

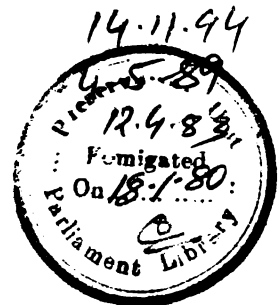
5th November 1940

THE
LEGISLATIVE ASSEMBLY DEBATES
(Official Report)

Volume IV, 1940

(5th November to 18th November, 1940)

TWELFTH SESSION
OF THE
FIFTH LEGISLATIVE ASSEMBLY,
1940



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CONTENTS.

VOLUME IV.—5th November to 18th November 1940.

	PAGES.		PAGES.
TUESDAY, 5TH NOVEMBER, 1940,—		TUESDAY, 5TH NOVEMBER, 1940,—<i>contd.</i>	
Members Sworn	1—2	Certain Papers <i>re</i> Motor Vehicles Rules laid on the Table	88
Starred Questions and Answers	2—8	Motion <i>re</i> Election of a Member on the Council of the Indian Institute of Science, Bangalore	88—89
Unstarred Questions and Answers	8—19	The Repealing and Amending Bill—Introduced	89
Statements laid on the Table	19—69	The Indian Registration (Amendment) Bill—Introduced	89
Deaths of Raja Sir Vasudeva Rajah and Mr. Surryya Kumar Som	70—71	The Code of Civil Procedure (Amendment) Bill—Introduced	89—90
Motion for Adjournment <i>re</i> —		The Code of Criminal Procedure (Amendment) Bill—introduced	90
Failure of the Government of India to evoke whole-hearted enthusiasm in themation to fight the Totalitarian States—		The Indian Works of Defence (Amendment) Bill—Introduced	90
Leave refused	71—72	The Indian Navy (Discipline) Amendment Bill—Introduced	90
Dacca Mail disaster—		The Indian Navy (Discipline) Second Amendment Bill—Introduced	90—91
Negatived	73, 77—78 105—26	The Indian Merchandise Marks (Amendment) Bill—Introduced	91
Expansion of H. E. the Viceroy's Executive Council and the Constitution of War Advisory Committee—Leave refused	73—75	The Indian Companies (Amendment) Bill—Introduced	91
Non-Association of Non-Official Representative Indians with the Eastern Group Conference—Disallowed	75—76	The War Donations and Investments (Companies) Bill—Introduced	91
Refusal of permission to Mr. Bhulabhai Desai and to Mr. Asaf Ali to visit Waziristan—Leave refused	76—77	The Cantonments (Amendment) Bill—Introduced	92
H. E. the Governor General's assent to Bills	78	The Reserve Bank of India (Third Amendment) Bill—Introduced	92
Certain Home Department Documents laid on the Table	79—81	The Motor Spirit (Duties) Amendment Bill—Introduced	92
Statement <i>re</i> Net Earnings of New Railway Lines	81—82		
Certain Papers <i>re</i> the Agricultural Produce Cess Act laid on the Table	83—88		

	PAGES.
TUESDAY, 5TH NOVEMBER,	
1940,— <i>concl'd.</i>	
The Indian Income-tax (Amendment) Bill—Introduced	92—93
Finance Member's statement on the financial position	93—101, 102-03
The Indian Finance (No. 2) Bill—Introduced	101—02
Relinquishment of Simla for sittings of the Legislative Assembly	103—05
WEDNESDAY, 6TH NOVEMBER,	
1940,—	
Starred Questions and Answers	127—40
Unstarred Questions and Answers	140—44
Motion for Adjournment <i>re</i> —	
Failure to call a Session of the Legislative Assembly between the period April 9 to October 1940—Ruled out of order	145—48
Failure of Government to enable Mr. Subhas Chandra Bose to attend the Session of the Legislative Assembly—Ruled out of order	148—49
Lawlessness in Sind—Disallowed	149—50
Placing of large orders of purchases with a few individuals—Ruled out of order	150—52
Financial arrangements with His Majesty's Government <i>re</i> payment for the purchase of Materials from India—Ruled out of order	152—53
Opinions of the Honourable Member for Railways and Communications on the D'Souza Report—Disallowed	153—54
Delay in holding the Session of the Legislative Assembly—Leave refused	155

	PAGES.
WEDNESDAY, 6TH NOVEMBER,	
1940,— <i>cont'd.</i>	
Motion for Adjournment <i>re</i> — <i>cont'd.</i>	
Huge expenditure without sanction of the Legislature—Disallowed	155—56
Non-holding of the Session of the Legislative Assembly for a long time—Disallowed by the Governor General	156—57, 183
Resolution <i>re</i> —	
Fiscal Policy of the Government of India—Negatived	157—83
Appointment of a Permanent Muslim Pilgrim Officer in the Secretariat of the Government of India—Discussion not concluded	183—96
THURSDAY, 7TH NOVEMBER,	
1940,—	
Member Sworn	197
Starred Questions and Answers	197—209
Unstarred Question and Answer	209
Motion for Adjournment <i>re</i> disallowance of a motion for Adjournment by the Governor General after it was allowed by the Chair—Disallowed	210
Statement of Business	211
Nomination of the Panel of Chairmen	211
The Indian Merchant Shipping (Amendment) Bill—Referred to Select Committee	211—21
The Code of Criminal Procedure (Amendment) Bill (Amendment of section 4)—Introduced	221
The Code of Criminal Procedure (Amendment) Bill (Amendment of section 250)—Introduced	221

	PAGES.
THURSDAY, 7TH NOVEMBER, 1940,— <i>contd.</i>	
The Indian Evidence (Amendment) Bill—Introduced	221
The Indian Railways (Second Amendment) Bill—Introduced	222
FRIDAY, 8TH NOVEMBER, 1940,—	
Starred Questions and Answers	223—31
Unstarred Questions and Answers	231—33
Statements laid on the Table	233—34
Election of a Member of the Standing Finance Committee	234
The Berar Laws Bill—Introduced	234—35
The Indian Railway (Amendment) Bill—Introduced	235
The Excess Profits Tax (Amendment) Bill—Introduced	235
The New Delhi Mosque Bill—Introduced	235
The Indian Works of Defence (Amendment) Bill—Passed	236—37
The Indian Navy (Discipline) Amendment Bill—Passed	237—42
The Indian Navy (Discipline) Second Amendment Bill—Passed	242
The Cantonments (Amendment) Bill—Passed	243—47
The Repealing and Amending Bill—Passed	248—54
The Indian Registration (Amendment) Bill—Passed	254—56
The Code of Civil Procedure (Amendment) Bill—Passed	256—57
The Code of Criminal Procedure (Amendment) Bill—Passed	257—58
The Indian Companies (Amendment) Bill—Passed	258—59
The War Donations and Investments (Companies) Bill—Passed as amended	259—63

	PAGES.
FRIDAY, 8TH NOVEMBER, 1940,— <i>contd.</i>	
The Reserve Bank of India (Third Amendment) Bill—Passed	263—68
The Motor Spirit (Duties) Amendment Bill—Passed	268—69
The Indian Merchandise Marks (Amendment) Bill Referred to Select Committee	270—71
MONDAY, 11TH NOVEMBER, 1940,—	
Starred Questions and Answers	273—83
Transferred Starred Questions and Answers	283—97
Election of a Member to the Standing Finance Committee	297
The Indian Finance (No. 2) Bill—Discussion on the motions to consider and to circulate not concluded	298—347
TUESDAY, 12TH NOVEMBER, 1940,—	
Starred Questions and Answers	349—63
Unstarred Questions and Answers	363—66
Statements laid on the Table	367
Election of a Member to the Council of the Institute of Science, Bangalore	367
The Indian Finance (No. 2) Bill—Discussion on the motions to consider and to circulate not concluded	367—422
WEDNESDAY, 13TH NOVEMBER, 1940,—	
Starred Questions and Answers	423—36
Motion for Adjournment re prohibition of visitors from entering the Khyber Pass—Leave to move refused	436—38
Committee on Petitions	439
The Indian Sale of Goods (Amendment) Bill—Introduced	439

	PAGES.
WEDNESDAY, 13TH NOVEMBER, 1940,—contd.	
The Indian Finance (No. 2) Bill—Discussion on the motions to consider and to circulate not concluded . . .	439—92
FRIDAY, 15TH NOVEMBER, 1940,—	
Starred Questions and Answers . . .	493—506
Resolution <i>re</i> —	
Appointment of a Permanent Muslim Pilgrim Officer in the Secretariat of the Government of India—Withdrawn . . .	506—14
Scrapping of the London Coffee Market Expansion Board by the Indian Coffee Cess Committee—Withdrawn . . .	514—31
Appointment of a Committee of the Central Legislature regarding economy in war expenditure—Withdrawn . . .	531—50
Appointment of a Committee to examine the conditions of detenus under the Defence of India Act—Discussion not concluded . . .	550—60

	PAGES.
SATURDAY, 16TH NOVEMBER, 1940,—	
Starred Questions and Answers . . .	561—86
Unstarred Questions and Answers . . .	587—601
Motion for Adjournment <i>re</i> fall in prices of Ground-nuts—Disallowed . . .	608—09
Presentation of the Report of the Public Accounts Committee . . .	609—101
The Indian Finance (No. 2) Bill—Discussion on the motions to consider and to circulate not concluded . . .	610—53
MONDAY, 18TH NOVEMBER, 1940,—	
Starred Questions and Answers . . .	655—98
Unstarred Questions and Answers . . .	698—700
Statement laid on the Table . . .	708
Motion for Adjournment <i>re</i> alleged occupation of Muslim <i>Idgah</i> at Burhanpur by the Military—Allowed to stand over . . .	708
The Indian Finance (No. 2) Bill—Discussion on the motions to consider and to circulate not concluded . . .	709—63
Statement of Business . . .	763

THE

LEGISLATIVE ASSEMBLY DEBATES

(OFFICIAL REPORT OF THE TWELFTH SESSION OF THE FIFTH
LEGISLATIVE ASSEMBLY)

VOLUME IV—1940

LEGISLATIVE ASSEMBLY

Tuesday, 5th November, 1940

The Assembly met in the Assembly Chamber of the Council House in New Delhi, at Eleven of the Clock, being the First Day of the Twelfth Session of the Fifth Legislative Assembly, pursuant to Section 63-D (2) of the Government of India Act, as set out in the Ninth Schedule to the Government of India Act, 1935. Mr. President (The Honourable Sir Abdur Rahim, K.C.S.I.) was in the Chair.

MEMBERS SWORN:

- The Honourable Sir Reginald Maitland Maxwell, K.C.S.I., C.I.E.
(Home Member);
- Mr. K. Sitarama Reddiar, M.L.A. (South Arcot *cum* Chingleput:
Non-Muhammadan Rural);
- Raja T. Manavedan, M.L.A. (Madras: Landholders);
- Mr. C. P. Lawson, M.L.A. (Bengal: European);
- Mr. J. F. Ormiston, M.L.A. (Bengal: European);
- Captain Thakur Singh, M.C., O.B.I., M.L.A. (Nominated Non-
Official);
- Mr. John Dawson Tyson, C.B.E., M.L.A. (Secretary, Department of
Education, Health and Lands);
- Mr. John Francis Sheehy, C.S.I., M.L.A. (Government of India:
Nominated Official);
- Mr. Henry James Frampton, M.L.A. (Government of India: Nomi-
nated Official);
- Mr. Charles William Ayers, C.I.E., M.L.A. (Government of India:
Nominated Official);
- Mr. Muhammad Ikramullah, M.L.A. (Government of India: Nomi-
nated Official);

Mr. Saiyid Hasan Zaheer, M.L.A. (Government of India: Nominated Official);

Mr. Basanta Kumar Mukharji, M.L.A. (Bengal: Nominated Official);
and

Khan Bahadur Sayad Bunyad Hussain, M.L.A. (Punjab: Nominated Official).

STARRED QUESTIONS AND ANSWERS

(a) ORAL ANSWERS.

INADEQUATE INDIAN REPRESENTATION IN THE PORT TRUSTS.

1. **Mr. Lalchand Navai:** (a) Will the Honourable Member for Communications be pleased to state if it is a fact that in the Calcutta Port Trust there are only five Indians out of a total number of nineteen Commissioners? If so, since when has this ratio been adopted and on what basis?

(b) Is it a fact that European Commercial interests have direct representation on the Port Trust of Calcutta, whereas Indian Commercial Organizations have not been given any direct or statutory representation on that body? If so, why?

(c) Is it a fact that the local Indian Chamber of Commerce alone has been responsible for about Rs. 38 crores worth of trade out of the total annual trade of Rs. 138 crores passing through the port?

(d) Is it a fact that on the 13th September, 1938, the inadequacy of representation of Indians was raised on the floor of this House under starred question No. 953, and it was stated that enquiry was being made regarding one of the Port Trusts?

(e) Will the Honourable Member be pleased to state what progress of Indianization in the superior posts and what increase of the Indian representation on the Port Trusts have been made at all the British Ports in India including Karachi, since September, 1938, and what further steps are in contemplation in that direction?

The Honourable Sir Andrew Glow: (a) No. There are at present six Indian Commissioners. There is no fixed proportion of Indian Commissioners; the number depends to some extent on the individuals who happen to be *ex-officio* Commissioners.

(b) Yes. The reasons are fully set out in the debate on the Calcutta Port (Amendment No. II) Bill of 1926 reported in the proceedings of the meeting of the Bengal Legislative Council of the 16th August, 1926, to which I must refer the Honourable Member.

(c) I have no information.

(d) Yes.

(e) The number of posts carrying an initial salary of Rs. 500 and over held by Indians on the 31st March, 1940, was 29 per cent. of the total as against 24.7 per cent. on the corresponding date of 1938.

As regards Indian representation on the Port Trusts, the Bombay Port Trust now has two more Indian members, including the Chairman, and the Calcutta and Chittagong Port Trusts each one more Indian member than in 1988.

Mr. Lalchand Navarai: With regard to clause (a) of my question, may I ask the Honourable Member what is the number of the European Commissioners out of those 19 in comparison to 6 Indians?

The Honourable Sir Andrew Olow: I think it is 13.

Mr. Lalchand Navarai: Are they in all 18? I want to know how many are extra Europeans? If 6 go out of 18, are the rest Europeans?

The Honourable Sir Andrew Olow: The Honourable Member can calculate what 6 and 18 comes to.

Mr. Lalchand Navarai: What are the principles upon which these appointments are made?

The Honourable Sir Andrew Olow: The principles are that certain elected members are elected to represent commercial interests, and the population and the remainder hold office by virtue of the positions they hold. For example, General Managers of Railways and officers of that type.

Mr. Lalchand Navarai: May I ask why separate and direct representation has not been given to Indians?

The Honourable Sir Andrew Olow: I have referred the Honourable Member to the debate in which he will find the case admirably set out by the Honourable the President of this House.

Mr. N. M. Joshi: May I ask if the Honourable Member in charge of the Department is aware that the Royal Commission on Indian Labour has recommended that labour representatives should be appointed or elected on the Port Trusts in India, and whether the Government of India have taken any steps to give effect to that recommendation?

The Honourable Sir Andrew Olow: I am aware of the recommendation. Some steps have been taken. I think, in Bombay for example, a member has been added.

Maulana Zafar Ali Khan: May I know whether in view of what my friend has said, the Mussalmans are Indians or not?

The Honourable Sir Andrew Olow: I did not catch the remark to which the Honourable Member was alluding.

Dr. Sir Ziauddin Ahmad: May I put the same question in another form? Will the Honourable Member accuse me of communalism if I asked how many of these six Indians are Mussalmans?

The Honourable Sir Andrew Olow: I should not accuse the Honourable Member.

Mr. M. S. Aney: On a point of order, Sir. Is it permissible for any other Member of this House to put the question put by another Member in another form and to make it more intelligent?

Mr. President (The Honourable Sir Abdur Rahim): The other Honourable Member did not press his question.

Dr. Sir Ziauddin Ahmad: But I would like to have the answer to my question.

The Honourable Sir Andrew Olow: I understood the Honourable Member to ask if I was going to accuse the Honourable Member opposite. My answer is that I have no intention of doing so.

Mr. N. M. Joshi: May I ask whether the Government of India propose to give effect to the recommendation of the Royal Commission in provinces other than Bombay?

The Honourable Sir Andrew Olow: When the question of revising the constitution of Port Trusts is taken up, that will be considered.

Mr. Lalchand Navalrai: I expected an inquiry being made in answer to part (d) of my question. May I ask if that inquiry has been made?

The Honourable Sir Andrew Olow: I am sorry; I should have added a small portion to the end of my answer to the last part which will give the information. This is as follows:

"Government are satisfied that the Port Trusts are steadily pursuing a policy of Indianisation of the staff. The adequacy of Indian representation on the Trust is under consideration in the case of Madras."

Mr. Lalchand Navalrai: May I ask if any report has been called from any expert or whether any inquiry committee was set up to find out what the Honourable Member has just said?

The Honourable Sir Andrew Olow: The question was considered by the Trust itself and we also got particulars from the Collector of Customs.

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

Mr. Lalchand Navalrai: Sir, I wish to put a few more supplementaries as the question contains several clauses.

Mr. President (The Honourable Sir Abdur Rahim): No, next question.

SHORTAGE OF GOODS WAGONS ON JACOBABAD-KASHMORE NARROW GAUGE SECTION IN SIND.

2. **Mr. Lalchand Navalrai:** Will the Honourable Member for Railways be pleased to state:

- (a) whether Government are aware of the shortage of goods wagons on Jacobabad-Kashmore narrow gauge section in Sind;
- (b) whether there have been any complaints about non-supply of goods stock to load merchandise and that goods had to be carried by bullock carts; if so, what steps the railway administration took to meet the demand for goods wagons;

- (c) whether it is a fact that a large number of narrow gauge goods wagons has become available on the closing of narrow gauge line in Sind from Larkana-Dodapur;
- (d) whether the railway authorities have taken steps to transfer the released narrow gauge goods stock to Jacobabad-Kashmore Railway; if not, why not;
- (e) if the reply to the first portion of part (d) above be in the affirmative, what the total number of goods stock released from Larkana-Dodapur section was and what the number of goods wagons transferred to Jacobabad-Kashmore line was; and
- (f) if no stock has been transferred from Larkana-Dodapur section to Kashmore-Jacobabad section, how it is proposed to meet the shortage of goods stock on the latter section?

The Honourable Sir Andrew Olow: (a) There is no shortage of goods wagons on this section for the normal traffic offering. During periods of peak traffic demands for wagons cannot always be met immediately.

(b) Complaints have been received of a shortage of goods wagons on this section only during periods of peak traffic. There has been some diversion of goods traffic from the section to the road by bullock carts, but as far as can be ascertained this was due to the cheaper rates quoted for this method of transport.

(c) Thirty bogie covered goods wagons became available for transfer.

(d) The wagons so released are being transferred to the Kohat-Thal and the Kalabagh-Bannu narrow gauge sections where the needs are greater.

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

Mr. Lalchand Navalrai: Will the Honourable Member issue orders that when there is a season and there is a demand for wagons, they should be immediately supplied?

The Honourable Sir Andrew Olow: No, Sir. It would obviously be a most unremunerative thing to have wagons sufficient to cover any possible peak because they would then be idle for the greater part of the year.

Mr. Lalchand Navalrai: In order to divert that goods traffic which is going by bullock carts, something should be done to see that those goods are diverted so that the railways may not suffer?

The Honourable Sir Andrew Olow: As I have indicated in answer to the question, the diversion is, in our view, probably due to difference in rates and not to lack of wagons.

Dr. Sir Ziauddin Ahmad: What is the pooling station nearest to this particular line from which wagons can be supplied?

The Honourable Sir Andrew Olow: I am not aware of any. This is a very small narrow gauge line. The Honourable Member had better address an inquiry to the Honourable Member from Sind.

INCONVENIENCES SUFFERED BY THIRD CLASS PASSENGERS ON THE JACOBABAD-KASHMORE RAILWAY IN SIND.

3. *Mr. Lalchand Navalrai: (a) Will the Honourable the Railway Member be pleased to state whether it is a fact that third class passenger

carriages on Jacobabad-Kashmore Railway in Sind have open sides and therefore the passengers are greatly inconvenienced by rain, hot winds and extreme heat and cold?

(b) Is it a fact that a large number of third class carriages with closed side has become available on the closing of Larkana-Dodapur narrow gauge railway? If so, is it proposed to transfer the passenger stock so released to Jacobabad? If not, why not?

(c) If the reply to part (b) be in the negative, what steps do Government propose to take to stop the inconvenience to passengers?

