

2nd February 1938

**THE**

**LEGISLATIVE ASSEMBLY DEBATES**

**(Official Report)**

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**Volume I, 1938**

*(31st January to 22nd February, 1938)*

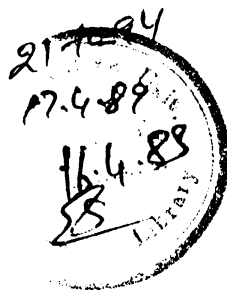
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**SEVENTH SESSION**

**OF THE**

**FIFTH LEGISLATIVE ASSEMBLY,**

**1938**



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1938

# Legislative Assembly.

## *President :*

THE HONOURABLE SIR ABDUR RAHIM, K.C.S.I.

## *Deputy President :*

MR. AKHIL CHANDRA DATTA, M.L.A.

## *Panel of Chairmen :*

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MR. L. C. BUSS, M.L.A.

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## *Assistants of the Secretary :*

MR. M. N. KAUL, BAR.-AT-LAW.

RAI BAHADUR D. DUTT.

## *Marshal :*

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

## *Committee on Petitions :*

MR. AKHIL CHANDRA DATTA, M.L.A., *Chairman.*

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

MR. M. GHIASUDDIN, M.L.A.

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

MR. L. C. BUSS, M.L.A.

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# LEGISLATIVE ASSEMBLY

Wednesday, 2nd February, 1938.

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

## MEMBER SWORN.

Mr. Rangiah Subra Mani, M.L.A. (Government of India: Nominated Official).

## STARRED QUESTIONS AND ANSWERS.

### (a) ORAL ANSWERS.

#### CONTRIBUTION OF THE BRITISH GOVERNMENT TOWARDS THE MECHANISATION OF THE INDIAN ARMY.

†79. \***Mr. Akhil Chandra Datta:** (a) Will the Defence Secretary state the amount required for mechanisation of the Indian Army?

(b) Is the Defence Secretary aware that the grant of £600,000 from the British Exchequer to the Government of India towards the mechanisation programme is inadequate?

(c) Will the Defence Secretary state whether the Indian Government propose to move the British Government to make a more equitable contribution towards the mechanisation of the Indian Army?

**Mr. C. M. G. Ogilvie:** (a), (b) and (c). The Honourable Member is referred to my speech of the 31st January, 1938, on Mr. Avinashilingam Chettiar's adjournment motion.

#### LOANS ADVANCED TO INDIAN STATES.

80. \***Mr. T. S. Avinashilingam Chettiar:** Will the Honourable the Finance Member state:

- (a) the amount of money advanced to the States by the Government of India;
- (b) whether interest on that loan is realised by the Government of India every year; if so, what the amount of interest is;
- (c) whether these loans were advanced for productive purposes;
- (d) if not, for what other purposes;
- (e) whether, besides there being a general charge on revenues, there is any charge on any productive undertakings; and
- (f) what States owe how much?

**The Honourable Sir James Grigg:** (a) The total amount outstanding on the 31st of March, 1937, was Rs. 13,24,29,165.

(b) to (f). A statement is laid on the table.

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



## STATEMENT.

Name of State.	Amount of loan.	Year in which loan was granted or consolidated.	Purpose.	Terms.		
				Rate of interest.	Annual instalment.	Specific security other than the general revenues of the State.
1. Phaltan	Rs. 3,00,000	1928	Rehabilitation of State finances.	6%	Rs. 30,000 <i>plus</i> interest.	Payments due to the State under Abkari leases.
2. Tripura	9,00,000	1933	Rehabilitation of State finances.	6%	92,686	
3. Alwar	25,00,000	1933	Rehabilitation of State finances.	4½%	2,44,000	
4. Tonk	1,50,000	1934	Construction of a bridge on an important road passing through the State.	4½%	15,000	Annual payment of Rs. 20,000 due to the State in respect of salt.
5. Bahawalpur	32,03,200	1934	Payment of debts in the account current.	4½%	3,03,414-12-9	Amount payable to the State under the agreement relating to the division of the revenue derived from the Sutlej Valley Project.

6. Bahawalpur . . . . .	12,41,95,900	1935	State's share of expenditure on the Sutlej Valley Project.	Principal and interest are to be repaid in 50 years by instalments rising from 15 lakhs in 1935-36 to 55 lakhs in 1944-45 and subsequent years.	Revenue of the State's portion of the Sutlej Valley Project.
7. Dhrangadhra . . . . .	55,00,000	1935	Rehabilitation of State finances.	4%	Net earnings of the State Railway and State ginning and pressing factories.
8. Dir . . . . .	2,00,000	1935	Assistance in administration of States whose stability is an important element in North-West Frontier Policy.	Free of interest.	Subsidy of Rs. 50,000 payable to the Nawab of Dir.
9. Chitral . . . . .	1,00,000	1936		"	Subsidy of Rs. 57,000 payable to H. H. the Mehtar of Chitral.
10. Cochin . . . . .	15,00,000	1937	Cochin Harbour Works	3½%	Revenues of the Cochin ports.

**Seth Govind Das:** Is it a fact that most of these loans have been advanced to States for the private trips of Their Highnesses to European countries?

**The Honourable Sir James Grigg:** Of the 13½ and odd crores outstanding roughly 12½ crores refers to Bahawalpur State on account of the Sutlej Valley Irrigation Project which seems to me to give a clear disproof of what the Honourable Member just said.

**Seth Govind Das:** And the remaining amount?

**The Honourable Sir James Grigg:** The Honourable Member can see that from the Statement.

**Mr. Badri Dutt Pande:** Which is the State that owes the largest amount to the Government?

**The Honourable Sir James Grigg:** I have just said that out of the 13½ and odd crores outstanding, 12½ crores refers to Bahawalpur State. This amount was advanced, I think, at the instance of the Government of India in order that they might take part in the Sutlej Valley Irrigation project.

**Mr. Badri Dutt Pande:** Is that loan secured?

**The Honourable Sir James Grigg:** Yes, on the revenues of the Sutlej Valley project.

**Mr. Lalchand Navalrai:** Does the State pay any interest on it?

**The Honourable Sir James Grigg:** Yes, it pays the interest as well as the instalments duly, in fact it has made certain advance payments. The Honourable Member had better look at the details given in the statement and then ask a question. There are consolidated instalments fixed and those have been duly paid, and certain advance payments have been made in addition.

**Mr. Lalchand Navalrai:** May I know from the Honourable Member if Khairpur State has been given any loan, and, if so, how much?

**The Honourable Sir James Grigg:** I must have notice of that,—does the Honourable Member ask if there is any loan given to Khairpur State?

**Mr. Lalchand Navalrai:** Yes.

**The Honourable Sir James Grigg:** To the best of my belief, no; it does not appear in the list.

**Seth Govind Das:** Are these loans to be paid in yearly instalments?

**The Honourable Sir James Grigg:** The Honourable Member had better look at the Statement; in most cases certainly.

**Seth Govind Das:** What are the conditions imposed for default?

**Mr. President** (The Honourable Sir Abdur Rahim): I think the Honourable Member should read the Statement first.

**Seth Govind Das:** I am asking if there is any default, then whether the whole loan would have to be repaid together?

**The Honourable Sir James Grigg:** The Honourable Member had better look at the statement before he puts any other question.

**Mr. T. S. Avinashilingam Chettiar:** Is there any State which is not paying interest regularly?

**The Honourable Sir James Grigg:** I must have notice.

**Mr. T. S. Avinashilingam Chettiar:** May I know, Sir, whether, besides a general charge on the revenues, there is any productive undertaking behind these loans?

**The Honourable Sir James Grigg:** The Honourable Member had better look at the Statement first and then put down further questions if necessary.

#### PRECAUTIONS AGAINST AIR RAIDS AND GAS ATTACKS.

81. **\*Mr. T. S. Avinashilingam Chettiar:** Will the Honourable the Home Member state:

- (a) whether precautions against air-raids and the use of gas are being taken in all western countries;
- (b) whether any such precautions are being taken in this country; and
- (c) if so, what those precautions are?

**The Honourable Sir Henry Craik:** (a) Government do not possess complete information on the subject.

(b) and (c). The question of what precautions are necessary in this country is being examined.

**Mr. Lalchand Navalrai:** May I know whether the Government are aware if any such defence precautions are going to be taken at Karachi?

**The Honourable Sir Henry Craik:** Yes, I understand they are.

**Mr. Lalchand Navalrai:** May I know what they will be?

**The Honourable Sir Henry Craik:** I am not in a position to give details.

**Mr. M. Ananthasayanam Ayyangar:** Is it a fact that the Secretary to the Home Department of the Government of Bengal has issued instructions to the general public that they should undergo gas mask drill to provide themselves against air attacks or air raids?

**The Honourable Sir Henry Craik:** I am not in a position to answer questions regarding the discharge of its functions by the Local Government.

**Mr. T. S. Avinashilingam Chettiar:** May I know when Government expect to finish their investigations in this matter?

**The Honourable Sir Henry Craik:** A committee has been sitting, and I understand its report has just been completed.

**Mr. M. Asaf Ali:** Am I to understand, Sir, that all these experiments at Karachi, Bombay and Calcutta about precautions against air raids are being carried out without any instructions from the Central Government?

