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THIRD SESSION

of the

THIRD LEGISLATIVE ASSEMBLY

1928



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LEGISLATIVE ASSEMBLY.

Thursday, 6th September, 1928.

The Assembly met in the Assembly Chamber at Eleven of the Clock, Mr. President in the Chair.

QUESTIONS AND ANSWERS.

INTENSIVE MILITARY PREPARATIONS ON THE NORTH-WEST FRONTIER.

165. ***Mr. Gaya Prasad Singh :** (a) Has the attention of the Government been drawn to a report that intensive military preparations are taking place on the North-West Frontier of India, that a number of new forts have been erected, the Razmak Fort in Waziristan has been enlarged to accommodate 12,000 men, a special camp has been set up in the Tochi River Valley, that 60,000 men are being recruited in Delhi and Lahore, that aerodromes are being hastily constructed in the vicinity of the Afghan Frontier, and motor roads are being built all over the Frontier territory ?

(b) How far is the report correct ; and will the Government kindly state the arrangements that are being made on the North-West Frontier, and the nature of the emergency which they are intended to cope with ?

Sir Denys Bray : (a) Yes, Sir.

(b) No emergency whatever has arisen nor are any special arrangements of the nature suggested being made on or in connection with the North-West Frontier.

The whole report is baseless and mischievous, and I am obliged to the Honourable Member for giving me this opportunity of saying so.

Mr. K. Ahmed : What are the reason or reasons why the Army Secretary said yesterday that the military expenditure will not be decreased this year ? Is not that the reason stated in the question ?

Sir Denys Bray : I cannot see that the question arises in any shape or form.

DUPPLICATION OF THE IMPERIAL MAIL SERVICE FROM BOMBAY TO CALCUTTA.

166. ***Mr. Gaya Prasad Singh :** Is it a fact that the Railway Board is about to duplicate the Imperial Mail Service between Bombay and Calcutta, because overseas tourists are booking heavily ? Will Government kindly state the amount of profit or loss incurred on this special service, including the charges of the publicity organisation in London ? What is the total amount of expenditure under this last head, since its inauguration ?

Mr. A. A. L. Parsons : Owing to the heavy booking in London it is proposed to duplicate the Imperial Mail Service from Bombay to Calcutta this winter. The Imperial Mail from Calcutta to Bombay was duplicated

on several occasions last winter, and if it is necessary the East Indian Railway authorities will no doubt put on a second train again this winter. But, except for two additional carriages, no extra stock is at present being built specifically for this service. The net earnings from the Service for the year ending on the 31st July 1928 were between 2 and 2½ lakhs; this figure does not, however, include depreciation due for this period, which may be taken at about Rs. 25,000. The figure also includes nothing on account of the new publicity organisation in London. The booking for the Imperial Mail in London is done by the Peninsular and Oriental Steam Navigation Company. The cost of the London Publicity Office from the 1st September 1927, to the 31st of March, 1928—the latest period for which figures are at present available—was £833, in addition to which £2,000 were spent on advertisement. But since the booking arrangements for the Imperial Mail Service are, as I have explained, in the hands of the Peninsular and Oriental Steam Navigation Company, only a negligible portion of this expenditure, if any at all, can be said to have contributed to the use and popularity of the Imperial Mail Service.

QUANTITY AND VALUE OF STEEL CASTINGS FOR RAILWAY ROLLING STOCK ORDERED FOR THE INDIAN RAILWAYS DURING THE CURRENT YEAR.

167. ***Mr. K. C. Neogy** : (a) Will Government be pleased to make a statement showing the quantity and value of steel castings for railway rolling stock ordered for the Indian Railways in the present year ?

(b) How much of this is represented by axle-boxes ?

(c) To what extent does this represent the approximate annual requirements of the Indian Railways in steel castings ?

(d) What proportion of (i) the axle-boxes, (ii) underframe castings, and (iii) wagon castings, actually ordered is to be of Indian manufacture ?

Mr. A. A. L. Parsons : I am sending the Honourable Member a statement giving the information which he requires.

NUMBER OF UNDERFRAMES TO BE MANUFACTURED AT THE PENINSULAR LOCOMOTIVE WORKS AT TATANAGAR DURING 1928-29.

168. ***Mr. K. C. Neogy** : (a) How many underframes is it proposed to be manufactured at the Peninsular Locomotive Works at Tatanagar during the year 1928-29 ?

(b) To what extent will the steel components of such underframes be of Indian manufacture ?

Mr. A. A. L. Parsons : (a) 162.

(b) Orders have been placed in India for all steel sections, except three sizes, for which the Tata Iron and Steel Company has not yet got suitable rolls, though I understand they are getting them. The steel castings and the axle-boxes, after a call for tenders in India, are being ordered from Indian firms. I wish to add to that, that I am not quite sure, owing to present conditions at Jamshedpur, whether we shall actually be able to get the steel sections from the Tata Iron and Steel Company this year.

TENDERS FROM THE KUMARDHUBI ENGINEERING WORKS FOR STEEL CASTINGS FOR RAILWAY ROLLING STOCK.

169. ***Mr. K. C. Neogy :** (a) Have the Kumardhubi Engineering Works tendered for steel castings for railway rolling stock required by the Indian Railways since 1926-27 ?

(b) If so, for what quantities, and with what result, on each occasion ?

Mr. A. A. L. Parsons : (a) Yes.

(b) I am sending the Honourable Member a statement giving the information that he wants.

SPEECH MADE BY SIR RAJENDRA NATH MOOKERJEA REGARDING THE WAGON PURCHASE POLICY OF THE INDIAN STATE RAILWAYS.

170. ***Mr. K. C. Neogy :** (a) Has the attention of Government been drawn to a speech made by Sir Rajendra Nath Mookerjea at the annual meeting of the Indian Standard Wagon Co., Ltd., held on the 16th June last, regarding the wagon purchase policy of the Indian State Railways ?

(b) If so, will Government be pleased to make a statement with reference to the different points raised in that speech ?

The Honourable Sir George Rainy : Sir, I am afraid that my answer will be rather long in reply to this question, but this is a point on which I am anxious that the House should have full information.

(a) Government have seen Sir Rajendra Nath Mookerjea's speech.

(b) With perhaps one exception, the position of Government with regard to the points mentioned by Sir Rajendra Nath Mookerjea has already been made clear in a number of statements. I would refer the Honourable Member to the reply which I gave to Mr. Rangaswami Iyengar's question No. 5 on the 18th of August 1927, to the replies Mr. Parsons gave to Khan Bahadur Sarfaraz Hussain Khan's unstarred question No. 149 on the 1st of March 1928, and to Sir Darcy Lindsay's starred question No. 484 on the 19th of March 1928 ; also to the debates which took place last Session on the Steel Industry (Protection) Bill, and to a speech which I made on the 20th September 1927 at the general meeting of the Associated Chambers of Commerce held at Calcutta.

The exception I have referred to relates to Sir Rajendra's complaint that manufacturers are handicapped in programming their work by delay in settling tenders, and on this point I am glad of the opportunity which the Honourable Member's question gives me to explain the position. Last year there was unavoidable delay in placing orders for this year's requirements because the Railway Board had first to know what decision would be taken on the report of the Tariff Board regarding the grant of protection to the manufacture of wagons and underframes. But I hope there will not be a recurrence of this disturbing factor, and I can definitely say that the Railway Board are anxious to meet the convenience of manufacturers in this matter as far as they possibly can. It is for this reason that they have arranged to take up their rolling stock programme, and place it before the Standing Finance Committee for Railways, six months in advance of the other parts of the programme, so that

in ordinary circumstances they should be enabled to call for tenders for their rolling stock requirements of the succeeding year in the autumn of the previous year. They are also fully alive to the desirability of coming to a decision as early as possible on tenders when they are received. It must, however, be realised that there are two factors, one of which I hope will only operate temporarily, which prevent the Railway Board from issuing their call for tenders, and from dealing with the tenders when they are received, as expeditiously as they themselves would wish. In the first place, the designs of some of the types of wagons have not yet been completely standardised and even when the number of wagons required in the following year has been settled it is not possible to call for tenders, or, in fact, for the firms to tender, until the designs have also been settled and detailed plans have been drawn out. This cause of delay will, I hope, soon cease to operate as the result of the action which is being taken to standardize designs. Secondly, in accordance with present arrangements, which were adopted in order to assist the wagon building industry in India, a combined call for tenders is issued for the wagon requirements of all Railways in India, and it is clearly necessary to consult individual railway administrations on the offers which are received before the offers to be accepted can be selected. The necessity for this consultation obviously means that somewhat longer time must elapse between the receipt of a tender and its acceptance than would otherwise occur.

**NUMBER OF WAGONS OF DIFFERENT TYPES ORDERED FOR THE RAILWAY
SINCE THE TERMINATION OF THE BOUNTY SYSTEM.**

171. ***Mr. K. C. Neogy :** (a) How many wagons of different types have been ordered for the Railways since the termination of the bounty system, and with whom have the orders been placed and at what rates ?

(b) What steps, if any, have been, or are proposed to be, taken to ensure that a "substantial portion" of the materials used in the manufacture of each wagon is of Indian origin ?

(c) In interpreting the term "substantial proportion", do the authorities satisfy themselves that such proportion represents a maximum of Indian materials that could possibly be utilised in such manufacture ?

Mr. A. A. L. Parsons : (a) I lay on the table a statement giving the information required so far as it is at present available. It shows the orders placed since the termination of the "bounty system" up to the 31st July 1928. I have not yet been able to get the full details required by the Honourable Member with regard to the orders placed abroad, but I am obtaining them from Railways and will furnish the information as soon as possible.

(b) The call for tenders requires the tenderers to satisfy Government that a substantial part of the manufacture will be done in India and that in making purchase of material for constructions of wagons and underframes, Indian manufacturers will be given an opportunity to tender. The general conditions of the contract also require the contractor to state the particulars of the material and parts which he proposes to import for

the work and these particulars are carefully scrutinised before orders are placed. It also provides, as an essential condition of the contract, that a substantial part of the process of manufacture shall be done in India and that no important parts other than those detailed in the annexure to the tender shall be used in the work without the previous consent in writing of the buyer. It further provides that before making purchase of the material which the contractor states that he proposes to import, the contractor shall give Indian manufacturers an opportunity to tender.

(c) The details which the contractor is required to give of the materials which he proposes to import, enable the authorities dealing with the tenders to examine whether there are any such materials or parts which can be obtained in India. In fact, it is for this purpose that these details are demanded. I shall like to add that practically all the steel sections used in the manufacture of wagons can be, and are, obtained in India, though there are a few sections which cannot at present be rolled. I understand the firms concerned are taking steps to provide the necessary rolls. On the other hand wheels and axles cannot at present be manufactured in India.

Statement showing wagon orders placed in India after the termination of the Bounty Scheme, i.e., from 1st April 1927 to 31st July 1928.

No.	Description.	With whom.	Rate.
			Ra.
70	Petrol tank wagons	Burn and Company ..	7,750
13	Oil tank wagons	Ditto ..	6,650
25	Bogie timber trucks	Ditto ..	6,300
4	Bogie rail trucks	Ditto ..	4,615
62	Bogie covered goods wagons ..	Ditto ..	4,192
21	Bogie high sided wagons	Ditto ..	3,798
195			
72	Bogie rail and timber trucks ..	Jessop and Company ..	8,094
53	Bogie open wagons	Ditto ..	9,398
196	Goods brake vans	Ditto ..	3,775
22	Goods brake vans	Ditto ..	3,730
343			

No.	Description.	With whom.	Rate.
			Ra.
100	M-A-I	Indian Standard Wagon Com- pany.	2,570
200	M-A-I	Ditto ditto ..	2,500
22	M-C-I	Ditto ditto ..	2,450
550	M-A-2	Ditto ditto ..	2,410
60	M-C-3	Ditto ditto ..	2,300
11	Goods brake vans	Ditto ditto ..	2,018
13	Goods brake vans	Ditto ditto ..	1,798
3	Bogie rail and timber trucks ..	Ditto ditto ..	5,250
110	Ballast wagons	Ditto ditto ..	2,360
1,069			

AMENDMENT OF THE GOVERNMENT OF INDIA ACT SO AS TO MAKE MEMBERS OF THE INDIAN SERVICES ELIGIBLE FOR APPOINTMENT AS CHIEF JUSTICES OF THE HIGH COURTS.

172. { *Lala Lajpat Rai :
*Mr. Ghanshyam Das Birla :
*Mr. Jamnadas M. Mehta :
*Pandit Thakur Das Bhargava :

(a) Will Government be pleased to state whether they were consulted by His Majesty's Secretary of State for India before the introduction in Parliament of the Bill to amend section 101 of the Government of India Act so as to make members of the Indian services eligible for appointment as Chief Justices of the High Courts ?

(b) If so, did the Government of India agree to the above amendment and when ?

(c) If the answer to the above is in the affirmative, will Government please state why this matter was never mentioned in the House in answer to questions and Resolutions relating to the disqualifications of Vakils in this matter ?

The Honourable Mr. J. Orerar : (a) The Bill was the result of consultation between the Government of India and the Secretary of State.

(b) The Government of India agreed to the amendment in March 1926.

(c) The matter was referred to in the Honourable Sir Malcolm Hailey's speech in this House on the 19th February 1924. The questions asked, and Resolutions moved, in the Houses of the Legislature related only to the removal of the disqualifications of Vakils.

VISIT OF DR. SUDHINDRA BOSE TO INDIA.

173. *Mr. C. S. Ranga Iyer : (a) Will the Government be pleased to state if it is a fact that Dr. Sudhindra Bose, Lecturer in the State University at Iowa, was granted a passport to India on the understanding that he would leave the country within six months ?

(b) Who was responsible for imposing this restriction to six months ?

(c) Why was that restriction imposed ?

(d) Will the Government be pleased to state if they intend removing the restriction ? If yes, when ?

(e) Is it a fact that Dr. Bose has asked for an unrestricted visa to enable him to visit India whenever he desired and permission if he chose to settle down here permanently ?

(f) If the answer to (e) be in the affirmative, when is Dr. Bose to be given that permission to settle in India permanently and unrestricted visa to visit India whenever he chose ?

The Honourable Mr. J. Crerar : (a) and (c). I would refer the Honourable Member to the answer that I gave to Mr. Gaya Prasad Singh's question on the same subject, yesterday.

(b) The restriction was imposed by the Secretary of State.

(d) As Dr. Bose left India within the period stated, the question does not arise.

(e) He has enquired as to the possibility of securing an unrestricted visa and becoming naturalised as a British subject.

(f) The matter will be considered when Dr. Bose again proposes to visit India.

Mr. K. Ahmed : Will the Government of India be pleased to state what are the reason or reasons why Dr. Bose will not be allowed to stay in his own country, so that the country may know exactly what the situation is, and whether the criticism of the action of the Government by this side of the House is justified or not with regard to the Government's refusal to allow Dr. Bose to remain in this country ?

The Honourable Mr. J. Crerar : I do not think the Honourable Member has correctly apprehended the facts of the case.