The Honourable Sir Andrew Olow: (a) The third class stock on this section consists of 17 bogie thirds of which 13 have open sides.

(b) Nine bogie thirds with closed sides have become available from the Larkana-Dodapur narrow gauge section since its conversion to broad gauge in 1940. It is not proposed to transfer this stock to the Jacobabad-Kashmore narrow gauge section as the requirements of the Kalabagh-Bannu and Kohat-Thal sections demand priority.

(c) There is only one mixed train running in each direction daily on the section. The third class passenger accommodation provided on each train is three third class bogies. Four of the 17 third class bogies on this line already have closed sides and the Company concerned (on whose behalf the North Western Railway works this section) are being asked whether they will consent to the alteration of four more vehicles in order to provide the additional closed vehicles required on each train, and an allowance of two for repairs on 'sick' lines and periodical overhaul in the workshops. This would meet normal requirements for third class passenger traffic on this section.

Mr. Lalchand Navarai: I believe the Honourable Member himself has seen that railway and he knows the inconvenience which the passengers undergo by travelling in open trucks during the hot and cold days. May I ask what is the remedy that the Honourable Member is going to adopt in order to see that convenience is afforded to them in preference to those where there is no such inconvenience?

The Honourable Sir Andrew Olow: I have told the Honourable Member in my answer to part (c) that the Company is being asked whether they will consent to the alteration of four more vehicles.

Mr. Lalchand Navarai: Will the Honourable Member consider this proposition that those carriages which have been constructed in Sind should be given to the Sind people for their convenience and should not be taken away elsewhere?

The Honourable Sir Andrew Olow: They must go where they are most needed.

Mr. Lalchand Navarai: Will the Honourable Member make enquiries to see whether some of them could be released from there and given to this line?

The Honourable Sir Andrew Olow: If they had not been needed there, we would not have taken those steps. We are making arrangements which I hope will provide adequate accommodation for the normal traffic.

COMMUNAL RESERVATION BOTH ON APPOINTMENT AND CONFIRMATION OF NEW RECRUITS ON THE NORTH WESTERN RAILWAY.

4. *Mr. Lalchand Navalrai: (a) Will the Honourable Member for Railways be pleased to state whether it is a fact that all new recruits are appointed to the North Western Railway service as temporary or in an officiating capacity, and that they are eligible for confirmation after a minimum probationary period of twelve months service; provided there are permanent vacancies?

(b) Is it a fact that in making these appointments, the ratio of reserved posts for the members of the minority communities is taken into consideration?

(c) Are the confirmations made on the seniority, provided the candidate for confirmation is fit, or a further communal reservation is made in the matter of confirmations also? If so, what is the reason for this double reservation?

(d) Do Government propose to remove this double reservation, if any? If not, why not?

The Honourable Sir Andrew Olow: (a) Appointments of new recruits are made on the North Western Railway either in a temporary capacity or on 12 months probation. Persons appointed on probation to fill permanent vacancies are eligible for confirmation when they complete satisfactorily the probationary period. Those serving in a temporary capacity may at some future date be considered together with outsiders for appointment to permanent vacancies; in the first instance on probation.

(b) Yes, in direct recruitment to both temporary and permanent vacancies.

(c) The confirmation of staff appointed on probation is made, subject to fitness, after the expiry of the probationary period, and involves no further application of the principle of communal reservation. The latter part does not arise.

(d) Does not arise.

Mr. Lalchand Navalrai: Will the Honourable Member please state whether there is a rule that temporary and officiating men have to be made permanent after twelve months, and whether, in spite of this rule, very few men have been made permanent? Will the Honourable Member change the present policy and see that these temporary and officiating men are made permanent?

The Honourable Sir Andrew Olow: No, Sir. I believe temporary men are made permanent when there are permanent vacancies for them.

Maulana Zafar Ali Khan: What is the percentage of reservation in the case of Muslims?

The Honourable Sir Andrew Olow: For subordinates on the North Western Railway, the percentage is 60.

Maulana Zafar Ali Khan: Has this percentage been maintained?

The Honourable Sir Andrew Olow: I think very nearly. The Honourable Member will find the exact figures in D'Souza report, copies of which have been made available to Honourable Members.

Mr. Lalchand Navalrai: Will the Honourable Member assure me that there will be no double reservation when these subordinates are made permanent? Reservation has been given to them when they are recruited and when the question of confirmation comes, why should there be reservation again?

The Honourable Sir Andrew Olow: I would refer the Honourable Member to the reply I have given to part (c) of his question.

UNSTARRED QUESTIONS AND ANSWERS.

SPECIAL PILGRIM PASSES REQUIRED BY INDIAN PILGRIMS FOR IRAN AND IRAQ.

1. Khan Bahadur Shaikh Fazl-i-Haq Piracha: (a) Will the Secretary for External Affairs please state whether Indian pilgrims proceeding from India to Iran and Iraq are required to take out special pilgrim passes before leaving this country?

(b) If the answer to part (a) be in the affirmative, are they required to pay any fee for the pilgrim pass taken at the ports?

(c) Are such pilgrims given any assistance by the Haj Committees at the ports?

Mr. O. K. Caroe: (a) Yes.

(b) No.

(c) The Haj Committees have been constituted primarily to assist pilgrims proceeding to the Hedjaz.

EXCESS PAYMENTS BY THE EMPLOYEES OF THE NORTH WESTERN RAILWAY TO THE RAILWAY MEDICAL STAFF.

2. Mr. Lalchand Navalrai: With reference to the Honourable the Railway Member's reply to starred question No. 154, asked on 23rd February, 1940, will he be pleased to state:

(a) whether it is a fact that some of the Sub-Assistant and Assistant Surgeons on the North Western Railway were allowed two per cent. of the employee's pay as medical attendance fees on contract system, instead of one per cent. as stated in the reply to the question referred to above, read in conjunction with paragraphs 501 and 502 of the State Railway Establishment Code, if so, why;

(b) whether it is a fact that the deduction was made by the administration through employees' salary bills;

(c) whether his attention has been drawn to an article which appeared on the subject in the *Railway Herald*, Karachi, dated the 17th June, 1940, under the caption of "Illegal and irregular notification by the North Western Railway Medical Department"; if so, what action was taken to amend notification No. 10.

published in the North Western Railway Gazette, dated the 7th June, 1940, to allow necessary refund of excess fees recovered; and

- (d) when the excess payments to the railway medical staff were discovered and how the same came to light?

The Honourable Sir Andrew Olow: (a) Except that the answer to which the Honourable Member refers did not allude to the rate actually drawn, the answer to the first part is in the affirmative. The circumstances in which the higher rate was drawn are under examination.

- (b) Yes.

(c) The answer to the first part is in the affirmative. As regards the second part, the matter is being considered.

(d) I have called for information and a reply will be laid on the table of the House.

ATTENDANCE ON EMPLOYEES' FAMILIES BY NURSES EMPLOYED IN THE MEDICAL DEPARTMENT OF THE NORTH WESTERN RAILWAY.

3. Mr. Lalchand Navarai: (a) Will the Honourable Member for Railways be pleased to state whether nurses are employed in the medical department of the North Western Railway, and have to attend on employees' families at their homes, if required? If not, why not?

(b) At stations where nurses are not employed, is there any arrangement with the civil medical department or local bodies for nurses to visit employees' houses when called for? If not, why not?

(c) What fees are the railway nurses entitled to when attending an employee's family at his residence? Is this specified in any circular or administration order? If so, which?

The Honourable Sir Andrew Olow: (a) The reply to the first part is in affirmative and second part in the negative. As regards the last part, the rules for medical attendance do not provide for attendance on employees' families by nurses.

(b) None; as regards the latter part, I would refer the Honourable Member to my reply to last part of part (a) of the question.

(c) Does not arise.

INTERVALS FOR WASHING OF THE PASSENGER CARRIAGES RUNNING ON BRANCH LINES OF THE NORTH WESTERN RAILWAY.

4. Mr. Lalchand Navarai: (a) Will the Honourable Member for Railways be pleased to state after how many days the passenger carriages running on branch lines are washed?

(b) Is it a fact that the period has been increased recently? If so, will the Honourable Member specify the period for each branch line separately on the North Western Railway?

(c) Does the Honourable Member propose to issue instructions that all passenger carriages should be washed daily, or at the destination station where they are emptied after the run? If not, why not?

The Honourable Sir Andrew Olow: (a) Assuming that the Honourable Member refers to external washing and requires this information for the

North Western Railway only, the period varies from two to seven days according to the link run of passenger rakes.

(b) In mail and other important passenger rakes there has been no increase in the periods between external washing but other rakes and sectional carriages have had their periods extended in conformity with a carriage and wagon reorganisation plan that has been carried out during the past five years.

(c) It is not proposed to issue instructions that all passenger carriages should be washed externally daily because unjustifiable expenditure would be entailed by so doing. Internal cleansing is carried out at either destination or home stations or both as circumstances warrant and no change has been made in this respect.

EXPLANATION OF RAILWAY EMPLOYEES IN CASE OF ENHANCEMENT OF PUNISHMENT ALREADY INFLICTED.

5. **Mr. Lalchand Navalrai:** (a) Will the Honourable Member for Railways please refer to his reply to starred question No. 129 asked on 28rd February, 1940, regarding obtaining of explanation of Railway employees in case of enhancement of punishment already inflicted, and state the result of his examination?

(b) If any orders have been issued as a result thereof, will he please lay a copy of these orders on the table of the House?

The Honourable Sir Andrew Clow: (a) and (b). I lay on the table a copy of the orders issued.

COPY OF RAILWAY BOARD'S LETTER No. E-40RG-61 (2), DATED THE 18TH SEPTEMBER, 1940.

Rules regulating discipline and rights of appeal of non-gazetted railway servants.

I am directed to state that the following amendments may be made to the Rules regulating discipline and rights of appeal of non-gazetted railway servants:

Rule 21—

Number the existing rule as sub-rule (a) and add the following as sub-rule (b).

"When an appellate authority imposes a higher penalty than the one appealed against, a second appeal shall lie to the authority next above such appellate authority, provided, that no such second appeal shall lie if the higher penalty imposed by the appellate authority is within the competence of the authority who imposed the original penalty on the railway servant."

Rule 22—

Number the existing rule as sub-rule (a) and add the following as sub-rule (b):

"If the appellate authority proposes to enhance the penalty imposed by the subordinate authority, the former shall, before passing such orders ensure that the procedure prescribed in the above rule as being necessary before such penalty may be imposed, is or has been complied with."

Rule 25—

Substitute the following for the existing Rule 25:—

"25 (a) Nothing in these Rules shall preclude the Governor General in Council or other authority from revising, whether on his own motion or otherwise, any order passed under these Rules by an authority subordinate to him.

(b) When the authority referred to in (a) above, proposes to enhance the penalty imposed on a railway servant, otherwise than as the result of an appeal preferred to him, he shall communicate his intention to the railway servant concerned, with the reasons therefor, and call upon him to show cause as to why the enhanced penalty should not be imposed. After considering the reply of the railway servant to this communication, he shall pass such orders as he thinks fit."

DISCHARGE OF STAFF CONTROLLED BY THE GENERAL MANAGER BY THE DIVISIONAL SUPERINTENDENT OF THE NORTH WESTERN RAILWAY.

6. Mr. Lalchand Navalrai: Will the Honourable Member for Railways please refer to his predecessor's reply to starred question No. 1257, asked on the 23rd March, 1989, regarding discharge of staff controlled by the General Manager by the Divisional Superintendent of the North Western Railway, and lay on the table of the House a statement showing the information received by him?

The Honourable Sir Andrew Olow: The information is being laid on the table of the House today.

MAXIMUM AGE LIMIT FOR ALL KINDS OF TRAINING COURSES AT THE WALTON TRAINING SCHOOL.

7. Mr. Lalchand Navalrai: (a) Will the Honourable Member for Railways be pleased to state whether the maximum age-limit for all kinds of training courses—qualifying, refresher or otherwise, at the Walton Training School, North Western Railway, Lahore Cantonment, has been fixed at 45 years?

(b) Is it a fact that employees over the age of 45 were refused training in course T-7 for Station Masters (senior) and Traffic Inspectors?

(c) Is it a fact that employees over the age of 45 are sent up for T-18 (Commercial Course)? If so, why?

(d) Does the Honourable Member propose to have uniformity in the matter of the age of 45 for all training courses at the Walton Training School? If not, why not?

The Honourable Sir Andrew Olow: (a) No; but employees over 45 years of age are not ordinarily required to attend refresher courses. No age limit has been prescribed for training courses.

(b) Not so far as Government are aware.

(c) Yes, this course was originally a training course and has now been converted into a refresher course. It is considered that such employees can benefit by this course in spite of their being 45 years old.

(d) No, because this would debar employees of over 45 years of age from qualifying themselves for promotion to higher posts.

PUBLICATIONS OF THE RULES AND REGULATIONS GOVERNING THE NON-GAZETTED RAILWAY SERVANTS ON STATE RAILWAYS.

8. Dr. P. N. Banerjee: Will the Honourable Member for Railways please state the particulars of publications of the rules and regulations governing the non-gazetted Railway Servants on State-managed Railways issued by the General Managers of the Eastern Bengal, the East Indian, the Great Indian Peninsula and the North Western Railways, the prices and from where they can be had and the dates of their publication?

The Honourable Sir Andrew Olow: So far as I am aware, the only sets of rules of the type referred to which are issued in publications are those contained in the Walton Training School Calendar of the Railway School of Transportation, Chandausi and the Calendar of the Technical School,

Jamalpur. The first of these Calendars can be obtained from the Superintendent, Walton Training School, Lahore, and the other two from the East Indian Railway Press. They are annual publications.

NUMBERS AND CHARACTER OF NON-GAZETTED POSTS ON CERTAIN STATE RAILWAYS.

9. Dr. P. N. Banerjee: Will the Honourable Member for Railways please refer to Rule 84 of the State Railway Establishment Code and lay on the table of this House a statement showing the numbers and character (including scales of pay) of non-gazetted posts on the Eastern Bengal, the East Indian, the Great Indian Peninsula and the North Western Railways on the 31st October, 1940?

The Honourable Sir Andrew Olow: Government regret that it is not practicable to undertake the research necessary for the compilation of statements of this character, but the Honourable Member will find such information as is readily available with the Government in respect of East Indian and Great Indian Peninsula Railways in their Establishment Rolls for the year 1939-40 and 1940-41 respectively, copies of which are in the Library of the House.

DELEGATION OF POWER TO MAKE FIRST APPOINTMENTS IN NON-GAZETTED POSTS ON CERTAIN STATE RAILWAYS.

10. Dr. P. N. Banerjee: Will the Honourable Member for Railways please refer to Rule 73 (d) of the State Railway Establishment Code and lay on the table of this House a statement of the character (including scales of pay) of non-gazetted posts for which the General Manager has delegated the "power of authority competent to make first appointments" to an authority lower than him on the Eastern Bengal, the East Indian, the Great Indian Peninsula and the North Western Railways together with the dates of such delegations?

The Honourable Sir Andrew Olow: I am making inquiries and such information as is readily available will be laid on the table of the House in due course.

GRADES FOR WHICH DIRECT RECRUITMENT IS CONSIDERED DESIRABLE ON CERTAIN STATE RAILWAYS.

11. Dr. P. N. Banerjee: Will the Honourable Member for Railways please refer to the concluding paragraph of Rule 1 of Appendix XXII of State Railway Establishment Code and lay on the table of this House a statement of the grades higher than the lowest, fixed by the General Managers, the Eastern Bengal, the East Indian, the Great Indian Peninsula and North Western Railways; and for which direct recruitment is considered desirable in the interests of the administration, together with the dates of such fixations?

The Honourable Sir Andrew Olow: I have called for information and a reply will be laid on the table of the House in due course.

REPUBLICATION OF INDIAN RAILWAYS (AMENDMENT) BILL (No. 28 OF 1940) IN CERTAIN STATE RAILWAY GAZETTES.

12. Dr. P. N. Banerjee: Will the Honourable Member for Railways please refer to Legislative Assembly Bill, further to amend the Indian

Railways Act, 1890, for certain purposes (No. 28 of 1940), published on page 197 of Part V of the *Gazette of India*, dated 6th April, 1940, and state:

- (a) the number and date of the Gazettes of the Eastern Bengal, the East Indian, the Great Indian Peninsula and the North Western Railway Administrations in which the said Bill was reproduced for the interest and the information of the staff; if it has not been reproduced, the reason therefor;
- (b) the source from which the staff on roadside and remote stations may acquaint themselves of measures affecting their welfare; and
- (c) whether Government propose to instruct these Administrations to reproduce all Bills and Acts in their respective Gazettes for the guidance and information of their staff; if not, why not?

The Honourable Sir Andrew Olow: (a) I have not received information of any such publication; there is no rule requiring the reproduction of Bills in Railway gazettes.

(b) Various media are available, depending on the nature of the measures taken to benefit the staff.

(c) No, because this is not regarded as necessary. Most Acts and Bills of the Legislatures do not particularly concern railway servants as such, and there is no reason for supposing that railway servants generally remain ignorant of any changes in their conditions of service.

SELECTION POSTS OR SELECTION GRADES SPECIFIED BY THE GENERAL MANAGERS ON CERTAIN STATE RAILWAYS.

13. Dr. P. N. Banerjee: Will the Honourable Member for Railways please refer to the note to rule 2 (vi) of Appendix XXII of the State Railway Establishment Code and lay a statement of the selection posts or selection grades in the cadre of each branch or department specified by the General Managers, the Eastern Bengal, the East Indian, the Great Indian Peninsula and the North Western Railways, together with the dates of such specification?

The Honourable Sir Andrew Olow: The statement laid on the table today in accordance with the reply given to Mr. Muhammad Azhar Ali's unstarred question No. 11 of the 6th February, 1940, gives the particulars of the grades required. If the dates of the specifications are readily available they will be furnished at a later date.

PROCEDURE FOR CONFIRMATION ON THE EXPIRY OF PROBATIONARY PERIOD ON STATE RAILWAYS.

14. Dr. P. N. Banerjee: Will the Honourable Member for Railways please refer to rule 3 of Appendix XXII of State Railway Establishment Code and state the procedure for confirmation on the expiry of the period of probation, if confirmation is not made automatically after that period?

The Honourable Sir Andrew Olow: Staff are ordinarily confirmed by the authority competent to do so after the expiry of the probationary period of 12 months, provided their work is reported to be satisfactory.

PROCEDURE FOR MAKING APPOINTMENTS AND PROMOTIONS IN NON-SELECTION POSTS OR NON-SELECTION GRADES AFTER THE INITIAL APPOINTMENT ON CERTAIN STATE RAILWAYS.

15. Dr. P. N. Banerjee: Will the Honourable Member for Railways please refer to rule 5 of Appendix XXII of State Railway Establishment Code and state whether a selection, subsequent at any stage of the service, for making appointments and promotions in Non-Selection Posts or Non-Selection Grades in the cadre of a branch or department after the initial appointment has been made on a selection-cum-examination method is considered necessary; what is the "any other class" for which the General Managers, the Eastern Bengal, the East Indian, the Great Indian Peninsula and the North Western Railways, have prescribed the selection-cum-examination method together with the date of such prescription?

The Honourable Sir Andrew Olow: I am not altogether clear as to the information required, but if the Honourable Member desires to know whether selection is applied in promoting to non-selection posts, men who have already been subject to a process of selection, the answer is that promotion to grades for which no form of selection is required is not made by selection. Staff are required, however, to possess the qualifications necessary for the post and those who do not possess these or have shown themselves in other ways unfit for advancement are not promoted. Government have no record of any prescriptions made under the note to the rule referred to by the Honourable Member; such prescriptions would apply only to initial recruitment and not to promotion.

SUBSIDIARY RULES MADE BY THE GENERAL MANAGERS OF CERTAIN STATE RAILWAYS AND RELAXATIONS OR MODIFICATIONS IN THEM.

16. Dr. P. N. Banerjee: Will the Honourable Member for Railways please refer to Rule 79 of Appendix XXII of State Railway Establishment Code and lay on the table of this House:

- (a) the subsidiary rules made by the General Managers, the Eastern Bengal, the East Indian, the Great Indian Peninsula and the North Western Railways, together with the dates when they were made; and
- (b) a statement in respect of relaxation or modification of those rules showing *inter alia*:
 - (i) the number of the rule in which relaxation or modification is made;
 - (ii) the extent of relaxation or modification;
 - (iii) the date of relaxation or modification;
 - (iv) reasons recorded for that relaxation or modification; and
 - (v) under whose power or order the relaxation or modification is made or carried out?