**The Honourable Sir Henry Craik:** Those experiments, as far as I know,—and I depend entirely on the press for what I know,—are being carried out by the Local Governments in consultation with the local military authorities.

**Mr. M. Asaf Ali:** May I remind the Honourable Member that about this time last year I put a question about these very precautions against air raids, and I remember it was then stated that the contingency was far too remote, and, therefore, the Central Government were not then prepared to consider it. May I know if now the contingency is so near as to persuade the Government of India to carry out these experiments?

**Mr. President** (The Honourable Sir Abdur Rahim): He answered that question. He said that a committee was sitting and a report was being issued.

**Mr. M. Ananthasayanam Ayyangar:** May I know, Sir, if the cost is met by the provincial revenues or by the central revenues?

**The Honourable Sir Henry Craik:** Do you mean the cost of the experiments that have been carried out in Bombay and Karachi?

**Mr. M. Ananthasayanam Ayyangar:** Yes.

**The Honourable Sir Henry Craik:** I cannot answer that off hand.

#### CONTRIBUTION OF THE BRITISH GOVERNMENT TOWARDS THE MECHANISATION OF THE INDIAN ARMY.

82. **\*Mr. T. S. Avinashilingam Chettiar:** Will the Defence Secretary state:

- (a) whether the recent contribution of His Majesty's Government towards the mechanisation of the Indian Army has been given with any conditions imposed on the Government of India as to the utilisation of the amount;
- (b) if so, what are the conditions; and
- (c) whether contribution was asked for by the Government of India subject to these conditions, or whether the conditions were imposed by the British Government?

**Mr. O. M. G. Ogilvie:** (a), (b) and (c). I refer the Honourable Member to my speech on his adjournment motion of the 31st January, 1938.

**Mr. T. S. Avinashilingam Chettiar:** May I know the answer to part (c) of the question, which was not given?

**Mr. C. M. G. Ogilvie:** Yes, it was given.

**Mr. T. S. Avinashilingam Chettiar:** May I know whether the Government asked for a contribution from His Majesty's Government for mechanising the British portion of the Indian army specifically?

**Mr. C. M. G. Ogilvie:** You will find all that from my speech.

**Mr. Lalchand Navalrai:** May I know from the Honourable Member if there are any military shops, or concerns, in India which manufacture these machines or everything will have to be imported from abroad?

**Mr. President** (The Honourable Sir Abdur Rahim): All that was discussed on the 31st. There was an adjournment motion which was discussed for two hours, and this matter was discussed very fully.

**Mr. T. S. Avinashilingam Chettiar:** My point is whether the Government of India asked for a contribution from His Majesty's Government . . . .

**Mr. President** (The Honourable Sir Abdur Rahim): I have already said it was discussed the other day.

**Mr. T. S. Avinashilingam Chettiar:** Sir, you must first hear me. You have not heard what I am going to say.

**Mr. President** (The Honourable Sir Abdur Rahim): I am not going to hear any Member after I have given my ruling.

**Mr. T. S. Avinashilingam Chettiar:** This clause was not answered.

**Mr. President** (The Honourable Sir Abdur Rahim): I think that was answered.

**Mr. T. S. Avinashilingam Chettiar:** It was not answered, Sir.

**Mr. C. M. G. Ogilvie:** It was answered.

**Mr. President** (The Honourable Sir Abdur Rahim): Was it answered?

**Mr. C. M. G. Ogilvie:** Yes, it was answered.

**Mr. President** (The Honourable Sir Abdur Rahim): It has been answered already.

**Mr. Manu Subedar:** With your permission, Sir, yesterday . . . .

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

**Mr. Manu Subedar:** It is a new point, Sir . . . .

**Mr. President** (The Honourable Sir Abdur Rahim): You cannot bring in any new point now. It ought to have been brought out then. Next question.

CONTRIBUTION OF THE BRITISH GOVERNMENT TOWARDS THE MECHANISATION  
OF THE INDIAN ARMY.

83. \***Mr. T. S. Avinashilingam Chettiar:** Will the Defence Secretary state:

- (a) what exactly is the promise of contribution by the British Government towards the cost of the Indian Army;
- (b) how they propose to spend it; and
- (c) whether only the British section of the Indian Army is proposed to be mechanised; if so, why?

**Mr. C. M. G. Ogilvie:** (a), (b) and (c). I refer the Honourable Member to my speech of the 31st January, 1938, on his adjournment motion.

SYSTEM OF DELIVERY OF SALT AT WARCHA AND KALABAGH.

84. \***Mr. Sham Lal:** (a) Will the Honourable the Finance Member be pleased to state whether, according to the present system of delivery of salt at Warcha and Kalabagh, the indenter has to apply to the Salt Department on prescribed form issued by the Salt Department, and whether each form for one wagon costs eight annas?

(b) Is it a fact that about one hundred wagons from Warcha and 44 wagons from Kalabagh are cleared out every month, but that about 12,000 to 14,000 wagons are indented every month and thus a good deal of money is wasted on these forms and ultimately the price of these wasted indents falls upon the poor consumers?

(c) Are Government aware that this system has led to the rise of price of salt to the extent of about two annas per maund?

(d) What are the grounds for imposing this additional burden on the poor consumer?

(e) Are Government prepared to reconsider their decision and abolish the system of charging eight annas on the indent form?

**Mr. A. H. Lloyd:** (a) Yes.

(b) The number of wagons cleared is as stated by the Honourable Member. Monthly average of the number of wagons indented for since the levy of the fee is about 4,700 at Warcha and 2,500 at Kalabagh.

(c) No.

(d) Does not arise.

(e) As at present advised Government are not prepared to reconsider their decision but will give careful consideration to any constructive proposal other than a proposal to revert to the old system.

**Mr. Sham Lal:** Is this system called a lottery system? Is this prevalent in Sambhar or Khewra?

**Mr. A. H. Lloyd:** This does not prevail in Sambhar or Khewra.

**Mr. Sham Lal:** Is it a fact that formerly the price of the salt was Rs. 1-4-0 and now it is Rs. 2 a maund?

**Mr. A. H. Lloyd:** I must ask for notice of that question. It is rather detailed.

**Mr. Lalchand Navalrai:** May I know from the Honourable Member if this eight annas charge per wagon is to be reduced by the Government or not? If not, why?

**Mr. A. H. Lloyd:** I must refer the Honourable Member to the answer that I have already given to part (e) of the question.

**Mr. M. Ananthasayanam Ayyangar:** Why is this practice prevailing here while it is not prevalent elsewhere?

**Mr. A. H. Lloyd:** For the reason that the sources of supply at Kalabagh and Warcha are very small sources which cannot cope with a large demand. Khewra and Sambhar, on the other hand, are large sources, and, ordinarily speaking, there is no great difficulty in coping with the demand.

**Mr. Lalchand Navalrai:** Can the Honourable Member give me an idea of how much is being collected by this fee of eight annas?

**Mr. A. H. Lloyd:** I must ask for notice of that question.

#### SYSTEM OF RUNNING GOVERNMENT TREASURIES BY GOVERNMENT TREASURERS.

85. **\*Mr. Sham Lal:** Will the Honourable the Finance Member be pleased to state:

- (a) whether it is a fact that allowances are being paid out of public exchequer to Government Treasuries (including interests on their securities and the salaries of their cashiers) for running Government Treasuries and Sub-Treasuries in various parts of India;
- (b) if so, whether the experiment of having Cashiers on suitable securities under the direct supervision of Treasury Officers and dispensing with the services of Government Treasurers has ever been tried in connection with any Treasury in any part of India;
- (c) if so, what the result has been; and
- (d) if not, whether Government propose to take any steps in this direction in these days of financial depression?

**The Honourable Sir James Grigg:** I am unable to supply the information desired by the Honourable Member, since treasuries and sub-treasuries in the Provinces are now under the control of the Provincial Governments.

#### RUPEE COINS WITHDRAWN FROM CIRCULATION.

86. **\*Mr. Sham Lal:** Will the Honourable the Finance Member be pleased to state:

- (a) which rupee coins have been ordered to be withdrawn from circulation and when;
- (b) the number of such rupee coins already withdrawn in different provinces respectively through different Government treasuries and sub-treasuries since the announcement by Government;



- (c) whether it has ever been ascertained from Collectors or Deputy Commissioners if some Cashiers employed by some Government Treasurers have sometimes been found issuing back these very coins to the public from Government Treasuries and sub-treasuries; and
- (d) if not, whether Government propose to take any such action to have counterfeit rupee coin scare removed amongst the public?

**The Honourable Sir James Grigg:** (a) I would invite a reference to the press communiqué issued by the Controller of the Currency on the 15th of July, 1937.

(b) The information is not available.

(c) and (d). The Government of India have no information regarding the re-issuing of Victoria rupees. Such rupees are, however, still legal tender, and it is open to Treasury Officers to re-issue them in cases where the stock of King's head rupees is insufficient to meet the demand. The enquiry suggested by the Honourable Member would, therefore, serve no useful purpose.