Mr. K. Ahmed : Does that justify Government in withholding permission from Dr. Bose to come and stay in this country ?

REPORT PUBLISHED IN THE *Hindustan Times* OF JULY 7TH UNDER THE HEAD LINES " RACIAL ARROGANCE IN EXCELSIS," ETC.

174. *Mr. C. S. Ranga Iyer : (a) Has the attention of the Government been drawn to :

(i) a report published in the *Hindustan Times* of July 7th under the head-lines " Racial arrogance in excelsis " ; " Colonel's fury " ; " Scene in a Railway Compartment " : and

(ii) the Colonel's threat to report the station master on night duty to "his friend"....a member of the Railway Board ?

(b) Has any action been taken against the station master for declining to carry out the Colonel's command against an invalid old Goanese lady of seventy who was incapable of moving from her seat or the berth on which she was seated without aid ?

(c) Are Government aware that the public opinion as expressed in the Press has approved of the station master's conduct and condemned the Colonel's rudeness ?

(d) What are the facts of the case according to the Government's information ?

Mr. A. A. L. Parsons : (a) Government have seen the article referred to, which contains a remark more or less to the effect stated in (a) (ii).

(b) and (c). No ; nor has any complaint been made to the Railway Board or any member of it.

(d) It seems to have been a petty squabble about berths. None of those concerned has subsequently reported the matter either to the railway authorities or, as I have said, to the Railway Board.

Maulvi Muhammad Yakub : Will the Railway Board take any action if a report is made to it ?

Mr. A. A. L. Parsons : No, Sir ; certainly not.

Maulvi Muhammad Yakub : Then why did the Honourable Member say that none of those concerned has reported the matter either to the railway authorities or to the Railway Board ? What does this answer signify ?

Mr. A. A. L. Parsons : It signifies what it says, that no report was made either to the Railway Board or to the Railway Administration.

Maulvi Muhammad Yakub : When the Honourable Member will not take any action if any report is made to him, what is the use of making a report to the Railway Board ?

Mr. A. A. L. Parsons : To my mind, there would be absolutely no use in making any report to the Railway Board for they would certainly refuse to take any action in a petty squabble about berths which appears to have been quite satisfactorily handled by the station master.

Mr. N. M. Joshi : May I ask whether it is not the duty of the Railway Board to save its employees from the bullyings of gallant Colonels ?

IMPROVEMENT OF THE ORGANIZATION AND EQUIPMENT OF THE ARMY IN INDIA.

175. ***Mr. C. S. Banga Iyer :** (a) Is it a fact that the Government of India are in close consultation with His Majesty's Government constantly examining the problem of improving the organization and equipment of the Army in India in order to make good any deficiencies, give it the benefit of the latest modern developments and bring it into line with the British Army in Great Britain ?

(b) If the answer to the above question is in the affirmative, will the Government be pleased to place the correspondence on the table ?

(c) If not, why not ?

Mr. G. M. Young : (a) Yes, Sir. Consultation with the War Office and the India Office has been maintained, not only by weekly correspondence, but also by personal discussion, for which there have been frequent opportunities during the last few years.

(b) and (c). As my Honourable friend will readily understand, it would not be practicable or desirable to lay on the table of this House the voluminous, and in many cases secret, correspondence and memoranda extending over a number of years on this subject.

Pandit Hriday Nath Kunzru : May I ask, Sir, whether the Honourable Member himself discussed any question with the military authorities in England on behalf of the Government of India ?

Mr. G. M. Young : I was not deputed by the Government of India to discuss any question.

INADEQUACY OF MODERN EQUIPMENT FOR THE ARMY IN INDIA.

†176. ***Mr. C. S. Ranga Iyer :** (a) Has the attention of the Government been drawn to a special London Cable appearing in the *Pioneer* of July 13, 1928, page 1, col. 1, under the sub-titles " A Military Authority's opinion ", " Equipment in India, inadequate " ?

(b) Is it a fact that India is regarded as having a shortage of mechanical and technical equipment ?

(c) If the answer to part (b) is " Yes ", what steps are being taken to remedy the said shortage and what would be the cost that the remedial measures would entail ?

CHANGE IN THE CHIEF COMMAND OF THE ARMY IN INDIA.

177. ***Mr. C. S. Ranga Iyer :** (a) Has the attention of the Government been drawn to a recent statement which appeared in the *Pioneer* that a change in the chief command in India might shortly be expected ?

(b) Is that statement true ?

(c) If the answer to part (b) is in the negative, are Government aware that the publication of such unfounded statements is calculated to do harm and create a false impression in hostile countries ?

(d) If the answer to part (c) is in the affirmative, do Government propose to instruct the Publicity Department to issue timely contradictions ?

Mr. G. M. Young : (a) I have seen the article in question and other statements in the journal to a similar effect.

(b) The statements are entirely unfounded and untrue. There is no truth whatever in the assertion that His Majesty's Government contemplate or contemplated, deputing an officer from England either to investigate the situation or to take over command : and there is also no

†For answer to this question, see answer to question No. 120 given on the 5th September 1928.

truth whatever in the statement that either Sir George Milne or Sir Claud Jacob is to visit India during the next cold weather. As regards the Commander-in-Chief, it is perhaps hardly necessary for me to repeat what has already been stated in Parliament, that His Excellency enjoys the full confidence of His Majesty's Government and the Government of India.

(c) The statements were undoubtedly mischievous.

(d) In this instance, the Honourable Member's questions and the questions asked in Parliament have provided the occasion for an official contradiction. Whether Government should, of its own accord, contradict statements of this kind in future, as the Honourable Member seems to suggest, would depend in each case partly on the importance of the subject and partly on the reputation of the newspaper making the statement.

Mr. K. Ahmed : In view of the fact that the Government has now admitted that mischievous statements have been made by the *Pioneer*, the most loyal paper at one time, though it has now turned to the side of the Swarajists, will the Honourable Member inform this House, both for their benefit as well as for the benefit of the country, why that paper has gone over to the other side ? Is it with a view to get more circulation than before ? Will the Honourable Member be pleased to explain the reason so that we may know the attitude of the *Pioneer* and why it has turned against the Government ?

Mr. G. M. Young : If the Honourable gentleman will put a question to that effect on paper I will give him a reply.

Mr. K. Ahmed : The Honourable the Army Secretary has just admitted that the *Pioneer* has made a mischievous statement, and in view of that fact, I think it is only right that Government should make an inquiry into the reason or reasons why it made such a statement.

INADEQUACY OF MODERN EQUIPMENT FOR THE ARMY IN INDIA.

†178. ***Col. J. D. Crawford :** (a) Has the attention of the Government been called to articles in the Press on the subject of the inadequacy of modern equipment for the military forces in India ?

(b) Will the Government please make a detailed statement as to the steps being taken to modernise the equipment of the army, the probable cost thereof, and the proposed method of meeting any additional expenditure if such is necessary ?

REPORTS OF THE TARIFF BOARD ON THE MATCH INDUSTRY AND THE OIL INDUSTRY.

179. ***Sir Purshotamdas Thakurdas :** Will Government be pleased to state when they expect to publish the Reports of the Tariff Board regarding :

- (a) the match industry in India, and
- (b) the oil industry in India ?

†For answer to this question, see answer to question No. 120 given on the 5th September, 1928.

The Honourable Sir George Rainy : (a) The Tariff Board's Report on the match industry was published on Saturday the 1st September last.

(b) The Board's Report on the oil industry will be published at an early date.

Sir Purshotamdas Thakurdas : May I know, Sir, if the Government of India's decision will also be made available to the public at the same time as the publication of the Report ?

The Honourable Sir George Rainy : The decision of the Government of India will be made available to the public simultaneously with the publication of their Report.

THE PILGRIM DEPARTMENT, BOMBAY.

180. ***Mr. Anwar-ul-Azim :** Will the Government be pleased to state (1) when the Pilgrim Department in Bombay was opened ; (2) what control, if any, administrative or otherwise, is exercised by the Government of India over this Department ; (3) what is the total strength of personnel in this Department and of what caste ; (4) who is the direct authority who recruits officers in this Department ?

Mr. G. S. Bajpai : Part (1)—About 1882.

Part (2)—Under the Devolution Rules, pilgrimages beyond India are a central subject. In respect of the Pilgrim Department in Bombay, the Local Government only act as the agents of the Central Government who retain powers of superintendence, direction and control. The budget of the Department is sanctioned annually by the Government of India.

Part (3)—Ten, of whom seven are Muhammadans, two Hindus, and one Christian.

Part (4)—The Commissioner of Police, Bombay.

PILGRIMS SHIPS.

181. ***Mr. Anwar-ul-Azim :** How many pilgrim ships carried Hajis to Jeddah this year, their total number, number of casualties on board the steamer both ways ? Did these steamers carry any qualified surgeon ? Who supplies medicines to the pilgrims on board the ships ? What are the respective tonnage of these ships ? Do they carry Marconi wireless ?

Mr. G. S. Bajpai : Only one ship, the S. S. " Humayun " sailed from Calcutta with 379 pilgrims for Jeddah this year. There were no casualties on board the ship on her outward voyage. No ships returned to Calcutta with pilgrims. The tonnage of the S. S. " Humayun " is 4,513 tons gross and 2,731 tons net. Similar information in respect to pilgrim traffic this year passing through the ports of Bombay and Karachi has been called for from the Government of Bombay and will be furnished to the Honourable Member later.

As regards the rest of the Honourable Member's question I would invite his attention to sections 195, 201 and 242 of the Indian Merchant Shipping Act, 1923, and rules 54—58, 70 and 80 of the rules relating to pilgrim ships. These rules are contained in the General Instructions for Pilgrims to the Hedjaz, a copy of which will be found in the Library.

EMPLOYMENT OF PILGRIM SHIPS WHEN NOT CARRYING PILGRIMS.

182. ***Mr. Anwar-ul-Azim** : Will the Government be pleased to state whether it is a fact that all pilgrim ships which carry Hajis to and from Jeddah are employed during the out-Haj time for the carriage of cargo ? On whose recommendation did the Government of India license these steamers for the carriage of pilgrims ?

Mr. G. S. Bajpai : With your permission, Sir, I shall deal with questions Nos. 182, 186 and 190 together. Enquiries have been made from the Government of Bombay and information will be supplied to the Honourable Member later.

SICK AND DISEASED PILGRIMS.

183. ***Mr. Anwar-ul-Azim** : (a) Will the Government be pleased to state where the sick and the diseased pilgrims are sent on their return from Mecca to Bombay ?

(b) How many pilgrims have been admitted into hospital since 1925 and with what result ?

(c) In view of the fact that sick pilgrims from all provinces of India are sent for treatment to these hospitals, will the Government be pleased to state what arrangements have been made to interpret the languages and dialects of the patients to doctors and others ?

Mr. G. S. Bajpai : (a) Such pilgrims as are willing are sent to hospital.

(b) So far as information is available, 209 pilgrims were sent to hospital, of whom 88 died, 2 are still under treatment and the rest have been discharged.

(c) Members of the Pilgrim Department and servants of the shipping companies, who can interpret in Urdu, Persian, Bengali, Malayalam, Tamil, Gujrati and Marathi, act as interpreters, whenever necessary.

REPATRIATION OF HAJ PILGRIMS WHO LOSE THEIR RETURN TICKETS.

184. ***Mr. Anwar-ul-Azim** : Will Government be pleased to state when and at whose instance the return ticket system was introduced on Haj pilgrim ships and what happens when pilgrims lose their tickets ? Are they repatriated free ? If not, why not ?

Mr. G. S. Bajpai : The return ticket system was introduced in 1925 at the instance of the Government of India with the approval of the Indian Legislature by means of an amendment of the Indian Merchant Shipping Act, 1923. The Honourable Member's attention is invited to section 208-A of the Act. If a pilgrim loses his return ticket and is destitute, he is repatriated by the Government of India free of charge. Shipping companies have however in the past granted free passages to some pilgrims who had lost their return tickets. To avoid loss of return tickets the British Consul at Jeddah has now introduced a system under which these tickets are deposited by pilgrims at the British Agency.

ABOLITION OF THE DEPOSIT SYSTEM IN THE CASE OF HAJ PILGRIMS.

185. ***Mr. Anwar-ul-Asim** : Will the Government be pleased to state when the deposit system which was introduced in 1923 was abolished ? Is it not a fact that by this system pilgrims could avoid the troubles and other hardships consequent on the loss of return tickets ? If this deposit system was changed on the passing of the Indian Merchant Shipping Act of 1925, do Government propose to change the particular section of law which stands in the way of this system ?

Mr. G. S. Bajpai : The deposit system referred to by the Honourable Member has not been abolished. In fact under section 208-A of the Indian Merchant Shipping Act, which was inserted by an amendment Act of 1925, a statutory provision has been made giving the option to a pilgrim either to purchase a return ticket or to make a deposit. This option was given as a result of the recommendation of the Select Committee of this House which considered the amending Bill in 1925 and which had a majority of Muslim members. If the representatives of the Muslim community, both inside and outside the Legislature, now express a preference for the deposit system, their views will receive careful consideration.

ERECTION OF A PILGRIM CAMP OUTSIDE THE MUNICIPALITY OF BOMBAY.

†186. ***Mr. Anwar-ul-Asim** : Will the Government be pleased to state whether they are contemplating to erect a pilgrim camp outside the Municipality of Bombay ? If so, why ?

(b) Is it a fact that the Government selected a spot for erecting a camp at Odala near the Parsee Colony at Dadar (Bombay) and that has been rejected by the Public Works Department at the instance of the powerful Parsee community of that locality ?

(c) Are Government now selecting another spot ?

(d) If the answer to part (a) is in the affirmative, will Government be pleased to state the reason why the Government propose to erect the camp outside the municipal limits although the landing stages for pilgrims are within the city municipal limits ?

(e) Are Government aware that the life of the pilgrims in a camp outside the municipal limits will be insecure and they will be put to great inconvenience for want of the proximity of bazars, mosques, hospitals and on account of the difficulty in getting the necessities of life ?

(f) Will Government state the reason why *musafirhans* which are in the heart of the city are not being utilized for pilgrim camps ?

COMPLAINTS AGAINST THE LADY SUPERINTENDENT OF THE PILGRIM DEPARTMENT IN BOMBAY.

187. ***Mr. Anwar-ul-Asim** : Will the Government be pleased to state whether it is a fact that there have been several complaints against the present Lady Superintendent of the Pilgrim Department in Bombay, by many pilgrims and particularly by the several members of the Haj Committee, Bombay ?

†For answer to this question, see answer to question No. 182.

Mr. G. S. Bajpai : No complaint has been received against the permanent Lady Superintendent of the Pilgrim Department, Bombay, from any pilgrim. Only one complaint was made by a member of the Haj Committee, but, on enquiry, it was not substantiated.

FEMALE ASSISTANT TO THE LADY VACCINATOR IN THE PILGRIM DEPARTMENT, BOMBAY.

188. ***Mr. Anwar-ul-Azim :** Will the Government be pleased to state whether it is a fact that a Christian lady was appointed as a female assistant to the lady vaccinator this year in the Pilgrim Department, Bombay, though qualified Muhammadan females were available ?