The Honourable Sir Andrew Olow: (a) I have called for these rules and propose to lay them on the table of the House in due course.

(b) I regret that I cannot undertake the research necessary to furnish the particulars mentioned.

CERTAIN RECORD OF NON-GAZETTED RAILWAY SERVANTS IN THE MORADABAD DIVISION OF THE EAST INDIAN RAILWAY.

17. Dr. P. N. Banerjee: Will the Honourable Member for Railways please refer to rule 695 of State Railway Establishment Code and lay on

the table of this House a copy of the record for the period from 1st January, 1940 to 31st October, 1940, of non-gazetted railway servants maintained by the Divisional Superintendent, Moradabad Division, on the East Indian Railway?

The Honourable Sir Andrew Glou: The record contemplated by this rule relates to each individual case; it is not a register. Government regret that they cannot agree to lay the records in disciplinary cases on the table of the House.

"LETTER POST DELIVERY" FROM POST OFFICES IN THE DELHI PROVINCE.

18. Dr. P. N. Banerjee: (a) Will the Honourable Member for Communications please state the minimum and maximum distance of "Letter Post Delivery" from the (i) Delhi General Post Office, and (ii) New Delhi Post Office?

(b) Will he please state the names of the post offices in Delhi Province from where that Delivery is made, together with the distance from those post offices?

(c) Is it a fact that letters addressed to "Shahdara-Delhi" are detained in "Delhi General Post Office" for over twenty-four hours before they are delivered from Shahdara Sub-Office? If so, why?

Sir Gurnath Bhowar: (a) and (b). There is no minimum distance prescribed for delivery. A statement showing the names of the delivery offices in Delhi Province and the maximum distances up to which delivery is made from them is attached.

(c) The reply to the first part is in the negative; the second part does not arise.

Statement showing the delivery offices in Delhi Province and the maximum distances up to which deliveries are made from those offices.

Post Offices.	Distance.
Delhi H. O.	4.05 miles.
New Delhi S. O.	4.05 miles.
Delhi Cloth Mills	3.5 miles..
Delhi Shahdara	2 miles.
Delhi Cantonment	2 miles.
Birla Lines	} Less than a mile.
Agricultural Research Institute	
Badli	10 miles.
Mehrauli	8 miles.
Najafgarh	8 miles.
Jangpura	6 miles.
Palam	5 miles.
Alipur	5 miles.
Nangloi	4 miles.
Khara Garhi	1 mile.
Narela	1 mile.
Badarpur, Chiragh Delhi, Bijwasan, Delhi Pottery, Ishwar-nagar, Masjid Moth, Okhla, Naraina, Shakur Basti, Mahpalpur, Jamia Nagar, Bawana Gurukul, Inder Prastha.	} Less than a mile.

SENIORITY OF CERTAIN SUBORDINATE STAFF ON THE EAST INDIAN RAILWAY.

19. Dr. P. N. Banerjee: (a) Will the Honourable Member for Railways please refer (i) to Rules 3, 4, 5 and 6 of Appendix XVIII of State Railway Establishment Code and (ii) to page 9 [Accounts Department—(Contd.), Inspector of Station Accounts—(Contd.), Old East Indian Railway Grade III—Rs. 140—10—330, and State Railway Junior Grade I—Rs. 120—15—270, and Revised Grade—Rs. 150—15—270] of the East Indian Railway Classified List of Subordinate Staff of all Departments on Scales of Pay rising to Rs. 250 and above—corrected up to 30th September, 1936—and state the names shown in the Classified List in order of seniority?

(b) Will he please state the dates on which the orders under Rules 4, 5 and 6 were communicated to the staff whose seniority has been affected by those orders? If those orders were not communicated, what were the reasons therefor?

The Honourable Sir Andrew Olow: Necessary information is being collected and will be laid on the table of the House in due course.

WITH-HOLDING OF MEMORIALS, PETITIONS, ETC., OF NON-GAZETTED RAILWAY SERVANTS BY THE DIVISIONAL SUPERINTENDENT, MORADABAD DIVISION OF THE EAST INDIAN RAILWAY.

20. Dr. P. N. Banerjee: Will the Honourable Member for Railways please refer to :

- (a) the information given on the 19th July, 1934 in reply to unstarred question No. 140, asked in this House on the 6th March, 1934;
- (b) the reply given to starred question No. 1626, asked in this House on the 6th April, 1935; and
- (c) the reply given to starred question No. 1712, asked in this House on the 17th April, 1936, and lay on the table of this House a statement showing the particulars of petitions, representations, memorials and appeals (separately) made by the non-gazetted Railway Servants between 1st January, 1939 and 31st October, 1940 (or as far as available) to authorities higher than Divisional Superintendent, which were withheld by the Divisional Superintendent, Moradabad Division, on the East Indian Railway, and the reason recorded by the Divisional Superintendent for withholding them?

The Honourable Sir Andrew Olow: (a), (b) and (c). As regards petitions and memorials, the information available with Government shows that no petitions or memorials were withheld by the Divisional Superintendent, Moradabad Division, during the period 1st January, 1939 to 30th June, 1940. Government receive no returns of appeals and other representations made to Divisional Superintendents. As regards appeals, the attention of the Honourable Member is invited to the reply to the following question.

CERTAIN QUARTERLY STATEMENT FORWARDED BY THE DIVISIONAL SUPERINTENDENT, MORADABAD DIVISION OF THE EAST INDIAN RAILWAY.

21. Dr. P. N. Banerjee: Will the Honourable Member for Railways please refer to Rule 708 of the State Railway Establishment Code and lay

on the table of this House a copy of the statement forwarded quarterly since 1st January, 1989, by the Divisional Superintendent, Moradabad Division, East Indian Railway?

The Honourable Sir Andrew Olow: I regret that I cannot agree to lay on the table of the House statements which contain particulars of individual cases; but if it will serve the Honourable Member's purpose to know the number of appeals so withheld, the information will be secured.

DISADVANTAGES OF THE STAFF OF COMPANY-MANAGED SECTION OF THE EAST INDIAN RAILWAY TRAINED AT THE RAILWAY SCHOOL OF TRANSPORTATION, CHANDAUSI.

22. Dr. P. N. Banerjee: (a) Will the Honourable Member for Railways please state, after enquiry from the East Indian Railway whether it is a fact that before 1929 the staff who received the training in Transportation Courses at the Railway School of Transportation, Chandausi, and were declared successful, were considered qualified for the posts of Station Masters, Inspectors and higher posts?

(b) Is it a fact that before 1929 the staff of the company managed section were never trained at that school?

(c) Is it a fact that in 1928 it was considered that the staff of the company managed section which qualified from that school were not considered qualified in coaching and goods accounts?

(d) Is the order to qualify in coaching and goods accounts, published in paragraph 654 of East Indian Railway Gazette No. 21, dated the 23rd May, 1928, retrospective in effect? If so, why, and where is it stated?

(e) What are the reasons for compelling the staff who qualified in that school in coaching and goods Accounts Examinations, to pass that Examination again and again?

The Honourable Sir Andrew Olow: I have called for information. A reply will be laid on the table of the House in due course.

SCOPE OF EXEMPTION OF STAFF FROM ATTENDING REFRESHER COURSES AT AREA SCHOOLS ON STATE RAILWAYS.

23. Dr. P. N. Banerjee: Will the Honourable Member for Railways please refer to Rule 14 of Appendix XXII (page 377) of the State Railway Establishment Code and state whether the exemption to staff after 45 years of age from attending Refresher Courses at Area Schools *Does not* mean that they are exempted from oral examinations by officers under whom they are serving for the time being?

The Honourable Sir Andrew Olow: Not necessarily. I would add that administrations are not precluded from sending men over 45 for refresher courses when that is deemed advisable.

CALCULATION OF PERIOD OF SICK LEAVE ON THE STATE RAILWAYS.

24. Dr. P. N. Banerjee: Will the Honourable Member for Railways please refer to Annexure No. I to Appendix VIII (page 311) of the State Railway Establishment Code and state whether the period "from date of

sick certificate to date of fit certificate" is to be treated as leave granted under Fundamental Rule 101, read with Supplementary Rules 269 to 278?

The Honourable Sir Andrew Clow: The answer is in the negative. A recommendation by a medical officer is not a sanction to leave and conveys no right to leave. The period of leave depends on the sanction actually given by the authority competent to sanction the leave.

CALCULATION OF PERIOD OF SICK LEAVE ON THE STATE RAILWAYS.

25. Dr. P. N. Banerjee: Will the Honourable Member for Railways please refer to Annexure No. II to Appendix VIII (page 312) of the State Railway Establishment Code and state whether the period of "*Sick leave recommended*" is to be treated as leave granted under Fundamental Rule 81?

The Honourable Sir Andrew Clow: The answer is in the negative. The attention of the Honourable Member is invited to the reply given to the preceding question.

SENIORITY OF TRAVELLING TICKET INSPECTORS ON THE EAST INDIAN RAILWAY.

26. Dr. P. N. Banerjee: (a) Will the Honourable Member for Railways please state how the seniority of old Travelling Ticket Inspectors on the East Indian Railway drawing Rs. 160 pay in the scale of Rs. 130—10—160 on the 1st June, 1931, was fixed *vis-a-vis* those Travelling Ticket Inspectors who were drawing Rs. 95 pay in the scale of Rs. 64—5—95 on that date?

(b) Is it a fact that those old Travelling Ticket Inspectors who were drawing Rs. 100 on the 1st June, 1931, were superseded by those Travelling Ticket Examiners who were drawing Rs. 95 only on that date?

(c) Will the Honourable Member please state the rule under which such supersession is permissible?

The Honourable Sir Andrew Clow: (a) All posts in the scale of Rs. 130—10—160 drawn by Travelling Ticket Inspectors on the former Oudh and Rohilkund Railway were abolished on the 1st June, 1931, and the individuals holding the posts were absorbed in posts on Rs. 64—5—95 under the Moody-Ward scheme. Staff so absorbed were ranked for purposes of seniority on pay and length of service, continuous temporary service of more than 12 months being treated as permanent.

(b) There were no Travelling Ticket Inspectors drawing Rs. 100 on the 1st June, 1931.

(c) Does not arise.

CIRCULAR INSTRUCTIONS FOR GRANT OF GRATUITY TO NON-GAZETTED STAFF IN LUCKNOW DIVISION OF THE EAST INDIAN RAILWAY.

27. Dr. P. N. Banerjee: (a) Will the Honourable Member for Railways please refer to circular letter No. E-1-B-98-Sett., dated the 12th January, 1940, issued by the Divisional Superintendent, East Indian Railway, Lucknow, and state what is the requisite standard for non-gazetted staff (other than good, efficient, faithful and continuous service) to merit full gratuity?

(b) What is the particular provision made in the State Railway Establishment Code for the requisite standard?

(c) Do Government propose to set aside that circular and to order that the staff who had rendered good, efficient, faithful and continuous service, and admitted for grant of gratuity should be granted full gratuity? If not why not?

The Honourable Sir Andrew Olow: (a), (b) and (c). I am procuring a copy of the circular referred to and shall reply to this question after considering it.

STATEMENTS LAID ON THE TABLE.

Information promised in reply to starred question No. 1257, asked by Mian Ghulam Kadir Muhammad Shahban, on the 23rd March, 1939.

DISCHARGE OF STAFF CONTROLLED BY THE GENERAL MANAGER BY THE DIVISIONAL SUPERINTENDENT ON THE NORTH WESTERN RAILWAY.

(a) In practice this power has been exercised by Divisional Officers with the formal approval of the General Manager.

(b) The administration has held that senior scale officers have the power of appointing subordinate staff.

(c) It is presumed that the Honourable Member refers to item 104 (viii) of the Schedule of Powers of Divisional Superintendents, which was re-numbered item 66 in 1939. If so, the answer is in the affirmative.

(d) The Honourable Member is referred to the answer to part (b) above. The question of restricting the powers of appointment of senior scale officers, as regards senior subordinates is under consideration.

Information promised in reply to the last part of part (f) of starred question No. 1344, asked by Mr. Muhammad Azhar Ali, on the 28th March, 1939.

ASSISTANT SURGEONS ON THE NORTH WESTERN RAILWAY.

The seniority of Military Assistant Surgeons *vis-a-vis* Railway Assistant Surgeons is dependent on the scale or grade of pay applicable. Those lent to the railway before 1st April, 1931 had the option of either retaining their military scales of pay or electing the scale of pay applicable to Railway Assistant Surgeons. The scale of pay sanctioned for Railway Assistant Surgeons applies to all those who join a Railway on or after 1st April 1931.

On the North Western and Eastern Bengal Railways, those who retained the military scales of pay or were appointed on the revised grades of pay had their seniority determined on the basis of pay. Those who elected or are governed by railway time scales of pay had their seniority determined by crediting them with the number of years' service it would have taken them to rise, by those scales, to the pay they drew on entering railway service.

On the East Indian Railway, the Military Assistant Surgeons and Railway Assistant Surgeons have not been placed on a common seniority list.

There is only one Military Assistant Surgeon on the Great Indian Peninsula Railway; his seniority was determined by his total length of service in the Railway Department and in the Indian Medical Department.

Information promised in reply to unstarred question No. 11, asked by Mr. Muhammad Azhar Ali, on the 6th February, 1940.

SELECTION POSTS OR SELECTION GRADES ON STATE RAILWAYS.

I lay on the table of the House a statement showing the selection posts and their revised scales of pay on the Eastern Bengal, East Indian, Great Indian Peninsula and North Western Railways. It may be added that the grades and posts on the Eastern Bengal Railway are now under scrutiny and are subject to possible revision.

Statement showing the selection posts and their scales of pay on the Eastern Bengal, East Indian, Great Indian Peninsula and North Western Railways.

EASTERN BENGAL RAILWAY.

Designation.

Scales of pay.

Rs.

GENERAL MANAGER'S OFFICE.

Assistant Secretary, Office Superintendent.	400
Section Superintendent	230
Clerks	140
Stenographers	230, 200, 180
General Inspector	200

STATISTICAL OFFICE.

Office Superintendent	350
Assistant Superintendent, Statistical Inspector	200
Sub-head	140
Clerks, Class	100—10/2—120

ENGINEERING DEPARTMENT.

Permanent Way Inspector	400, 350, 300, 260, 230, 200, 180, 160
Assistant Permanent Way Inspector	140, 100—10/2—120
Inspector of Works	230, 200, 180, 160, 140, 100—10/2—120
Bridge Inspector, Office Superintendent	400
Junior Bridge Inspector	350
Assistant Bridge Inspector, Assistant Calculator	180
Signal Inspector and Block Signal Inspector	400, 350, 300, 260, 230, 200
Assistant Signal Inspector and Assistant Block Signal Inspector	180, 160, 140, 100—10/2—120.
Chief Clerk	230, 200
Clerks	160, 140, 100—10/2—120
Stenographer	200, 180, 160—10/2—120, 65—5/2—85
Typist	65—5/2—85
Chief Draftsman	300
Draftsman	140, 100—10/2—120
Head Calculator	200
Assistant Foreman	350, 300

EASTERN BENGAL RAILWAY—*contd.*

Designation.

Scales of pay.

Rs.

TRAFFIC DEPARTMENT.

Traffic Inspector and Junior Traffic Inspector . . .	350, 300, 260, 200
Station Superintendent, Transhipment Foreman . . .	400
Station Master, Imp. 'C', 'B', 'A' and Special . . .	350, 300, 260, 200, 100—10/2—120
Assistant Station Master, Imp.	230, 200, 180
Cabin Master	230
Goods Supervisor and Junior Goods Supervisor . . .	400, 300, 230, 180, 100—10/2—120
Luggage Supervisor, Head Booking Clerk, Cash Witness	180
Platform Supervisor	200, 160
District Controller Grades I and II	400, 350
Assistant Traffic Controllers	160, 140, 100—10/2—120
Yard Master	350
Yard Inspector	260, 230
Assistant Yard Master	230, 200, 160, 140, 100—10/2—120
Head Ticket Collector, Head Signaller, Booking, Parcel, Weight, Goods and Trains Clerks, Assistant Instructor (B. S.) and Commercial Instructor, Sub-Inspector (Fire Brigade), Guard Class 'C', Office Clerk Class E.	100—10/2—120
Commercial Inspector	300, 260, 200, 160, 140, 100—10/2—120
Assistant Commercial Instructor	260, 200, 160, 140, 100—10/2—120
Chief Clerk	200
Clerk	180, 160, 140
Instructor (B. S.)	140
Inspector, Watch and Ward	350, 260, 230, 200
Senior and Junior Inspector Crews	200, 140
Crew-in-charge	65—5/2—85+20 T. A.
Assistant Transhipment Foreman	230, 160, 140, 100—10/2—120

MECHANICAL DEPARTMENT.

Foreman and Shed Foreman	400, 350, 300
Assistant Foreman, Senior Valve-motion Inspector, Assistant Electrical Foreman, 'A' Grade Draughtsman	300
Chargeman	135—15/2—180
Junior Chargeman and Head Time Keeper	100—10/2—120
Assistant Shed Foreman	230, 135—15/2—180
Head Train Examiners	400, 300, 260, 230
Train Examiner	160, 140, 100—10/2—120
Train Examiner (Vacuum Brake)	160
Stenographer	200, 160, 100—10/2—120
Electric Foreman, Boiler Inspector and Loco. Inspector	400, 350

EASTERN BENGAL RAILWAY—*concl'd.*

Designation. Scales of pay.

Rs.

MECHANICAL DEPARTMENT—*cont'd.*

Shedman	140, 100—10/2—120
Electric Chargeman	180, 180
Chief Clerk	230, 200
Head Clerk and Budget Clerk	140
Clerk	100—10/2—120
Office Superintendent, Assistant Chief Draughtsman	350
Senior Draughtsman	260, 230
Draughtsman	100—10/2—120—15/2—180, 100—10/2—120
Head Typist	65—5/2—85

STORES DEPARTMENT.

Chief Assistant	400
Store Keeper	350, 280
Assistant Store Keeper	160, 140
Ward Keeper	65—5/2—85—5—100/2—Efficiency bar—100—10/2—120
Office Superintendent	300
Chief Clerk	260, 230
Clerk	180, 140, 100—10/2—120
Tindal	30—2—40
Typist	65—5/2—85
Stenographer	200

EAST INDIAN RAILWAY.

OPERATING DEPARTMENT.

Time Table Inspector	350, 300, 260, 200
Movement Inspector	200—10—250 (1928)
Transportation Inspector	350, 300, 260, 200
Divisional Transit Inspector	350, 300, 260, 200
Telegraph Traffic Inspector	200
Station Superintendents	400
Deputy Station Superintendents	300
Station Master (higher grade)	350
Yard Masters	350, 300, 260, 230
Head Signallers of the Divisional Headquarters Offices	140, 100—10/2—120
Boiler Inspector	350—400
Train Lighting Inspector	300, 260
Transportation Inspector, Stock	300, 260
Coal Transportation Inspector	280—20—500

STATEMENTS LAID ON THE TABLE.

EAST INDIAN RAILWAY—*contd.*

Designation.

Scales of pay.

Rs.

OPERATING DEPARTMENT—*contd.*

Weighment Inspector	160—10—260
Controllers	350, 260
Running Shed Foremen	400, 350, 300, 260
Assistant Running Shed Foremen	230, 200
Power Transport Inspector including staff and Maintenance	350
Trial Engine Inspector	350
Senior Fuel Inspector	300
Junior Fuel Inspector	200
Inspector Fitter	425

COMMERCIAL DEPARTMENT.

Goods Inspector, Goods Accountant, Howrah	260
Chief Inspector (Tickets)	180
Claims Inspectors	230, 200, 180, 160, 140
Re-weighment Inspector	65—5/2—85
Goods Supervisor (Howrah Goods)	260
Head goods clerk (Howrah Goods)	160
Goods Clerks (Howrah Goods and Ramkirstopore)	100—10/2—120
Inspectors (Commercial)	230, 200
Advertising Inspectors	160
Head Parcel Clerk, Howrah	180
Assistant Parcel Clerk, Luggage and Parcel Supervisors, Assistant Goods Accountant, Howrah	100—10/2—120
Chief Accountant and Booking Clerk, Howrah	140

ENGINEERING DEPARTMENT.

Inspector of Works and Bridge Inspectors	400, 350, 300, 260, 230
Permanent Way, Signal and Block Signal Inspectors	400, 350, 300, 260, 230
Signal and Block Signal Inspectors	400, 350, 300, 260
Conservancy and Sanitary Inspectors	180, 160, 140, 100—10/2—120

ELECTRICAL DEPARTMENT.