**Mr. Lalchand Navalrai:** Do Government propose to abolish the circulation of those rupees which are not being accepted in the market?

**The Honourable Sir James Grigg:** There are two questions there, one of which seems to me not to follow from the other but if the Honourable Member likes, I will read out the press communiqué:

"In accordance with a recent decision Victoria rupees are not ordinarily re-issued from treasuries or from banks which transact Government business, and these rupees are thus being gradually replaced by coins of more recent mintage."

**Mr. Lalchand Navalrai:** Does the Honourable Member know that these Victoria rupees and other rupees are not being accepted when tendered on flimsy grounds?

**The Honourable Sir James Grigg:** That is a different story, it relates to counterfeiting. That is a matter for police measures to stop counterfeiting.

**Mr. K. Santhanam:** May I know if the Honourable Member is aware that every rupee coin in Delhi is suspect?

**The Honourable Sir James Grigg:** That is a question of counterfeiting, but anyhow, I do not accept that statement.

**Mr. M. Ananthasayanam Ayyangar:** Are the Government aware that in Delhi Victoria rupees are not taken in the bazar?

**The Honourable Sir James Grigg:** I have just answered that question, and, anyhow, it is a repetition of the main question.

**Mr. M. Ananthasayanam Ayyangar:** Will Government issue a press communiqué to the effect that so long as these rupees are in the hands of the public they are current coin?

**The Honourable Sir James Grigg:** I will read out the rest of the communiqué:

"It is understood that in some districts this decision has led to a belief that Victoria rupees are no longer legal tender. This belief is entirely erroneous. Victoria rupees are exchangeable at their full face-value and there is no intention of altering the existing position in this respect."

**FAILURE TO NOTE DOWN RAILWAY TICKET NUMBERS BY OFFICIALS CLAIMING TRAVELLING ALLOWANCES.**

87. **\*Mr. Sham Lal:** Will the Honourable the Finance Member be pleased to state:

- (a) whether it is a fact that Government officials claiming travelling allowances for journeys performed in public interest do not note down railway ticket numbers by which they have had their journeys for the satisfaction of their controlling officers, and write down merely their own certificates under their very signature about the class by which they have travelled;
- (b) if so, whether it is a fact that some of them defraud railways of their rightful share of income; and
- (c) if so, whether any action is intended to be taken in the matter?

**The Honourable Sir James Grigg:** (a) Yes.

(b) No such case has been brought to notice.

(c) No.

**PERIOD FOR DETENTION OF PERSONS TRANSPORTED FOR LIFE.**

88. **\*Mr. Lalchand Navalrai:** (a) Will the Honourable the Home Member be pleased to state what period of confinement, maximum and minimum, is counted for those who are transported for life?

(b) Is there any circular or order of Government that the period would ordinarily be 14 years?

(c) Are there any conditions under which the period of 14 years may be prolonged?

(d) Do Government propose to make a uniform system and fix the maximum period beyond which under no circumstances such prisoners be detained? If not, why not?

**The Honourable Sir Henry Craik:** (a) to (c). A sentence of transportation for life is a life sentence and, unless commuted, is in force until the convict dies. Instructions were issued in 1905, directing that the cases of all prisoners sentenced to more than 14 years (including those sentenced to transportation for life) should be reviewed after they had undergone 14 years' imprisonment including remissions earned, with a view to remitting the remainder of the sentence under section 401, Criminal Procedure Code, in suitable cases. These instructions are still in force in Chief Commissioners' Provinces. The Government of India have no definite information as to the practice now followed in Governors' Provinces.

(d) The Government of India have now no power to dictate to the Governors' Provinces in a matter of this sort.

**Mr. Lalchand Navalrai:** Are these instructions applicable to the political prisoners also, or only to the ordinary criminals?

**The Honourable Sir Henry Craik:** They are applicable to all prisoners convicted by the criminal Courts.

**Mr. Lalchand Navalrai:** I do not think the Honourable Member is sure of it. My question is whether those prisoners who are being transported for life are now being also sent to the Andamans as formerly?

**The Honourable Sir Henry Craik:** That is an altogether different question.

**Mr. Lalchand Navalrai:** The point is that prisoners who had to undergo life sentences used to be sent formerly to the Andamans.

**The Honourable Sir Henry Craik:** No, not all of them.

**Mr. Lalchand Navalrai:** Formerly it was I know, but since then, may I know whether they are at present being sent to the Andamans or they are going to have their imprisonment undergone here in India?

**The Honourable Sir Henry Craik:** No prisoner is sent to the Andamans unless he volunteers to go there.

#### CONTINUATION OF "TENURE SYSTEM" AS RECOMMENDED BY THE WHEELER COMMITTEE.

89. **\*Mr. K. Santharam:** Will the Honourable the Home Member be pleased to state:

- (a) whether they have ascertained the views of the Provincial Governments regarding the continuation of the "tenure system" as recommended by the Wheeler Committee report; and
- (b) if the answer to part (a) be in the affirmative, whether Government will be pleased to lay copies of the opinions on the table?

**The Honourable Sir Henry Craik:** (a) Yes.

(b) I am unable to lay the papers on the table, as the views of Local Governments have been ascertained informally and by personal discussions.

**Mr. N. M. Joshi:** May I ask whether the Government of India will be pleased to supply copies of the Wheeler Report to the Members of the Legislature in view of the importance of the question?

**The Honourable Sir Henry Craik:** I understand that copies have been supplied.

**Some Honourable Members:** No, no.

**The Honourable Sir Henry Craik:** It is in the Library any way.

**Mr. N. M. Joshi:** My question was, whether Government would supply copies to individual Members?

**The Honourable Sir Henry Craik:** I will consider that, if I find that we have sufficient copies.

**Mr. K. Santhanam:** With reference to the answer to part (b) of the question, I have not heard whether the answer to part (a) is in the affirmative. Have the Provincial Governments approved of the tenure system?

**The Honourable Sir Henry Craik:** Yes, they did.

#### STOPPAGE OF THE EXODUS OF CERTAIN ATTACHED OFFICES TO SIMLA.

90. **\*Mr. K. Santhanam:** Will the Honourable the Home Member be pleased to state:

- (a) whether it has been decided to stop the exodus of certain attached offices to Simla;
- (b) if the answer to part (a) be in the affirmative, the names of such offices;
- (c) the saving of expenditure by such stoppage; and
- (d) whether a similar stoppage in other sections of the Secretariat is under consideration?

**The Honourable Sir Henry Craik:** (a), (b) and (d). I would refer the Honourable Member to the Press Communiqué, dated the 19th January, 1938, a copy of which has been placed in the Library of the House.

(c) The necessary information is being collected and will be laid on the table of the House.

**Mr. N. M. Joshi:** When it is said that the exodus of certain attached offices to Simla is stopped, may I ask whether the going of the clerks to Simla is stopped or the going of officers also is stopped?

**The Honourable Sir Henry Craik:** That is stated in the press communiqué. It means some officers and most of the clerks.

**Mr. M. Asaf Ali:** With reference to the answer to part (a), if I remember aright, there was no mention made of the Army Headquarters. Will the Army Headquarters also be located in Delhi and not in Simla? That will mean a lot of saving.

**The Honourable Sir Henry Craik:** I must have notice of that question.

**Mr. M. Ananthasayanam Ayyangar:** May I know on what principle certain offices are kept here and others are allowed to go to Simla?

**The Honourable Sir Henry Craik:** Public convenience.

**Mr. M. Asaf Ali:** Not economy!

CONSTITUTION AND POWERS OF THE STANDING FINANCE COMMITTEE OF THE  
CENTRAL LEGISLATIVE ASSEMBLY.

91. \***Mr. T. S. Avinashilingam Chettiar:** Will the Honourable the Finance Member state:

(a) whether he has come to any decision as to the future constitution and powers of the Standing Finance Committee of the Assembly; and

(b) if so, what is the decision arrived at?

**The Honourable Sir James Grigg:** (a) and (b). I hope to be in a position to table a suitable Resolution in the matter during the present Session.

**Mr. Lalchand Navarai:** May I know why the Standing Finance Committee was not re-constituted this year?

**The Honourable Sir James Grigg:** I put down a Resolution on the question in two previous Sessions of the Assembly. It was clear that the Resolutions would not be readily acceptable to the House, and in one instance I was urged to consider the possible formation of a Committee on different lines. In the next Session, I put down a Resolution, but as consideration of certain suggested alternative forms had not been concluded, I suggested that a Resolution might be passed without discussion setting up the Committee in its old form. But from enquiries it was found that that was not readily acceptable, and so the Resolution was postponed.

**Mr. T. S. Avinashilingam Chettiar:** May I know whether the Honourable Member has not made up his mind in the matter?

**The Honourable Sir James Grigg:** I have certain proposals in my own mind, which I contemplate discussing informally with various Members of the Assembly who are interested in the constitution and functions of the Standing Finance Committee but there will be a little delay, for the Honourable Member is aware that the Member most interested in these questions is unfortunately away from the House through illness.

