham** : With due respect, I will point out that that clause merely inserts in section 121A of the Indian Penal Code—may I first read out section 4 of the Indian Penal Code ? When section 4 is read, that gives you the clue to the interpretation of the word “ whoever ” wherever it occurs in the Act.

**Mr. B. R. Puri** (West Punjab : Non-Muhammadan) : On a point of order, Sir. ....

**Mr. President** (The Honourable Sir Shanmukham Chetty) : Order, order. When the Chair has asked for an explanation from an Honourable Member, no point of order ought to be raised until that explanation has been given.

**Sir Lancelot Graham** : As I have said, there are a great many sections, which—in fact, most of the sections of the Indian Penal Code—start off with the word “ whoever ”. We are at present concerned in clause 3 of the Bill with section 121A of the Indian Penal Code. That section starts by saying, “ Whoever, within or without British India.... ”. When we want to interpret the word “ whoever ” there, we have to look back to the extent sections of the Act. I think the question which you asked was whether the subject of an Indian State can be punished in British India for an offence committed in an Indian State. My answer to that is in the negative both under the Act of 1861 and now also it is precisely the same. All that this Bill does with regard to section 121A is to insert those words which extend the offence, which widen the offence created by section 121A, but it does not widen the class of persons who are liable to be punished under that section. The class of persons affected by that section remains precisely the same as that set out in section 4, and those persons are precisely the class of persons who are set out in section 65 of the Government of India Act. So that the class of persons who can be punished in respect of an offence under section 121A as it will stand after having been amended by clause 3 of this Bill is unchanged, and they are all within the jurisdiction of the Indian Legislature. I come back to the interpretation of the word “ whoever ” in section 121A read with section 4. This Bill does not change that and could not change that.

**Mr. President** (The Honourable Sir Shanmukham Chetty) : The Chair would now like to know from Mr. Puri, what is his point of order.

**Mr. B. R. Puri** : The point of order does not arise now. I understood at that time that the Chair had given its ruling—that so far as clause 3 of the Bill was concerned, the Bill was *ultra vires* of this House.

**Mr. President** (The Honourable Sir Shanmukham Chetty) : The Chair has not given a ruling.

**Mr. B. R. Puri** : I was under that impression. I am sorry.

**Mr. H. P. Mody :** May I make a suggestion ? This point is very important and requires further consideration and I suggest that you do not give your ruling at this stage. I am very sorry to have sprung it upon the House and upon yourself, but the point occurred to me only while the Honourable the Mover of the Bill was developing his case. If I had seen it earlier, I would have brought it to the notice of both yourself and the Home Member. But as it has been sprung upon the House and upon yourself, I suggest that it may be held over, and that you give your ruling tomorrow.

**Mr. President** (The Honourable Sir Shanmukham Chetty) : That was exactly what the Chair was going to suggest. The mere fact that in a Bill before the House there is one clause on which there is doubt with regard to the jurisdiction of this Legislature need not debar the House from discussing the Bill. When the time comes to put clause 3, and if the Chair is then convinced that clause 3 is *ultra vires* of the Legislature, the Chair will refuse to put the question with regard to clause 3. The Chair would like to consider it in the meantime. The discussion may now proceed on the Bill.

**Dr. Ziauddin Ahmad :** Is it just to refer a Bill to a Select Committee which is *ultra vires* of the Select Committee ?

**Mr. President** (The Honourable Sir Shanmukham Chetty) : The Bill is not *ultra vires*.

**Mr. B. Das** (Orissa Division : Non-Muhammadan) : Sir, I beg to move the motion standing in my name :

“ That the Bill be circulated for the purpose of eliciting opinion thereon by the 7th January, 1934.”

I am grateful to my Honourable friend, Mr. Mody, for raising a point which is in favour of my proposition, namely, circulation. At the outset, I must say that my Honourable friend, Sir Harry Haig, was a little nettled and troubled while he was delivering his speech. The soul of the Home Member of the Government of India and the soul of Sir Harry Haig, the British democrat, were fighting with each other throughout and, therefore, it was that he made that halting, apologetic speech which he delivered just now before this House.