Electrical Inspectors and Electrical Foremen	400
Electrical Superintendents	400, 350
Assistant Electrical Foremen	260
Chargemen	200

MECHANICAL DEPARTMENT.

Workshop Foremen	400, 350
Boiler Inspectors	400
Assistant Workshop Foremen	260, 230
Chargemen	200

EAST INDIAN RAILWAY—*concl.*

Designation.

Scales of pay.

Rs.

PRINTING DEPARTMENT.

Overseer	300
Foremen	230, 160
Sub-Store Keeper, Head Reader and Head Mechanic	160

STORE DEPARTMENT.

Chief Assistants	400
Depot Store Keepers	350, 260
Assistant Depot Store Keepers	230, 160

ALL DEPARTMENTS.

Office Superintendents	400, 350, 260, 180
Chief Clerks	400, 260
Head Clerks	260, 230, 200, 160, 140
First Assistants	160, 140, 100—10/2—120, 65— 5/2—85
Head Draftsmen	300, 180, 160
Draftsmen Engineering Department	100—10/2—120

GREAT INDIAN PENINSULA RAILWAY.

GENERAL MANAGER'S OFFICE.

Head Clerks	300
Senior Clerks	250
Clerks	200, 160, 120
Lady Stenographer	250

ACCOUNTS DEPARTMENT.

Senior Inspector of Station Accounts and Senior Accountants	400, 350, 300, 275, 250*
Junior Accountants	225, 200, 175, 150*
Stenographer	150—10—200
Sub Heads	150, 120*
Senior Inspector of Stores Accounts	250—15—325—25/3—350
Junior Inspector of Station Accounts	225, 175, 150
Junior Inspector of Station Accounts	225, 200, 175, 150, 130*
Stock Verifiers	160, 140, 120, 100*

CASH AND PAY DEPARTMENT.

Assistant Cashier	400
Sub Cashier	250
Head Clerk	140

*Initial grade for selection.

GREAT INDIAN PENINSULA RAILWAY—*contd.*

Designation.	Scales of pay.
	Rs.
ENGINEERING DEPARTMENT.	
Supervisors	300
Inspector of Works, Septic Tanks	350
Inspector of Works	250, 200
General Foreman, Structural Foreman, Signal and Interlocking Inspectors and P. W. Inspectors	400
Office Superintendent	350
Clerks	300, 250.
Head Draftsman	300, 250, 160
Draftsman, Custodian, Plumber	250
Chawl Superintendent	200
Depot Storekeepers	100
TRANSPORTATION DEPARTMENT.	
Office Superintendent	350
Heads of Sections	300
Head Clerks	250
Clerks	200, 160, 120
Station Superintendent	450
Transportation Inspectors, foremen (Traction) Mechanical Foremen, Carriage Branch Foremen, Chief Telegraph Inspector, Foremen, Byculla	400
Deputy Station Superintendent, Controllers, Junior Assistant Foremen (Traction Branch), Loco. Inspector (Traction)	300
Station Masters	350, 300, 180, 100
Assistant Station Masters	275, 160
Yard Foremen	300, 180
Assistant Yard Foremen, Assistant Controllers	275, 180
Chargemen, Electrical, Mechanical and Outside (Traction)	250, 140
Head Train Examiner (Traction) Inspector, Sub-station, Leading Stoker	225
Train Examiner, Engine Examiners, Head Linemen (Traction)	140
Senior Inspector and Inspector Overhead Equipment	180
Bond Tester, Electrical Inspector	160
Power Controller	375, 350
Switch Board Attendant	160, 110, 80
Senior Turbin Driver	250
Assistant Turbine Driver	150, 110
Auxiliary Plant Attendant	110, 80, 60
Shift Stokers	140, 100, 80
Loco. Foremen	400, 350
Loco. Inspector	400, 375
Assistant Loco. Foreman	300, 275

GREAT INDIAN PENINSULA RAILWAY—*contd.*

Designation.

Scales of pay.

Rs.

TRANSPORTATION DEPARTMENT—*contd.*

Head Fitter and Boilermaker Chargeman	300
Fitter and Boilermaker Chargeman	300, 200, 120
Carriage Inspector, Chief Telegraph Traffic Inspector	350
Head Train Examiners	275, 250, 225
Assistant Foreman, Byculia	275
Head Cabin Supervisor	160
Head Signaller, V. T. Bombay	120

COMMERCIAL DEPARTMENT.

Office Superintendent, Chief Crew Inspector	350
Chief Rates Clerk, Chief Ticket Inspector, Chief Goods Inspector and Senior Commercial	400
Heads of Sections	300, 250, 200
Chief Clerks	200, 160
Chief Ticket Inspector, Senior Commercial Inspector and Chief Goods Inspector	400
Goods Inspector	400, 275, 225
Train Conductor	300
District Commercial Inspector	225
Assistant Commercial Inspector	160
Inspector (Watch and Ward)	250

MECHANICAL DEPARTMENT.

Chief Clerk (B., E. & I.), (Staff), (General) and (Store).	400, 300, 250
Leading Draftsman (Loco.) & (C. & W.) and Parel and Matunga workshops	350, 300
Draftsman (Elec.)	250
Progress Supervisor (Elec.)	200
Laboratory Assistant, Dynamometer Car Assistant	350
Boiler Inspectors, Electrical Foremen, Foremen Parel, Jhansi and Matunga Workshops and planner and Rate Fixer Parel, Workshops	400
Chief Clerk, Parel, Jhansi and Matunga Workshops	200
Assistant Foreman, Parel, Jhansi Workshops, Yard Supervisor, Parel, Jhansi and Matunga Workshops, Chargemen (Covenanted), Parel and Jhansi Workshops	350
Chief Timekeeper, Parel, Jhansi and Matunga Workshops	300
Chargemen (A & B. Class), Parel, Jhansi and Matunga Workshops and Electrical Chargeman, Electrical Repair Shop, Matunga	275, 200
Electrical Inspector	300, 250, 200
Sub-station Operators	160
Test Room Assistant	200, 160
Electrical Chargeman, D. D. Jhansi & Bhusaval	250

GREAT INDIAN PENINSULA RAILWAY—*concd.*

Designation.	Scales of pay. Rs.
STORES DEPARTMENT.	
Contract and Depot Superintendents	400
Assistant Depot Superintendents	325
Head Clerk	300
Supervisors, A, B, C & D.	250, 200, 160, 120
MEDICAL DEPARTMENT.	
Assistant Surgeons (10 per cent)	350, 300, 250, 225
Chief Clerk	300
Matron	270

NORTH-WESTERN RAILWAY.

TRANSPORTATION TRAFFIC AND COMMERCIAL BRANCH.	
Traffic Inspector	350, 300
Station Superintendent	400
Dy. Station Superintendent	350
Station Master	350, 300, 260
Assistant Station Master	200
Yard Supervisor	260, 230
Chief Controllers	350
Deputy Controllers	300
Assistant Controller	230
Litigation Inspector	200
Claims Inspector	180, 160, 140

TRANSPORTATION (POWER) AND MECHANICAL BRANCH.

Loco. Inspector	400
Carriage and Wagon Inspector Viceroyal Train	350, 300

OFFICE CLERICAL STAFF.

Office Superintendents	400
Superintendent	350
Assistant Superintendents and Head Clerks	230
Clerks	200
Stenographers	160, 140, 130.

Information promised in reply to parts (b), (c), (d) and (e) of starred question No. 47, asked by Mr. H. M. Abdullah, on the 9th February, 1940.

**ALLEGATIONS OF CORRUPTION AGAINST A CLERK IN THE DIVISIONAL OFFICE,
RAWALPINDI.**

(b) So far as Government are aware, only one employee, in his evidence before the Court of Enquiry, made an allegation against a clerk on the Rawalpindi Division

of having received an illegal gratification from him. The Court of Enquiry did not investigate this allegation nor did they make any such recommendation as is referred to by the Honourable Member.

(c) Yes.

(d) The clerk was reduced as a result of certain inquiries into an attempt to bribe him. No gold necklace was accepted by the clerk; a necklace said to have been intended for him was intercepted.

(e) The clerk has not been working in the Establishment Section since 1938; the latter part does not arise.

Information promised in reply to starred question No. 48, asked by Mr. Lalchand Navalrai, on the 9th February, 1940.

INVOICE TYPISTS ON THE NORTH WESTERN RAILWAY.

(a) and (b). The case for the provision of more higher grade appointments on the Karachi Division has been reviewed and 5 posts of Invoice Typists in Grade II have been created in place of 5 posts of Grade I.

(c) The reply to the first part is in the affirmative. With regard to the latter part, the honourable member is referred to the reply to parts (a) and (b) above.

Information promised in reply to unstarred question No. 24, asked by Mr. Muhammad Azhar Ali, on the 15th February, 1940.

DUTIES OF ASSISTANT OFFICERS AND TRANSPORTATION INSPECTORS ON STATE RAILWAYS.

As regards the first part, a statement giving the required information is placed on the table of the House. As regards the second part, the answer is in the negative. The number of Assistant Officers on Railways is under constant scrutiny by the Railway Board and similarly the number of Transportation Inspectors is scrutinised periodically by the Railway Administrations with a view to economy in administrative charges. The last part does not arise.

Statement of duties of Assistant Officers (Transportation) and Inspectors (Transportation) on Eastern Bengal, East Indian, Great Indian Peninsula and North Western Railways.

EASTERN BENGAL RAILWAY.

Duties of Assistant Officers (Transportation).

1. Supervision of Control office.
2. Supply and movement of coaching stock.
3. Punctuality of all trains.
4. Supply of goods stock.
5. (a) Observance of all daily Head Office orders regarding interchange of goods stock with neighbouring Railways. and
(b) Control of goods and coal traffic and supply of necessary empties to transhipment points.
6. Examination of daily stock statements.
7. Control and supply of special type stock.
8. Control and movement of petrol and oil tanks.
9. Demurrage and wharfage cases.
10. Examination of wagon detention statements.

Duties of Inspectors (Transportation).

1. To conduct half-yearly and quarterly inspection of stations.
2. To move constantly over his section and see that the staff are conversant with and observe all General, Subsidiary or local rules.
3. To check all matters connected with the punctuality and economical working of trains.
4. To see to all matters connected with the comfort and convenience of passengers.
5. To check all registers and records relating to the movement of trains, attendance of staff, wagons detentions.
6. To carry out night inspections once a week.
7. To arrange to attend subordinate and joint enquiries as ordered.

EASTERN BENGAL RAILWAY—*contd.*

Duties of Assistant Officers (Transportation).

11. Scrutiny of guards' journals, passenger trains and freight trains.
12. In the event of any serious accident, to proceed at once to the site of the accident or to remain throughout in the Control office as ordered.
13. Accident cases and joint enquiries.
14. Scrutiny of Traffic Inspectors' reports.
15. Regular tours of inspection.
16. Check of station working rules.
17. To attend to public complaints and questions of the comfort and convenience of the travelling public.

Duties of Inspectors (Transportation).

EAST INDIAN RAILWAY.

These officers deal with matters concerning—

1. Time tables and running of trains (Passenger and goods).
2. Check of detentions, including late starts.
3. Marshalling of trains.
4. Check of train registers, Guards' links, Control charts, Joint Train Reports, Line Clear irregularities.
5. Supply and clearance of goods and coaching stock.
6. Misdespatches and over-carriages.
7. Restrictions on movement of trains and stock.
8. Van goods and Quick Transit services.
9. Periodical inspection of stations.
10. Public complaints regarding Transportation matters.
11. Accidents, enquiries and joint enquiries.
12. Telegraph irregularities.
13. Statistical reports.
14. Inspection reports by Transportation Inspectors.
15. Mela arrangements.
16. Facilities for passengers at stations.
17. Yard and station operating facilities.
18. Stores.
19. Station Working Rules.
20. Check of loads of trains.
21. Relief arrangements for certain classes of staff.
22. To attend to public complaints and questions concerning the comfort and convenience of the travelling public.

1. To make constant journeys over their sections (20 to 30 stations).
2. To test station staff with special reference to general and Station Working rules.
3. To interview merchants and make local enquiries as ordered by Divisional Office.
4. Attend sub-joint enquiries into Accident cases and public complaints.
5. To conduct quarterly inspections of stations, station yards and buildings.
6. To check tools and plants, muster rolls, duty rosters, Reference books, circulars, standing orders and station records.
7. To check arrangements for the safe custody and protections of goods and parcels.
8. To check Priority Registers and all forms connected with the booking of goods.
9. To check Wagon Registers and detentions to stock and consignments.
10. To inspect wharfage and demurrage registers, Ticket Posting Books, and all records connected with the booking of passengers.
11. To see that the arrangements for vending and the supply of drinking water are satisfactory.
12. To see that traffic facilities at stations are adequate.

NOTE.—These Inspectors are responsible for both the Commercial and Transportation work of all stations excepting at those where the volume of Commercial work is sufficiently heavy requiring intensive check and attention of a Commercial Inspector.

GREAT INDIAN PENINSULA RAILWAY.

Duties of Assistant Officers (Transportation).

These officers deal with matters concerning :—

1. Traffic control and train running.
2. Time tables.
3. Timing and running of trains.
4. Ordering of trains.
5. Ballast trains.
6. Troop traffic, all arrangements.
7. Special trains.
8. Postal arrangements.
9. Rolling stock movement matters.
10. Regulation of rolling stock.
11. Marshalling of trains.
12. Interchange of rolling stock with foreign railways.
13. Sheets and ropes.
14. Shunting engines.
15. Saloons, reserved carriages and reservation of compartments and berths.
16. Luggage and parcel traffic.
17. Tranship train arrangements.
18. Lighting of carriages.
19. Works.
20. Cabin, Station and similar working orders.
21. Government Inspectors' reports.
22. General Rules and Block Rules.
23. All accident matters.
24. Municipal matters.
25. Miscellaneous matters not dealt with by any other section.
26. Inspection Reports other than Government Inspectors' reports.
27. Inspection of signals.
28. Inspection of stations, waiting rooms, waiting halls, drinking water arrangements.
29. Public complaints about station facilities, running of trains, overcrowding etc.
30. Periodical examination of staff in their knowledge of the working rules.

Duties of Inspectors (Transportation).

1. To bring to notice all instances where traffic is being worked uneconomically.
2. To suggest improvements.
3. To check loads of trains.
4. To watch carefully all matters connected with the punctuality of trains, goods and passenger.
5. To check station stock reports and tally them with wagon exchange registers.
6. To investigate wagon detentions.
7. To proceed at once to affected area when congestion of traffic occurs, and direct movements under orders from the Divisional Transportation Office.
8. To proceed at once to site of accidents.
9. To be responsible for directing operations to clear the lines and restore communications in the absence of superior officer.
10. To inspect station yards, buildings, public timetable—Rule books etc.
11. To check station working orders and diagrams and advise Divisional Transportation Office of any infringement or conditions inconsistent with safe working.
12. To inspect signal cabins.
13. To inspect signal lights at night.
14. To see that the arrangements for the supply of drinking water for passengers are satisfactory.
15. To make surprise night inspections.
16. To hold fire parades at regular intervals.
17. To train station inferior staff.
18. To control station inferior staff, their leave, relief, transfer, examination for promotion etc.
19. To investigate all accidents.
20. To test detonators periodically.
21. To check dead stock at stations and the schedule of consumable stores.

NORTH WESTERN RAILWAY.

Deal with matters relating to :—

1. The running of passenger and goods trains including check of detentions, guards links, marshalling.
2. Guards' journals and control graphs.
3. The efficient operation and time-keeping of trains.
4. Detailed inspections of sections.
5. Supervising arrangements at large fairs or special gatherings.
6. Postings and transfers of certain staff.
7. Conduct of periodical tests of Transportation staff.
8. Scrutiny of station working rules and diagrams.

1. To see that tariffs, rule books, public notices, time tables etc., are up to date.
2. To see that correction slips to rule books are correctly posted.
3. To make enquiries into complaints, irregularities and any other matters referred to him by the Divisional Office.
4. To make detailed inspections of each station on his section once per year and casual and surprise inspections at frequent intervals.
5. To attend sub-joint enquiries into accidents when required.

NORTH WESTERN RAILWAY—*contd.*

Duties of Assistant Officers (Transportation).

9. Public complaints on Transportation matters.
10. Accident cases and joint enquiries.
11. Proceeds at once to the site of any serious accident.
12. Carrying out periodical inspection of specified important stations.
13. Carrying out investigations as ordered.
14. Conduct of surprise fire parades.
15. The comfort and convenience of passengers.
16. Meetings with merchants at important stations.
17. Inspection of vendors' stalls and their wares.
18. Checking of van trains working.
19. Inspection of consumable stores and verification of new indents.
20. Rail Road competition and the necessity of reduced rates and fares with a view to increasing rail traffic.
21. Supervision of the work of Commercial Staff.
22. Cases of disciplinary action on inferior staff.
23. Perform the duties of the Divisional Transportation Officer and Divisional Commercial Officer during their absence.

Duties of Inspectors (Transportation).

6. To control the grant of leave etc., to relieving staff under him, and arrange relief.
7. To control the supply of certain stores to stations on his section.
8. To carry out other duties incidental to the general working of trains.
9. To be constantly on the move over his section and see that the station staff are fully acquainted with their duties.
10. To prepare all returns of all passes, P. T. O.'s issued during the month.
11. To prepare, the salary bills in duplicate of all relieving inferior staff.
12. To accompany important specials which run over his section.
13. To attend all melas and fairs which are held on the section and submit detailed reports and comparative statements of earnings etc.
14. To inspect the signals on the section at night.
15. To conduct examinations of menial staff for promotion to higher grades.
16. To inspect vendors, wares and shops at stations.
17. To see that the provision of Hours of Employment Regulations and Payment of Wages Act are observed at all stations on his section.
18. To watch rail road competition and make suggestion to bring in additional traffic.
19. To see that fire fighting arrangements are adequate.
20. To deal with posting and transfer of inferior staff.
21. To prepare duty rosters and lists of inferior staff.
22. To report irregularities committed by the staff.
23. To enquire into complaint cases by the public concerning the section.
24. Responsible for the working rules and yard diagrams of stations on his section being in order.

Information promised in reply to starred question No. 139, asked by Mr. N. M. Joshi, on the 23rd February, 1940.

CHANNEL OF PROMOTION FOR FIREMEN ON THE GREAT INDIAN PENINSULA RAILWAY.

(a) There were three classes of Firemen up to 1929, since which time recruitment to only one class of Firemen Class I, is being made. Firemen of classes A, B and C recruited prior to 1929 all of whom are on the old scales of pay are normally promoted to Driver classes A, B and C, respectively.

(b) Yes, normally this is so, but specially qualified B class Drivers are eligible for promotion to A class. C class Drivers have not the educational qualifications for promotion to B Class.

(c) and (d) Government are not prepared to interfere with the service conditions of staff recruited prior to 1929. In respect of those recruited since 1929 a change has already been made which provides a single channel of promotion, as under:—

Fireman Class I (which corresponds to the firemen classes A, B and C) or Assistant Driver Class I.—Rs. 60—5—90.

Driver Branch line, or Motorman (Bombay Division only).—Rs. 90

Driver, Goods, Class III.—Rs. 100—10—130

Driver, Goods, Class II.—Rs. 140—20—200.

Driver, Mail and Passenger, Class I.—Rs. 225.

Information promised in reply to parts (a) and (b) of starred question No. 143 and parts (e), (f) and (g) of starred question No. 144, asked by Mr. H. M. Abdullah, on the 23rd February, 1940.

MUSLIM TRAFFIC INSPECTORS ON THE NORTH WESTERN RAILWAY.

Starred question No. 143.

Community.	For long term vacancies.	For short term vacancies.
European and Anglo Indians	10	6
Muslims	4	4
Hindus	5	10
Other minority communities	1	2
Total	20	22

DEARTH OF MUSLIMS IN THE RAWALPINDI DIVISION OF THE NORTH WESTERN RAILWAY.

Starred question No. 144.—(e) The reply to the first part is in the negative. As regards the latter part the Honourable Member is referred to the reply given to part (c) of Maulana Zafar Ali's starred question No. 244 on the 19th September, 1939. The figures supplied by the Administration have again been checked and found correct. These are reproduced in the answer referred to except that by a typographical error 68.8 has been shown in place of 63.3.

(f) A statement giving the required information is placed below.