**Mr. T. S. Avinashilingam Chettiar:** In the absence of the Standing Finance Committee this year, may I know whether the Honourable Member proposes to have any *interim* committee to go into the supplementary demands.

**The Honourable Sir James Grigg:** I put down Resolution on that subject on two different occasions, but they were unacceptable.

FOOD SERVED TO INDIAN CADETS IN THE ROYAL MILITARY ACADEMY AT  
DEHRA DUN.

92. \***Mr. Badri Dutt Pande:** (a) Will the Defence Secretary be pleased to state whether it is a fact that in the Royal Military Academy in Dehra Dun, Indian Cadets are compelled to take nothing except English food?

(b) Are Indian dishes tabooed? If so, why?

**Mr. C. M. G. Ogilvie:** (a) and (b). The reply in each case is in the negative.

**Mr. Sri Prakasa:** What is the exact meaning of English food? Is it the manner of taking the food or the matter thereof?

**Mr. Badri Dutt Pande:** Is it a fact that Indian dishes are not allowed?

**Mr. C. M. G. Ogilvie:** I have already said that Indian dishes are allowed.

**Mr. Lalchand Navalrai:** Are there separate kitchens for the English, the Hindus and the Muhammadans?

**Mr. C. M. G. Ogilvie:** I do not know what the kitchen arrangements are.

**Mr. Badri Dutt Pande:** Has the Honourable Member seen the mess arrangements there?

**Mr. C. M. G. Ogilvie:** I had lunch myself with the cadets of the Indian Military Academy, and for the information of the Honourable Member I can say that the main features of the meal were two dishes of curry, one of meat and one of vegetable and both were excellent.

NOTICE SERVED ON CERTAIN CONGRESSMEN OF DELHI UNDER THE CRIMINAL LAW AMENDMENT ACT.

98. **\*Mr. Badri Dutt Pande:** Will the Honourable the Home Member please state whether he is aware—

- (a) that five prominent Congressmen of Delhi, viz., 1. B. Brij Kishen Chandiwalla, 2. Srimati Satyawati Devi, 3. Swami Saroopanand, 4. Sjt. Krishna Nair and 5. Pandit Satrugan, were touring in November in and around the Delhi villages to study famine conditions due to failure of rains in the rural areas and also to consult the villagers regarding the Army Manœuvres Bill;
- (b) that a *kisan* conference was arranged at Delhi on the 24th November, 1937, and it was decided that a deputation of the above mentioned gentlemen was to wait on the Chief Commissioner to acquaint him with the conditions prevailing in the rural areas when suddenly on the 19th November a notice was served on these gentlemen under Criminal Law Amendment Act not to participate in any meeting, procession or political agitation; and
- (c) for what reasons and by whom the notices were sent to these public workers?

**The Honourable Sir Henry Craik:** (a) It is a fact that the persons named were touring in the rural area of the Delhi Province last November. Their object was apparently to incite the local cultivators not to pay land revenue, and I understand that in some villages they also endeavoured to stimulate agitation against the conduct of military operations in the rural area.

(b) A meeting of cultivators was advertised for the 24th November, 1937, the declared intention being to conduct a "peasants' march" on the Chief Commissioner's house. Orders under the Punjab Criminal Law

(Amendment) Act were served on the five persons concerned on various dates from the 19th to 24th November last.

(c) The orders were issued by the Chief Commissioner of Delhi on the ground that the activities of the five persons concerned were prejudicial to the public peace.

**Mr. M. Asaf Ali:** With reference to (a) I wonder if the Honourable Member is aware of the fact that a large number of complaints were made against certain activities of persons who participated in the manœuvres and these complaints were sent on to the Army Secretary?

**The Honourable Sir Henry Craik:** I am not aware of that.

**Mr. M. Asaf Ali:** Considering the fact that these complaints are being investigated now in the Army Department, does the Honourable Member suggest that the action taken by the Chief Commissioner was justified?

**The Honourable Sir Henry Craik:** The agitation against the conduct of military operations was; I understand, only a subsidiary activity of these persons. Their main object was, as I have said, to incite the local cultivators not to pay land revenue.

**Mr. M. Asaf Ali:** Is the Honourable Member aware that there has been failure of crops in irrigated areas, and that the sugar-cane crop has completely failed this year, and the cultivators are unable to pay land revenue. Does the Honourable Member think it justifiable . . . . .

**Mr. President** (The Honourable Sir Abdur Rahim): That is a matter of argument. That question cannot be discussed now.

**Mr. M. Asaf Ali:** With respect to (c) . . .

(At this stage other Honourable Members on the Congress Benches rose to put supplementary questions.)

**Mr. President** (The Honourable Sir Abdur Rahim): I find that three or four Honourable Members stand up at the same time on these Benches (referring to Congress Benches) to put supplementary questions. Unless members of the Party arrive at some sort of understanding among themselves, it is impossible to regulate the proceedings.

**Mr. Badri Dutt Pande:** This is a very important question.

**Mr. President** (The Honourable Sir Abdur Rahim): That may be, but if a number of Honourable Members stand up at the same time to put supplementary questions, the Chair will be compelled to apply the Standing Orders strictly and only those persons who catch the eye of the Chair will be allowed to put supplementary questions. That is what the Chair will be compelled to do, unless Honourable Members observe some sort of order themselves.

**Mr. M. Asaf Ali:** I submit very respectfully that the complaint you have made may be true in certain cases, but it is not the general practice as far as this part of the House is concerned.

**Mr. President** (The Honourable Sir Abdur Rahim): I have noticed it on several occasions. The Honourable Member might put any further questions, in case he wants to.

**Mr. M. Asaf Ali:** With reference to (c), is the Honourable Member aware that the order served on these persons was of a very general nature and it actually said that these persons were not to participate in any meeting, procession or agitation? Is that a justifiable step on the part of . . . .

**Mr. President** (The Honourable Sir Abdur Rahim): That is a matter of opinion.

**Mr. M. Asaf Ali:** I am not asking for the Government's opinion at all.

**Mr. President** (The Honourable Sir Abdur Rahim): You said "Is it justifiable or not". That is a matter of opinion.

**Mr. M. Asaf Ali:** I am withdrawing it. Are the Government aware that an order of this general nature was passed by the Chief Commissioner?

**The Honourable Sir Henry Craik:** I have not got a copy of the order here, but I am quite prepared to accept it from the Honourable Member that the order prohibited the persons from taking part in any procession or meeting for certain periods.

#### CONTRIBUTION OF THE BRITISH GOVERNMENT TOWARDS THE MECHANISATION OF THE INDIAN ARMY.

94. **\*Mr. K. Santhanam** (on behalf of Mr. George Joseph): Will the Defence Secretary be pleased to state:

- (a) whether His Majesty's Government in Great Britain has recently made a grant of about £600,000 to the Government of India for assisting in the process of mechanisation of the army in India;
- (b) whether the grant has been made as a result of representations by the Government of India for financial assistance, or whether the initiative in the matter was taken by His Majesty's Government; and
- (c) whether the acceptance of the grant has in any degree fettered or qualified the discretion of the Government of India in determining their policy in the Defence Department?

**Mr. C. G. Ogilvie:** (a), (b) and (c). I refer the Honourable Member to my speech of 31st January, 1938, on Mr. Avinashilingam Chettiar's adjournment motion.

**Mr. Manu Subedar:** Was it a condition . . . .

**Mr. President** (The Honourable Sir Abdur Rahim): This matter has been already discussed.

**Maulana Zafar Ali Khan:** What is the total amount of money which the Government of India . . . .

**Mr. President** (The Honourable Sir Abdur Rahim): The whole matter was gone into very fully on the adjournment motion.



# CONSUMPTION OF ALCOHOLIC LIQUORS BY THE PERSONNEL OF THE ARMY IN INDIA.

95. \***Mr. K. Santhanam** (on behalf of Mr. George Joseph): Will the Defence Secretary be pleased to state:

- (a) whether in the rations supplied to the army in India, alcoholic liquors form a part and, if so, what was the cost of such alcoholic liquors during the last year, for which accounts were completely available;
- (b) if he is aware that the sale and consumption of alcoholic liquors and intoxicating drugs are being prohibited in certain provinces in India, and what is the policy of the Government of India in regard to the consumption of such liquors by the personnel of the army in India; and
- (c) whether the Defence Department are prepared to enforce prohibition in the army, and if not, why not?

**Mr. C. M. G. Ogilvie:** (a) No.

(b) The policy of the Government of India is opposed to the imposition of prohibition on the Defence Services and is unaffected by the fact that some Provinces have introduced prohibition in certain areas.

(c) No, because it would give rise to discontent, and would have no compensating advantage.

**Mr. Abdul Qaiyum:** Will Government consider the desirability of introducing prohibition as far as the Indian part of the Army in India is concerned?

**Mr. C. M. G. Ogilvie:** Government make no distinction between the British and Indian portions of the Army.

**Mr. Abdul Qaiyum:** Why not follow mechanisation in this respect?

**Seth Govind Das:** The Honourable Member just said that the Government are not prepared to make a distinction between Indian and British soldiers in this respect. Is it then the general policy of the Government not to make any distinction in this respect?