Mr. G. S. Bajpai : The Muhammadan lady who was engaged during the past seven years did not apply for appointment this year. Three applications were received for the post, two from Muhammadans and one from a Christian. The latter was selected as she was also qualified as a nurse.

VISITORS ON BOARD PILGRIM SHIPS.

189. ***Mr. Anwar-ul-Azim :** In view of the fact that respectable persons gather together in Bombay during the outgoing and incoming pilgrim season to see off and receive their friends and relatives, will the Government be pleased to state whether it is a fact that not a single respectable Moslem gentleman is allowed to enter the wharf or board the ship even after representation and entreaties at the time of embarkation and disembarkation of pilgrims though many European ladies and gentlemen are frequently allowed on board the ship even without a question ? If so, why ?

Mr. G. S. Bajpai : Information regarding the specific complaint made in the Honourable Member's question has been asked for from the Local Government whose reply is awaited. I may, however, inform the Honourable Member that Government are considering the question of issuing a limited number of passes to enable visitors to go on board pilgrim ships.

RUDE TREATMENT OF PILGRIMS IN BOMBAY.

†190. ***Mr. Anwar-ul-Azim :** Will the Government be pleased to state whether it is a fact that pilgrims in general are roughly and rudely handled at the port of embarkation at Bombay at the slightest and even unconscious violation of the existing embarkation regulations ?

APPOINTMENT OF MUHAMMADANS AS SUPERINTENDENTS OF POST OFFICES IN THE BOMBAY CIRCLE.

191. ***Mr. Fazal Ibrahim Rahimtulla :** (a) Is it a fact that no Muhammadan has been selected in the Bombay Circle for the posts of

†For answer to this question, see answer to question No. 182.

Superintendents of Post Offices since 1913 although there are highly qualified Muslim candidates for the same ?

(b) Will the Government be pleased to state

(i) the percentage of Muhammadans in the Bombay Circle ; and

(ii) the number of appointments of Superintendents of Post Offices held by the members of different communities ?

The Honourable Mr. A. C. McWatters : (a) It is a fact that no Muhammadan has been selected in the Bombay Circle for the post of Superintendent of Post Offices since 1913.

(b) (i) 17 per cent.

(ii) The figures are as follows :—

Hindus	..	..	..	..	12
Muhammadans	..	..	..	..	1
Parsis	..	..	..	..	5
Anglo-Indians	..	..	..	..	5

RAILWAY EARNINGS FROM THIRD CLASS PASSENGERS DURING CERTAIN SPECIFIED PERIODS.

192. ***Mr. A. H. Ghuznavi :** Will the Government be pleased to lay on the table :

(a) a statement showing the amount of railway earnings from third class passengers during the period intervening between July 31st, 1928, and the date with effect from which the third class fares have been reduced ?

(b) and also a statement showing the railway earnings from third class passengers during the corresponding period last year ?

Mr. A. A. L. Parsons : I am afraid the figures for the period up to the end of July will not be available until some time next October. I will send them to the Honourable Member then. I should warn him, however, that the period of two or three months selected by him is in the opinion of the Railway Board much too short to allow any specific deductions to be drawn from the figures.

Mr. President : Mr. Anwar-ul-Azim.

(There was no reply).

Mr. President : Mr. Ghuznavi.

Mr. A. H. Ghuznavi : May I put question No. 193, Sir, which appears on the paper against the name of Mr. Anwar-ul-Azim ?

Mr. K. Ahmed : Sir, may I bring to the notice of the Chair that No. 193 is put down in Mr. Anwar-ul-Azim's name when it is Mr. Ghuznavi's question. Is this the way we have work done in the Legislative Department ? Does the Home Member realise.....

Mr. President : As I explained to the Honourable Member yesterday, the Chair has no control over the Legislative Department.

Mr. K. Ahmed : But does the Home Member realise, Sir, that such a thing should not occur in the Legislative Department which is supposed to be sacrosanct, and which is thus lacking in efficiency ? Do Government propose for the benefit of themselves and the country to remove

these lazy assistants and get a fairly intelligent lot such as are available in this Assembly and elsewhere, who will do their duty better than them ?

Mr. President : Whose question is 193 ?

Mr. A. H. Ghuznavi : It is my question, Sir. But in my copy of the list of starred questions it appears in Mr. Anwar-ul-Azim's name.

Mr. President : Is the Honourable Member willing to put question No. 193 ?

Mr. A. H. Ghuznavi : Yes, Sir.

ELECTRIFICATION OF THE KALKA-SIMLA RAILWAY.

193. ***Mr. A. H. Ghuznavi :** (a) Will the Government be pleased to lay on the table a statement showing the figures of the earnings of the Kalka-Simla Railway, and also explaining if the Railway is being run at a loss or at a profit ?

(b) If the Kalka-Simla Railway is being run at a loss, do Government propose to consider the desirability of electrifying the Kalka-Simla Railway, with a view to its being worked at a profit ?

Mr. A. A. L. Parsons : (a) The Honourable Member will find the figures he requires on page 172 of the History of Indian Railways corrected up to 31st March 1927, a copy of which is in the Library. He will see that there was a gain to the State in six out of the last ten years for which figures are there given, and a loss in the other four years.

(b) An investigation into the desirability of electrifying the railway is proceeding.

(1) LACK OF ARRANGEMENTS FOR SIGNALLING MESSAGES AT BRANCH POST OFFICES IN SIMLA.

(2) PROVISION OF MORE LETTER BOXES IN SIMLA.

194. ***Mr. A. H. Ghuznavi :** (a) Are the Government aware that the Simla public are hard hit owing to the various branch post offices in Simla not being equipped for signalling messages ?

(b) In view of the fact that all telegrams from Simla are despatched from the General Telegraph Office after being collected from the different branch offices and that such a procedure causes unnecessary delay and vexation, do Government propose to take steps to make arrangements for signalling at every branch office in Simla ?

(c) Do Government propose to take steps to provide more post boxes for Simla ?

Mr. P. G. Rogers : (a) Of the 7 local combined post and telegraph offices in Simla, all except two, Combermere and Simla North (Elysium), are connected to the Central Telegraph Office by wire.

(b) In the case of the two offices mentioned the average delay in transferring messages by hand is 20 and 15 minutes respectively. This delay does not justify offices being connected by wire and would not be reduced if they were.

(c) Additional letter boxes will be provided by the Postmaster-General, Punjab, as required.

PROVISION OF FRUIT VANS AND REFRIGERATORS ON ALL FAST TRAINS.

195. ***Mr. A. H. Ghuznavi** : (a) Are the Government aware that fruit vans are not at present provided in all the most important trains ?

(b) Are the Government aware that this prevents fresh fruit being conveyed from place to place conveniently ?

(c) In view of the above facts, do Government propose to provide fruit vans and refrigerators in all important fast trains ?

Mr. A. A. L. Parsons : I am not aware of any disinclination on the part of any railway administration to provide fruit vans wherever sufficient traffic in fresh fruit offers. I shall be very glad if the Honourable Member will bring a specific case to my notice. My impression is that all railway administrations are most anxious to encourage this class of traffic.

COOLING SYSTEM IN RAILWAY CARRIAGES.

196. ***Mr. A. H. Ghuznavi** : (a) Are the Government aware that the cooling system in railway carriages is very much appreciated by the travelling public ?

(b) Do Government propose to introduce the cooling system into all carriages in all important railways ?

Mr. A. A. L. Parsons : If the Honourable Member will let me know to what cooling system he refers, I will try and send him the information for which he asks in the second part of his question.

STRIKE AT THE RAILWAY WORKSHOPS AT LILLOOAH.

197. ***Mr. A. H. Ghuznavi** : (a) Will the Government be pleased to lay on the table a statement showing the number of Hindus and Muslims among the labourers who went on strike at the railway workshops at Lillooah ?

(b) Have the Government investigated the causes of the Lillooah strike ? If so, what steps do the Government propose to take to prevent the recurrence of similar strikes ?

Mr. A. A. L. Parsons : (a) Government have not got the information for which the Honourable Member asks, and do not think that any useful purpose would be served by collecting it.

(b) Though at the outset the alleged cause of the strike was the discharge of four workmen from the Lillooah workshops, Government believe that the real cause was the refusal by the Agent of the East Indian Railway of certain demands which were put forward by the men under threat of direct action. These demands have been investigated, and, as a result, the Agent has announced certain increases in the pay of certain classes of the lowest paid staff in the Lillooah and Calcutta workshops and his intention to institute an enquiry into the housing conditions of the workshop staff at Lillooah. With regard to the last part of his question, the Honourable Member is now aware of introduction of a Trade Disputes Bill in the current Session.

PERCENTAGE OF EDUCATED WOMEN IN TRAVANCORE AND COCHIN.

198. ***Lala Lajpat Rai** : (a) Are Government aware that in the Indian States of Travancore and Cochin the percentage of educated women is much larger than in any British province ?

(b) Will Government be pleased to lay on the table of the House a comparative statement showing the percentage of educated women in Travancore and Cochin and in the different provinces of British India ?

Sir Denys Bray : (a) Yes, according to the last census, this is generally true.

(b) A comparative statement is given on page 179 of the first volume of the Census Report, a copy of which is in the Library.

Mr. K. Ahmed : Which percentage is greater and which is smaller ?

TREATMENT OF CLERKS IN THE KARACHI BRANCH OF THE IMPERIAL BANK OF INDIA.

199. ***Mr. Lalchand Navalrai** : (a) Has the attention of the Government been drawn to a letter by "Fair Play" in the *Sind Observer*, Karachi, dated the 1st June 1928, regarding "Imperial banking hours" ?

(b) Is it a fact as stated therein that clerks in the Imperial Bank, Karachi Branch, work from 9-30 A.M. to 7-30 P.M. and that on several occasions after having half an hour's rest they work in office till midnight ?

(c) Is it a fact as stated in the letter that clerks of the Imperial Bank, Karachi Branch, are refused leave even in the case of serious illness of their relations and have been advised to resign and go ?

(d) Is it a fact as stated in the letter that the Imperial Bank in India has no fixed rules for its staff as in other Government offices, banks and firms ?

(e) Is it a fact that the grades of salaries of the employees in the Imperial Bank of India (Bombay Circle) have been abolished in June 1926 and that the clerks depend for promotion only on the recommendations of the Local Agents ?

(f) Is it a fact that shroffs in the Imperial Bank (Bombay Circle) have to submit a letter of responsibility for deficit of cash arising in their absence while going on leave for short periods ?

(g) Do Government propose to take any steps to have these wrong methods of administration of the Imperial Bank improved ?

The Honourable Sir Bhupendra Nath Mitra : (a) I have seen the letter referred to by the Honourable Member.

(b) to (f). The Government have no information and they are not at liberty to inquire into the matters alleged, as the Imperial Bank of India is not a Government institution.

(g) Does not arise.

Mr. Lalchand Navalrai : Will the Government be pleased to advise the Imperial Bank ?

(The Honourable Member remained standing after putting his supplementary question.)

Mr. President : The Honourable Member must resume his seat after asking the question.

(The Honourable Member then resumed his seat.)

The Honourable Sir Bhupendra Nath Mitra : No, Sir.

RECRUITMENT OF MUSSALMANS AS POSTMEN AND MENIALS IN THE CHITTAGONG DIVISION AND THE CHITTAGONG HEAD OFFICE.

200. ***Mr. Anwar-ul-Azim :** Is it a fact that Mr. Booth, the late Postmaster General, Bengal and Assam, while visiting Chittagong found in December 1919 that the Mussalmans are ill-represented in the postmen's and menial service and in order to bring the matter on a satisfactory footing he ordered recruitment according to the numerical strength of Mussalmans ? If so, will Government be pleased to lay on the table the number of such appointments filled up in the Chittagong Division and the Chittagong Head Office by Mussalmans and others from that date ?

The Honourable Mr. A. C. McWatters : Yes, but Mr. Booth's orders referred to the Chittagong Head Office only. Since they were passed the following recruitments have been made in Chittagong Division :—30 Hindu and 5 Mussalman postmen, 30 Hindu and 4 Mussalman menials ; in the Chittagong Head Office 5 Hindu and 1 Mussalman postmen and 12 Hindu and 5 Mussalman menials.

REPRESENTATION OF MUSSALMANS IN THE POSTS AND TELEGRAPH DEPARTMENTS (BENGAL AND ASSAM CIRCLE).

†201. ***Mr. Anwar-ul-Azim :** Is it a fact that Mussalmans are very ill-represented in the Posts and Telegraph Departments, particularly in the Bengal and Assam Circle ? If so, do Government propose to issue immediate orders to reserve at least the first ten vacancies of gazetted posts in the Circle for Mussalmans, and also the non-gazetted, clerical and menial appointments in each Division, and then fill up the vacancies according to the numerical strength of each community in the Bengal and Assam Circle ? If not, why ?

Mr. President : Maulvi Muhammad Yakub.

Maulvi Muhammad Yakub : Question No. 201 has not yet been answered, Sir.

Mr. President : It has been answered.

ILL-TREATMENT OF THE RAILWAY EMPLOYEES IN THE MORADABAD AND LUCKNOW DIVISIONS BY CERTAIN SPECIFIED OFFICIALS.

202. ***Maulvi Muhammad Yakub :** (a) Is it a fact that the Superintendent, Power House at Lucknow, the Assistant Superintendent, Power House at Moradabad, and the Running Shed Foreman, Moradabad and

[†]For answer to this question, see answer to question No. 73 given on the 5th September 1928.

Shahjahanpore, are in the habit of using abusive language, behaving discourteously towards and maltreating the railway employees in the Moradabad and Lucknow Divisions ?

(b) Are Government aware that a feeling of general discontent and dissatisfaction is prevailing amongst the railway employees in consequence of the maltreatment of the officers mentioned above ?

(c) Do Government propose an independent and impartial enquiry into the matter and to direct the superior authorities to take proper action against the officers mentioned above ?

Mr. A. A. L. Parsons : (a) Government have received no representations to this effect. In any case it is a matter with which the Divisional Superintendent is quite competent to deal adequately if it is represented to him.

(b) No.

(c) The Government understand that certain representations have been made to the Agent of the East Indian Railway, and they do not propose to interfere with his discretion to deal with them.

Maulvi Muhammad Yakub : Do Government propose to abolish the Railway Board for their uncompromising attitude ?

Mr. A. A. L. Parsons : I think proposals to that effect usually come from the other side of the House and not from Government.

RIOT AT BAMANGACHI.

203. ***Colonel J. D. Crawford :** With reference to the shooting at Bamangachi on March 27th, will Government be pleased to state whether any charge was laid by the police against any of the individuals taking part in the riot and, if so, what was the result ?

The Honourable Mr. J. Crerar : The Government of India understand that no criminal case was started against the persons concerned in the riot.

NO-TAX CAMPAIGN IN BARDOLI.