(g) The answer to the first part is in the affirmative. It is not a fact that no Muslim was recruited directly during the period between October 1936 and November, 1938.

Statement showing appointments made in inferior staff and labourers in Electrical Branch.

Year.	Total No. of appointments made.	No. of Muslims appointed.	No. of staff and period of appointment of Muslims.		Remarks.
			No.	Period.	
1938-39	30	19	2	31-8-38 to 30-9-38	Period not available.
			1	14-7-38 to 13-10-38	
			1	9-9-38 to 8-11-38	
			1	27-10-38 to 16-12-38	
			1	30-10-38 to 14-11-38	
			1	from 27-5-38	
			1	27-6-38 to 26-7-38	
			3	15-7-38 to 29-7-38	
			1	1-11-38 to 30-11-38	
			4	7-11-38 to 13-11-38	
			2	21-2-39 to 2-3-39	
			1	3-3-39 to 31-3-39	
			19		
			1	1-8-37 to	
1937-38	11	5	1	1-12-37 to 16-12-37	Period not available.
			1	2-12-37 to 17-12-37	
			1	5-3-38 to 14-5-38	
			1	2-1-38 to 4-4-38	
			5		
1936-37	23	16	10	6-3-37 to 30-3-37	Period not available. Do. Engaged against leave vacancies, period not available.
			1	11/36 to 3/37	
			1	from 15-7-37	
			1	1-5-36 to	
			2	..	
			1	..	
			16		

Information promised in reply to parts (a), (d) and (e) of starred question No. 147 and parts (b) and (c) of starred question No. 149, and unstarred questions Nos. 26, 27 and 28, asked by Sardar Sant Singh, on the 23rd February, 1940.

GUARDS ON THE NORTH WESTERN RAILWAY.

Starred question No. 147.—(a) It is based on the interests of the public service, regard being had to the requirements of traffic, the need for avoiding unnecessary expenditure and the importance of attracting and retaining a sufficiently qualified staff.

(d)	Grade of guard on old scales of pay.	Sanctioned strength on 1-1-40.	Actual strength on 1-1-40.
	III & IV	204	186
	II	838*	814
	I	51	50

*Includes one temporary post.

(e) If by discrimination the Honourable Member means the division of the guards into grades drawing different pay, he is referred to the reply given to his starred question No. 148 on 23rd February 1940.

GUARDS ON THE NORTH WESTERN RAILWAY.

Starred question No. 149.—(b) and (c). The following statement gives the required information as on 22nd February 1940.

No. of guards drawing Rs. 115.	Length of service on Rs. 115.	
	Minimum.	Maximum.
135	1 year 9 months.	19 years 9 months.
No. of guards drawing Rs. 68.	Length of service on Rs. 68.	
	Minimum.	Maximum.
626	5 months 25 days.	19 years.

GUARDS ON THE NORTH WESTERN RAILWAY

Unstarred question No. 26.—(a) Of the 94 posts of guards Grade IV on 8th November, 1935, 44 have been abolished. There has been no increase in the number of Grade III posts since 1935.

(b) The Honourable Member is referred to the last part of part (d) of the information laid on the table of the House on 14th February, 1939 in reply to his starred question No. 1576 asked on 29th November, 1938.

(c) None, for the reasons stated in reply to part (b). But in accordance with an undertaking given in the House, the block in promotion of guards on the North Western Railway is being examined.

GUARDS ON THE NORTH WESTERN RAILWAY

Unstarred question No. 27.—The classification of grades of guards on the revised scales of pay as equivalent to grades on the old scales of pay and the allotment of the existing posts under the revised scales of pay is under consideration.

GUARDS ON THE NORTH WESTERN RAILWAY

Unstarred question No. 28.—(a) Yes, except the North Western Railway have not yet classified grades of guards the revised scales of pay as equivalent to particular grades of guards on the old scales of pay.

(b) 17 in Class I Grade II, 19 in Class I Grade I.

(c) Rule 1 of the Rules for the recruitment and training of non-gazetted staff which are in Appendix XXII to the State Railway Establishment Code, a copy of which is in the library of the House.

(d) No such general communication was made or required. Direct recruitment to grades higher than the lowest is made in the interest of the administration and not necessarily because those in the lower grades are unfit for advancement.

(e) Direct recruitment to grades higher than the lowest is permitted under the rules framed by the Railway Board for the recruitment of non-gazetted staff, in the interests of the administration.

Information promised in reply to a supplementary question to starred question No. 165, asked by Mr. Muhammad Ashar Ali, on the 24th February, 1940.

LAY-OUT OF THE IMPROVEMENT TRUST PLOTS IN CERTAIN AREAS IN DELHI.

The enquiry made has revealed that on 24th April, 1940, no application for land or for re-building an existing house to an improved design was pending with the Chairman of the Delhi Improvement Trust.

Information promised in reply to starred questions Nos. 189, 190, 191 and 192, asked by Khan Bahadur Nawab Siddique Ali Khan, on the 26th February, 1940.

FIRST DIVISION VACANCIES FILLED IN THE GOVERNMENT OF INDIA OFFICES.

No. 189. Statement showing the number of permanent and quasi-permanent vacancies and posts in the First Division filled by promotion or transfer during the year ending 31st December 1939, and the communities of the candidates appointed thereto.

Name of the Department or Office.	Number of vacancies filled.	Communities of the candidates appointed.		
		Hindu.	Muslim.	Other Minorities.
1. Military Finance Department . . .	1	..	..	1
2. External Affairs Department . . .	4	2	2	..
3. Legislative Assembly Department . .	1	..	..	1
4. Defence Department	2	2	..	..
5. Education, Health and Lands Department, (and its Attached Offices).	3	2	1	..
6. Commerce Department (and its Attached Offices).	2	2	..	..
7. Department of Communications (and its Attached Offices).	5	4	1	..
8. Department of Labour (and its Attached Offices).	1	..	1	..
9. Director, Intelligence Bureau . . .	1	..	..	1
10. Master General of the Ordnance Branch.	5	4	..	1
11. Engineer-in-Chief's Branch . . .	2	2	..	..
12. Judge Advocate General's Office . .	1	1	..	..
13. Railway Department	1	..	..	1
	29	19	5	5

TEMPORARY THIRD DIVISION VACANCIES FILLED IN THE GOVERNMENT OF INDIA OFFICES.

No. 190. Statement showing the number of temporary vacancies in the Third Division and the Lower Division (I. A. C. C.) in the various Departments of the Government of India and their Attached Offices filled during the six months ending the 1st January, 1940.

Name of Department or Office.	No. of vacancies filled.	Communities of candidates appointed.			Reference.
		Hindus.	Muslims.	Other Minorities.	
1. Defence Co-ordination Department.	11	8	3		
2. External Affairs Dept.	16	9	3	4	
3. Finance Department.	2	1	1	..	
4. Legislative Assembly Department.	5	4	1	..	
5. Defence Department.	11	6	3	2	
Army Headquarters	91*	62	22	7	* Excluding 42 posts filled by lady clerks and Anglo-Indians, which are outside the scope of the rules regarding communal representation in the services.
6. Department of Supply (including Contracts Directorate).	108	73	27	8	
7. Military Finance Dept.	6	5	1	..	
8. Education, Health and Lands (and its attached offices.)	29	20	6	3	
9. Commerce Department and its Attached Offices.)	103	66	27	10	
10. Department of Communications and its Attached Offices.)	36	24	8	4	
11. Home Department	14	10	4		
12. Department of Labour (and its Attached Offices.)	11	9	2	..	
13. Railway Department.	25	17	2	6	
14. Federal Public Service Commission.	7	5	2	..	
15. Reforms Office	2	1	1		
16. Central Board of Revenues.	1	1	

Name of Department or Office.	No. of vacancies filled.	Communities of candidates appointed.			Reference.
		Hindus.	Muslims.	Other Minorities.	
17. Director Intelligence Bureau, (including its Sub-Offices.)	10	7	3		
18. Principal Information Officer's Office.	17	7	6	4	
Total	505	334	122	49	

OFFICERS DEALING WITH ESTABLISHMENT MATTERS IN THE GOVERNMENT OF INDIA OFFICES.

No. 191. Statement showing the communities of officers and members of the ministerial staff who were dealing with establishment matters in the Government of India Secretariat and its attached offices at headquarters on the 1st February 1940.

Name of Departments or office.	Hindus.		Muslims.		Other Communities.	
	Officers.	Ministerial staff.	Officers.	Ministerial staff.	Officers.	Ministerial staff.
1	2	3	4	5	6	7
1. Home	2	4	..	1	1	1
2. Defence Co-ordination	1	..	..	..	1	1
3. Legislative	..	4	..	..	3	..
4. Federal Public Service Commission	..	4	1	..	1	..
5. Intelligence Bureau	..	2	..	1	2	2
6. Finance	..	2	..	..	3	1
7. Reforms Office	2	7	..	3	..	2
8. Railways (including Central Standards Office)		18	..	5	6	2
9. Defence		8	..	2	2	..
10. Legislative Assembly		4	3	2	..	1
11. External Affairs		..	..	1	4	..
12. Army Headquarters		51	..	12	18	10
13. Military Finance (including Military Accountant General's Office)	..	10	2	2	2	1

Name of Department or office.	Hindus.		Muslims.		Other Communities.	
	Officers.	Ministerial staff.	Officers.	Ministerial staff.	Officer.	Ministerial staff.
1	2	3	4	5	6	7
14. Supply (including Contracts Directorate)	2	11	1	..	4	2
15. Bureau of Public Information	1			2	2	1
16. Education, Health & Lands (and attached offices)	5	5		3	2	3
17. Commerce (and attached offices)	5	14		3	1	1
18. Secretary to the Executive Council of the Governor General	..	..	..	..	1	2
19. Communications (and attached offices)	4	41	4	13	7	1
20. Labour (and attached Offices)	1	8	2	2	4	1
21. Central Board of Revenue	1	13	..	4	1	..
Total	24	206	13	56	65	32

VACANCIES OF PRONS FILLED IN THE GOVERNMENT OF INDIA OFFICES.

No. 198. Statement showing the strength of the permanent and temporary inferior staff (i.e., Jemadars, Daffadars and Prons) on the 1st January 1940, in the various Departments of the Government of India and Attached Offices and the total number of vacancies filled during the year 1939.

Name of Department or Office.	Total No. of Posts.	Vacancies filled during the year 1939.							
		Hindus.		Minority Communities.					
		Hindus other than depressed classes.	Depressed classes.	Muslims.	Sikhs.	Indian Christians.	Paroses.	Other Communities.	Remarks.
1	2	3	4	5	6	7	8	9	10
1. Legislative Department—									
Permanent	49	1	...	...	...	...	...	...	...
Temporary	5	1	...	1	...	...	...	...	...
2. (i) Military Finance Department—									
Permanent	37	5	...	3	...	...	...	...	...
Temporary	11	6	...	3	2	...	...	...	...
(ii) Office of the Military Accountant General—									
Permanent	22	1	...	...	...	...	...	...	...
Temporary	1	1	...	...	...	...	...	...	...

Name of Department or Office.	Total No. of Posts.	Vacancies filled during the year 1939.							
		Hindus.		Minority Communities.					
		Hindus other than Depressed classes.	Depressed classes.	Muslims.	Sikhs.	Indian Christians.	Parsons.	Other Communities.	Remarks.
1	2	3	4	5	6	7	8	9	10
3. Legislative Assembly Department—									
Permanent	26	...	...	...	...	...	...	...	...
Temporary	16	...	...	1	...	...	...	...	...
4. Defence Co-ordination Department—									
Permanent . . . . .	...	...	...	...	...	...	...	...	...
Temporary	13	12	1	...	...	...	...	...	...
5. Reforms Office—									
Permanent . . . . .	...	...	...	...	...	...	...	...	...
Temporary	19	2	...	...	...	...	...	...	...
6. External Affairs Department—									
Permanent	37	...	...	...	...	...	...	...	...
Temporary	15	10	...	5	...	...	...	...	...
7. (i) Finance Department—									
Permanent	48	...	...	1	...	...	...	...	...
Temporary	26	12	...	5	...	...	...	...	...
(ii) Central Board of Revenue—									
Permanent	24	...	...	...	...	...	...	...	...
Temporary	4	2	...	2	...	...	...	...	...
8. (i) Defence Department—									
Permanent	40	1	...	1	...	...	...	...	...
Temporary	14	10	...	3	1	...	...	...	...
(ii) General Staff Branch Army Headquarters—									
Permanent	64	...	...	...	1	...	...	...	...
Temporary	17	12	...	2	3	...	...	...	...
(iii) Master General of Ordnance Branch including A. D. O. S. Provision—									
Permanent	68	5	...	1	1	...	...	...	...
Temporary	37	23	...	6	1	...	...	...	...
(iv) Air Headquarters, India—									
Permanent	33	...	...	...	1	...	...	...	...
Temporary . . . . .	...	...	...	...	...	...	...	...	...
(v) Engineer-in-Chief's Branch—									
Permanent	20	...	...	1	...	...	...	...	...
Temporary	13	2	...	2	1	...	...	...	...
(vi) Office of the A. M. S. (Personal) to H. E. the Commander-in-Chief—									
Permanent	3	...	...	...	...	...	...	...	...
Temporary . . . . .	...	...	...	...	...	...	...	...	...
(vii) Adjutant General's Branch—									
Permanent	46	...	...	...	...	...	...	...	...
Temporary	8	4	...	2	2	...	...	...	...
(viii) Medical Directorate—									
Permanent	22	...	...	...	...	...	...	...	...
Temporary	4	2	...	1	1	...	...	...	...
(ix) Quartermaster General's Branch—									
Permanent	46	3	...	...	...	...	...	...	...
Temporary	4	3	...	1	...	...	...	...	...
(x) Judge Advocate General's Department—									
Permanent	6	...	...	...	...	...	...	...	...
Temporary . . . . .	...	...	...	...	...	...	...	...	...
(xi) Military Secretary's Branch—									
Permanent	15	...	...	...	...	...	...	...	...
Temporary	4	3	...	1	...	...	...	...	...

Name of Department or Office.	Total No. of posts	Vacancies filled during the year 1939.							
		Hindus.		Minority Communities.					
		Hindus other than Depressed classes.	Depressed classes.	Muslims.	Sikhs.	Indian Christians.	Parsees.	Other Communities.	Remarks.
1	2	3	4	5	6	7	8	9	10
9. (4) Department of Education, Health and Lands—									
Permanent	49	...	1	...	1	...	...	...	...
Temporary	3	1	...	2	...	...	...	...	...
(4) Office of the Director General, Indian Medical Service—									
Permanent	22	2	...	1	...	...	...	...	...
Temporary	7	7	3(a)	...	...	...	...	...	...
(44) Imperial Council of Agricultural Research—									
Permanent	31	1	...	...	...	...	...	...	...
Temporary . . . . .	...	1(a)	...	...	...	...	...	...	...
(4e) Office of the Director General of Archaeology in India—									
Permanent	10	1	...	...	...	...	...	...	...
Temporary . . . . .	...	2(a)	...	...	...	...	...	...	...
10. (6) Department of Supply—									
Permanent . . . . .	...	...	...	...	...	...	...	...	...
Temporary	44	27	...	11	6	...	...	...	...
(44) Directorate of Contracts—									
Permanent	17	...	...	...	...	...	...	...	...
Temporary	17	...	12	2	2	...	...	...	...
11. (6) Department of Commerce—									
Permanent	53	1	...	2	...	...	...	...	...
Temporary	19	13	3	8	...	...	...	...	...
(4) Office of the Chief Controller of Stores, Indian Stores Department—									
Permanent	36	...	...	...	...	...	...	...	...
Temporary	40	24	...	11	3	1	...	...	...
(44) Office of the Economic Adviser to the Government of India (including the Statistical Research Branch)—									
Permanent . . . . .	...	...	...	...	...	...	...	...	...
Temporary	9	1	...	...	...	...	...	...	...
12. (5) Communications Department—									
Permanent	31	...	...	...	...	...	...	...	...
Temporary	10	4	...	2	...	...	...	...	...
(44) Civil Aviation Office—									
Permanent	31	1*	...	...	...	...	...	...	...
Temporary	4	...	1	...	...	...	...	...	...
(44) Office of the Director General, Posts and Telegraphs—									
Permanent	63	1	...	1	...	...	...	...	...
Temporary	8	6	...	2	...	...	...	...	...
(4e) Broadcasting Office—									
Permanent . . . . .	...	...	...	...	...	...	...	...	...
Temporary	19	1	...	...	...	...	...	...	...
(e) War Transport Board—									
Permanent . . . . .	...	...	...	...	...	...	...	...	...
Temporary	4	3	...	1	...	...	...	...	...
13. Department of Labour—									
Permanent	33	1	...	1	...	...	...	...	...
Temporary	3	2	...	3	1	...	...	...	...
(44) Office of the Controller, Printing and Stationery, India—									
Permanent	18	2	...	1	...	...	...	...	...
Temporary	2	†2	...	†3	...	...	...	...	...
(44) Conciliation Officer (Railways) and Supervisor of Railway Labour—									
Permanent . . . . .	...	...	...	...	...	...	...	...	...
Temporary	1	...	...	1	...	...	...	...	...

(a) Temporary appointment made against permanent post.

*Appointed in an officiating capacity.

†Three temporary posts were terminated before the 1st January 1940.

Name of Department or Office.	Total No. of posts.	Vacancies filled during the year 1939.							
		Hindus.		Minority Communities.					
		Hindus other than Depressed classes.	Depressed classes.	Muslims.	Sikhs.	Indian Christians.	Parsees.	Other Communities.	Remarks.
1	2	3	4	5	6	7	8	9	10
14. Railway Department (Railway Board)—									
Permanent	60	...	...	...	...	...	...	...	...
Temporary	6	5	...	5	...	...	...	...	...
(ii) Office of Joint Timber Advisory Office for Railways and Defence Department—									
Permanent	1	...	...	1	...	...	...	...	...
Temporary . . . . .	...	...	...	...	...	...	...	...	...
(iii) Central Standards Office for Railways—									
Permanent . . . . .	...	...	...	...	...	...	...	...	...
Temporary	3	...	...	3	...	...	...	...	...
15. Home Department (including offices of the Director General of Information and Chief Press Censor—									
Permanent	49	...	...	...	...	...	...	...	...
Temporary	26	17	2	6	1	...	...	...	...
(ii) Office of the Census Commissioner for India	2	...	...	2	...	...	...	...	...
(iii) Bureau of Public Information—									
Permanent	26	...	...	...	...	...	...	...	...
Temporary	9	5	...	3	...	1	...	...	...
(iv) Intelligence Bureau—									
Permanent	125	9	...	5	...	...	...	...	...
Temporary	23	13	...	9	...	1	...	...	...
(v) Federal Public Service Commission—									
Permanent	27	...	...	...	...	...	...	...	...
Temporary . . . . .	...	8	1	1	...	...	...	...	...

Information promised in reply to started question No. 194, asked by Mr. M. Ghiasuddin, on the 26th February, 1940.

ASSISTANTS AND CLERKS IN THE CASH BRANCHES OF THE GOVERNMENT OF INDIA OFFICES.

Statement showing the numbers of Assistants, etc., employed in the Cash Branches of the various Departments and the numbers of officers and members of the staff other than officers in those Departments as on the 1st February 1940.

Department.	Strength of the Cash Branch. .					Strength of					Remarks		
	Assistants.		Second Division.		Third Division.		Officers including Superintendents.		Ministerial staff.			Inferior staff.	
	Total.		Total.		Total.		Perma- nent.		Perma- nent.			Perma- nent.	
	No. of Muslims.	No. of Muslims.	No. of Muslims.	No. of Muslims.	No. of Muslims.	No. of Muslims.	Tempo- rary.	Tempo- rary.	Tempo- rary.	Tempo- rary.		Tempo- rary.	Tempo- rary.
1. Home	..	2	1	..	14	4	69	22	64	34	* The Cash Sec- tion of the De- partment is a part of the Estab- lishment Sec- tion which deals with establish- ment and con- nected ques-		
2. External Affairs.	..	1	1	..	30	3	80	25	49	37			
3. Finance	..	2	..	2	18	11	100	15	64	29			
4. Railway	..	5	1	..	22	13	130	36	85	19			
5. Defence*	3	4	1	3	13	3	100	19	93	14			
6. Legislative†.	2	2	..	..	13	1	45	1	58	8	
7. Commerce	..	3	4	..	21	4	100	48	69	23			
8. Education, Health and Lands.	..	2	1	..	15	1	89	6	70	3			

* The Cash Section of the Defence Department is a part of the Establishment Section which deals with establishment and connected ques-

9. Communica- tions.	..	..	3	..	5	3	45	27	40	11	tions of Army and Air Head- quarters also.
10. Labour	..	1	4	2	12	1	70	..	48	3	† This section also deals with
11. Military Finance.†	..	2	1	..	13	11	101	14	48	11	Establishment matters.
12. Defence Co- ordination.†	1	..	1	..	..	7	..	21	..	17	‡ There is no separate cash Branch in these Departments.
13. Secretary, Executive Council.	..	..	1	..	1	..	2	..	7	..	
14. Supply†	4	..	2	..	..	33	9	70	4	50	§ Appointed dur- ing the session periods only.
15. Legislative‡	1	..	..	..	6	15	60	15‡	36	19+21‡	

Information promised in reply to starred question No. 206, asked by Sardar Sant Singh, on the 27th February, 1940.