**Mr. President** (The Honourable Sir Abdur Rahim): That is not a proper question.

## LEGISLATION TO REMOVE CONFLICT BETWEEN CANON LAW AND THE LAW OF EVIDENCE RE AURICULAR CONFESSIONS.

96. \***Mr. K. Santhanam** (on behalf of Mr. George Joseph): Will the Honourable the Home Member be pleased to state:

- (a) whether he is aware under the Canon Law of the Roman Catholic Church and other sects among Christians a priest hearing auricular confessions is prohibited under grave penalties from divulging what he hears at such confessions;
- (b) whether under British Indian Law which is mainly adopted from the Common Law a priest hearing confessions may be compelled to divulge on oath what he hears at confession; and

- (c) whether in view of the great conflict of duty imposed on such a priest the Government of India propose to introduce legislation to amend the Indian Evidence Act with a view to solving the conflict?

**The Honourable Sir Henry Craik:** (a) Government understand that this is the case.

(b) As Government read the law, the answer is in the affirmative.

(c) No.

**Mr. Sri Prakasa:** Is it a fact that in these confessions many unmentionable things are confessed (Laughter)?

**The Honourable Sir Henry Craik:** I have never attended a confession.

#### IMPOSITION OF PROHIBITION ON LIQUORS AND INTOXICATING DRUGS IN THE CENTRALLY ADMINISTERED AREAS.

97. **\*Mr. K. Santhanam** (on behalf of Mr. George Joseph): Will the Honourable the Finance Member be pleased to state whether he is aware of the actual and proposed introduction of the prohibition of the use and consumption of alcoholic liquors and intoxicating drugs in certain provinces in India and whether the Government of India are prepared to consider the advisability of imposing similar prohibition in the areas for which the Honourable the Finance Member is responsible in such matters, namely, in the Chief Commissioner's provinces.

**The Honourable Sir James Grigg:** The answer to the first part of the question is in the affirmative; as regards the second part, the Government of India have no such proposal under contemplation.

#### DRESS OF OFFICIALS OF THE CENTRAL SERVICES SERVING IN THE MADRAS PRESIDENCY.

98. **\*Mr. K. Santhanam:** Will the Honourable the Home Member please state:

- (a) whether their attention has been drawn to the *Press communiqué* of the Madras Government, dated 17th August, 1937, regarding the dress of Government servants;
- (b) whether there are any specific rules governing the dress of Government servants in the provinces belonging to the Central Government services; and
- (c) whether they propose to consider the desirability of amending the rules relating to the dress of central services in the Province of Madras in conformity with the instructions of the Madras Government?

**The Honourable Sir Henry Craik:** (a) I have seen the *Press Communiqué*.

(b) There are rules prescribing the dress to be worn while on duty by members of certain central services such as the Posts and Telegraphs and the Railways with a view to distinguishing them from the general public; but with regard to other Government servants no particular kind of dress has been prescribed by the Government of India.

(c) Does not arise.

**Mr. Lalchand Navalrai:** May I know if they are allowed to wear clothes made of *khadi*, i.e., hand-spun cloth, *khaddar*? Is there any prohibition?

**The Honourable Sir Henry Craik:** Not that I am aware of.

# WORKING OF THE RESOLUTION REGARDING COMMUNAL PROPORTION IN THE RECRUITMENT TO SERVICES.

99. **\*Sardar Mangal Singh:** Will the Honourable the Home Member please state:

- (a) whether Government have examined or propose to examine the working of the Government of India resolution No. F.-14/17-B./33, dated Simla, the 4th July, 1934, regarding the communal proportion in the recruitment to services; and
- (b) whether Government have received complaints from any community that its claims have not been fairly dealt with?

**The Honourable Sir Henry Craik:** (a) The working of the Resolution is being continuously watched. Annual returns have been prescribed in accordance with paragraph 5 of the Resolution and these, when received, are examined in the light of the relevant orders.

(b) Yes, and all such complaints have been considered.

**Sardar Sant Singh:** May I know if complaints have been received from the Sikh community on the working of this Resolution?

**The Honourable Sir Henry Craik:** I expect so.

**Sardar Sant Singh:** May I know how many complaints were received?

**The Honourable Sir Henry Craik:** I should think a considerable number but I cannot say off-hand.

**Sardar Sant Singh:** Are Government considering the desirability of reviewing the situation in regard to the proportion to be fixed for the Sikh community both in the Government of India and in the provinces?

**The Honourable Sir Henry Craik:** As far as I remember, no exact proportion has been fixed for the Sikh community in the services of the Government of India, and the Resolution does not apply—as the Honourable Member should be aware—to services employed by the Provincial Governments.

**Maulvi Abdur Rasheed Chaudhary:** Have complaints been received from the Muhammadan community also?

**The Honourable Sir Henry Craik:** Yes.

**Mr. President** (The Honourable Sir Abdur Rahim): That does not arise out of this question.

**Sardar Sant Singh:** In view of the fact that the Resolution does not fix any proportion for the Sikhs, as such, in the services of the Government of India, is it not a fact that the Sikhs have not got their due share of the recruitments to new posts after this Resolution was passed?

**The Honourable Sir Henry Craik:** I do not know what the Honourable Member means by "due share"?

**Sardar Sant Singh:** Is it not a fact that the share of the Sikhs based on their population, apart from the weightage involved, is not adequate?

**The Honourable Sir Henry Craik:** I should say that on the population basis the Sikhs have more than their due share, but I am speaking without papers, and I am not absolutely certain. My impression is that on their population basis they have more.

**Mr. N. M. Joshi:** Do Government intend to publish a report on the working of this Resolution?

**The Honourable Sir Henry Craik:** I have said that certain annual returns have been prescribed by the Resolution itself and, when ready, they are laid on the table of this House.

**Mr. Lalchand Navalrai:** Is the Honourable Member aware that there are two kinds of Sikhs—Keshadharis and Sechadharis, those that wear hair and those that do not? May I know if those who are by faith Sikhs are also included in that minority community, or not?

**The Honourable Sir Henry Craik:** I am aware of the distinction that the Honourable Member has mentioned between Keshadhari and Sechadhari Sikhs, but I am also aware that the only statutory definition of a Sikh takes no account of these distinctions. Anybody is a Sikh under the law who professes the Sikh religion.

**Mr. Lalchand Navalrai:** I ask whether the Sechadhari is also a Sikh or not under the law. That is the question.

**The Honourable Sir Henry Craik:** According to the Sikh Gurdwaras Act he is.

**Mr. Sri Prakasa:** In view of the fact that there is always a tendency to new religions arising in India, will Government issue a final list of religions that are recognized by them (Laughter)?

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

#### POSTS OF CUSTOMS PREVENTIVE OFFICERS RESERVED FOR ANGLO-INDIANS AT THE KARACHI PORT.

100. **\*Sardar Mangal Singh:** Will the Honourable the Finance Member please state:

- (a) whether it is a fact that in the recruitment of preventive officers (Customs) 50 per cent. posts are reserved for Anglo-Indians at the Karachi port;
- (b) the reason for this unusually large share reserved for Anglo-Indians; and
- (c) whether Government are prepared to reconsider the position and make a fair reservation for all communities?

**Mr. A. H. Lloyd:** (a) Yes.

(b) This is in accordance with the requirements of sub-section (3) of section 242 of the Government of India Act, 1935, and the provisions of paragraph 9 (3) of the Government of India, Home Department, Resolution No. F. 14/17-13/33 Ests., dated the 4th July, 1934, regarding communal representation in the services.

(c) The Government do not propose to reconsider the decision.

**Mr. Lalchand Navalrai:** May I know if there is any proportion for the other communities also in the Customs Office there, or it is only for Anglo-Indians?

**Mr. A. H. Lloyd:** Reservation of what is left, after the Anglo-Indians have had their share, is made in respect of minority communities.

**Mr. Lalchand Navalrai:** How is it done—what is the ratio?

**Mr. A. H. Lloyd:** I shall have to ask for notice.

**Mr. Lalchand Navalrai:** May I know if the recruitment of even that percentage is done by selection or it is all influence?

**Mr. A. H. Lloyd:** It is done by selection. I do not understand the second part of the question.

**Mr. Lalchand Navalrai:** May I know who forms this Selection Board?

**Mr. A. H. Lloyd:** The appointments are made by the Collector of Customs; whether he has a Board to assist him or not is not a question that I can answer off-hand.

**Mr. Lalchand Navalrai:** Will the Honourable Member make inquiries and find out whether it is only the Collector who does it?

**Mr. A. H. Lloyd:** If the Honourable Member will put down a question, I will see what the answer is.

**Mr. Sri Prakasa:** May I know how many persons belonging to the new "religion" of the Congress there are in these services (Laughter)?

#### MANUFACTURE AND FREE SUPPLY TO THE POOR OF GAS MASKS.

101. **\*Sardar Mangal Singh:** Will the Honourable the Home Member please state:

- (a) whether Government have considered or are prepared to consider the question of the supply of gas masks free of cost to poorer sections of the people;
- (b) whether Government have considered the proposal of the manufacture of gas masks in this country; and
- (c) whether Government propose to take special care that there is no profiteering in the manufacture of gas masks?