Sir, I read in the Statement of Objects and Reasons, which my Honourable friend, Sir Harry Haig, has advanced :

“ The forthcoming constitutional changes, moreover, make it desirable that the authorities in British India should have power to protect *units of the Federation* from agitation directed against them from British India.”

But, Sir, where is the Federation ? My Honourable friend did not tell me or this House when this Federation was coming, next July or next March, and why this Bill was absolutely necessary. My Honourable friend wants this Bill to be passed in the winter Session of 1934, but can my Honourable friend the Home Member say whether Federation is coming in 1934, 1935, 1936 or 1937 or, as some say, in 1939. Then, Sir, supposing the Federation comes in, is there any guarantee that the Princes are working with us in that Federation ? My friend has got a Bureau of Information and he knows the various statements that are issued from time to time by the representatives of the Princes that visit London, either as Round Tablers or members of the Joint Select Committees. I have not yet seen one statement from any of these representatives of the Princes which says that they are willing to join the Federa-

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tion definitely. I read a statement by Sir Akbar Hydari. He says let the Constitution come into existence. Then the Princes, like the sublime Princes as they are, will examine and consider and see if they will at all join the Federation. So the Federation is a myth and I am not mincing matters. I have never welcomed the idea of the Federation on the floor of this House. I say "keep away the Princes at a distance. Start with a Federation of the British Indian Provinces". I am not concerned with the Indian Princes. This idea of Federation is not maturing. Then, why is it that the Government of India are so anxious to legislate to protect the misgovernment of these Indian Princes. My Honourable friend, the Home Member, referred to the Indian States (Protection) Act of 1922 and stated that it was passed on the floor of this House by his predecessor, Sir William Vincent, an equally persuasive man or probably a greater persuasive man than my Honourable friend, Sir Harry Haig. I must state here that I never had the privilege of meeting Sir William Vincent, although he belonged to my province. The House then consisted of liberals and moderates. There were no Swarajists in those days, no nationalists in those days, and yet the House threw out that Bill and the Viceroy had to certify it. As far as we on this side are concerned, we were not a party to that particular measure to which my friend referred.

**Captain Sher Muhammad Khan Gakhar** (Nominated Non-official) : Are you not a nationalist ?

**Mr. B. Das** : My friend asks me whether I am not a nationalist. So long as there is life in me, I shall continue to be a nationalist. My friend is a soldier. I hope he will be a national soldier and will fight for his motherland. So, Sir, this Act of 1922 is not a precedent. What does the heading of that Act say :

"An Act to prevent the dissemination, by means of books, newspapers and other documents of matter calculated to bring into hatred or contempt or to excite disaffection against Princes or Chiefs of States in India or the Governments or Administration established in such States."

Since that Act was passed, my Honourable friend knows very well that only three prosecutions have been launched. My Honourable friend, the democrat, Sir Harry Haig, since his advent as Home Member, has promulgated so many Ordinances or so many Acts, almost amounting to Ordinances. Today he wants us to give him another Ordinance in the shape of a new Bill which he has introduced. I would ask the House to read carefully what this Act aims at :

"to protect the Administrations of States in India which are under the suzerainty of His Majesty from activities which tend to subvert, or to excite disaffection towards, or to interfere with such Administrations."

[At this stage, Mr. President (The Honourable Sir Shanmukham Chetty) vacated the Chair which was then occupied by Mr. H. P. Mody, one of the Panel of Chairmen.]

I do not think that Sir William Vincent, while he was Home Member and was probably the Leader of the House at that time, thought that the Bill which he introduced and which was thrown out by this House had anything to do with suzerainty or in any way concerned with the suzerainty of His Majesty. Since the new reforms came into existence, the Government of India went on manufacturing new weapons of repression, forging new lines of cleavage between Indians and Indians and that