204. ***Mr. C. S. Ranga Iyer :** (a) Will the Government be pleased to state if prior to the conversations between His Excellency the Governor of Bombay and His Excellency the Governor General any correspondence had passed between the Governments of India and Bombay in connection with the no-tax campaign in Bardoli ? If the answer is in the affirmative, will the Government be pleased to lay the correspondence on the table ? If not, why not ?

(b) Did any correspondence on the same question take place between His Majesty's Government in Great Britain and the Government of India, and if so, do Government propose to place the same on the table ?

The Honourable Mr. J. Crerar : The Government of India were in close touch both with the Government of Bombay and with His Majesty's Government over the question. They do not propose to lay the correspondence on the table.

CONTRACT GIVEN TO MESSRS. BURN AND CO. BY THE EAST INDIAN RAILWAY FOR THE SUPPLY OF BASIC PIG-IRON.

205. *Mr. Gaya Prasad Singh : (a) Is it a fact as stated by the "Indian Trade Journal" for June 1928 that contracts for the supply of 3,540 tons of basic pig-iron at Rs. 60 per ton were placed by the East Indian Railway with Messrs. Burn & Co., Ltd., during the week ending the 26th May 1928 ?

(b) Is it a fact that the "Indian Trade Journal" for May 1928 shows that the current market rate for basic pig-iron was : Tata's Rs. 40 a ton, and Burn's, Rs. 60 a ton ? If so, why was the contract not placed with the Tata Company at Rs. 40 a ton, instead of placing it with Burn & Co., at Rs. 60 a ton ?

(c) Was the Tata Company asked to give their quotations for the supply ? If not, why not ?

(d) Who is responsible for the loss of about Rs. 70,800 of the tax-payers' money by giving the contract at a higher rate ?

Mr. A. A. L. Parsons : (a) Yes, except that the contract was placed with the Indian Iron and Steel Company of whom Messrs. Burn & Company are Managing Agents.

(b) The answer to the first part of the question is in the affirmative. Open tenders were called for in India, but the Tata Iron and Steel Company were unable to quote, and did not put in a tender. The contract was given to the lowest tenderer.

This also gives the reply to (c).

(d) As will be gathered from the foregoing answers, there is no question of a loss of the tax-payers' money ; the best offer was accepted by the East Indian Railway. I have ascertained that the quotation of Rs. 40 per ton given in the "Indian Trade Journal" for May 1928 was for "off grade" iron which does not come within the specified limits of analysis for good basic pig-iron, and is used merely as a substitute for scrap iron. The present price for the Indian Iron and Steel Company's basic pig-iron to their guaranteed analysis is Rs. 61 per ton.

INDIANISATION OF THE STAFF OF THE SECURITY PRINTING PRESS, NASIK.

206. *Mr. Gaya Prasad Singh : (a) Is it a fact that in the Nasik Security Printing Press, the highest salary drawn by a European officer is about Rs. 1,875 monthly, while that of an Indian is only Rs. 280 ; and that the total salary bill of Europeans comes to about Rs. 14,275 ; that of domiciled Europeans and Anglo-Indians to Rs. 3,275 ; and that of Indians to Rs. 3,467 only per month ?

(b) Have Government received any representation from the Indian Merchants' Chamber, Bombay, on the subject ?

(c) What steps have Government taken, or propose to take, to Indianise the Nasik Security Printing Press ?

The Honourable Sir Bhupendra Nath Mitra : (a) The highest salary drawn by a European officer, viz., the Master of the Security Press, is Rs. 3,875, a month. The total monthly salary drawn by Europeans,

dominated Europeans and Anglo-Indians is Rs. 18,280, and that by Indians Rs. 22,546.

(b) Yes.

(c) The industry recently established in the Nasik Security Press is one entirely new to India, and the Indians possessing the knowledge of engineering and acquaintance with fine printing required in the higher posts are not at present available. The applications received from Indians for employment in the higher posts in the Security Press were either from men without experience in any technical line, or from men who had not made good in their previous employment. The Europeans employed in the higher appointments in the Press are men who have reached their present position by virtue of long service and technical experience, and these Europeans are now endeavouring to communicate their technical knowledge and experience to Indians already employed at the Press who are being trained in the various branches of the business. Several of these already show great promise, and among them should be found some who in course of time will succeed worthily to the higher posts.

Mr. M. S. Aney : May I ask where the Europeans employed in this Security Printing Press gained their technical experience ? Did they gain it in India or abroad ?

The Honourable Sir Bhupendra Nath Mitra : I am unable to answer that question fully, but, so far as I am aware, many of them had gained their experience abroad.

The Revd. J. C. Chatterjee : Do Government propose to send abroad certain of the Indians working in this Press to acquire the necessary experience ?

The Honourable Sir Bhupendra Nath Mitra : I am unable to give any definite answer to that question at present. But my Honourable friend will remember that that was a point raised by the Standing Finance Committee when they were dealing with a proposal for additional staff for this particular institution. I have no doubt that Government will give due consideration to the matter when they are dealing with that recommendation.

Maulvi Muhammad Yakub : What is the number of Europeans who get Rs. 18,000 a month, and what is the number of Indians who get Rs. 20,000 a month ?

Mr. President : No one, Indian or European, gets Rs. 20,000 or Rs. 18,000.

Maulvi Muhammad Yakub : I want to know the total number.

The Honourable Sir Bhupendra Nath Mitra : I regret, Sir, I am unable to give the numbers because I have not got the figures in my head. If the Honourable Member will put down a question on paper I shall see that it is answered.

TRAINING OF INDIANS IN FLYING IN ENGLAND.

207. **Mr. Gaya Prasad Singh :** (a) Is it a fact that three scholars have been selected by the High Commissioner for India in London for receiving flying instructions at the De Havilland Flying School, Stag Lane Aerodrome, Edgware, Middlesex, and two scholars have been selected by the Government of India ?

(b) Is it a fact that 2 of the scholars come from Bengal, 2 from Bombay, and 1 from Madras ?

(c) How have these selections been made, and what facilities, if any, were given to the other Provinces to offer their quota of scholars for training ? Have any rules been framed on the subject, and have they been published for general information ? Can a copy of them be laid on the table ?

(d) What is the amount of stipend, etc., if any, given to a scholar ; and can the number of scholars be increased ?

The Honourable Mr. A. C. McWatters : (a) and (b). Yes.

(c) The selection of candidates in England was made by the High Commissioner for India after the selected candidates had been examined by a Selection Committee constituted for the purpose. The selection of candidates in India was made by the Government of India after the selected candidates had been examined by the Public Service Commission. Applications for the vacancies in India were invited by advertisements in the leading newspapers in India, and applications were received from all the major provinces except Assam and Burma. A copy of the rules and the prescribed form of application will be supplied to the Honourable Member.

(d) The amount of the stipend is £240 per annum. The Government of India contemplate the offer of five further scholarships in the next two years.

POLITICAL PROPAGANDA BY A PROMINENT GOVERNMENT SERVANT IN THE Round Table.

208. ***Mr. C. S. Ranga Iyer :** (a) Has the attention of the Government been drawn to the following statement in the *Pioneer*, dated Thursday, July 19th, under the title "Current Comment" on page 2 :

".....A prominent servant of Government is responsible for the quarterly articles in the Review "The Round Table".....The articles have been almost without exception, inimical to the legitimate aspirations of Indians."

(b) Is it a fact that Government servants are forbidden to take part in political propaganda ?

(c) Do Government propose to enquire who the writer of the articles mentioned in clause (a) is ?

(d) Do Government propose to ask him to desist from further propaganda in the *Round Table* ?

(e) Will copies of the *Round Table* for the last three years be placed in the Library ?

The Honourable Mr. J. C. G. G. : (a) Yes.

(b) I would refer the Honourable Member to the Government Servants' Conduct Rules.

(c) and (d). No, as they are not aware that any breach of these rules has been committed.

(e) Copies will be placed in the Library.

Pandit Hirday Nath Kunru : May I know, whether the Director of Publicity is permitted to write to the *Round Table* ?

The Honourable Mr. J. Crerar : Under the restrictions laid down by the Government Servants' Conduct Rules, he is.

Pandit Hirday Nath Kunru : Does he actually write to the *Round Table* ?

The Honourable Mr. J. Crerar : I understand that he has contributed some articles to the *Round Table*.

Pandit Hirday Nath Kunru : Was the article on India in the last issue of the *Round Table* written by him ?

The Honourable Mr. J. Crerar : I must have notice of that question. I have read several articles by him in the *Round Table* which, in my opinion, are quite within the Government Servants' Conduct Rules.

Mr. Gaya Prasad Singh : I believe Mr. Coatman is here, and he can answer the question himself.

Mr. C. S. Ranga Iyer : Are the Government aware that the Governor of a Province, who has since retired, used to write to the *Round Table* during the period of his Governorship and also during the period when he was Inspector General of Police of a particular Province ? Will Government enquire into it if they are not aware of it ?

The Honourable Mr. J. Crerar : I am not aware of the fact, but I am prepared to accept the statement of the Honourable Member.

EMPLOYMENT IN THE MALAY STATES FOR REPATRIATED INDIANS FROM SOUTH AFRICA, TRINIDAD AND OTHER PLACES.

209. ***Mr. C. S. Ranga Iyer :** (a) Will the Government be pleased to state whether it is a fact that the Government of India have requested the Madras Government to negotiate with the authorities of the Malay States with a view to finding employment for a number of repatriated Indians from South Africa, Trinidad and other places ?

(b) Is it a fact that a large number of repatriated Indians arrived in this country some time ago and the majority of them, finding that the conditions in India were not suited to them, were anxious to return to their places of domicile across the seas ? If so, what was their exact number ?

(c) What arrangements have been made for their return to their places of domicile ? If none, why not ?

(d) Has any work been found for them in the Malay States ?

Mr. G. S. Bajpai : (a) The Government of India have asked the Government of Madras to ascertain from the Emigration Commissioner for Malaya whether he would be prepared to offer facilities to certain returned Indian emigrants at Matlabruz to emigrate to Malaya. So far as the Government of India are aware, the majority of these returned emigrants come from Trinidad, Mauritius and British Guiana.

(b) The majority of the people who emigrated from India to various Colonies in the past under a system of Indenture were entitled to a free return passage. Many of these avail themselves of this right and a number of emigrants return to India every year. The number, however, who

have expressed a desire to leave India again is small : about eight hundred during the last nine years as compared with 56 thousand who came back to the country.

(c) I would invite the Honourable Member's attention to section 2 (1) (b) (i) of the Indian Emigration Act which defines the conditions under which a returned emigrant may be assisted to return to the part of the world to which he originally emigrated. Two Colonial Governments, viz., the Government of Fiji and the Government of British Guiana have aided 350 and 173 returned emigrants to go back to their respective Colonies. The rest of those now at Matiabruz have, it is understood, expressed a desire to go to Malaya, and their request has been referred to the Emigration Commissioner as already stated.

(d) The reply of the Government of Madras, through whom the Emigration Commissioner for Malaya has been approached, is awaited.

REPATRIATION OF INDIANS FROM SOUTH AFRICA.

210. *Mr. C. S. Ranga Iyer : Will the Government be pleased to state :

- (a) if they propose to take steps to put a full and immediate stop to the repatriation of Indians from South Africa ?
- (b) if they are aware that the scheme of repatriation has failed and the repatriated Indians are anxious to return to South Africa ?
- (c) if they are aware that several of the repatriated Indians are domiciled South Africans, mostly born and bred in South Africa ?
- (d) if they are aware that the repatriated Indians find they have neither friends nor family attachments nor work in this country ?
- (e) if they will ascertain the opinions in writing of the repatriated Indians whether they like to stay in India or go back to their places of domicile ?

Mr. G. S. Bajpai : With your permission, Sir, I shall answer parts (b) — (e) of the question first. The answer to part (b) is in the negative.

(c) Some of the assisted emigrants were born and brought up in South Africa ; but the majority of them are either people who emigrated from this country originally or their children.

(d) The Government of India have received no report from the Government of Madras to the effect that the majority of assisted emigrants have neither friends nor relations to go to. As regards work, the Honourable Member is probably aware that a Special Officer has been appointed in Madras to find work suited to the inclination and aptitude of those who apply for it. The reports so far have been that the returning emigrants do not want work : their anxiety is to get to their relations and friends as soon as they land in Madras.

(e) Government do not consider that such an enquiry is necessary, but if the Honourable Member has knowledge of any widespread dissatisfaction with conditions of life in India among returned emigrants, they will

be glad to look into the complaints if the Honourable Member will be so good as to pass these on to them.

(a) From the replies given to parts (b)—(e) of his question, the Honourable Member will infer that the answer to part (a) is in the negative.

EXCLUSION OF MEMBERS OF THE LEGISLATIVE ASSEMBLY FROM THE AGE OF CONSENT COMMITTEE.

211. ***Maulvi Muhammad Yakub :** Will the Government be pleased to state why the members of the Legislative Assembly were excluded from the "Age of Consent" Committee?

The Honourable Mr. J. Crerar : In view of the nature of the enquiry contemplated, Government considered it desirable to constitute a Committee which could not be regarded as already committed to any particular views. The report of the Committee and any legislation that may be undertaken in pursuance of its recommendations must necessarily come before the Assembly for the fullest consideration and discussion. If, however, the House so desires, I shall be prepared to add from its Members to the Committee.

Maulvi Muhammad Yakub : Were any Members of the Legislative Assembly on the Royal Agricultural Commission, on the Taxation Enquiry Committee and on various other Committees whose reports were discussed in this House?

Mr. President : I am afraid that question does not arise out of this reply.

PAY OF THE BRITISH TRADE AGENT OF GARTOK AND HIS STAFF.

212. ***Maulvi Muhammad Yakub :** (a) What is the monthly salary of the British Trade Agent at Gartok and his staff or establishment?

(b) Will Government be pleased to lay on the table a statement, in full detail, showing the total amount of annual expenditure in their salaries, travelling allowance and conveyance allowance of this British Trade Agent and his establishment, and in running a travelling post office and in employing a police force for this British Trade Agent?

(c) Are all these expenses borne by the British Exchequer or by the Government of India?

(d) Is any contribution made by the British Colonies towards the cost of maintaining this British Trade Agent at Gartok and his establishment?

(e) What are the duties of this British Trade Agent at Gartok?

Sir Denys Bray : (a) The pay of the British Trade Agent, who is not a whole time Government servant, is Rs. 100 a month for the months April to December.

The pay of the Sub-Assistant Surgeon is Rs. 200 per mensem throughout the year.

(b) A statement is laid on the table.

(c) By the Government of India.

(d) No.

(e) To visit the trade marts in Western Tibet, to protect and promote the commercial interests of traders from British India, and, generally, to watch the operation of the Trade Agreement.

Expenditure on the British Trade Agency at Gartok.

Serial No.	Head of Account.	Expenditure per annum.	Remarks.
		Rs.	
1	Pay of Establishment	3,300*	*(i) British Trade Agent for 9 months at Rs. 100 per mensem = Rs. 900. (ii) One Sub-Assistant Surgeon for full year at Rs. 200 per mensem = Rs. 2,400.
2	Travelling Allowance	6,247	
3	Supplies and Services	1,389	
4	Contingencies including Post Office, pay of menial establishment, etc.	4,740	
	Total	15,676	

N.B.—Since 1924 no Police force has been employed for the Agency.