SIKH RELIGIOUS PROGRAMMES IN CERTAIN BROADCASTING STATIONS.

(a) The time allotted to Sikh religious items during 1939 was 5 hours 20 minutes at Delhi and Peshawar and 22 hours at Lahore. The proportion of the amounts paid to the artists of the 3 communities for religious broadcasts was—Sikhs 16 per cent., Muslims 43 per cent., Hindus 41 per cent.

(b) The figures do not suggest that the Sikhs were assigned an unduly small proportion of the time allotted to religious programmes.

Information promised in reply to parts (a) and (b) of starred question No. 217 and starred question No. 218, asked by Mr. H. M. Abdullah on the 27th February, 1940.

QUALIFIED MUSLIM INSPECTORS OF WORKS NOT ALLOWED TO OFFICIATE AS ASSISTANT ENGINEERS ON THE NORTH WESTERN RAILWAY.

No. 217.—(a) and (b). As far as Government are aware no I. O. Ws. have passed or are required to attend a Refresher Course for P. W. Is. nor have any P. W. Is. passed or are required to attend a Refresher Course for I. O. Ws. From April, 1940, however, a training course for P. W. Is. in ordinary Works staff duties is being introduced.

ENGINEERING SUBORDINATES WORKING AS ASSISTANT ENGINEERS ON THE NORTH WESTERN RAILWAY.

No. 218.—(a) to (f). In February, 1940, there were 2 Hindus and 2 Anglo-Indian P. W. Is. officiating as Assistant Engineers and 2 Hindu and 3 Sikh I. O. Ws. officiating as Assistant Engineers. None of these P. W. Is. have appeared for the I. O. Ws.' Refresher Courses as they are not required to do so nor have any of these I. O. Ws. appeared for the P. W. Is.' Refresher Courses as they are not required to do so.

Information promised in reply to part (g) of unstarred question No. 41 and unstarred questions Nos. 42, 43 and 44, asked by Mr. Muhammad Ashar Ali, on the 27th February, 1940.

MUTUAL GUARANTEE FUND OF THE OLD EAST INDIAN RAILWAY COMPANY.

No. 41.—(g) Under the rules of the East Indian Railway Guarantee Fund an employee on leaving the service ceased immediately to have any interest in the fund. Members of the staff who were no longer in service on 30th September, 1927 were therefore not entitled to any share in the distribution of the assets of the fund, and the necessity for advising them of its closure did not arise.

IRREGULARITIES IN THE RUNNING OF SPECIAL TRAINS ON THE NORTH WESTERN RAILWAY.

No. 42.—I am informed that there have been no irregularities in the running of these special trains. Enquiries made by the North Western Railway into the only complaint received did not bring to light any case in which private individuals had benefited by the purchase of tickets in lots and their re-sale at a profit.

Travel Agents and Organisers are encouraged to engage special trains for bona fide circular tours at concession fares both in through and local booking.

The running of such trains involves the provision of amenities for passengers which are not normally provided by Railways and they are, therefore, particularly suitable for the employment of Travel Agents or Organizers.

The excursion trains run by the North Western Railway on special reduced fares are between fixed points only in local booking, and there would appear to be no advantage in entrusting arrangements for such trains to Travel Agents or Organizers.

RAILWAY PASSES ALLOWED TO MESSRS. THOMAS COOK AND SON AND THEIR STAFF.

No. 43.—On the Class I Railways (excluding H. E. H. the Nizam's State, Mysore State and Jodhpur State Railways) the only passes issued to Messrs. Thomas Cook and Son during the financial year 1939-40 were the following which were issued by the North Western Railway :—

Date of Issue.	Class of Pass.	To whom issued.	Stations between which issued.	Purpose for which issued.
4th April 1939	Inter.	One Clerk	Bhara to Simla	In connection with the opening of Booking Office at Simla. In connection with the taking over of the Connaught Place Booking Office at New Delhi.
27th September 1939	First	Manager	Lahore to Simla and back.	
6th October 1939	First	Manager	Simla to Delhi and back.	

CITY BOOKING AND PARCEL OFFICES WORKED BY MESSRS. THOMAS COOK AND SON.

No. 44.—City Booking and Parcels Offices are being worked by Messrs. Thomas Cook and Son, Ltd., at the following offices on the terms and conditions as shown under :—

Serial No.	Office.	Work undertaken.	Terms and conditions.
(1)	North Western Railway. Connaught Place City Booking Agency, New Delhi.	Booking of all classes of passengers in local booking over the N. W. Ry. and through booking over other Railways. Reservation of compartments, berths and seats. Collection, booking and delivery of luggage and parcels.	Lump sum of Rs. 3,800 per annum paid to the Company by N. W. Ry.

Serial No.	Office.	Work undertaken.	Terms and conditions.
	<i>North Western Railway—contd.</i>		
(2)	Mall Road City Booking Agency, Lahore.	Booking of all classes of passengers in local booking over the N. W. Ry. and through booking over other Railways. Reservation of compartments, berths and seats. Collection, booking and delivery of luggage and parcels.	Lump sum of Rs. 4,800 per annum paid to the Company by N. W. Rly.
(3)	Mall City Booking Agency, Simla.	Ditto	Lump sum of Rs. 2,100 per annum paid to the Company by N. W. Rly.
	<i>Eastern Bengal Railway.</i>		
(4)	Calcutta	Booking of I and II class passengers and their servants in III class in local booking over the E. B. Ry. and through booking with other Railways and Steamer Coys. Luggage and parcels are not booked.	5 per cent. commission is paid to the Company on the E. B. Ry.'s proportion of the fares on tickets sold. The Company provides the accommodation and staff.
	<i>Bengal Nagpur Railway.</i>		
(5)	Calcutta	Booking of all classes of passengers in local and through booking (luggage and parcels are not booked).	5 per cent. commission is paid to the Company on the B. N. Ry.'s proportion of the fares on tickets sold.

Information promised in reply to starred question No. 249, asked by Mr. H. M. Abdullah, on the 1st March, 1940.

PROMOTION OF CLERKS IN THE HEADQUARTERS OFFICE, OF THE NORTH WESTERN RAILWAY.

- (a) (i) and (ii). Statements showing the position on 31st March 1940 are appended.
- (b) Promotions of all office clerks including promotions of clerks, grade II to grade III are as a general rule made in their respective branches on the basis of seniority, coupled with suitability.
- (c) The reply to the first part is in the affirmative. It is impracticable to provide equal chances of promotion in the different branches of the Headquarters Office because the amount and quality of the work differ widely and this requires a greater number of junior clerks to senior clerks in some cases than in others. The present position in this respect is shown in the last column of the second statement attached. As regards the latter part, the North Western Railway Administration is examining the present distribution of posts with a view to making such adjustment as is possible in the flow of promotion from grade to grade in each branch but there are limits beyond which uniformity cannot be achieved.

Statement showing the number of clerks by communities and grades employed in each branch and percentage of each community in each grade in each branch on 31st March, 1940.

		No. and percentage community-wise.							
No. of posts.	Grade.	Hindus.		Muslims.		Sikhs.		Indian Christians, Anglo-Indians and Domilled Europeans.	
		No.	Per cent.	No.	Per cent.	No.	Per cent.	No.	Per cent.
PERSONNEL BRANCH.									
1	VII	1	100	...	...	...	...	...	...
1	VI	1	100	...	...	...	...	...	...
4	V	2	50	2	50	...	...	...	...
11	IV	8	72.7	3	27.3	...	...	...	...
21	III	18	61.9	5	23.8	3	14.3	...	...
19	II	8	42.1	10	52.6	1	5.3	...	...
3	I	1	33.8	2	66.7	...	...	...	...
GENERAL BRANCH.									
1	VIII	...	50	...	...	...	...	1	100
2	VI	2	40	2	40	...	...	1	50
5	V	4	66.6	1	16.7	...	...	1	20
17	IV	4	23.5	4	23.5	1	16.7	...	...
10	III	4	40	5	50	...	...	5	29.5
4	II	1	25	2	50	...	...	1	10
	I	1	25	2	50	1	25	...	...
COPYING BRANCH.									
1	VI	1	100	...	...	...	...	...	...
1	IV	...	75	2	25	1	100	...	...
8	III	6	43.8	10	33.8	...	...	...	...
80	II	13	51.6	10	32.8	1	3.4	6	20
31	I	16	51.6	10	32.8	5	16.1	...	...
MEDICAL BRANCH.									
1	V	1	100	...	...	...	...	...	...
3	III	3	100	...	...	...	...	...	...
8	II	2	66.7	1	33.8	...	...	...	...
2	I	1	50	...	...	1	50	...	...
CENTRAL REGISTRY.									
1	VII	1	100	...	...	...	...	...	...
1	V	...	...	...	...	...	...	1	100
3	IV	2	66.7	...	...	...	...	1	33.8
8	III	1	33.3	2	66.7	...	...	...	...
20	II	12	60	7	35	...	...	1	5
27	I	11	40.7	13	48.2	2	7.4	1	3.7
STORES BRANCH.									
1	VIII	1	100	...	...	...	...	...	...
1	VII	...	...	...	...	...	...	1	100
3	VI	1	33.3	1	33.3	1	33.3	...	...
5	V	1	2	2	40	...	...	2	40
10	IV	7	70	3	30	...	...	...	...
19	III	13	68.4	5	26.3	1	5.3	...	...
15	II	11	73.3	3	20	...	...	1	6.7
17	I	10	58.8	4	23.5	3	17.7	...	...
TRACK SUPPLY AND SLEEPER CONTROL.									
1	V	...	...	1	100	...	...	...	...
2	IV	2	100	...	...	...	...	...	...
3	III	2	66.7	...	...	1	33.3	...	...
10	II	7	70	2	20	1	10	...	...
4	I	3	75	...	...	1	25	...	...
WAY AND WORKS.									
1	VII	...	...	...	...	1	100	...	...
3	VI	2	66.7	1	33.8	...	...	...	...
4	V	3	75	...	...	1	25	...	...
8	IV	4	50	2	25	2	25	...	...
12	III	7	58.3	5	41.7	...	...	...	...
21	II	13	61.9	3	14.3	4	19.1	1	4.7
10	I	6	60	3	30	1	10	...	...

No. of posts.	Grade.	No. and percentage community-wise.							
		Hindus.		Muslims.		Sikhs.		Anglo Indians and Domiciled Europeans and Indian Christians.	
		No.	Per cent.	No.	Per cent.	No.	Per cent.	No.	Per cent.
OPERATING BRANCH.									
1	VII.	1	100	...	...	...	...	...	...
2	VI.	2	100	...	...	...	...	...	...
5	V.	5	100	...	...	...	...	...	...
7	IV.	4	57.1	2	28.6	1	14.8	...	...
23	III.	17	78.9	3	13.1	2	8.6	1	4.3
41	II.	30	78.2	7	17.1	4	9.7	...	...
39	I.	25	64.1	10	25.6	4	10.8	...	...
RELIEF LIST.									
28	I.	11	39.3	14	50	1	3.6	2	7.1
RATES REGISTER.									
1	150-15-270	1	100	...	...	...	...	...	...
1	130-8-170	...	...	1	100	...	...	...	...
7	100-5-120	6	85.7	1	14.8	...	...	...	...
16	40-4-80-5	12	75	2	12.5	2	12.5	...	...
	-90.								
7	36-2-60	3	42.8	3	42.8	1	14.8	...	...
COMMERCIAL BRANCH.									
1	VII.	...	...	...	...	...	...	1	100
1	250-20-350	...	...	1	100	...	...	...	...
1	250	...	...	1	100	...	...	...	...
2	VI.	2	100	...	...	...	...	...	...
6	V.	4	66.6	...	...	1	16.7	1	16.7
17	IV.	9	52.9	7	41.2	1	5.9	...	...
32	III.	20	62.5	12	37.5	...	...	...	...
121	II.	62	51.2	52	43	7	5.8	...	...
38	I.	25	65.8	12	31.6	1	2.6	...	...

Number of clerks Grade II by communities employed in each branch and the number of years completed on the maximum of this grade.

Branch.	Community.	Total number of each community.	No. of years completed on the max. of grade II.				Ratio Gr. II Clerks all those above that Grade.
			1 to 5	6 to 10	11 to 14	15 to 18	
Operating	Hindus	30	14	12			1 to 0.92
	Muslims	7	4	2			
	Sikhs	4	1	..			
Stores	Hindus	11	3	4			1 to 2.6
	Muslims	3	..	2			
	Anglo-Indians	1	..	1	..	..

Branch.	Community.	Total number of each community.	No. of years completed on the max. of grade II.				Ratio Gr. II Clerks all those above that Grade.
			1 to 5	6 to 10	11 to 14	15 to 18	
Track Supply Office.	Hindus .	7	5	1 to 0.6
	Muslims .	2	1	..	..	..
	Sikhs .	1	1	..	..	..
Central Registry.	Hindus .	12	2	6	2	..	1 to 0.4
	Muslims .	7	2	3	..	..
	Indian Christians.	1	..	1	..	..
	
Way & Works	Hindus .	13	3	5	1 to 1.33
	Muslims .	3	2	..	..	..
	Sikhs .	4	2	..	..	..
	Anglo-Indians .	1	1	..	..	..
	
Personnel .	Hindus .	8	3	2	1 to 2
	Muslims .	10	3	..	..	..
	Sikhs .	1	..	..	..	..
Commercial .	Hindus .	62	13	21	9	2	1 to 4.96
	Muslims .	52	9	23	6	1	
	Sikhs .	7	1	3	1	..	
General & Pass	Hindus .	4	1	2	1 to 3.1
	Muslims .	5	2	2	..	..
	Anglo-Indians .	1	..	..	..	..
	
Medical .	Hindus .	2	1 to 1.33
	Muslims .	1	..	..	..	..
Copying .	Hindus .	13	2	4	5	..	1 to 0.33
	Muslims .	10	3	5	2	..	
	Sikhs .	1	..	1	..	..
	Anglo-Indians .	6	..	..	..	..
	

Information promised in reply to part (c) of starred question No. 263 asked by Maulvi Muhammad Abdul Ghani, on the 5th March, 1940.

PROPORTION OF DIFFERENT COMMUNITIES IN THE DEPARTMENT OF EDUCATION, HEALTH AND LANDS.

Statement showing the proportions of the various communities in the appointments made either by promotion or direct recruitment in the Department of Education, Health and Lands from April 1924 to June 1937.

Communities.	Percentage.
Hindus	64.17
Muslims	20.83
Christians	9.17
Others	5.83

Information promised in reply to parts (a) (iii), (b) and (c) of starred question No. 286 asked by Mr. J. Ramsay Scott, on behalf of Lieut.-Colonel Sir Henry Gidney, on the 6th March, 1940.

DISABILITIES OF THE SUBORDINATES OF THE BRIDGE ENGINEERING WORKS AT MANMAD, GREAT INDIAN PENINSULA RAILWAY.

(a) (iii). Yes, if a work is estimated to take less than 60 days to complete in which case Manmad is treated as Headquarters. If the work is estimated to take more than 60 days the Headquarters of the staff are transferred to the site of the work and they are then entitled to transfer passes for their families.

(b) For a halt exceeding 20 days at a place other than Headquarters, the grant of batta to Bridge Inspectors, Bridge Timekeepers, and Bridge Grasmen is restricted to a maximum of twenty nights in any one month.

(c) Standing Order No. 628, dated 31st August, 1939.

Information promised in reply to part (b) of starred question No. 327 asked by Mulana Zafar Ali Khan on the 11th March, 1940.

PROMOTIONS TO THE SUPERINTENDENTS' POSTS IN THE OFFICE OF THE DIRECTOR GENERAL OF POSTS AND TELEGRAPHS.

No.	Office.	Number of vacancies filled during the period 16th May, 1939 to 1st March, 1940			
		Permanent.		Temporary.	
		Total.	No. filled by Muslims.	Total.	No. filled by Muslims.
1	Intelligence Bureau			..	..
2	Federal Public Service Commission	..	..	..	..
3	Bureau of Public Information	1	..	2	1
4	Central Board of Revenue	1	..	1	..
5	Office of the Director General, Posts & Telegraphs	4	..	11	..
6	Office of the Director of Civil Aviation		..	..	..
7	Office of the Controller of Broad- casting	..	..	..	..
8	Office of the I. C. of A. R.	1	..	..	..
9	Office of the Director General, Indian Medical Service	..	..	1	..
10	Office of the D. G., Archaeology	1(a)	..	..	..
11	Indian Stores Department	..	..	6	2
12	Office of the Economic Adviser to the Government of India		..	..	..
13	Office of the Controller of Print- ing & Stationery	..	..	2	1
14	Central Standards office for Railway		..	1	..
15	Office of the Assistant Military Secretary (Personal)	..	..	..	..
16	Military Secretary's Branch	..	..	2	..
17	Adjutant General's Branch, A. H. Q.	1	..	2	1
α					

No.	Office.	Number of vacancies filled during the period 16th May, 1939 to 1st March, 1940.			
		Permanent.		Temporary.	
		Total.	No. filled by Muslims.	Total.	No. filled by Muslims.
18	Engineer-in-Chief's Branch, A. H. Q. . . . .	..		1	..
19	Air Head Quarters	1	..	1	..
20	Medical Directorate	1	1	..	..
21	Quarter Master General's Branch, A. H. Q.	1	..	1	..
22	General Staff Branch, A. H. Q. . . . .	..	..	1	..
23	Master General of Ordnance (including A. D. O. S. P.) Branch, A. H. Q.	2	..	9	..
24	Judge Advocate General's Branch . . . . .		..	1(b)	1
25	Contracts Directorate . . . . .	..	..	3	..

Note.—(a) A Muslim officiated in the vacancy from the 8th May, 1939 to the 30th June, 1939.

(b) Created for 5 years.

Information promised in reply to starred questions Nos. 375, 376, 377, 379, 380, 381, 382, 383, 384, 385 and 386 asked by Bhai Parma Nand, on the 13th March, 1940.

UNSATISFACTORY CONDITION OF NAIWALA IN KAROL BAGH, DELHI.

No. 375.—(a) Action is taken by the sanitary staff of the Delhi Municipal Committee against persons responsible for causing insanitary conditions. Steps are being taken to remove the dumping ground for dead animals to the Badli Refuse Disposal ground.

(b) Every effort is made to keep the area in a sanitary state but owing to the laying of sewers, pipe lines, etc., by the Delhi Improvement Trust, the stacking of building material gives the area an untidy appearance.

(c) and (d). *No.* Since the Trust have developed and serviced the area it is possible to control mosquito breeding, which before development was largely uncontrollable. Sand-flies have been unusually prevalent in 1939-40. They are not confined to Karol Bagh but have appeared in New Delhi also. It is probable, therefore, that the extensive breeding is due to the drought and other climatic conditions favourable to such breeding, but it is correct that oriental sores due to sand-fly bites have occurred in large numbers in the western suburbs of Delhi including Karol Bagh, and that the Chief Medical Officer recently opened a clinic in Karol Bagh for the treatment of these sores.

(e) In addition to the action referred to in the reply to (a) above the Delhi Improvement Trust has provided the area with a complete sewage system, including public latrines, and action is being taken to enforce connection of the sullage drains to the sewers.

BUILDING PLANS RECEIVED BY THE DELHI IMPROVEMENT TRUST.

No. 376

Month.	No. of build- ing plans re- ceived.	No. of build- ing plans sanc- tioned.
January	61	35
February	59	35
March	55	33
April	87	56
May	80	63
June	55	43
July	54	35
August	68	45
September	56	40
October	62	37
November	50	25
December	76	39
Total	763	486

PROSECUTIONS SANCTIONED BY THE DELHI IMPROVEMENT TRUST.