was proved when the Butler Committee went to inquire about the mal-administration or good administration of these Indian States. We Indians thought that the Indian States were governed as the British provinces are governed, but when the Butler Committee came into existence, it began to talk of paramountcy and suzerainty and the little Princes and the big Princes began to jump at the idea that they were allies of His Majesty the King Emperor. How can these Princes, who were conquered with Indian money, with borrowed money for which we are paying every year interest, for which my Honourable friend, Sir George Schuster, supplied a note to the Secretary of State about the financial obligations of British India, be allies of His Majesty the King Emperor? Were they not conquered with the money that was borrowed by the East India Company, the predecessors of my friend, Sir Harry Haig and Sir Joseph Bhore? Was the sanction of His Majesty sought every time when they conquered some petty chiefs or factious chiefs who were creating trouble in the border of Orissa or in the border of the Punjab? Certainly not. When my Honourable friend, Mr. Glancy, will rise to speak, I hope he will search the archives of the Political Department and find out as to who was that political genius in the Political Department who conceived this idea of separating Indian States from British India and incidentally took away the power of the Government of India and put fantastic ideas into the heads of the small Princes that they were the allies of His Majesty the King Emperor?

Sir, I am not a lawyer and so I did not like to raise any point of order, but I always took that this Legislature and the Government of India were subordinate to the British Government and the British Parliament. How is it, then, that we are asked to legislate to protect the suzerainty of His Majesty the King Emperor? To me, who is a matter-of-fact man, it appears to be something bogus. Of course, everybody knows that the Federation is not coming into existence immediately; everybody also knows that the Princes are not coming into the Federation easily. Even the Political Secretary does not know what is the status of the individual Princes. Yet some fiat has gone round and a Resolution has been passed in that semi-circular Chamber in Delhi, namely, the Chamber of Princes, and here my Honourable friend, Sir Harry Haig, the Home Member, wants this Bill to go through. He says that this Bill is not for the protection of the Princes, but it is a Criminal Law Amendment Bill. As I said at the beginning, my Honourable friend was halting all the time in his speech, because his other soul always troubled him.

Sir, when my Honourable friend, the Home Member, was impressing upon us the object with which Government have introduced this Bill, he only stated that there were certain people in British India who were causing disaffection to some of these Princes or their Administrations. He also said that this Bill did not aim at nor did it take away the proper criticism of the Press against the bad administration of the States. I am sorry to say that throughout India it is only my friend, the Honourable Sir Harry Haig, and the *Statesman* of Calcutta who have understood the objects of this Bill in that fashion, but the Indian Press is apprehensive that, in the shape of this Bill, another Press Ordinance has come into existence. The screw is being tightened on the Press, and the Government of India, which is in secret alliance with the Princes of India,

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do not want that there should be any righteous criticism on the misgovernment of those Princes. I will just quote a few lines from the *Amrita Bazar Patrika*, a paper which has always stood for justice to the Princes and to the subjects of the Princes of the Indian States. It says :

“ But what about the subjects of these Indian States ? The rule that prevails in most of the States is despotic and, in very few of them, the people can be said to be happy. The people in most of the States labour under innumerable disabilities, yet they are not allowed by their rulers to speak out their grievances. Even constitutional agitation for the representation of grievances is put down with a stern hand in most of the States where no public opinion worth the name can, therefore, be expected to exist. The only pressure which Rulers in such States can be made to feel is that exercised by the public opinion in British India and it was this pressure which in the past induced the Political Department of the Government of India to take action against the mal-administration of the Princes in some States. The proposed Bill, if passed into law, will undoubtedly have the effect of preventing the press and public bodies in British India from agitating against the mal-administration in Indian States and nobody will hear the grievances of the poor victims of misrule in the Indian States.”

When the Editor of a nationalist paper like the *Amrita Bazar Patrika* writes like this, surely it does so with all the experience of an editor of a paper of long standing, of 70 years. How can I believe, with all due respect to my Honourable friend, Sir Harry Haig, that the Bill is not meant to curtail the freedom of the press in the sense that they cannot agitate about the mal-administration of the States. What does the Preamble of the Bill say ? It aims at the protection of the administration of the Indian States. So, I think my friend's contention is not correct.