SUMMER AND WINTER HEADQUARTERS OF THE BRITISH TRADE AGENT AT GARTOK.

213. *Maulvi Muhammad Yakub : (a) Is it a fact that the summer headquarters of the British Trade Agent is at Gartok and his winter headquarters at Simla ?

(b) Who supervises the work of this British Trade Agent ?

(c) What is the distance from Simla to Gartok via Rampur Bushir, Poo and Chini ?

(d) What are the distances from Almora and Naini Tal to Gartok respectively ?

(e) Is it advantageous in the interest of the Government that the winter headquarters of this British Trade Agent be removed from Simla to Almora or Naini Tal ?

(f) Is the route from Almora or Naini Tal to Gartok shorter than that from Simla to Gartok via Rampur Bushir, Poo and Chini ?

Sir Darya Bray : (a) Yes.

(b) Superintendent, Hill States, Simla.

- (c) Approximately 375 miles.
- (d) Approximately 250 miles from Almora.
- (e) The change would not be in the interest of Indian trade as a whole, as it would not keep us in the same touch with the more important wool and trade centres in the northern portions of Western Tibet.
- (f) Yes.

REMOVAL OF THE WINTER HEADQUARTERS OF THE BRITISH TRADE AGENT AT GARTOK FROM SIMLA TO ALMORA OR NAINI TAL.

214. ***Maulvi Muhammad Yakub** : (a) Is it a fact that the British Trade Agent at Gartok has to do his duties at the big marts of Gyanima, Chhakra, Taklakot, Duba, Shib, Chilam (Tibet) which lie near Milam (Almora) and where a trade of Rs. 26 lakhs is done collectively at all these marts for a period of only two months, i.e., from 1st July to 31st August every year when the markets are open ?

(b) Is it also a fact that there is a post office named Gartok Post Office which is for the sole purpose of this British Trade Agent and which always remains with him ?

(c) Is it also a fact that if the winter headquarters of this British Trade Agent be removed from Simla to Almora or Naini Tal the whole expenditure of the conveyance of the equipments of the travelling post office (Gartok Post Office) will be saved to Government ?

Sir Denys Bray : (a) His duties are concerned with the marts mentioned but also with the marts in the central and northern portions of Western Tibet.

(b) There is a post office at Gartok, but it is not for the Trade Agent only ; it is open to the public, and is indeed a necessity for our Indian traders in Western Tibet.

(c) The equipment of the post office is small and the expenditure on conveyance trifling. Even if the Trade Agent's winter headquarters were removed to Almora or Naini Tal, a post office at Gartok will still be a necessity for our traders.

WITHDRAWAL OF THE CONCESSION GRANTED IN 1922 TO BRANCH LINE RAILWAY COMPANIES OF TREATING SUPERTAX AS A WORKING EXPENSE.

215. ***Sir Purshotamdas Thakurdas** : (a) Will Government be pleased to state the grounds on which the Secretary of State has decided that super-tax cannot properly be treated as a working expense in making up accounts with Branch Line Railway Companies ?

(b) Will Government be pleased to state the amount which they expect to gain by this change ?

(c) Will Government be pleased to state if it is a fact that this decision of the Secretary of State is in contravention of Government orders, dated 5th October 1922 ?

(d) Is it a fact that the Government of India have agreed with the decision of the Secretary of State ?

(e) If the reply to part (d) above be in the affirmative, will Government be pleased to state the reasons for arriving at that decision ?

(f) Are Government aware that the decision of the Secretary of State, as now notified, will, in the case of those Companies which require to draw rebate for the purposes of a 5 per cent. dividend, effectually prevent this payment of a dividend at that rate to their shareholders ?

(g) Are Government aware that shareholders in Branch Line Railway Companies construe the decision of the Secretary of State referred to in (a) above as being a breach of the undertaking arrived at between the Branch Line Railway Companies and the Government of India in 1922 ?

Mr. A. A. L. Parsons : (a) Because super-tax is essentially a tax on profits, and profits cannot be ascertained until working expenses have been met. This being so, there seems no good reason for relieving a Branch Line Company from a tax intended to be of general application.

(b) I am afraid I cannot give exact figures, but the amount is probably in the region of a lakh of rupees.

(c) It would be more correct to describe it as the withdrawal of a concession which was granted as a special case to Companies existing at the time the concession was given.

(d) The Government of India have accepted the views of the Secretary of State and given effect to them in the orders which they have issued.

(e) I have explained the grounds for the decision in my reply to (a).

(f) This is correct.

(g) No. I may add that I met representatives of some of the Branch Line Railway Companies in Calcutta recently and discussed this question with them. I think they realised that the orders which have recently issued amount to a withdrawal of a concession which was granted in 1922 ; at any rate this is a correct statement of what has occurred. At the same time I informed the representatives of those Companies that if they chose to make further representations to us we would consider them very carefully.

Sir Purahotamdas Thakurdas : Was this question considered by the Central Advisory Council for Railways ?

The Honourable Sir George Rainy : I do not think so. I do not think the question has ever been placed before the Central Advisory Council. I am at the moment considering a suggestion that it should be so placed, which emanated from the Honourable Member himself. I feel a good deal of difficulty about that because the question at issue seems to be rather a question of law than a question of general policy. However, I will undertake to consider very carefully the request which has been made.

Sir Purahotamdas Thakurdas : On what grounds was the concession made in 1922, if it is a question of law ?

Mr. A. A. L. Parsons : I am not quite sure on what grounds the concession was made in 1922, but I will look into the papers and let the Honourable Member know.

Sir Purshotamdas Thakurdas : Does the Honourable Member not think that that is very pertinent to the decision that the Secretary of State has now arrived at, by which he has thought fit to change a concession which was deliberately given in 1922, the law at that time being exactly the same as it is to-day ?

Mr. A. A. L. Parsons : I doubt if it is pertinent. If the decision now reached is that the law is such and such, even if the previous practice has not been in accordance with the law the law should now be obeyed.

Sir Purshotamdas Thakurdas : Is the law adamant about this ? Has it not proved to be flexible if the Government of India wanted it to be so ?

Mr. A. A. L. Parsons : I am not sure that the law can be flexible and not adamant ! I may say that when I met the representatives of several Branch Line Companies in Calcutta, I made them a definite offer that if they would like to test this matter in the High Court, we would take *such steps as we* could to make it inexpensive for them to bring a test case. I do not know if they propose to adopt that course or not.

Sir Purshotamdas Thakurdas : If I understood the Honourable Commerce Member correctly, he is prepared to put this case before the Central Advisory Council.

The Honourable Sir George Rainy : I did not go as far as that. What I said was that I felt a good deal of difficulty about this matter. When we are dealing with a matter of general policy, that would be a suitable question to refer to the Central Advisory Council, but when there is a question of law involved, then I am afraid the Central Advisory Council would not be in a position to give the advice that was needed.

Sir Purshotamdas Thakurdas : Does the Honourable Member imply that a discussion in the Central Advisory Council would injure the position of the Government of India in this connection ?

The Honourable Sir George Rainy : I cannot imagine how it could in this particular case.

Sir Purshotamdas Thakurdas : In view of that, may I suggest to the Honourable Member that the correct thing to do would be to let the Central Advisory Council discuss this.

The Honourable Sir George Rainy : I have promised that I will consider that. I am afraid I cannot go further than that at the present moment.

Sir Purshotamdas Thakurdas : I am content to leave it at that just now.

NUMBER OF STRIKES ON THE RAILWAYS DURING THE LAST 12 MONTHS.

216. ***Mr. C. S. Ranga Iyer :** Will the Government be pleased to state :

- (a) How many strikes have taken place in all the Railways in India during the last 12 months ?
- (b) Where did those strikes occur ?
- (c) Why did those strikes occur ?
- (d) How many men were killed during the strikes ? And how ? And why ?

- (e) Were the families of those killed recompensed? If not, why not? If so, how much?

Mr. A. A. L. Parsons : (a) Four.

- (b) On the Bengal Nagpur Railway at Khargpur.

On the East Indian Railway at Lillooah with subsidiary strikes at Howrah, Ondal, and Asansol.

On the South Indian Railway at Golden Rock, Trichinopoly, Negapatam, and Podanur Workshops, and on the metre gauge generally among the lower paid classes of the running staff.

On H. E. H. the Nizam's Guaranteed State Railway at Secunderabad.

(c) The strike at Khargpur on the Bengal Nagpur Railway was due to the men's dissatisfaction at reductions of establishment which had been found necessary.

With regard to the strike on the East Indian Railway, I would refer the Honourable Member to the reply given to the Honourable Mr. A. H. Ghuznavi's starred question No. 197 to-day.

On the South Indian Railway the strike among the workshop staff was due to dissatisfaction on the part of the men at reductions of establishment rendered necessary by the transfer of the workshops from Negapatam to Golden Rock. The lower paid classes of the running staff are understood to have struck in order to enforce a demand for higher wages.

The causes of the strike in the workshops at Secunderabad on the Nizam's Guaranteed State Railway are obscure.

(d) Two men were killed in the riot caused by the strikers at Bamangachi.

One man was killed during the riot caused by the strikers at Tuticorin, and one man was killed near Trichinopoly where a large mob collected and attacked the engine crew after the engine had collided with a motor bus at a level crossing.

(e) So far as the Government of India are aware, no payments have been made to the families of rioters who were killed; nor is Government aware of any reason why compensation should be paid in such cases.

I may inform the Honourable Member that the period that I have taken for these figures is from the 1st September 1927 to the 1st September 1928.

Mr. C. S. Ranga Iyer : Will Government consider the question of giving compensation to these people?

Mr. A. A. L. Parsons : That is not, I think, a question which it would ordinarily fall to me to answer, because we are dealing here with persons killed in the course of action taken to quell a riot. All I can say is that Government is not aware of any reason why compensation should be paid to the relatives of rioters who are killed while causing a riot.

APPOINTMENT OF A COMMITTEE OF THE CENTRAL LEGISLATURE TO ENQUIRE INTO THE GRIEVANCES OF THE EMPLOYEES ON THE INDIAN RAILWAYS.

217. ***Mr. C. S. Ranga Iyer :** (a) Will the Government be pleased to state if they propose to appoint a Commission of Enquiry consisting of

officials and non-officials selected by or from the Central Legislature to investigate the grievances of the employees on the Indian Railways ?

(b) If not, why not ?

The Honourable Sir George Rainy : (a) No.

(b) I would refer the Honourable Member to the discussion which took place in this House on the 27th February last on a motion moved by the Honourable Colonel Gidney during the course of the Railway Budget, and also to a speech which I made in another place on the 5th of September 1927 on a Resolution moved by the Honourable Dr. Rama Rau recommending the appointment of a Committee on the lines suggested in the question. I there gave the reasons why Government did not consider that such a Committee would be either desirable or effective as a means of dealing with any grievances brought forward by employees on Indian Railways.

Lieut.-Colonel H. A. J. Gidney : Will the Honourable Member inform this House whether any action has been taken in regard to the discussion we had on the Railway Budget last February on this very matter ?

The Honourable Sir George Rainy : I think if the Honourable Member will wait till he hears the answer to the next question, that will give him the information he wants.

Mr. N. M. Joshi : May I ask whether it is not a fact that during the discussion about this Inquiry Committee, Government stated that the appointment of an Inquiry Committee would lead to discontent among the staff.

The Honourable Sir George Rainy : I do not know to what statement made on behalf of Government the Honourable Member refers, but if he has verified it, I am quite prepared to take it from him. It is not within my recollection at the moment.

Mr. N. M. Joshi : If that statement is correct, may I ask whether the present unrest is due to the appointment or non-appointment of

Mr. President : That is a hypothetical question.

Mr. C. S. Ranga Iyer : In view of the accumulating grievances of the Railway employees, strikes and things of that kind, will Government be pleased to reconsider their own position and view in the matter and appoint the Committee asked for ?

The Honourable Sir George Rainy : I cannot hold out any hope, I am afraid, to my Honourable friend that Government will find it possible to do that.

Maulvi Muhammad Yakub : Do Government propose to ask a member of the Railway Board to go round and make an inquiry into the grievances of the railway employees, if they do not propose to appoint a Committee.

The Honourable Sir George Rainy : All these matters have been engaging the constant attention of the members of the Railway Board and the Government of India. I do not at the present moment see that it would serve any particular purpose to send round a member of the Railway Board ?

Mr. N. M. Joshi : May I know whether the present unrest is the result of the constant attention paid to these matters by the Railway Board ? (Laughter.)

RACIAL DISCRIMINATION IN REGARD TO PAY AND PROSPECTS OF EMPLOYEES ON THE RAILWAYS.

218. ***Mr. C. S. Ranga Iyer :** (a) Will the Government be pleased to state if it is a fact that racial discrimination exists on the Indian Railways in regard to pay and prospects ?

(b) If the answer to (a) is in the affirmative, will the Government be pleased to lay on the table all the facts relating to racial discrimination under the following heads :

- (i) Among the Indian, Anglo-Indian and European guards ?
- (ii) Among the station masters and signallers ?
- (iii) The other employees ?

(c) Will the Government be pleased to state when they propose to put an end to these racial discriminations ?

Mr. A. A. L. Parsons : I would refer the Honourable Member to the debate which took place last session on the motion moved during the discussion on the Railway Demands by Pandit Hirday Nath Kunzru. The position with regard to racial discrimination and the policy of Government with regard to it was then explained in speeches made by the Honourable Railway Member and myself. I should add that, as was then promised, all instances mentioned which appeared to suggest that there remain vestiges of racial discrimination either in the terms of initial employment or in the terms given after employment in railway service are being actively examined with a view to the removal of any cause for complaint in this direction. The Railway Board have also addressed the Agents of all Railways on the subject generally, reiterating their determination that all traces of racial discrimination should be completely eliminated, asking them to make an examination of their rules and practice, and pointing out that their examination should not be confined to the individual cases brought to notice in the course of the debate on the Budget but cover the whole field. I lay a copy of the letter which was sent to Agents on the table.

Letter from the Secretary, Railway Board, to the Agents, North Western, Eastern Bengal, East Indian, Great Indian Peninsula, Bengal Nagpur, Bombay, Baroda and Central India, Madras and Southern Mahratta, South Indian, Bengal and North Western, Rohilkund and Kumaon, Assam Bengal and Burma Railways, No. 624-E., dated the 20th July, 1928.

RACIAL DISCRIMINATION.

I am directed to invite your attention to the debate on " Racial Distinctions in Subordinate Establishments " reported in the Official Reports of the Legislative Assembly Debates, Friday, 24th February 1928, Vol. 1, No. 16 (pages 779-782), and Saturday, 25th February 1928, Vol. 1, No. 17 (pages 786-808).

2. You are aware that it is definitely the policy of the Government of India that all traces of racial discrimination should be completely eliminated, either in the terms which are offered for initial employment, or in the treatment after employment of subordinate staff.