**The Honourable Sir Henry Craik:** (a), (b) and (c). I would invite the Honourable Member's attention to the reply given by me today to Mr. T. S. Avinashilingam Chettiar's starred question No. 81.

**Mr. M. Ananthasayanam Ayyangar:** May I know whether there is any proposal for the manufacture of gas masks in this country either for the general population, for sale to the general public, or for supply to the soldiers who go to the front?

**The Honourable Sir Henry Craik:** I have nothing to add to the answer to this question. The question of adequate defence against air raids is under consideration.

**Mr. M. Ananthasayanam Ayyangar:** Is this matter also under consideration, *viz.*, the question of the manufacture of gas masks in this country?

**The Honourable Sir Henry Craik:** As I have not yet seen the report of the Committee, I cannot say.

#### REVISED SCHEME FOR THE INDIAN MEDICAL SERVICE.

102. **\*Mr. Abdul Qaiyum:** (a) Will the Honourable the Home Member please state whether the Government of India have drawn up a revised scheme for the Indian Medical Service?

(b) If so, what are the main provisions of the new scheme?

(c) Is it a fact that the proportion of Indians to British in the permanent cadre in the revised scheme is much less than it prevails today?

(d) Has the number of Indians in the permanent cadre in the new scheme been further reduced by the provision of 58 Indian officers on the short service commission?

(e) Is it a fact that there will be no such service commission in the case of British officers?

**Mr. C. M. G. Ogilvie:** (a) Yes.

(b) I refer the Honourable Member to the Defence Department Resolution No. 205, dated the 25th March, 1937, published in the Gazette of India Extraordinary, on the 25th March, 1937, a copy of which is in the Library of the House.

(c) The proportion of Indians to British under the scheme is approximately 1:2, *i.e.*, 198 Indian officers to 386 British officers. The proportion of Indians to British today is approximately the same.

(d) The permanent cadre under the scheme is 364 officers on the military side. Of these a number not exceeding 220 will be British and the remaining 144 will be Indian, of whom a number not exceeding 58 will hold short service commissions. No one holding a short service commission will be employed on the civil side.

(e) Yes.

**Mr. Abdul Qaiyum:** May I know if under the new scheme any steps have been taken in the direction of greater Indianisation in this service?

**Mr. C. M. G. Ogilvie:** I think that the answer to that question will be given on another question shortly to follow which has also been asked by the Honourable Member.

**Mr. Abdul Qaiyum:** May I know if any proportion was fixed for the Indian element in this service under the old scheme?

**Mr. C. M. G. Ogilvie:** The proportion of Indians was not, I think, fixed exactly or accurately, but 1:2, as I stated, is the approximate proportion.

**Mr. Abdul Qaiyum:** May I know if any proportion has been fixed under the revised scheme for Indians?

**Mr. C. M. G. Ogilvie:** I have said that.

### REVISED SCHEME FOR THE INDIAN MEDICAL SERVICE.

103. **\*Mr. Abdul Qaiyum:** (a) Will the Honourable the Home Member please state what will be the proportion of Indians under the revised scheme for the Indian Medical Service and what is their existing proportion?

(b) Has any provision been inserted for the increase in the proportion of Indians under the Revised Scheme? If not, why not?

(c) Do Government contemplate completing Indianisation of the service within the shortest possible period? If not, why not?

**Mr. C. M. G. Ogilvie:** (a) I refer the Honourable Member to my reply to part (c) of his starred question No. 102.

(b) Yes. I refer the Honourable Member to paragraph B (4) of Part I of the Defence Department Resolution No. 205, dated the 25th March, 1937, published in the Gazette of India Extraordinary, on the 25th March, 1937, a copy of which is in the Library of the House.

(c) The policy of Government is laid down in the Defence Department Resolution referred to above, and at present they do not intend to depart from it.

**Mr. Abdul Qaiyum:** May I ask if there has been any improvement under the revised scheme so far as Indians are concerned?

**Mr. C. M. G. Ogilvie:** It is difficult to say what the ultimate effect of the revised scheme will be as it is unlikely to come fully into force in practice for a considerable number of years.

### OVERSEAS ALLOWANCE AND RESERVATION OF CERTAIN APPOINTMENTS FOR BRITISHERS IN THE INDIAN MEDICAL SERVICE.

104. **\*Mr. Abdul Qaiyum:** (a) Will the Honourable the Home Member please state what the existing overseas allowance for Britishers in the Indian Medical Service is, and what their allowance will be under the revised scheme?

(b) Does any provision exist for a similar allowance for Indians?

(c) Is it a fact that certain educational and administrative appointments with handsome emoluments have been reserved for the Britishers?

(d) Are any combatants in any section of the Indian or British Army, other than the Indian Medical Service, ever transferred to the civil side as War Reserves?

(e) How many British and Indian members of the Indian Medical Service will be kept as War Reserve Officers in the Civil Section of the Indian Medical Service?

(f) Does any similar practice prevail in any other country? If not, has it not resulted in increasing the British personnel in the Indian Medical Service?

(g) Do Government propose to do away with this system?

**Mr. C. M. G. Ogilvie:** (a) I refer the Honourable Member to Appendix III to the Defence Department Resolution No. 205, dated the 25th March, 1937, a copy of which is in the Library of the House.

(b) Yes. I refer the Honourable Member to the Resolution mentioned above and to paragraphs 18 (i) (c) and 176 to 176B of Pay and Allowance Regulations for the Army in India, Part I, a copy of which is also in the Library of the House.

(c) Certain educational appointments (those of specialists mentioned in Appendix II to the Resolution of the 25th March, 1937) have been so reserved.

(d) No.

(e) I refer the Honourable Member to Part I-B of the Resolution above mentioned.

(f) The answer to both parts of the question is No.

(g) No.

**Mr. Abdul Qaiyum:** With reference to parts (a) and (b) of the question, may I know whether the overseas allowance fixed for Indians and British, respectively, is the same or whether there is any discrimination against the Indians?

**Mr. C. M. G. Ogilvie:** It is the same.

**Mr. Abdul Qaiyum:** With reference to part (c) of the question, may I ask why is it that Indians are not considered eligible for the reserved posts if they possess the requisite qualifications? Why is it that the Government have reserved them for Europeans?

**Mr. C. M. G. Ogilvie:** That is a very detailed question which, I think, can hardly be answered in the course of a supplementary question, which, I suggest, should be put to the Secretary of the Department of Education, Health and Lands.

**Dr. G. V. Deshmukh:** May I ask why these educational appointments have been reserved for the British officers?

**Mr. C. M. G. Ogilvie:** I have already answered that in my reply to Mr. Abdul Qaiyum's last supplementary question.

**Dr. G. V. Deshmukh:** Does the Defence Secretary know that Education is a provincial subject?

**Mr. C. M. G. Ogilvie:** I think the extent of my knowledge on that subject does not arise on this question.

#### IMPENDING ELECTIONS TO, AND THE CONSTITUTION OF, THE CANTONMENT BOARD, PESHAWAR.

105. **\*Mr. Abdul Qaiyum:** (a) Will the Defence Secretary please state whether the elections for the Cantonment Board, Peshawar, are about to take place?

(b) What is the total number of seats on the Board? Is it a fact that five seats will be filled up by nomination with a view to representing military interest?

(c) What is the total number of voters in each of the wards where seats will be filled up by election? How many of these voters belong to the military?



(d) Why have these military voters been bracketed with the voters of civil areas, and why were they not constituted into separate wards? Do the authorities propose to permit the candidates to distribute leaflets, do personal canvassing and address meetings of military voters? If not, why not?

**Mr. C. M. G. Ogilvie:** (a) Yes.

(b) The total number of seats on the Board is nine. Of these four are *ex-officio*—the Officer Commanding, Station, the Executive Engineer, the Health Officer and a Magistrate of the first class nominated by the District Magistrate. One military officer has been nominated, and the remaining four seats are filled by election.

(c) and (d). Government have no information. Elections in Cantonments are regulated by rules framed by Provincial Governments under section 31 of the Cantonments Act, 1924. No general answer can be given to the latter part of the question. Whether or not the activities mentioned would be allowed and the extent to which they would be allowed must depend on the circumstances of each particular case. It can however be stated categorically that in no circumstances would political meetings of any kind, or any distribution of leaflets be permitted in the lines of units.

**Mr. Abdul Qaiyum:** May I know if it is a fact that in all these elections the military authorities have instructed the voters not to vote for the Congress?

**Mr. C. M. G. Ogilvie:** I have no information on the subject.

**Mr. Abdul Qaiyum:** May I know the reason why these candidates will not be allowed to do canvassing in these military areas?

**Mr. C. M. G. Ogilvie:** I have already answered that question. It is in the discretion of the Officer Commanding the Station. If he considers that the canvassing can be carried on in such a way and will be of such a type as not to affect the discipline and good order or allegiance of the troops, it may be allowed under certain conditions otherwise not.