I do not wish to go into details, clause by clause, of the Bill, because I want this Bill to be circulated not only to get the opinion of the Indian press and the Indian public, the Judges of the Indian High Courts and Administrators in the provinces, but I do hope that it will also be circulated to the Political Agents, the Indian States people and the various Princes that rule these Indian States. Their views should be collected. If my Honourable friend, Mr. Glancy, will concede, I wish also that this Bill be circulated to all the *ex*-Political Agents who are drawing pensions today from the exchequer of India, because their opinions will be very valuable. We know that these gentlemen, when they retire, write their views and speak things which they cannot do when they are under the control of the Political Secretary of the Government of India. So my suggestion is that this Bill be circulated also to the *ex*-Political Agents who may be now staying in Switzerland or London and other places.

I will refer the House to clause 4 of this Bill which aims at the curtailment of the freedom of the press. There it is said :

“ To bring into hatred or contempt, to exercise disaffection towards the Administration established in any State of India.”

Sir, States like Mysore and Baroda may have judicious administrations, but we know that Indian States as a rule have no administration. It is Hitlerism *minus* the democratic spirit that controls Hitler.

How are these people ruled ? The Honourable the Home Member appealed that we should not mention the names of States. I am not going to mention any names. I am going to lay certain facts before the

House. I am going to give out what is usually held as the considered view of the public and the press in India. There are rulers in India who have no administrative machinery. There are about 600 Indian States, and some of them have only half a village to rule. Most of the Indian States are under one-man rule without any control of public opinion. In the past, the mighty bayonets of the British Army did not protect these Princes and they were then amenable to public opinion and public criticism coming from inside the State. But, as the Princes found that the mighty British Army was protecting them, they became irresponsible. They began their maladministration in their States for which the people have no remedy. The people could not revolt, because revolting against particular States was revolting against the mighty British Empire and the mighty British Government, and yet the people of the States want the protection of the British Army and the British democratic laws and they are denied all these now. When anybody writes a letter in the Indian press, or when the press criticises the administration of any State as bad, under this Bill power is given to a District Magistrate or the subordinate of a District Magistrate to deal with the press. When speaking about the press, I am reminded of the security of Rs. 10,000 demanded of the "Free Press" in Bombay as deposit by the Government of Bombay and now reported to have been confiscated. So the press of India, for which the Honourable the Home Member has no love,—I am talking of the Indian Press and not the Anglo-Indian Press,—under this new clause, the press which writes articles against an Indian State would be asked to deposit Rs. 10,000 or Rs. 20,000 for writing such articles. That will be the consequence if this Bill is passed into law. Now, I will refer to sub-clause (1) of clause 6 which reads :

".....such Magistrate may, by written order stating the material facts of the case and served in the manner provided by section 134 of the Code of Criminal Procedure, 1898, direct any person to abstain from a certain act if such Magistrate considers that such direction is likely to prevent or tends to prevent interference with the Administration of a State in India "

I am not concerned with the subsequent sentence :

" or danger to human life or safety or a disturbance of the public tranquillity or a riot or an affray within the said State ".

I am only concerned with " to prevent or tends to prevent interference with the Administration of a State in India ". Two or three years ago, I had the privilege of presiding over the Orissa State People's Conference. (Interruption.) Supposing I was going to preside over a Conference in Bombay in my Honourable friend, Sir Cowasji Jehangir's own City, just as Mr. Kelkar presided the other day over the Indian States People's Conference, to whose valuable speech I shall refer subsequently, the magistrate of the town, having been misinformed, as subordinate magistrates usually are,—they do not know and they do not understand the high policy of the Government of India, they do not understand the high principles that guide my Honourable friend, Sir Harry Haig, they think only three or four years ahead as to how to protect these Princes and how to put these Princes in cotton wool so that they may not be harmed,—the magistrate of the town may serve me with a notice ordering me that I should not preside over the Conference lest it should incite people or cause disaffection in the adminis-

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tration of a State or States. These are the two points that I, as a public man and a representative of the Indian Press, feel greatly apprehensive.

**Mr. Chairman** (Mr. H. P. Mody) : Does the Honourable Member propose to go on for any length of time ?

**Mr. B. Das** : Yes, Sir, for one hour.

**Mr. Chairman** (Mr. H. P. Mody) : In that case the House stands adjourned till 11 o'clock tomorrow.

The Assembly then adjourned till Eleven of the Clock on Thursday, the 7th September, 1933.