3. In the debate, it was alleged that, though different grades for particular nationalities may no longer exist in graded establishments, direct admission to the higher grades, both on initial employment and on transfer from a different class, is in practice restricted to particular communities. The Railway Board desire that your methods of appointment direct to grades above the lowest applicable to each class of staff may be examined, and that you will inform the Board what steps you propose to take to remove whatever grounds may at present exist for this allegation.

4. Another point brought forward was that distinctions persist in the matter of medical relief. Practical considerations require that the staff should be classified in some manner for this purpose ; but I am to request that your regulations may be examined, and your arrangements adjusted if necessary, so that the same standard of attendance and accommodation may be available to all subordinate staff, irrespective of race but coming, however, within the same class according to pay.

5. It will be also noted that the Railway Board have invited information regarding cases in which there appears to be a suspicion of racial discrimination. The examination of the position, which you will now make, should not therefore be confined only to the two aspects to which reference has been made above.

Mr. N. M. Joshi : May I ask whether the Government of India will appoint a Committee of Inquiry to find out whether there is racial discrimination on the Indian Railways or not ?

Mr. A. A. L. Parsons : No. The Government of India consider that the action which they have taken should sufficiently meet the case.

Mr. N. M. Joshi : May I ask whether racial discrimination will be removed simply by issuing a letter to the Agents ?

Mr. A. A. L. Parsons : I have no reason to believe that the Agents will in any way disobey the orders of the Railway Board ?

Mr. N. M. Joshi : May I ask when it was that the Government of India first decided that there should be no racial discrimination ?

Mr. A. A. L. Parsons : Will the Honourable Member kindly give me notice of that ?

Mr. C. S. Ranga Iyer : Will the Honourable Member please state how long it will take to get rid of the existing racial discrimination, roughly ?

Mr. A. A. L. Parsons : I think the Honourable Member will realise that it is impossible to give an answer to a question of that kind. The complaint has generally been that owing to certain rules and certain practices on Railways certain communities have had a preference in getting appointments ; it is a question, therefore,

12 Noon. of revising the rules and revising the practice. It is impossible for me to say within a month or two months or three months when the revision of those rules will be complete. All I can say is that we are doing our best to fulfil the pledges that we gave at the time of the last budget debate.

Lala Lajpat Rai : Will the Government of India give a proof of their intentions by starting with the Railway Board itself ?

EXPENDITURE PER HEAD OF THE POPULATION IN INDIA ON LIQUORS AND INTOXICANTS.

219. ***Sir Purshotamdas Thakurdas :** (a) Have Government noticed the following quotation from a recent issue of the *Manchester Guardian* :

“ The annual statement on the drink bill of Great Britain, issued by the United Kingdom Alliance, shows that last year there was a total net decline on the consumption of beer of 400,000 bulk barrels. There was an increase of 11,500 proof gallons in the consumption of spirits, and in wine an increase of 136,000 gallons. It is estimated that the amount spent on intoxicating drink for 1927 was £298,800,000 which compares with £301,300,000 for 1926, and the expenditure per head of the population has fallen from £6 17s. in 1926 to £6 15s. 3d. for last year ” ?

(b) If the reply to the above be in the affirmative, will Government be pleased to state corresponding figures for consumption of country liquor and imported wines, giving the total drink bill for India during the last year for which figures may be available, and the expenditure per head of population in India on liquors and intoxicants ?

The Honourable Sir Bhupendra Nath Mitra : (a) No.

(b) I lay on the table a statement showing the figures of consumption for the years 1925-26 and 1926-27 as returned by the provincial Excise Departments. The Government of India do not possess the material necessary for preparing an estimate of the amount of expenditure by consumers represented by these figures, and of its incidence per head of the population.

Statement showing consumption of country spirit and potable foreign liquors during the years 1925-26 and 1926-27.

—	1925-26.	1926-27.	Increase (+) or decrease (—).
Country spirit L.P. gallons	6,356,098	6,209,724	— 146,374
Other spirit (imported and Indian " foreign liquor ") L. P. gallons.	807,556	792,499	— 15,057
Wines (imported and Indian) Bulk gallons.	156,430	178,320	+ 21,890
Beer (imported) Imperial gallons ..	2,057,673	2,191,365	+ 133,692
Beer made in India—Imperial gallons	2,765,190	2,829,782	+ 64,592

Mr. B. Das : Is it not a fact that with many Provincial Governments it is a habit to encourage drinking among the people in order to derive more revenue from excise ?

The Honourable Sir Bhupendra Nath Mitra : I regret, Sir, I am unable to answer that question.

Mr. B. Das : Will they go into the matter and verify the correctness of the question which I put ?

The Honourable Sir Bhupendra Nath Mitra : The Honourable Member is no doubt aware that under the existing constitution Excise falls in the realm of transferred subjects, and the Government of India do not possess any powers of superintendence, direction and control in the matter.

Mr. M. S. Aney : Do not the Government of India possess the power of collecting information from the provinces ? Have they no power even to make a request ?

Mr. President : Order, order. I think I may inform Honourable Members that it is destructive of the very edifice of responsible government which we all seek to create to discuss in this House questions on subjects which are transferred to Ministers in the provinces. The Provincial

Councils are the places where these questions can be discussed. In the interest of responsible government itself, it is not desirable that such questions should be discussed in this House, except in cases where the Government of India have got the power of superintendence, direction and control. It is a different thing there, but where responsibility is completely transferred to Ministers, it is not desirable in the interests of the constitution itself that those questions should be discussed in this House. It is a different thing when mere all-India statistics or the all-India position are inquired into by questions.

Mr. K. Ahmed : In view of the fact that a Resolution was passed in this Assembly recommending the abolition of drink, do Government propose for the benefit of the country to stop.....

PANEL OF CHAIRMEN.

Mr. President : Order order. In accordance with the provisions of rule 3 of the Indian Legislative Rules I announce that I have nominated the following Members to be on the Panel of Chairmen :

Lala Lajpat Rai,

Mr. K. C. Neogy,

Sir Victor Sassoon, and

Nawab Sir Sahibzada Abdul Qaiyum.

COMMITTEE ON PUBLIC PETITIONS.

Mr. President : Under Standing Order 80 of the Legislative Assembly Standing Orders I have to appoint a Committee on Public Petitions. I have, therefore, to announce that the following Honourable Members will form the Committee :

Mr. Jamnadas Mehta,

Mr. K. C. Neogy,

Mian Abdul Haye, and

Mian Mohammad Shah Nawaz.

According to the provisions of the Standing Orders, the Deputy President, Maulvi Muhammad Yakub, will be the Chairman of the Committee.

SEPARATE OFFICE FOR THE LEGISLATIVE ASSEMBLY.

The Honourable Mr. J. Crerar (Home Member) : Sir, with reference to the communication which you made to the House yesterday I should like with your permission to take this earliest opportunity to explain briefly the position and intentions of Government. It must be apparent that there are certain aspects of the case on which Government are unable to concur in the views which you have expressed. It would be inappropriate on my part to endeavour at this stage to deal in detail with any matters of controversy, and I propose to limit myself to a concise statement of fact. You, Sir, on the 17th August, 1927, presented to Government a scheme for the

setting up of a separate establishment for the Assembly. On the conclusion of the Simla Session of 1927, the examination of the scheme was taken up in the Government of India and certain provisional conclusions were reached early in 1928. The rough draft of a despatch embodying these conclusions was prepared before the end of the Delhi Session. As the Government of India were not able to accept the scheme of the Honourable the President in its entirety, it was thought desirable to place him in general possession of the points of difference between him and Government and, further, to give him an opportunity by means of informal conversations with His Excellency the Governor General of expressing his views on this point. As the result of these conversations some points of difference were eliminated, but others remained. The despatch was revised and was sent to the Secretary of State on the 28th July. Honourable Members are of course aware that it is not permissible at this stage to lay the despatch before the House, but without indiscretion I may allow myself to say that there is much in the Honourable the President's scheme with which Government find themselves in agreement and that they have endeavoured to deal fairly in the despatch with all the points on which agreement has been reached between their view and that of the President. Honourable Members will realize that while Government are awaiting a reply to that despatch, they are not in a position to discuss this matter fully; but lest Honourable Members should feel that the case is being decided without their having a chance of expressing their views, Government are ready now to give an undertaking that before any scheme which the Secretary of State is prepared to approve is put into operation, Honourable Members will, if they so desire, be given an opportunity of expressing their views. Whether the best procedure for the examination of the scheme will be by a general debate in this House, or whether the House would not be well advised in the first instance to depute the performance of this task to a Committee representative of all the parties and groups in this House is a question for the House to decide. I venture to suggest that, as a general debate in the circumstances which I have mentioned would seem unlikely to lead to concrete and practical results, the latter would be the better course; and inasmuch as I should hope to be able in due course to lay the papers necessary to enable Honourable Members to form a considered judgment in the matter, I am willing, if the House so desires, to move for the appointment of such a Committee and a day will be made available for the purpose at as early a date as possible during the present Session. This Committee could then be constituted and, as soon as Government is able to lay the papers, would be in a position to take up the examination of the subject. Finally, Sir, I would like to draw the attention of the House to a fact to which you have referred that, pending the settlement of this matter, His Excellency the Governor General, with a view to meeting the wishes of the Honourable the President, has decided that the Secretary of the Assembly should no longer be a Member of the Assembly.

Pandit Motilal Nehru (Cities of the United Provinces : Non-Muhammadan Urban) : Sir, may I, with your permission, ask the Home Member to clear up certain points in his statement which he has just read to the House. The matter is a very important one, and we have to consider on this side of the House very carefully what our own position is going to be in regard to it. You were pleased to read a statement to the House yesterday, and a copy of it has been made available to us by the Press. We know exactly, and, may I add, we appreciate fully, the action which

[Pandit Motilal Nehru.]

you have taken as the custodian of the rights of this House. I wish the statement which has just been read by the Honourable the Home Member were as informing. I wish also that I had a verbatim copy of it before me. But I have listened to it with all the attention that I am capable of and I wish to know whether I have understood it rightly. What I have been able to gather from that statement is that the reform which you are trying to introduce is to be put off *sine die*. I will explain why I draw that inference. It appears that a despatch has already been sent to the Secretary of State on the subject over the head of this House and without observing the common courtesy of showing it to the President who mooted the whole question and who was entitled in all fair play to know how his point of view was put and how his arguments were met. I further understand, Sir, that this mysterious despatch is to be considered by the Secretary of State for India and decisions are to be arrived at behind the back of this House, behind the back of the President, and when those decisions are received here, then an opportunity will be given to this House to express its own opinion ; for what purpose and to what end goodness only knows, when the matter has already been decided. I also understand from the statement that the Honourable the Home Member has an alternative proposal, namely, that of the appointment of a Committee which he is willing to appoint at once ; and to give us a day but for what purpose I have not been able to follow ; whether it is only to discuss the personnel of the Committee or also to discuss the matter which gives rise to the appointment of the Committee. Well, whatever that may be, I hope the Honourable the Home Member will make it clear. When the Committee is appointed, what has it to do ? It is not very clear what will follow. Of course the Committee will meet, it will make its recommendations ; those recommendations perhaps will be considered by the House. Then perhaps there will be another reference to the Secretary of State if the recommendations of the House are to be paid any attention to. And then a thousand other things might intervene. All that seems to me to be highly probable is that by the time that these preliminaries have been gone through this House will probably have ceased to exist and Lord Birkenhead will probably have shifted himself from Whitehall to Leadenhall if the news of this morning is correct. Sir, there could be nothing simpler than to put the proposals before this House before any despatch was sent to the Secretary of State. In that case it would have been very easy to have the decision of the Secretary of State on the considered opinion of the House about the proposals made by the President in time to inaugurate the new reforms before the Delhi Session. As it is I find that if the procedure which is indicated by the Honourable the Home Member is followed we shall never come to the end of it ; at least this House will not. It seems to me, Sir, that this procedure leads us nowhere and I therefore wish to ask a definite question, and I hope the Honourable the Home Member will reply. Is he willing to give us an opportunity and a day to discuss the whole question on the merits on such materials as we have ? I know we shall not have the benefit of what the Secretary of State has got to say. But I also know that even when a despatch is received from him we would probably not have the benefit of looking into it, because despatches are sacrosanct. But, Sir, we are perfectly prepared to go into the whole matter on the materials contained in your statement which is more or less exhaustive. We want no further facts to make up our minds. I pause for an answer before I put another question.

The Honourable Mr. J. Orerar : Sir, I regret that there should have been anything obscure in the statement which I have just made to the House. To explain further, I must, I think, to some extent recapitulate. The Honourable and learned gentleman opposite has asked precisely what my proposals were. I indicated to the House that there were two possible courses if they wished to take action in the matter. One was to have a general discussion ; the other, if they preferred it—and I indicated certain grounds which made the second alternative probably a better one—the second alternative was the appointment of a Committee. If the House prefers the first alternative, it is entirely a matter for the House to decide. But I should point out that for the reasons which I have set out in my original statement it is impossible for the Government to take a useful and contributory part in the debate. We are unable to lay before the House the details of the scheme submitted to the Secretary of State ; we are unable to discuss it. Further, we should not be in a position to deal with any specific points raised with regard to it by Honourable Member in other parts of the House. It was for those reasons that I ventured to suggest and I have no wish to influence the judgment of the House—I ventured to suggest that the preferable course would be the appointment of a Committee. That Committee, as I indicated, would not during the present Session be able to have material before it, which will no doubt be necessary before final conclusions are arrived at ; but the suggestion is made with the object which Government entertain of doing all they can to expedite the matter. In other words, a Committee having been constituted would be in being for the purpose of considering any proposals that may be approved by the Secretary of State or to suggest certain other proposals of their own. I hope that what I have said removes the obscurity which my Honourable friend mentioned.

Pandit Motilal Nehru : My question has not been answered. What I asked the Honourable the Home Member was, with all the disadvantages under which we are placed, will he be pleased to give us a day to discuss this matter thoroughly on the material which we have. It is very unfortunate that we have not got the decision of the Secretary of State before us, but, as I submitted, we cannot help it ; and we cannot wait for it, because it may be that this House may not be in existence when that decision is received. So we should make the most of what we have and my simple question is this. Will the Honourable the Home Member find us a day for the discussion of this matter on the materials now before the House in this Session ?

The Honourable Mr. J. Orerar : On the materials now before the House ? Does the Honourable gentleman mean the President's statement and my reply, or other materials ?

Pandit Motilal Nehru : That is all ; that is quite enough.

The Honourable Mr. J. Orerar : If the House desires to have a discussion on the basis of these materials, Government will certainly be prepared to make a day available. But I must repeat that Government, in a discussion of that kind, will not be able to take a contributory part in the discussion.

Pandit Motilal Nehru : That is a misfortune. But I think there will be the advantage of the Secretary of State having the views of this House before him when he is making up his mind finally upon the scheme. I

[Pandit Motilal Nehru.]

thank the Honourable the Home Member for the promise he has given of a day to discuss the matter.