**Mr. Abdul Qaiyum:** In view of these restrictions on the candidates in the matter of canvassing would it not have been much better if the military area had been constituted into a separate ward?

**Mr. President** (The Honourable Sir Abdur Rahim): That is a matter of opinion.

**Mr. Abdul Qaiyum:** Is it not a fact that the military area and the Bazaar area are absolutely separate areas?

**Mr. C. M. G. Ogilvie:** I think the Honourable Member has another question on that very subject.

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

#### IMPENDING ELECTIONS TO, AND THE CONSTITUTION OF, THE CANTONMENT BOARD, PESHAWAR.

106. **Mr. Abdul Qaiyum:** Will the Defence Secretary please state whether it is a fact that the area occupied by the military voters is quite

apart from the Bazar Civil Area and did Government consider that separate wards could have been carved out from the area inhabited by military voters?

**Mr. C. M. G. Ogilvie:** Government have no information. The division of the cantonment into wards is a matter which is regulated by rules framed by the Provincial Government under clause (a) of section 31 of the Cantonments Act, 1924.

**Mr. Abdul Qaiyum:** May I know if any officer has been nominated to the Peshawar Cantonment Board recently?

**Mr. C. M. G. Ogilvie:** I do not think it arises from this question.

#### ATTACK ON A SWEETMEAT VENDOR BY SOLDIERS AT SOLAN.

107. **\*Mr. Badri Dutt Pande:** (a) Does the Defence Secretary know that on the night of the 30th October, 1937, at about 12 o'clock (*vide Hindustan Times* report, dated the 2nd November 1937) three military soldiers attacked a sweetmeat seller at Solan when he was sitting in his shop and tried to loot him and on the shopkeeper's howling for help, the soldiers injured him and cut his ear?

(b) Were the soldiers punished in any way?

**Mr. C. M. G. Ogilvie:** (a) A report to this effect appeared in the *Hindustan Times*. It is however incorrect in every material particular.

The actual facts are as follows:

The time of the incident was not midnight, but 9-30 P.M. No assault was made on the sweetmeat seller, but a soldier inadvertently upset some of his sweets. The sweetmeat seller then abused the soldier, who thereupon reported him to a Baghat State policeman standing near by. None of the other shopkeepers in the Bazaar intervened in any way. The incident was subsequently investigated by a Minister of the Baghat State and a Military Officer. They came to the conclusion that the history of the affair was as stated, that the incident was of a trifling character, and that no action need be taken.

(b) No.

**Mr. M. S. Aney:** May I ask the Honourable Member whether the ear of that man is intact or not?

**Mr. C. M. G. Ogilvie:** I have not seen his ear. It may be cut or it may not be cut. If it is cut, it was not cut at the time and in the manner stated or by the person alleged.

**Mr. M. S. Aney:** Does the information which the Honourable Member has got make any reference to the ear at all?

**Mr. C. M. G. Ogilvie:** As no assault took place upon the man, his ear could not have been cut by the soldier who has been blamed for it.

**Mr. M. S. Aney:** Does the report in the possession of the Honourable Member make any reference to the man's ear being cut or not?

(No answer.)

**Mr. Lalchand Navalrai:** May I know if the sweetmeat seller has been compensated for the loss sustained by him on account of the soldier throwing away the sweetmeats?

**Mr. C. M. G. Ogilvie:** I have no information about it. The fact is not alluded to at all.

**Mr. Lalchand Navalrai:** In view of the fact that there have been several cases of robberies and misbehaviour by soldiers . . . .

**Mr. President** (The Honourable Sir Abdur Rahim): That question cannot be allowed. The Honourable Member can put a supplementary question in order only to elucidate an answer that has already been given.

**Mr. Lalchand Navalrai:** I am asking if any steps have been taken against such attacks being repeated in future.

**Mr. President** (The Honourable Sir Abdur Rahim): That was not the Honourable Member's question. The question disallowed was not in proper form. The Honourable Member can put his question in proper form.

**Mr. Lalchand Navalrai:** Will the Honourable Member tell me if any orders have been issued to warn these soldiers not to do any such acts?

**Mr. C. M. G. Ogilvie:** What acts?

**Mr. Lalchand Navalrai:** Acts of assault and criminal trespass.

**Mr. President** (The Honourable Sir Abdur Rahim): That question is not in order. The Honourable the Government Member already said that there had been no assault, and, therefore, he cannot assume that there had been assault.

#### SEIZURE AND CONFISCATION OF COPIES OF THE "VANISHING EMPIRE" WRITTEN BY MR. CHAMAN LAL.

108. **\*Mr. Badri Dutt Pande:** (a) Will the Honourable the Home Member be pleased to state if it is a fact that the custom authorities at Bombay seized and confiscated all copies of the *Vanishing Empire* by Mr. Chaman Lal, a journalist, now an officer of the United Provinces Government?

(b) If so, why?

**The Honourable Sir Henry Craik:** (a) Yes.

(b) The entry of the book into India has been prohibited by a notification under section 19 of the Sea Customs Act.

**Mr. Badri Dutt Pande:** Has the book been examined by the Government of India?

**The Honourable Sir Henry Craik:** Yes.

**Mr. M. Ananthasayanam Ayyangar:** May I ask if any Provincial Government are in favour of allowing the circulation of that book, what procedure has got to be adopted by that Government?

**Mr. President** (The Honourable Sir Abdur Rahim): That is a hypothetical question.

**Mr. Sri Prakasa:** What was the effect produced on the Honourable the Home Member's mind on reading that book?

(No answer.)

### MADRASIS TRANSFERRED TO BURMA IN THE POSTAL AUDIT AND CONTROLLER'S DEPARTMENT.

109. \***Mr. M. Ananthasayanam Ayyangar:** (a) Will the Honourable the Finance Member please state how many Madrasis have been transferred to Burma from Madras or India, on its separation, in the Postal Audit and Controller's Departments?

(b) Are they given any extra allowances or salary?

(c) Is the scale of extras the same as in other departments?

(d) Have Government received representations from the transferred employees complaining of disabilities? If so, what action has been taken by Government thereon? If no action has been taken, why not?

(e) Is it not a fact that a number of employees in the subordinate services so transferred are anxious to come to India? Have any facilities been afforded to them to return to India and provision made for their absorption from time to time as vacancies arise? If not, why not?

**The Honourable Sir James Grigg:** (a) The number of Madrasis so transferred is being ascertained, and the information will be laid on the table in due course.

(b) Yes.

(c) Substantially so, I believe.

(d) Representations from the Postal Audit staff concerned were received and considered, but as Government had already secured the best possible terms from the Government of Burma for these men, no further action was feasible.

(e) The reply to the first part is in the affirmative, so far as the Postal Audit staff is concerned, but as they are now permanently employed under another Government, the question of the grant of facilities, etc., raised by the Honourable Member does not arise. He will, however, observe from the reply given by me to part (i) of starred question No. 1132 asked by him on the 12th October, 1936, that these men were transferred to Burma at their own request.

### UNSTARRED QUESTIONS AND ANSWERS.

#### REVENUES FROM DUTIES ON PETROL AND MOTOR SPIRITS AND IMPORT DUTY ON MOTOR VEHICLES.

7. **Mr. Brojendra Narayan Chaudhury:** Will the Honourable the Finance Member please state the revenues derived from:

(a) duties on petrol and motor spirits; and

(b) import duty on motor vehicles;

in each year since 1929-30?

**Mr. A. H. Lloyd:** (a) and (b). A statement is laid on the table showing the revenue derived from the import and excise duties on motor spirit and the import duty on motor vehicles during the years 1929-30 to 1936-37.

*Statement showing the net revenues derived from import and excise duties on motor spirit and import duty on motor vehicles during the years 1929-30 to 1936-37.*

—	1929-30.	1930-31.	1931-32.	1932-33.	1933-34.	1934-35.	1935-36.	1936-37.
Import duty on motor spirit*	16,35†	32,32†	66,96	28,53	10,06	5,12	7,96	53,20
Excise duty on motor spirit*.	2,78,93	2,63,48	3,42,62	3,80,87	4,26,14	4,74,13	5,11,58	5,37,40
Import duty on motor vehicles	91,55†	69,92†	60,79†	62,37†	89,62	1,28,96	1,23,88	1,31,50

\* The amounts assigned to the road fund out of the net proceeds from the duty on motor spirit during these years were as follows :—

	In thousands of rupees.
1929-30	97,88
1930-31	98,03
1931-32	1,02,01
1932-33	1,01,77
1933-34	1,08,52
1934-35	1,58,88 (including a special grant of Rs. 40 lakhs from the revenue surplus.)
1935-36	1,28,69
1936-37	1,46,30

† Gross receipts. Figures showing net receipts are not available.

‡ These figures exclude figures for duty on motor omnibuses and motor lorries etc., which are not available.