No. 377. (a)–(c). I place on the table a statement giving the information required.

Statement 1939.

Name of month.	No. of prosecu- tions launched.	No. of prosecu- tions resulting in con- viction.	No. of cases discharg- ed by the court.	No. of cases compro- mised.	Amount received as com- pensa- tion fee.	Cases with- drawn.
					Rs.	
January	12	8	1	..	..	3
February	2	1	..	..	..	1
March	21	20	..	1	25	..
April	4	2	..	..	..	2
May	19	14	..	2	35	3
June	5	3	..	2	75	..
July . . . . .	..	..	..	..	..	..
August	10	5	1	1	20	3
September	4	1	1	1	25	1
October	3	1	1	1	30	..
November	1	..	..	..	..	Pending
December	6	3	..	1	50	2
	87	58	4	9	260	16

INCREASE IN THE RENT OF NAZUL LAND IN DELHI.

No. 378. (a) The Trust provides sites for better-class as well as for poor-class housing. Poor-class sites are set apart when schemes are prepared.

(b) A statement is laid on the table.

(c) The reply to the first part is in the affirmative. In regard to the second part the Trust does not propose to make any distinction. Even after 100 per cent. enhancement the rents payable will not exceed the standard rate of rent for newly allotted poor-class building sites.

(d) I would refer the Honourable Member to the reply given to Mr. Suryya Kumar Som's starred question No. 255 on the 20th September, 1939.

Statement.

Vacant plots in Blocks 44, 43, 42, 41, 5-B, 10-B, 14-B, 16-B, 17-B, 13-B, 9-B, 4-B, 30, 31, 32, 33, 22, 21, 20, 19, 3-B, 8-B, 11-B, 7-B, 2-B, 9, 10, 11, 3, 2, 1, 1-B, 6-B, 1-A, 2-A, 3-A, 5-A, 6-A, 7-A, 8-A, 10-A, 11-A, 9-A, 14-A in the Western Extension area are reserved for allotment to poor-class people.

NOTICES ISSUED FOR CONTRAVENTION OF THE TERMS OF SANCTIONS GRANTED BY THE DELHI IMPROVEMENT TRUST.

No. 380. (a) Yes.

(b) It may be so but the Trust are under no obligation to enter into correspondence with a person who is trying to evade the byelaws.

(c) No.

(d) I have no reason to doubt that the Trust consider each case carefully before sanctioning prosecution. The giving of a further warning does not appear to be necessary.

COMPLAINTS AGAINST THE BUILDING INSPECTOR OF THE DELHI IMPROVEMENT TRUST.

No. 381. No formal complaints have been made against the Building Inspector of the Delhi Improvement Trust. The second part of the question therefore does not arise.

RESIGNATION OF STAFF OF THE DELHI IMPROVEMENT TRUST.

No. 382. A statement giving the information required by the Honourable Member is laid on the table.

Statement.

Serial No.	Name of Official.	Designation.	Date of resignation.	Reasons for resigning.
1.	Mr. Sri Kishen	Clerk	5-6-1937	Obtained a post in Government of India Press, New Delhi. Was employed in the Trust in a temporary post.
2.	Mr. V. V. Rao	Draftsman	6-8-1937	Obtained a better post in his own province.
3.	Mr. Abinash Chandra	Clerk	3-5-1938	Resigned for private reasons.
4.	Mohd. Shafiq Ahmed	Building Overseer	8-5-1938	Resigned for private reasons.
5.	Mr. Jog Dhian	Draftsman	27-7-1938	Obtained an appointment under U. P. Government.
6.	Mr. A. W. Massey	Typist	4-3-1939	Secured a better post elsewhere.
7.	Mr. Prem Krishen	Clerk	24-11-1939	Secured a post under Government (Office of D.A.G., P. & T.).
8.	Mr. Irshad Ahmed Khan	Clerk	4-1-1940	Secured a post in Contracts Directorate, A. H. Q.

NON-NAMING OF CERTAIN ROADS IN KAROL BAGH, DELHI.

No. 383. (a) and (c) The naming of streets is a function of Municipal Committees under section 178 of the Punjab Municipal Act, 1911. Streets within the built over area of Karol Bagh have already been named by the Delhi Municipal Committee and the unnamed streets will be named in due course. Government do not consider that any action on their part is required.

(b) No.

PROVISION OF LIGHTS ON CERTAIN ROADS IN KAROL BAGH, DELHI.

No. 384. (a) Electric poles, etc., have been generally installed as stated by the Honourable Member. All the roads normally in use are lighted by the Delhi Municipal Committee.

(b) The road referred to has just been completed and is not yet open to traffic. Arrangements for lighting this road are in hand and will be completed shortly.

(c) All the necessary facilities have been provided by the Trust. The actual lighting of roads is a municipal function, and I have no reason to think that the Municipal Committee are failing to perform it.

PROVISION OF PARKS IN KAROL BAGH, DELHI.

No. 385. (a) Yes.

(b) Investigation showed (i) that it would be difficult to establish grass in this rather rocky area and (ii) that it would be impossible to provide an adequate supply of water. In response to a growing demand for small bungalow sites in this neighbourhood, the Trust are considering the allotment of portions of the land referred to for bungalows.

(c) There is a large central park of about 21 acres in front of the Tibbia College. Though not included in the original sanctioned layout, open spaces are being provided in the revised layout in each block in the newly developed area. The size of these open spaces varies in different blocks, the average being about 1,500 sq. yds. Free space in the Western Extension scheme amounts to 44 per cent. of the whole area, which cannot therefore be described as "congested".

SHIFTING OF THE TUBERCULOSIS CLINIC FROM KAROL BAGH, DELHI.

No. 386. (a) and (b). The question whether the proximity of such a clinic to an inhabited area is harmful to the health of the latter has been referred to an expert committee. On receipt of its report, the point raised by the Honourable Member will be considered.

Information promised in reply to unstarred question No. 80 asked by Sardar Sant Singh on 15th March, 1940.

RECRUITMENT OF SUB-INSPECTORS OF WORKS ON THE NORTH WESTERN RAILWAY.

(a) The answer to the first part is in the affirmative. The number of candidates is not available. Three men were recruited as Sub-Inspectors of Works on probation.

(b) The Honourable Member is referred to the reply given to the question on 15th March 1940. The purport of the orders was that no vacancies of Sub-Inspectors of Works were to be filled permanently pending further orders. As the men referred to had not been confirmed against permanent posts, they were given temporary appointments.

(c) Three.

(d) It is not clear what benefits the Honourable Member has in mind as Fundamental Rules 9 (6) and 9 (8) and Supplementary Rule 2 (12) consist of definitions while there is no supplementary Rule numbered 3 (13).

(e) Yes.

(f) The men referred to in part (e) have been confirmed as Sub-Inspectors of Works. The three men referred to in part (c) were subsequently considered for confirmation and one was not recommended for confirmation in 1930 and the other two were found not fit for confirmation in 1931. One was discharged in 1935, and two are permanent Works Mistries at present officiating as Sub-Inspectors of Works.

Information promised in reply to Starred question No. 448 asked by Bhai Parma Nand on the 19th March, 1940.

INDIAN OFFICERS IN THE GOVERNMENT OF INDIA DEPARTMENTS AND ITS
ATTACHED OFFICES.

(a) to (c). A statement is laid on the Table.

(d) No communal proportions have been fixed but available officers of all communities having the requisite experience and ability are considered in connection with appointments to posts in the Departments of the Government of India and attached offices. The Government of India do not consider that any other action in the matter is called for.

Statements showing the number of Indian Officers in each of the Departments of the Government of India and its Attached Offices located at New Delhi and Simla and the communities to which the officers belong.

Name of Department or office.	Hindus	Per cent. of total in column 10.	Muslims	Per cent. of total in column 10.	Sikhs	Per cent. of total in column 10.	Others	Per cent. of total in column 10.	Total of Indian Officers.	Remarks.
1	2	3	4	5	6	7	8	9	10	11
Home Department	2	66½	1	33½	..	..	..	..	3	
Office of the Director, Intelligence Bureau . . . . .	..	..	1	100	..	..	..	..	1	
Office of the Principal Information Officer . . . . .	..	50	2	25	..	..	2	25	8	
Federal Public Service Commission	1	33.3	2	66.7	..	..	..	..	3	
Legislative Department	3	75	..	..	..	..	1*	25	4†	*Paral. †E xcluding Anglo-Indians.
Legislative Assembly Department	1	33½	2	66½	..	..	..	..	3	
Defence Co-ordination Department	1	100	..	..	..	..	..	..	1	
Defence Department	1	100	..	..	..	..	..	..	1	
Quartermaster General's Branch, Army Headquarters	2	4.5	..	..	1	2.3	41	93.2	44	†Anglo-Indian.
Master General of the Ordnance Branch	1	1.4	..	..	1	1.4	1½	1.4	3	
Engineer-in-Chief's Branch . . . . .	..	..	..	..	..	..	1*	100	1	
Finance Department	9	81.8	2	18.2	..	..	..	75	11	
Central Board of Revenue	1	25	..	..	..	..	3	8	4	
Military Finance Department	9	69	3	23	..	..	1	33½	13	
Military Accountant General's Office	3	50	1	16½	..	..	2½	33½	6	
Department of Supply	3	75	1	25	..	..	..	66.7	4	
Contracts Directorate	1	33½	..	..	..	..	2½	33½	3	
External Affairs Department	1	33½	1	33½	..	..	1	33.3	3	
Department of Education, Health and Lands	2	66.6	..	..	..	..	1	25	4	
Office of the Imperial Council of Agricultural Research	3	75	..	..	..	..	1	25	4	
Office of the Director General, Indian Medical Service	5	100	..	..	..	..	..	..	5	

Office of the Director General of Archaeology	2	100	..	..	25	..	..	..	..	2	(Approximately).	66	33	202
Department of Labour	2	50	..	..	1	25	..	..	..	4	..	..	..	..
Office of the Controller of Printing and Stationery . . . . .	..	..	..	..	..	..	..	..	..	1	..	15	100	..
Office of the Conciliation Officer Railways and Supervisor of Railway Labour . . . . .	..	50	1	..	1	100	..	..	..	1	..	..	25	..
Department of Communications	2	..	1	..	1	25	..	..	..	4	..	1*	..	..
Office of the Director General Posts and Telegraphs	11	73.3	2	..	..	13.3	..	..	..	15	..	2†	13.3	..
Office of the Director of Civil Aviation	1	50	..	..	..	..	..	..	..	2	..	1†	50	..
Office of the Controller of Broadcasting	3	75	1	..	..	25	..	..	..	4	..	..	..	..
Commerce Department	10	100	..	..	..	..	..	..	..	10	..	..	..	..
Indian Stores Department	12	80	2	..	..	13.3	..	..	..	15	..	1	6.7	..
Office of the Economic Advisor to the Government of India	3	75	1	..	..	25	..	..	..	4	..	..	..	..
Railway Board	3	42.8	3	..	..	42.8	..	..	..	7	..	1	14.2	..
Officers on Special Duty, Railway Board	1	33.3	1	..	..	33.3	..	..	..	3	..	1	33.3	..
Railway Department Central Standards Office	2	100	..	..	..	..	..	..	..	2	..	..	..	..
Total	105	52	29	14	2	..	..	..	..	66	33	202	..	..

Information promised in reply to starred question No. 476 asked by Bhai Parma Nand on the 20th March, 1940.

TONGAS PERMITTED TO RUN FROM THE MEERUT CANTONMENT RAILWAY STATION.

Government understand there are two tonga sheds near Meerut Cantonment Station; one situated outside railway premises and under the control of the Executive Officer, Meerut Cantonment; the other within the station premises and under the control of the North Western Railway. On the assumption that the question relates to the latter, the following are the facts :—

- (a) This shed is not leased out on rent;
- (b) No special licenses are issued by the Railway authorities to tongawalas. The North Western Railway Administration has no information regarding any system of licensing by the cantonment authorities;
- (c) No restriction regarding the number of tongas which may ply for hire to or from the Meerut Cantonment Railway Station has been prescribed by the North Western Railway;
- (d) Does not arise, but no complaints have been made to the Railway authorities that the number of tongas is inadequate.

Information promised in reply to starred question No. 484 asked by Mr. H. M. Abdullah on the 20th March 1940.

COMMUNAL COMPOSITION OF JOURNEYMEN APPOINTED IN CERTAIN SHOPS ON THE NORTH WESTERN RAILWAY.

The following statement gives the information required :—

Name of shop or shed.	Muslims.	Hindus.	Sikhs.	Domiciled Europeans and Anglo-Indians.
Loco. Shops, Moghalpura	23	9	10	7
Carriage & Wagon Shops, Moghalpura	11	6	5	4
Mechanical Workshops, Sukkur	1	..	..
Karachi Division Sheds	2	..	1
Quetta Division Sheds
Multan Division Sheds	1	..
Lahore Division Sheds	1
Ferozepore Division Sheds	2	..
Rawalpindi Division Sheds	1	..	..
Delhi Division Sheds	1	..

NOTE.—Cases of promotion from inferior service are excluded from the table, although these are treated as direct recruitment for the purpose of the regulations regarding communal representation.

Information promised in reply to part (d) of unstarred question No. 97 and unstarred question No. 102 asked by Sardar Sant Singh on the 20th March, 1940.

NON-APPLICABILITY OF THE FUNDAMENTAL LEAVE RULES TO INFERIOR STAFF OF THE GOODS DEPOT AT WADI BUNDER ON THE GREAT INDIAN PENINSULA RAILWAY.

No. 97. Leave accounts were recast in each case from the date of appointment of the staff, but payment of arrears of leave salary due to the misapplication of the rules was made only from 1st January 1937 in accordance with the general policy of making recovery of overpayments and refunds of underpayments for a period not exceeding 12 months prior to the date of discovery.

PROMOTION OF FIREMEN ON THE GREAT INDIAN PENINSULA RAILWAY.

No. 102. (a) Yes, as far as those recruited upto 1920 are concerned.

(b) No, they are not being asked to seek promotion along with B. and C. class Firemen. They are, however, being offered promotion to class 'C' Driver temporarily

until a vacancy occurs in their own class. This has been done to ease the block of promotion among Firemen, the alternative being for the men to remain Firemen, until a vacancy in their own class occurs. Those who are thus temporarily promoted are brought on to a common seniority list of A, B and C class, according to their date of appointment as Firemen.

(c) Yes. The 'A' class Firemen in the Bombay area only, requested that in virtue of theirs being the highest paid class they should be considered senior to 'B' and 'C' classes, but this request was refused as it was detrimental to the legitimate interests of 'B' and 'C' class men. The order of seniority of 'A' class Firemen for promotion to A class Driver was not disturbed and the most senior, whether temporarily promoted to 'C' class Driver or still remaining as a Fireman, is promoted to 'A' class Driver as vacancies occur.

(d) Seven.

(e) Three are Indians and four are Anglo-Indians. The three Indians are employed on the Bombay Division.

(f) No.

(g) The prospects that were open to them at the time of their engagement have not been affected. On the contrary the block in their promotion has been relieved by the expedient detailed in (b) above.

Information promised in the reply to starred question No. 507 asked by Sardar Sant Singh on the 21st March, 1940.

AFFAIRS OF THE DELHI IMPROVEMENT TRUST.

(a) Rs. 65,54,000 (Sixty-five lakhs fifty-four thousand) at 3½ per cent. This includes Rs. 31,21,000 (Thirty-one lakhs twenty-one thousand) borrowed for anti-malaria and sewage disposal schemes sanctioned by Government before the formation of the Trust.

(b) The average annual expenditure on establishment for the years 1937-38, 1938-39, and 1939-40 amounts to Rs. 1,32,600, including salaries, travelling expenses, fees, law charges, and contingencies.

(c) Rs. 26,000. The functions of the late Nazul Office were not identical with those of the Trust.

(d) The answer to the first part of the question is in the affirmative and for the reason indicated in the answer to part (c), the answer to the second part is in the negative.

(e) No. When the Trust was established in March 1937 many leases granted by the Deputy Commissioner to persons moved from Basti Harpal Singh were pending execution. The old standard Nazul form contained no covenant restricting sub-division, transfers, etc., and some of the pending leases were excepted in this form. Later, at the instance of the Trust, a restrictive covenant was introduced. The justification for restrictive covenants is that without them sites and houses intended for poor people will pass to others.

(f) No.

(g) The Trust acquired land near Andha Moghul under the provisions of the Land Acquisition Act, 1894, as modified by the schedule to the United Provinces Town Improvement Act, 1919, and extended to the Province of Delhi. In no case were the owners awarded a sum less than the market value of the land according to the use to which the land was being put at the time of the notification for acquisition. All persons dispossessed by the Trust from Andha Moghul were offered land elsewhere at concession rates, and some persons availed themselves of the offer. Land near the Ajmere Gate was acquired by Government on behalf of the Delhi Municipal Committee under the provisions of the Land Acquisition Act, 1894, and was later bought by the Trust from the Municipal Committee. The Trust have acquired no land in Kare Khan Garden or Sarai Bahilla. None of the land acquired at Andha Moghul or near the Ajmere Gate has yet been sold or leased, and Government are satisfied that there is no question of exorbitant profits.

(h) Does not arise.

Information promised in reply to starred questions Nos. 517 and 519 asked by Maulvi Muhammad Abdul Ghani on the 26th March, 1940.

RECRUITMENT OF RELATIONS OF EMPLOYEES IN THE INCOME-TAX DEPARTMENT, PUNJAB, NORTH-WEST FRONTIER AND DELHI PROVINCES.

No. 517. (a) It is not a fact.

(b) Does not arise.

(c) Hindus—4.

Muslims—2

Sikhs—2

(d) Promotions were made but they were based primarily on the merits of the persons concerned.

(e), (f), (g) and (h). I attach a statement showing the educational qualifications of the clerks at present employed in the department and the communities to which they belong.

(i) I have no reason to believe that merit and qualifications have been disregarded or that undue preference has been given to members of any one community.

Assistant Clerks.

	Hindus.	Muslims.	Sikhs.	Others.
Graduates	11	7	3	..
F. A.	6	5	1	..
Matriculates	56	41	8	1
Non-matriculates	2	3	..	1
	<hr/> 75	<hr/> 56	<hr/> 12	<hr/> 2

= 145.

Head Assistants.

Graduates	2	1	1	1
F. A. . . . .	..	..	..	..
Matriculates	22	8	4	(Senior Cambridge).
Non-matriculates	5	..	..	..
	<hr/> 29	<hr/> 9	<hr/> 5	<hr/> 1

= 44.

Higher Clerical posts.

Graduates	3	2	..	..
F. A. . . . .	..	..	..	..
Matriculates	6	..	1	1
Non-matriculates . . . . .	..	1	..	..
	<hr/> 9	<hr/> 3	<hr/> 1	<hr/> 1

= 14.

INCOME-TAX OFFICERS AND EXAMINERS IN THE COMPANY DISTRICTS AT CALCUTTA.

No. 519. (a) 3 Income-tax Officers, 4 Assistant Income-tax Officers and 7 Examiners.

(b) Hindus 12, Anglo-Indians 2, Muslims and Europeans nil.

(c) The information is not readily available and Government consider that its collection would involve an expenditure of time and trouble that would not be justified by the value of the results.

(d) and (g). It is not correct to suggest that Muslims as such are kept out of the Companies Districts or are given shorter periods of service in them.

(e) Yes.

(f) No. The position is that the Companies Districts are the most important income-tax districts in the Province and are staffed by selected men but preference on the occasion of promotions is not given to persons merely because they work or have worked in these districts.

Information promised in reply to parts (b) (i), (iii), (iv) and (v) and (e) of starred question No. 521 asked by Bhai Parma Nand on the 26th March, 1940.

EXAMINATION FOR RECRUITMENT TO THE INDIAN ARMY ORDNANCE CORPS.

(b) (i) The Number of vacancies depends on future requirements.