Mr. President : I should like to throw out one suggestion to the Honourable Members. Would it not be more convenient if the Leader of the House and the leaders of the various parties meet together and decide on a course of action ? If that suggestion is agreeable, I am perfectly prepared to call a conference in my room to-morrow.

The Honourable Mr. J. Crerar : I should, for my own part, be very glad to comply with such a suggestion, if the business of the House permits of such a conference to-morrow.

Lala Lajpat Rai (Jullundur Division : Non-Muhammadan) : I don't quite understand the position. I think that we ought to have a debate on the question, because what we want to know is the views of the House on the statement made by the President. I cannot understand why Government cannot place the despatch before the House. There is nothing secret in it. It is merely a question of establishment, and if the House cannot be trusted with this simple matter, I wonder what matters the House could really be trusted with. It is merely a question of what part of the establishment should be under the President and what part under the Government of India. There seems to be absolutely nothing confidential or secret about it that Government should choose to keep away from us. If the House is not worthy of that much confidence, I wonder how the Government can place any confidence in the House to pass legislative measures. It seems to me merely a pretence—pardon me for the use of this word—a mere pretence to postpone *ad infinitum* the settlement of this question. It has already taken two or three years, and may still take another two years, and as my learned friend (Pandit Motilal) has stated, by that time the House may be defunct and nothing would come of it. I therefore want something tangible to be done immediately to take the views of the House so that these views may be sent to the Secretary of State for action. I do not want the views of the House to be taken after the Secretary of State has decided the question. These may be red tape methods of the bureaucracy, but they do not commend themselves to us who want practical business to be done on the floor of this House. I am quite prepared for a conference, as suggested by the Honourable the President, but at the same time I am strongly in favour of a general discussion on the floor of this House, so that the Members may be in a position to express their views on the statement made by the Honourable the Home Member. We ought to have an early date for that discussion, and all the Members of this House ought to have a chance of expressing their views on that statement.

Mr. President : I think nothing is going to be lost by the leaders of the various parties meeting the Leader of the House and discussing the matter. As to the date for discussion of the question, Government are agreeable, but they say they will not be able to take any very useful part in the discussion. That is what I understood the Leader of the House to say. If the Leader of the House has no objection, I propose to call a conference at 12 to-morrow.

The Honourable Mr. J. Crerar : I understand that the conference will consist of yourself, myself, and the leaders of the various parties in the House ?

Mr. President : Quite so.

The Honourable Mr. J. Crerar : Subject to the observations I have already made, for my own part I shall be very glad to accept the suggestion, but it will depend on the business arising to-morrow.

Mr. President : I will see that an hour is fixed to suit all leaders. It need not necessarily be 12 o'clock.

THE PUBLIC SAFETY (REMOVAL FROM INDIA) BILL.

Mr. President : The Honourable Mr. Crerar. (The Honourable Mr. J. Crerar rose in his place.)

Pandit Motilal Nehru (Cities of the United Provinces : Non-Muhamadan Urban) : Sir, I have to raise a point of order. I object to the motion that the Honourable the Home Member is going to make. The Leader of the House, Sir, is going to move :

“ That the Bill to provide for the removal from British India in certain cases of persons not being Indian British subjects or subjects of States in India be taken into consideration ”.

I submit that under the Standing Orders that motion cannot be taken up, if there is anyone in the House who objects to it on the ground that sufficient notice as required by the rules has not been given. I draw the attention of the House to Standing Order 38, which says what motions may be made after a Bill has been introduced, and then it goes on to provide :

“ Provided that no such motion shall be made until after copies of the Bill have been made available for the use of Members ”.

I beg the House particularly to bear in mind these words, “ made available for the use of Members ”. And any Member may object to any such motion being made until copies of the Bill have been made available three days before the date on which the motion is being made. The motion is being made to-day, 6th September, and copies were not issued to Members before the 4th September, and therefore three clear days have not preceded the motion that my Honourable friend is going to make.

Now I may be allowed to anticipate his answer. Probably his answer will be that the Bill had been published in the Gazette sometime before, but I submit that such publication cannot take the place of the provision that the Bill must be made available for the use of Members, because these are words which have a special meaning assigned to them by the Standing Orders, and the Bill must be made available in the particular manner provided and in no other.

Now I draw attention to Standing Order No. 12, at page 13 of this book, that is :

“ The Secretary shall make every effort to circulate to each Member a copy of each notice or other paper which is by the Standing Order required to be made available for the use of Members ”.

Then sub-section (2) is :

“ Notice or other paper shall be deemed to have been made available for the use of every Member if copies thereof are deposited in such manner and in such place as the President may from time to time direct ”.

To the best of my information there was no direction of the President on this subject and this Bill was not deposited in any particular place. I

[Pandit Motilal Nehru.]

therefore submit that the Standing Order has not been complied with and under Standing Order No. 38 I am competent to raise an objection, unless the President in the exercise of his discretion suspends that Standing Order. There is no doubt that you have discretion to suspend the Standing Order and allow the motion to be made, but I submit this is not a case where you will exercise that discretion, firstly, because it is a very important measure and there is no reason why it should be rushed like this. Secondly no harm can be done, because if my objection succeeds, it will mean a delay of three or four days, till the next official day.

It may be asked why I am raising this question at all. It is because of the absence of many Members from the House, it is because of the empty benches that I am raising this point. It is always the case that in the beginning of a Session the attendance is very meagre. I think it has always been more or less an understanding or a convention that no important measure should be introduced until all Honourable Members have had the fullest opportunity of attending the Assembly and taking part in the debate. Now this is a matter upon which it is desired to have a full dress debate in the House and I would therefore ask you, Sir, not to exercise your discretion and suspend the Standing Order. The Standing Orders are entirely in my favour and there is no question that a publication in the Gazette or anything else can take the place of a Bill being available for the use of Members in the particular manner which has been provided for by the Standing Orders. The Government Gazette of course is a very important document, more important specially for men in service than for others. But so far as I am concerned, it is most uninteresting reading and I never even open it unless my attention is drawn to any particular thing therein. So, I submit that the publication in the Gazette cannot take the place of a Bill being made available for the use of Members in the manner which has been prescribed by the rules. Therefore, I submit that this Bill should not be taken into consideration.

Mr. President : What is the urgency of this measure ?

The Honourable Mr. J. Crerar (Home Member) : The Government regards this matter as a matter of great urgency.

Pandit Motilal Nehru : Is there going to be a great influx of these undesirables within three days ?

The Honourable Mr. J. Crerar : The Bill itself is a very urgent matter. The Government regard not only the Bill itself but also its progress through the House as matters of great urgency.

Pandit Motilal Nehru : My only point is that the Government must comply with the rules and Standing Orders.

The Honourable Mr. J. Crerar : On a point of order, Sir. The Honourable Member has raised a point of order on the ground that the copies of the Bill were not being made available to the Members. He anticipated one or two objections that would be naturally raised. In the first instance the Bill was published in the Gazette on the 25th August. Copies of that Gazette were sent to every Honourable Member. (*Honourable Members :* "No, no.") Copies of the Bill were deposited in the lodgings of Honourable Members present in Simla. I venture to submit that Honourable Members have had in point of fact the opportunity of having this Bill in their hands for three days and more. I venture to submit that in the exercise of your

discretion the point which you should take into consideration is whether in fact ample notice has been given to Honourable Members, whether ample opportunities have been given to Honourable Members of having this Bill in their possession. When the Honourable Member spoke of what he called the depleted benches on that side of the House, I venture to think he was introducing an entirely extraneous matter which has no bearing on the question now before the House.

Pandit Hirday Nath Kunzru (Agra Division : Non-Muhammadan Rural) : May I say, Sir, that the statement made by the Honourable the Home Member that copies of this Bill were deposited at the lodgings of Honourable Members here is far from being correct. I wanted a copy of this Bill on the 2nd, but I could not get it. I asked for a copy at the Notice Office on the 3rd instant and was told that they did not possess it.

Lala Lajpat Rai (Jullundur Division : Non-Muhammadan) : Sir, I want to bring to the notice of this House the bad practice that exists at the present moment of depositing these documents at the lodgings of Members. I support my Honourable friend Mr. Kunzru that it is not right to state that the copies of these Bills were deposited at the lodgings of Members three days from to-day. It is not right. I may say that the general practice of these papers being sent to Members is so vicious that really Members have no time to study the papers. These papers generally reach our lodgings not before 10 o'clock at night, and they generally relate to the business of the next day. That is the way in which the Legislative Department has been discharging its functions and its duties.

Mr. President : I hope you do not hold the President responsible for it. (Laughter.)

Lala Lajpat Rai : I must say that it becomes extremely difficult for us to study anything in time.

There are two questions involved in this discussion, one is the technical question which has been raised by my Honourable friend, Pandit Motilal Nehru, and the other is the question of propriety or the haste, the indecent haste with which the Government want to rush this Bill through. Of course the latter has been brushed aside by the Government. The Government must have had this matter under consideration before them, for a long time, they must have arrived at a decision long ago. Why was it not possible for the Government to announce, at least a fortnight or a month before the date of the Assembly, that the Government were going to introduce this Bill ? This is a very difficult matter and also a very important matter. Honourable Members have to consult the different laws of other countries. The Honourable the Home Member says that it was published in the Gazette on the 25th August. Surely the Honourable the Home Member does not expect the Members to restrict themselves to their homes on the 25th August for the purpose of reading the Gazette. They have other important business to attend to. My Honourable friend Pandit Nehru when he talked about the empty benches on this side did not want to make it a point for argument. He simply stated why he was keen that the Bill be not taken into consideration to-day. He was absolutely frank on his part, and I wish the Government were equally frank on their part. We want the business

[Lala Lajpat Rai.]

done expeditiously and in a better spirit, but the Government wants to conceal everything and to spring surprises upon us. I do not see any need of hurrying the measure. The Assembly is going to sit till about 23rd of this month and surely this business can be taken up on any other day, say Monday next. We do not want to delay the Bill, but at the same time I think the Members are entitled to raise this question if it enables them to consider this matter properly fully. This matter requires careful study. The Government have of course been preparing their case for months. If they were in our position, they would feel the helplessness of our position. The Government have got their Secretaries and other experts to help them in this measure. But we have to do the whole thing ourselves. I think it is absolutely fair that we should be given a fair chance to study the Bill. I therefore beg you, Sir, not to exercise your discretion and not to suspend the Standing Order and allow the Bill to be taken into consideration at once.

Mr. H. G. Cocke (Bombay : European) : I am alarmed and surprised at the suggestion of Honourable Members on the other side that there is no urgency in this matter. It has been on the lips of everybody for several months past.....

Mr. President : The question is not whether there is any urgency for the measure or not. The question is whether copies of the Bill have been made available to Honourable Members three days before to-day. That is the only question.

Mr. H. G. Cocke : On that, Sir, I want merely to say that I got my copy all right in the Government of India Gazette considerably more than three days before to-day. (*An Honourable Member* : "Is it racial discrimination ?")

Sir Victor Sassoon (Bombay Millowners' Association : Indian Commerce) : I want to say something on this point of order. It is purely a technical matter on which you are asked to give your ruling. I appreciate the appeal of the Honourable Member, Lala Lajpat Rai, and I am giving my views purely from the technical angle. Under rule 18, the Governor General has published the Bill in the Gazette and it has made it unnecessary for the Government to ask this House for leave to introduce the Bill or to supply copies of the Bill under Standing Orders. Would it or would it not be considered a fact that the publication in the Gazette is the supply of the information to Members and that the posting of that Gazette is enough ? Government cannot of course guarantee that every copy of a Bill despatched to a Member is going to reach that Member ; and I submit that, because the Government of India did not introduce the Bill in this House but used the right they have under rule 18 to publish it in the Gazette, it should be taken that that Bill was in the hands of Members when it could reasonably be expected that the Gazette was delivered.

Lala Lajpat Rai : The wording there is with reference to leave to introduce a Bill, not for the purpose of dispensing with circulation.

Sir Victor Sassoon : You must read the final part of Standing Order 38 as following the first part. You cannot detach it and say that it also

governs rule 18. That is how I read it. The Honourable Member has taken the last part of Standing Order 38 which deals with the case when a Bill is introduced in this House and does not deal with the case when the Government has not introduced the Bill because it has used its right of publication in the Gazette.

Mr. President : It might help us to know from Government whether any directions have been issued by the President under Standing Order 12.

Mr. L. Graham (Secretary, Legislative Department) : I am under the impression that no directions have been issued by the President. The procedure followed in this case is what has been the custom of this House, that the Bill should be published in the Gazette and every effort made to make the Bill available to individual Members of the House. Copies were sent to all Honourable Members' addresses in Simla so far as Honourable Members had favoured us with those addresses.

Mr. President : I wonder if the Honourable the Law Member will kindly help the Chair in this matter.

The Honourable Mr. S. R. Das (Law Member) : I have not got the rule with me now to which the Honourable Member referred.....

Mr. President : Will Secretary pass the rules to the Honourable Member ?

The Honourable Mr. S. R. Das : It does not matter. I would only point this out, that the rule to which the Honourable Pandit Motilal Nehru referred is as regards the deposit of the notices under the direction of the President. I would only point out that that rule merely refers to notices and matters of that description with regard to which there is no provision for publication in the Gazette. The provision regarding the publication of a Bill in the Gazette makes it different from the publication of notices or the giving of notices to Members. I should have thought that the publication of the Bill in the Gazette is sufficient notice and does make the Bill available to Members which it does not in the case of a notice because there is no provision for publishing notices in the Gazette.

Mr. President : The Honourable the Leader of the Opposition says the words "made available" has a special meaning under Standing Order 12.

The Honourable Mr. S. R. Das : I know. That is what I was referring to. The Leader of the Opposition relies upon Standing Order 12 for the purpose of attaching a particular meaning to the words "made available" as regards Bills. But the way I look at it is this. Under Standing Order 12, Standing Order 12 really does not refer to making available a Bill for this reason, that when it speaks of making every effort to send to each Member a copy of every notice or other paper, it refers to other papers of the nature of notices, because there is no provision under which a notice can be published in the Gazette. There is provision by which Bills can be published in the Gazette. There must therefore be some difference between making a notice available to a Member and making a Bill available to a Member. That is

[Mr. S. R. Das.]

how I take it. That Standing Order 12 cannot be made use of for the purpose of giving a meaning to the words "made available" with reference to a Bill. The two things stand on quite a different footing. A notice cannot be published. There is no provision for publishing a notice and therefore every effort must be made to circulate a notice or papers of the nature of notices to every Member; whereas in the case of a Bill there is provision for publication in the Gazette which in itself amounts to making it available to Members. Therefore Standing Order 12 cannot be made use of for the purpose of interpreting the meaning of the words "made available" with regard to a Bill.

Pandit Motilal Nehru : May I say a few words in reply to the Honourable the Law Member ?

Mr. President : This is not a matter which admits of reply.