## MEASURES AGAINST CORRUPTION IN THE SERVICES.

8. **Prof. N. G. Ranga:** Will the Honourable the Home Member be pleased to state:

- (a) if he is aware of the constitution of a committee by the United Provinces Government to concert measures for fighting corruption prevailing in the services, and the appointment of a bureau by the Sindh Government for receiving complaints of corruption prevailing in the services;
- (b) if he is aware of the complaints made on the floor of the House during every Railway Budget discussion against the prevalence of bribery in the Railways;
- (c) if he is aware of the resolutions passed at the conference of salt-manufacturers in 1936 in the Madras Presidency, against corruption in the ranks of the Salt Department; and
- (d) if he is prepared to constitute a Committee on the lines of that of the United Provinces Government to study the various means of fighting this canker of corruption, or a bureau like that of the Sindh Government to receive complaints against such corruption as prevails in the Central Services?

**The Honourable Sir Henry Craik:** (a) I have seen certain statements in the Press.

- (b) and (c). I understand that allegations have been made.
- (d) Government are not in favour of the methods suggested.

## UTILISATION OF THE RURAL DEVELOPMENT GRANTS.

9. **Prof. N. G. Ranga:** Will the Honourable the Finance Member be pleased to state:

- (a) the present position of the distribution and expenditure of the Rural Development grants;
- (b) how much of it has been spent and on what objects in the different provinces; and
- (c) what is the future programme for the utilisation of the outstanding sums?

**The Honourable Sir James Grigg:** Reports are being obtained from all Provinces and Local Administrations. A consolidated statement will be supplied to Honourable Members as soon as possible.

## DEFENCE AGAINST AIR-RAIDS AND POISON-GAS ATTACKS.

10. **Prof. N. G. Ranga:** Will the Defence Secretary be pleased to state:

- (a) what steps are being taken to protect Indian ports and other vulnerable towns from possible air-raids and gas attacks;

- (b) the exact nature and extent of air-defences provided for India;
- (c) whether any anti-aircraft artillery is being installed for coastal defences and for defences of important towns; and
- (d) whether any active steps are being taken to train Indian citizens to protect themselves against air-raids and poison-gas attacks; and, if so, what steps?

**Mr. C. M. G. Ogilvie:** (a), (b) and (c). I can assure the Honourable Member that the Defence Department is fully alive to the necessity of safeguarding the coastal ports and other vulnerable points against the menace of air attack. Certain measures in that respect have already been taken and others are projected. It would obviously be contrary to the public interest to give specific information as to the degree and nature of the defences in question.

(d) The question of the steps necessary for training the public in passive air defence is being examined.

#### FACILITIES GIVEN TO MR. AMIR HYDER KHAN, A STATE PRISONER.

11. **Prof. N. G. Ranga:** Will the Honourable the Home Member be pleased to state:

- (a) where Mr. Amir Hyder Khan, a state prisoner is located;
- (b) how is his health;
- (c) when he will be released;
- (d) what allowance he is given; and
- (e) whether newspapers are allowed to him, and if so, which papers are given to him?

**The Honourable Sir Henry Craik:** (a) to (e). The Central Government ceased to be responsible for this State Prisoner from the 1st April, 1937, on the introduction of Provincial Autonomy.

#### ARRANGEMENTS FOR PASSIVE DEFENCE FROM AIR ATTACKS IN DELHI.

12. **Sardar Mangal Singh:** Will the Honourable the Home Member please state whether Government propose to make arrangements for passive defence from air attacks in Delhi as has been done in other big cities?

**The Honourable Sir Henry Craik:** I would invite the Honourable Member's attention to the reply given by me today to Mr. T. S. Avinashilingam Chettiar's starred question No. 81.

## STATEMENTS LAID ON THE TABLE.

*Information promised in reply to parts (a) and (b) of starred question No. 189 asked by Mr. K. Santhanam on the 30th August, 1937.*

### AMENDMENT OF POSTAL INSURANCE RULES.

Orders have been issued to the effect that if a proposer for a Post Office Insurance Policy is able to sign his name, his signature only should be obtained on the form of proposal and that he should not be required to give his thumb-impression. In the case of a proposer who is unable to sign his name, his thumb-impression will continue to be taken.

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*Information promised in reply to parts (b), (c) and (d) of starred question No. 542 asked by Khan Sahib Nawab Siddique Ali Khan on the 15th September, 1937.*

### PROMOTIONS TO THE FIRST DIVISION CLERICAL CADRE IN THE POSTAL CIRCLE OFFICE, NAGPUR.

(b) Yes.

(c) The surplus second division clerks not having passed the test prescribed in the new recruitment rules were, at that time, ineligible for promotion to the first division.

(d) Pending a decision regarding a relaxation of the conditions referred to in the reply to part (c) of the question, they could not be allowed to officiate and draw pay in the higher posts. It has since been decided to permit the deserving men in the second division to be promoted and all those who were considered duly qualified and fit have been absorbed in the first division.

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## THE IMPORT OF DRUGS BILL.

### APPOINTMENT OF SIR MUHAMMAD YAMIN KHAN TO THE SELECT COMMITTEE.

**Mr. President** (The Honourable Sir Abdur Rahim): Legislative Business.

**Sir Girja Shankar Bajpai** (Secretary, Department of Education, Health and Lands): Sir, I beg to move:

"That Sir Muhammad Yamin Khan be appointed to the Select Committee on the Bill to regulate the import into British India of drugs and medicines in place of the Honourable Sir Muhammad Yakub."

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

"That Sir Muhammad Yamin Khan be appointed to the Select Committee on the Bill to regulate the import into British India of drugs and medicines in place of the Honourable Sir Muhammad Yakub".

The motion was adopted.

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## THE DESTRUCTIVE INSECTS AND PESTS (AMENDMENT) BILL.

**Mr. President** (The Honourable Sir Abdur Rahim): The House will now resume consideration of the Bill further to amend the Destructive Insects and Pests Act, 1914, for certain purposes. Clause 2.

**Mr. Sami Vencatachalam Chetty** (Madras: Indian Commerce): I have given notice of some amendments to this clause this morning. They do not seem to have been circulated to Honourable Members.



**Mr. President** (The Honourable Sir Abdur Rahim): Then I will take up other clauses.

The question is:

"That clause 3 stand part of the Bill."

The motion was adopted.

Clause 3 was added to the Bill.

**Mr. President** (The Honourable Sir Abdur Rahim): Clause 4.

**Mr. K. Santhanam** (Tanjore *cum* Trichinopoly: Non-Muhammadan Rural): There are some amendments to clause 4 also which have not yet been circulated to Honourable Members.

**Mr. President** (The Honourable Sir Abdur Rahim): Then, I will proceed with clause 5.

**Mr. K. Santhanam**: Sir, I beg to move:

"That in clause 5 of the Bill, in clause (a) of the proposed section 4B for the words 'or allow' occurring in the third line the words 'or knowingly allow' be substituted."

Sir, I think this amendment is self-explanatory, because the Act says 'allows', it may be the case of a man who is an absentee or who is a silent partner with somebody else doing business or who simply allows the thing to be done without knowing that he is a pest,—I submit he should 'knowingly allow' if he is to come under the penalty of the law. I hope this amendment will be accepted.

**Sir Girja Shankar Bajpai** (Secretary, Department of Education, Health and Lands): I have no objection to this amendment.

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

"That in clause 5 of the Bill, in clause (a) of the proposed section 4B for the words 'or allow' occurring in the third line the words 'or knowingly allow' be substituted."

The motion was adopted.

**Prof. N. G. Ranga** (Guntur *cum* Nellore: Non-Muhammadan Rural): Sir, I beg to move:

"That to clause 5 of the Bill the following proviso be added:

"Provided that the said notification shall be placed, as soon as may be, on the table of both Chambers of the Central Legislature."

Sir, I move.

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

12 Noon.

"That to clause 5 of the Bill the following proviso be added:

"Provided that the said notification shall be placed, as soon as may be, on the table of both Chambers of the Central Legislature."

**Sir Girja Shankar Bajpai**: Sir, I accept the amendment.

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

"That to clause 5 of the Bill the following proviso be added :

'Provided that the said notification shall be placed, as soon as may be, on the table of both Chambers of the Central Legislature'."

The motion was adopted.

**Mr. Sami Vencatachelam Chetty**: Sir, I have given notice of another amendment to clause 5 which I beg leave to move. It is in the new list.

**Mr. President** (The Honourable Sir Abdur Rahim): But how can amendments be moved unless they are circulated?

**Sir Girja Shankar Bajpai**: Sir, the idea yesterday was that Honourable Members who wished to move amendments would get them circulated in time. I got these amendments at 10 o'clock last night and we are ready to deal with them, but your indulgence with regard to suspending the Standing Order should not, I submit, extend to amendments which have not been circulated.

**Mr. President** (The Honourable Sir Abdur Rahim): They have been submitted in time in the circumstances.

**Sir Girja Shankar Bajpai**: In that case the only suggestion that I can make is that you should adjourn the House till 2-30 and in the meantime, these amendments can be typed and circulated.

**Mr. President** (The Honourable Sir Abdur Rahim): As there are quite a number of amendments it is difficult to get them typed and circulated within this short time, and Honourable Members must have some time to read them. As there is no other business before the House, I adjourn the House till tomorrow.

The Assembly then adjourned till Eleven of the Clock on Thursday, the 3rd February, 1938.