Pandit Motilal Nehru : If you will permit a reply, Sir. (Mr. President assented.) It is quite evident to me, Sir, that the Honourable the Law Member committed himself to an opinion without looking at the rule and then when he looked at the rule he had to hold to that opinion. But what really is the meaning of this section is quite evident on the very face of it. Publication in the Gazette is not intended for the Members specially. It is intended for the general public. The Members who are specially concerned in this matter must get a special notice which is provided for in the Standing Orders. That will be made quite clear to you, Sir, if you refer to Standing Order 43. Both publication in the Gazette and copies being made available to Members are mentioned in this Standing Order. It runs :

"The Secretary shall cause every report of a Select Committee to be printed, and a copy of the report shall be made available for the use of every Member of the Assembly".

That is one thing. Then the next sentence is :

"The report with the amended Bill shall be published in the Gazette".

Now the two things are not the same. If one takes the place of the other what is the use of mentioning both these things here ? The Honourable Member has put it just the other way about. It is because notices are not published, he says, in the Gazette, therefore a special provision is made for notices. It is more correct to say that because publication in the Gazette is not the kind of special notice in the case of Members that special provision has been made for such notice.

The Honourable Mr. J. Crerar : Sir, may I just make one observation with regard to what was said by the Honourable the Leader of the Opposition. He contended just now that publication in the Gazette was merely notice to the general public. I think that point of view must be modified in view of the fact that special copies of the Gazette are addressed to individual Members of this House as Members of this House and not as members of the general public.

Mr. President : This is a very difficult question as the Honourable the Law Member has pointed out and if I were to postpone the decision on this question, it would not be necessary to come to any decision and all difficulties would be over. For, in that case, the consideration would stand

postponed to the next official day. But I do not propose to take that course. I propose to give my decision and take the fullest responsibility for it. There is absolutely no doubt that this motion cannot be made unless copies of the Bill have been made available to Honourable Members three days before to-day. The question is whether in this case copies of the Bill have been made available to Honourable Members three days before to-day. I am clearly of opinion that the publication of a Bill in the Government Gazette cannot dispense with the obligation which is laid by the Standing Orders on the office to make copies available to Honourable Members. That expression has a special meaning attached to it by the Standing Orders, and in the absence of any directions by the President as to the manner in which a Bill is to be deposited and the place at which it is to be deposited—directions which should have been taken and carried out—I am afraid I must hold that the copies of the Bill have not been made available to Honourable Members three days prior to its consideration. I therefore rule that this motion cannot be made to-day unless the Standing Orders are suspended. As no request has been pressed in that behalf, it is not necessary for the Chair to consider that point.

THE INDIAN INSURANCE COMPANIES BILL.

The Honourable Sir George Rainy (Member for Commerce and Railways): Sir, I rise to move that the Bill further to amend the Indian Life Assurance Companies Act, 1912, for certain purposes, and to provide for the collection of statistical information in respect of insurance business other than life assurance business, be referred to a Select Committee consisting of Maulvi Muhammad Yakub, Sir Purshotamdas Thakurdas, Sir James Simpson, Lala Lajpat Rai, Mr. H. G. Cocke, Mr. Jamnadas M. Mehta, Mr. G. D. Birla and the Mover, with instructions to report on or before the 10th September 1928, and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five. I should like, Sir, with your permission, to add three more names of members who might be appointed to the Select Committee, namely, Mr. A. H. Ghuznavi, Mr. Nirmal Chunder Chunder and Mr. M. S. Sesha Ayyangar.

This Bill, Mr. President, is limited in its scope. It proposes to do two things and two things only—in the first place, to remove a defect in the law affecting life assurance companies, and in the second place, to provide for the collection of certain statistical information in respect of all classes of insurance business. The first of these objects is provided for in clause 3 of the Bill and the second in clauses 2, 7, 8 and 9. On the remaining fifteen clauses of the Bill I need not dwell, for, they are purely subsidiary and adjectival. The whole substance of the Bill is to be found in the five clauses I have mentioned.

I will take first clause 2 of the Bill, which provides for one of the two important objects. I have said that there is a defect in the existing law relating to life assurance in India, and I will endeavour to make it plain to the House what that defect is. Section 6 of the Indian Life Assurance Companies Act of 1912 provides that :

“The life insurance fund shall be as absolutely the security of the life policy-holders as though it belonged to a company carrying on no other business than life assurance business and shall not be liable for any contracts of the company for

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which it would not have been liable had the business of the company been only that of life assurance, and shall not be applied directly or indirectly for any purposes other than those of life assurance”.

It would have been difficult, I think, Sir, to express the intention of the law more emphatically than it is done in that section. It is clear as daylight that the intention of the Legislature was to provide the utmost possible security for the life policyholders, and for that purpose very emphatic language was used. It appears, however, that whatever the intentions of the Legislature may have been, they have been frustrated and that in certain circumstances the law does not in fact provide that measure of security for the life policyholders which was undoubtedly intended. The circumstances in which the security fails is when a life assurance company goes into liquidation. When that happens the rules in the sixth Schedule to the Act would apply, and the liabilities and assets of the company would have to be valued in accordance with these rules. The result is that a considerable part of the life fund might be removed from the security of the life policyholders and devoted to other purposes. There is unquestionably, it appears, a defect which is common both to the Indian Act and to the British Statute upon which it was based. It was brought to notice about 18 months ago, I think, by the Board of Trade Committee which was examining the insurance law in the United Kingdom with a view to its consolidation and re-enactment. I think perhaps I can make the meaning plain to the House most clearly by taking concrete examples, and the first I shall mention is the one which the Board of Trade Committee had in view in their report. Let us suppose there is a composite company which is doing both life business and fire business. We will suppose that the life business is successful, and that large reserves have been built up in the life fund. On the other hand, we assume that the fire business has been unsuccessful, and that as a result of successive losses the company becomes insolvent and goes into liquidation. Now, under the law as it stands, the reserve assets of the life fund would apparently have to be used to pay the liabilities of the fire business and the assets which the life policyholders believed had been fully secured to them as the security for their policies would thus be diverted to another purpose. I mention that as one of the dangers which exists under the present law. But it is not, as far as I can discover, an imminent danger in India, and I fully admit that this danger in itself would not furnish any adequate reason for asking the Legislature to make an emergent change in the law. The immediate danger which we have to apprehend in India is something rather different. It occurs when a company is in liquidation, but not as in the case which I took as an illustration, an insolvent liquidation, but a solvent liquidation. Under the law, as it stands, there is apparently nothing to prevent the shareholders of a solvent and prosperous life assurance company putting it into voluntary liquidation. If they did so, then the rules in Schedule VI would at once apply, and the result would probably be that a large portion of the life fund, which was intended by the Legislature as the absolute security of the policyholders, would be lost to them and divided up amongst the shareholders. The information which has reached the Government of India has left no doubt in their minds that the danger is a real one and that it might, at any moment, become imminent. I can only imagine that ingenious persons who had read the Board of Trade Committee's Report and had detected the loophole in the law, have set their wits to work in an effort to squeeze through it. I do not wish, Mr.

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President—and I hope that the House will not press me on the subject—to dwell on the evidence which satisfied the Government of India that precautions were necessary. Obviously, if I were pressed on that point, it would raise the question of individual companies and any statement made here might have effects which would be most unfair to these companies and do a great deal of harm. One thing, however, I think I ought to say very distinctly. It is not those who have been responsible in the past, or so far as I know, still are responsible for the management of the companies who have attempted to take advantage of the defect in the law. In so far as attempts have been made at all or are likely to be made, it is by persons who hope to obtain control, not by those who already possess the control. I think it is right, Sir, in the interests of the Indian insurance companies, against whom I am not saying a single word, that that should be made perfectly plain. And I would ask the House to take it from me that the Government of India did not act without very distinct information before them, that there was a danger, that the danger was real and that it might become imminent. It was for that reason that they decided to bring forward legislation on this subject during the present Session. I think, Sir, the House will agree that it would be a very serious matter indeed if any prosperous Indian insurance company were put into voluntary liquidation in the circumstances stated, and obviously the temptation to put the company into liquidation would be the stronger the more prosperous the company was. I am afraid that, if that took place, public confidence in life assurance generally would be most seriously shaken, and the cause of life assurance in India would receive a setback from which it would take years to recover. That certainly is the feeling of the Government of India and it is for that reason, as I have said, that they felt it necessary to legislate at once.

As regards the particular proposal embodied in clause 3 of the Bill, I may say that it follows closely the clause in the draft Bill prepared by the Board of Trade Committee in the United Kingdom. Broadly speaking, what is proposed is this, that, when a company is in liquidation, it must be ascertained in what proportion in previous years the profits have been divided between the shareholders and the policyholders, and unless the Judge sees fit to make any special direction, then any surplus profits ascertained in the liquidation will be divided in the same proportion. On the face of it that seems to me an equitable way of dealing with the matter and the recommendation of the Board of Trade Committee, we can be sure, has been the result of a very close consideration by a number of thoroughly competent people. I do not think it would be easy to devise a more equitable method of dealing with this particular difficulty.

As the House are aware, Mr. President, the question of the amendment of our insurance law has been under consideration for a considerable time. When the Government of India decided that this particular matter must be dealt with, they also considered whether any further substantive changes in the law should be made, and they came to the conclusion that so far as this Bill was concerned, it would be unwise to make any further changes in the substantive law which controls the operations of insurance companies. A number of proposals have been made for modifications, but they have not been included in this Bill. The Government of India felt that they were justified in asking the Legislature to take emergent steps to cure this particular defect in the law, but did not think they would be justified in asking the Legislature to pass as an emergent measure any far-reaching changes on that subject. Now, on this point the House will

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naturally. Sir, ask me a question. If this is the one change which is emergent and if it is all included in clause 3, what are the other remaining 19 clauses doing in the Bill ? That is a perfectly fair question and I will do my best to answer it. All the other clauses are really part of a single scheme, namely, the collection of certain statistical information regarding insurance business. For some time past, as all Honourable Members are aware, there has been a persistent demand that insurance companies belonging to other countries, which carry on business in India, should disclose particulars of their Indian business. Now, Sir, that in itself seemed to the Government of India not an unreasonable demand. It is perfectly natural that people should want to know what is the character and the volume of the insurance business which is being carried on in India to-day. So far as the indigenous companies are concerned among the life insurance companies, that information is disclosed in the statistics that we publish every year. It is quite true that some of the Indian companies perhaps do a certain amount of business outside British India, but I should imagine that it is only a small portion of their business, and the figures that we publish give substantially the business which they are doing in British India. But as regards companies which are established in other countries, it is quite obvious in the case of an important British company, let us say, or of an important American company, that the total figures of the business they do all over the world can give us no idea at all of the amount of business they do in India. Therefore, as I say, it seemed to the Government of India that the demand for further information was in itself a reasonable one. But although that is so, it would not supply a reason for including provisions on the subject in a Bill which we are asking the Legislature to pass at the earliest possible date. The demand may be reasonable but in the ordinary course it might have waited for the general revision of the insurance law which is certainly impending. But there is a special reason why the Government of India thought it right to include these provisions about the collection of statistics in this Bill in order to give the Legislature an opportunity of considering whether steps ought not at once to be taken to obtain these statistics. The reason is this. As I have said, a general revision of our insurance law will quite certainly have to be passed before very long, and what was very forcibly impressed upon my mind during the hours I have devoted to studying the question is that we cannot legislate wisely unless we know the facts. There is a great deal of statistical information which Government ought to have and which the Legislature ought to have before we undertake a general revision of the insurance law. Perhaps I might be allowed to give one or two illustrations of this. One of the proposals made for the revision of the law is that all life companies operating in India should retain assets in India equal to some proportion of their liabilities. Now, I am not expressing any opinion at all about that proposal, but when it comes up for decision as to whether effect should be given to that proposal or not, it will be most important that we should know what the liabilities of the companies are and to what extent their assets are invested in India at present. Take another example. It has sometimes been said that the growth of indigenous life assurance companies is hampered by the competition of outside companies. Now, personally I find it very difficult to assess the value of that complaint unless I know what the relative volume of business transacted by the indigenous companies and by the external companies actually is. It may be that the indigenous

companies are still transacting only a small proportion of the total amount of life business transacted in India. On the other hand, it may be that the indigenous companies already transact more than half the business actually carried on in India. At present we have estimates on that subject and we have guesses, but they are quite unsatisfactory as data and nobody is bound to accept any of them. It seemed to me, therefore, that, at any rate, as regards the amendment of the law relating to life assurance, it is very important that as soon as possible the Government of India and the Legislature should be in possession of statistics showing the character and the volume of the business which is actually transacted in India. The sooner we get it the sooner it will be possible to deal with the general question of the revision of the law.

Honourable Members will have observed that the Bill is divided into three parts. Part II includes certain amendments to be made in the Indian Life Assurance Companies Act and Part III is devoted to companies carrying on business other than life assurance business. At present the position is that the companies which do not do life assurance business are not subject to any special regulation beyond that to which they are subject under the Indian Companies Act. Although there are a number of clauses in this part of the Bill, they are all of them subsidiary to the proposals for the collection of statistics and they have been inserted for no other reason, that is to say, we are not in this Bill proposing to bring these companies under special control apart from the collection of statistics. If Honourable Members will read the actual clauses, they will see that with the exception of the ones which I have named at the beginning of my speech they all deal with quite unimportant and subsidiary matters although they are necessary for their own purpose.

Now, Sir, before I sit down, I want to say a single word as regards what I am sure is in the minds of a good many Members of this House. I quite recognise that in many quarters of this House there is a feeling that it is high time the law relating to life assurance was revised and brought up to date and that life assurance companies of all kinds were brought under control. I respect that feeling and I also share it to a very large extent. I do not think that we can safely postpone that amendment of the law very much longer, but I am satisfied, after giving this question all the attention I could give it, that for the present we cannot get on with that question and that we are not likely to be able to get on with it until the British Parliament has legislated on the basis of the Report of the Board of Trade Committee. I think it is right that I should say so much for the information of the House. I do not wish to argue the matter because that would be to travel outside the scope of the present Bill. That Bill, as I have already said at the outset of my speech, is limited in its scope. All that we propose to do is to correct a defect in the life assurance law which it has become very urgently necessary to correct, and to provide for the collection of certain statistical information which it is very necessary that we should possess before we undertake the general revision of the insurance law.

Sir, I move.

Mr. President : The question is:

“ That the Bill further to amend the Indian Life Assurance Companies Act, 1912, for certain purposes, and to provide for the collection of statistical information

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in respect of insurance business other than life assurance business, be referred to a Select Committee consisting of Maulvi Muhammad Yakub, Sir Purshotamdas Thakurdas, Sir James Simpson, Lala Lajpat Rai, Mr. H. G. Cocke, Mr. Jamnadas M. Mehta, Mr. G. D. Birla, Mr. A. H. Ghuznavi, Mr. M. S. Sessa Ayyangar, Mr. Nirmal Chunder Chunder, and the Mover, with instructions to report on or before the 10th September, 1928, and that the number of Members whose presence shall be necessary to constitute a meeting of the Committee shall be five ''.

The motion was adopted.

The Assembly then adjourned till Eleven of the Clock on Saturday, the 8th September, 1928.