Centre.	(iii)		(iv)		(v)	
	No. of candidates who applied to sit for the examination.		No. of candidates permitted to attend the examination.		No. of candidates who actually took the examination.	
	Store-men.	Clerks.	Store-men.	Clerks.	Store-men.	Clerks.
1	2	3	4	5	6	7
Headquarters—						
Northern Command	29	13	10	5	10	5
Eastern Command	35	11	10	5	9	5
Western (Ind.) Distt.	14	3	10	2	9	2
Meerut (Ind.) Distt.	8	5	6	3	6	2
Deccan (Ind.) Distt.	7	4	6	3	6	3
Peshawar (Ind.) Distt.	22	13	5	3	5	2
Kohat (Ind.) Distt.	19	3	6	3	5	3
Waziristan (Ind.) Distt.	11	7	6	3	6	3
Lahore (Ind.) Distt.	10	5	6	3	6	3
Madras (Ind.) Distt.	18	9	6	3	6	3
P. & A. (Ind.) Distt.	6	2	6	1	6	1
Rawalpindi Arsenal	230	187	88	44	88	43
Ferozepore Arsenal	454	163	74	38	72	36
Quetta Arsenal and Mechanical Transport Workshops	160	37	51	21	51	21
Kirkee Arsenal	285	192	80	40	80	40
Allahabad Arsenal	136	53	59	29	57	29
Lahore Depot	416	284	82	41	82	37
Drigh Road Depot	38	15	19	10	19	10
Bombay Depot	23	26	23	12	21	12
Fort William Depot	23	9	16	9	14	7
Shahjahanpur Depot	75	16	20	10	17	10
Chief Inspector of Stores and Clothing, Cawnpore	20	10	20	10	20	7
Chaklala Depot	197	77	94	42	93	42
Bannu Depot	23	10	12	5	12	4
Deolali Depot	17	8	12	1	12	1
I. A. O. C. Training Centre	100	59	58	28	46	22
" A " Workshop Company	18	8	6	3	5	3
" B " Workshop Company	8	3	3	3	3	3
" C " Workshop Company	16	5	6	3	6	3
" E " Workshop Company	8	27	6	3	6	3
" G " Workshop Company	11	9	6	3	6	3
" H " Workshop Company	2	5	1	3	1	3
" I " Workshop Company	3	3	2	3	2	3
" J " Workshop Company	3	2	2	1	2	1
" K " Workshop Company	10	5	6	3	5	2
" L " Workshop Company	9	5	6	3	6	3
31 (Indept.) Workshop Section	5	3	3	2	3	2
33 (Indept.) Workshop Section	7	5	3	2	3	1
Director of Ordnance Services, Army Hdqrs., New Delhi	300	100	105	46	91	34
Total	2,771	1,401	940	452	887	417

(e) No.

Information promised in reply to starred question No. 547 asked by Mr. Muhammad Ashar Ali on the 28th March, 1940.

LOCATION OF A TUBERCULOSIS CLINIC IN KAROL BAGH, DELHI.

(a) Yes.

(b) No.

(c) Yes.

(d) to (h). Government are aware that representations were received from certain residents of Karol Bagh. The Tuberculosis Association has been asked to have the question of the location of tuberculosis clinics examined by a committee of experts and on receipt of the report of the committee, Government will consider whether any action is necessary.

Information promised in reply to starred question No. 560 asked by Sardar Sant Singh on the 28th March, 1940.

STAFF OF THE DELHI IMPROVEMENT TRUST.

(a) A statement is placed on the table.

(b) The orders referred to do not apply to the Trust which is not a department of Government but an independent body created by statute.

(c) In 1937-38 21 temporary and permanent appointments were made. One of them went to a Sikh.

In 1938-39 24 temporary and permanent appointments were made.

(d) Since 7th May, 1937.

(e) No definite complaints, on the basis of which regular charges could be framed, have been made.

Statement showing by communities the strength of the ministerial and other establishment of the Delhi Improvement Trust (this includes gazetted officers, clerical and outdoor personnel and inferior personnel.)

Hindus	62
Mohammadans	36
Sikhs	2
Others	2
	<hr/>
	102

Information promised in reply to starred question No. 561 asked by Pandit Lakshmi Kanta Maitra on the 28th March, 1940.

CHARGE OF PRESERVED MONUMENTS IN NEW DELHI.

(a) No. Monuments notified under the Ancient Monuments Preservation Act, 1904 as "protected monuments" are in the charge of the Archaeological Department. Other monuments are supervised by the Land and Development Officer, who receives no remuneration for this work. His office Superintendent receives a special pay of Rs. 75 per mensem and a conveyance allowance of Rs. 35 per mensem for periodical inspection of the monuments.

(b) No. The Honourable Member presumably refers to a letter published in the "Hindustan Times", Delhi, on the 28th June, 1938. This letter, which was signed "Pro Bono Publico", suggested that preservation of and repairs to all monuments in New Delhi should be carried out by the Archaeological Department.

(c) and (d). The comments made by the Financial Adviser were to the effect that as other work expanded it might be found that the inspection of monuments together with the charge of his office would be too much for one man. Government do not think that position has arisen yet.

Information promised in reply to starred question No. 455 asked by Bhai Parma Nand on the 19th March, 1940 and unstarred question No. 105 asked by Sardar Sant Singh on the 29th March, 1940.

ASSESSMENT VALUE OF HOUSES AND SHOPS IN THE KASAUJI CANTONMENT.

(a) and (b). No new assessment list of houses and shops in the Kasauli Cantonment has yet been prepared. Proposals, however, are under consideration of the Cantonment Board to increase the assessment of those houses and shops the owners of which, in spite of receiving the full year's assessed rent from their tenants, are demanding a proportionate refund of the house tax from the Board on the ground that the rents realised by them relate only to that portion of the year for which the buildings were occupied;

(c) Yes, there has been a fall to some extent;

(d) The proposed increase in the assessment resulted in certain objections in consequence of which the Board are reconsidering the matter;

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

Information promised in reply to starred question No. 576 asked by Mr. Lalchand Navalrai on the 1st April, 1940.

RECRUITMENT OF POSTAL CLERKS IN THE SIND AND BALUCHISTAN CIRCLE.

(b) Yes. Orders were given last year that as a special case 5 unqualified candidates of the Muslim Community and one Anglo-Indian should be permanently appointed against vacancies reserved for those communities in the Sind and Baluchistan Circle. Of the 5 Muslims, 2 were below 21 years of age; the other 3 and the Anglo-Indian were above 21 but below 25 years.

(c) The reply to the first part of this question is in the negative. The second part does not arise.

(d) No. The concession was granted as a special case and was based on the consideration that the men in question had been acting in the appointments before the present examination System was introduced.

(e) Yes.

(f) Yes. 3 have already been appointed to permanent posts; 15 are working in temporary vacancies which are likely to become permanent and 7 in purely temporary vacancies.

(g) As in the case of other recruiting units in the Circle, the requisite number of candidates were selected to fill both existing and anticipated vacancies in the Karachi General Post Office, and were placed on a waiting list. Subsequently, owing to the suspension of the Empire Air Mail Scheme after the declaration of War, the anticipated vacancies did not materialise; so that some approved candidates could not be appointed. Orders have since been issued to the Director to make provision for these candidates in other units by relaxing the condition of domicile, subject, of course, to the consent of the candidates to serve in the other units and subject to the rules regarding recruitment on communal basis.

(h) No. The appointment of unqualified candidates has been discontinued.

(i) The reply to the first part of the question is in the affirmative. As regards the second part, candidates from the majority community were admitted for other units than the Karachi General Post Office; in these units there were unreserved vacancies at that time.

(j) This is a fact only in the Karachi, General Post Office where as already stated in reply to part (f) 22 candidates have still to be provided with permanent posts. The candidates admitted to the examination for other units were intended for vacancies arising there.

(k) Rs. 755.

(l) The position of qualified candidates on the waiting list who have not yet obtained appointments is always taken into consideration before holding a fresh examination in any Circle. No examination is being held in the Sind and Baluchistan Circle during the present year.

Information promised in reply to parts (e), (g), (h) and (i) of unstarred question No. 110 and parts (b), (d) and (e) of unstarred question No. 112 asked by Mr. N. M. Joshi on the 1st April, 1940.

WORKING OF THE BOMBAY MULTIPLE UNIT SERVICE ON THE GREAT INDIAN PENINSULA RAILWAY BY CERTAIN DRIVERS.

No. 110. (e) Yes; and they have been transferred to the Bombay Division.

(g) and (h). As already explained, the 47 surplus drivers were absorbed in three stages :

- (1) 24 men (the most junior) were absorbed from time to time in vacancies of goods drivers up country, before general retrenchment became necessary;
- (2) 15 men, referred to in part (f), were demoted to goods drivers on the Bombay Division when general retrenchment was undertaken in 1931 on the divisional basis then adopted;
- (3) 8 men, referred to in part (d), were absorbed up-country as passenger drivers, when the divisional basis was changed to an all-line basis on the representation of organised labour.

There has been no discrimination as the drivers were dealt with in the same way as other staff surplus at the same time. No orders of the Railway Board have been contravened.

(i) Does not arise.

ESTABLISHMENT OF A CENTRAL CONTROL ROOM AT KALYAN.

No. 112. (b) As there are no lower grades in the Traction (Sub-station) group to which they could be demoted, the Assistant Operators would have to be discharged when surplus. As an alternative to discharge, they were offered employment as Assistant Drivers in the Drivers' group, which they accepted; they were appointed on the minimum pay of the grade in view of their lack of experience. Their emoluments have, however, suffered no serious reduction since they draw between Rs. 40 and Rs. 50 as mileage in addition to their substantive pay.

(d) The instructions referred to in (c) do not apply to the staff in question.

(e) Does not arise.

Information promised in reply to unstarred questions Nos. 119 and 122 asked by Mr. Lalchand Navalrai on the 1st April, 1940.

VACANCIES OF GRADE III FIREMEN ON THE NORTH WESTERN RAILWAY.

No. 119. (a) The answer to the first part is in the negative, and the second part does not arise.

(b) The Honourable Member is referred to the Rules for the recruitment and training of non-gazetted staff on State-managed Railways, which are contained in Appendix XXII to the State Railway Establishment Code, a copy of which is in the library of the House. Under these rules, direct recruitment to the higher categories of Firemen is permitted. There is no bar to the appointment of a Cleaner as a Boy Fireman provided he fulfils the conditions laid down for such recruitment, but the normal channel of promotion for a Cleaner Grade II is to Fireman Grade II.

PROMOTION OF SHUNTING STAFF ON THE NORTH WESTERN RAILWAY.

No. 122. (a) The Honourable Member has not indicated the period to which his question refers, but I understand that there was one man on the list in last September,

none in December, and that three were placed on the list between 29th January 1940 and the date of his question.

(b) Yes.

(c) I am not aware what period the Honourable Member refers to, but there was one recent case in which a Shunting Jamadar, whose officiating service as a Yard Foreman had not been satisfactory, was recalled for examination and declared unfit.

(d) This depends on the examination, but an employee who has passed the Yard Foreman's examination is not ordinarily required to re-appear for it.

Information promised in reply to starred questions Nos. 588 and 589 asked by Bhai Parma Nand on the 1st April, 1940.

REDUCTION OF WATER CHARGES IN NEW DELHI.

No. 588.—(a) and (b). The present rates for the metered supply of filtered water for domestic use in Delhi and New Delhi are as follows :—

Delhi.—Annas eight per thousand gallons except in certain areas which are fully metered and in which the rate is Annas five per thousand gallons.

New Delhi.—Annas eight per thousand gallons.

Unmetered supply is charged for in Delhi at a flat rate of Rs. 2 per mensem which covers three taps; there is an extra charge of Annas four for each additional tap above three. There is no unmetered supply in New Delhi.

(c) No. The New Delhi rate has been increased to meet the liabilities of the Committee on account of sewage disposal.

REDUCTION OF ELECTRICITY CHARGES IN NEW DELHI.

No. 589.—(a) and (b). The rates for the supply of electrical energy for lighting and fans are As. 0-3-0 less 0-0-3 per unit in Delhi and Rs. 0-4-0 less 10 per cent in New Delhi.

(c) Delhi and New Delhi are served by different distributing licensees—The Delhi Electric Supply and Traction Company Limited and the New Delhi Municipal Committee respectively. The Company have given effect to the recommendations of the Delhi Electric Supply Enquiry Committee of 1936, but the Municipal Committee have not yet done so. The reason for the delay on the part of the Municipal Committee is that the surplus earned annually by the Electrical undertaking is a part of the Municipal revenues. The status of the undertaking was considerably changed by the transfer of the power house from the Committee's control to that of the Delhi Central Electric Power Authority, Ltd. and by the operation of the bulk supply licence granted to the Authority. The Committee wished to study the financial results of the change before embarking upon a general revision of the rates, which must involve a corresponding increase in Municipal taxation. There is a justification for higher rates in New Delhi as compared with Old Delhi, as the distribution system in New Delhi is underground, and was therefore more costly to instal than the distribution system in Delhi.

(d) I understand that the question of revising the rates is already receiving the attention of the New Delhi Municipal Committee.

Information promised in reply to starred question No. 600 asked by Pandit Krishna Kant Malaviya on the 1st April, 1940.

DUMPING OF CARCASSES OF ANIMALS NEAR KAROL BAGH, DELHI.

(a) and (b). The inhabited part of Qarol Bagh is at a distance of about one mile from the existing dumping ground for dead animals. The area now under development is closer to the dumping ground.

(c) No.

(d) Steps are being taken to remove the dump to the Badli Refuse Disposal ground.

Information promised in reply to starred question No. 605 asked by Sardar Sant Singh on the 1st April, 1940.

BUILDING INSPECTOR OF THE DELHI IMPROVEMENT TRUST.

(a) The Building Inspector of the Delhi Improvement Trust was appointed on the 7th May 1937 in the grade of Rs. 150—10—250 and his present pay is Rs. 160. His qualifications are :—

B.A. (Hons.), C.E. (Roorkee).

(b) Three. One Muslim, one Sikh and one Hindu.

Information promised in reply to starred question No. 608 asked by Mr. Umar Aly Shah on the 2nd April, 1940.

DIFFERENTIAL TREATMENT METED OUT TO THE INDIAN MEDICAL DEPARTMENT.

(a) Yes. The percentage of commissions in the Assistant Surgeons Branch of the Indian Medical Department was increased from 10 per cent. to 13·5 per cent. in connection with the scheme for the employment of I.M.D. personnel on duties normally performed by Indian Medical Service Officers. The scheme for various reasons had to be abandoned and the percentage of commissions has been consequently reduced from 13·5 per cent. to 10 per cent.

(b) and (c). There is no special promotion in the Indian Medical Department, either in peace or war, nor in any other branch of the service, except in the India Unattached List, where it takes the place of accelerated promotion.

(d) No.

(e) Members of the Indian Medical Department are not eligible for separation allowance in any circumstances. In this they are on the same footing as Viceroy's Commissioned Officers and other ranks of the Indian Army, and like the latter, they receive expatriation allowance when serving overseas.

(f) The differences which exist to the extent outlined above are part of the conditions of service of the Indian Medical Department. These conditions of service differ from those of other branches and units owing to the nature of this particular Department, and are partly equivalent to those of the British, and partly to those of the Indian Service.

Information promised in reply to starred question No. 610 asked by Mr. Muhammad Ashar Ali on the 2nd April, 1940.

NON-GRANT OF SEPARATION ALLOWANCE TO THE INDIAN MEDICAL DEPARTMENT.

(a) and (b). Separation allowance is granted to King's Commissioned Officers, whether of the British Service or of the Indian Army, King's Commissioned Indian Officers and Indian Commissioned Officers only when the officers are posted at stations where under Government orders families are not permitted, or in the case of officers of the Indian Army, when on field service outside India. The allowance is granted to all the above mentioned officers at the same rates on a sliding scale in accordance with their rank and service.

British Other Ranks.—Separation allowance is admissible to British Other Ranks when separated from their families owing to :—

- (i) Move of families to the hills;
- (ii) residence in non-family stations and during operations conducted under the Special Procedure Pamphlet;
- (iii) absence on duty of instructors from schools of instruction.

There is no rule sanctioning the grant of separation allowance to British Other Ranks on field service *ex-India*.

Viceroy's Commissioned Officers and Indian Other Ranks.—No separation allowance is admissible in the case of Indian troops. Their conditions of service are totally different from those of British troops. On the other hand they are entitled to expatriation allowance when on service overseas, whilst British troops are not.

(c) No Royal Army Medical Corps and Indian Medical Service officers are entitled to separation allowance while on field service. Other ranks of the Royal Army Medical Corps are treated in the same way as other British Other Ranks.

(d) Officers of the Indian Medical Department are not entitled to the grant of separation allowance, but on the other hand they are eligible for expatriation allowance.

(e) Government do not recognize any discrimination.

Information promised in reply to part (b) of starred question No. 618 and starred question No. 619 asked by Pandit Krishna Kant Malaviya on the 2nd April, 1940.

GRANT OF ARMS LICENCES TO SPECIAL POLICE OFFICERS IN DELHI.

No. 618. (b) No arms licences were granted to Special Police Officers by virtue of their position as such during the years 1938 and 1939 and the quarter ending 31st March, 1940.

CRIMES IN DELHI.

No. 619. (a) The figures of heinous crime in Delhi during 1938 are given below :—

	1938 (Reported cases)
Murders	22
Dacoities	8
Robberies	17
Burglaries (including lurking house trespass)	605

The appointment of an Additional Superintendent of Police has not resulted in an immediate reduction of crime. The appointment was created to relieve the Senior Superintendent of Police of a part both of his routine and outdoor duties, and has produced the expected result.

(b) The increase in crime in Delhi in recent years is due to a variety of causes, such as the increase in population and unfavourable economic conditions, and not to any lack of vigilance on the part of the police. Patrolling and preventive action have, however, been intensified and extensive use made of the Goondas Act.

Information promised in reply to starred question No. 626 asked by Sardar Sant Singh on the 4th April, 1940.

GRANT OF LEAVE TO THE EAST INDIAN RAILWAY EMPLOYEES SERVING IN THE VOLUNTEER FORCES WHEN REQUIRED TO JOIN THE ARMY.

(a) Yes; certain non-gazetted employees of the East Indian Railway are members of the Auxiliary Force, India, or the Indian Territorial Force.

(b) No. Periods of military service and time spent in training, are treated as duty.

Information promised in reply to parts (a), (b) and (c) of starred question No. 628 asked by Mr. H. M. Abdullah on the 4th April, 1940.

**CLERKS EMPLOYED IN CERTAIN SECTIONS OF THE RAILWAY DIVISIONAL OFFICE,
LAHORE.**

(a) (i). Two statements are placed below giving the information required for the Acme Section and the Establishment Section including the Acme Section of the Divisional Office, North Western Railway, Lahore.

(ii) and (iii). No vacancy has occurred in the Acme Section since 31st March 1936. Eighteen vacancies occurred in the Personnel Branch. Of these three were in grade IV, six in grade III, five in grade II and four in grade I. Eight of these vacancies were filled by promotion within the Branch; eight by transfer from other branches, one by absorption of a grade IV clerk working against a sanctioned grade III post and one by direct recruitment to grade II.

(b) This is a matter of opinion. The honourable member is referred to the statements in connection with the reply to part (a) (i).

(c) I am not clear what order the Honourable Member has in mind. There has been in recent years a substantial increase in the number of Muslims in the Acme Section, although there has been no increase in the Personnel Branch as a whole. Government understand that Muslim representation in the Personnel Branches of all Divisional Offices is reviewed periodically by the General Manager.

STATEMENT A.

Number of clerks by grades and communities in the Acme Section of Personnel Branch of Divisional Superintendent's Office, Lahore, with relevant percentages.

Date.	Grade III.			Grade II.		Grade I.		Total Percentages.			
	Hindus.	Sikhs.		Hindus.	Muslims.	Hindus.	Muslims.	Hindus.	Muslims.	Sikhs.	
31st March 1936	1	...		2	...	1	...	100	...	...
31st March 1937	...	1		2	...	1	...	75	...	25	
31st March 1938	...	...		1	1	1	1	50	50	...	
31st March 1939	...	...		1	1	1	1	50	50	...	

STATEMENT B.

Number of clerks by grades and communities in "Personnel" Branch including Acme Clerks of Divisional Superintendent's Office, Lahore, with relevant percentages.

Date.	Grade V.		Grade IV.		Grade III.		Grade II.		Grade I.		Total Percentages.			
	Hindus.	Muslims.	Hindus.	Muslims.	Hindus.	Muslims.	Hindus.	Muslims.	Hindus.	Muslims.	Sikhs.	Muslims.	Sikhs.	
31st March 1936	1	...	1	2	2	...	9	4	2	16	2	66.7	24.4	8.9
31st March 1937	1	...	1	1	4	1	10	4	1	11	2	67.5	22.5	10.0
31st March 1938	1	...	1	1	4	1	8	6	2	10	4	57.1	8.6	11.9
31st March 1939	...	1 (off.)	2	1	5	1	11	5	1	8	2	61.9	23.8	14.3

(2.4% Christian).

DEATHS OF RAJA SIR VASUDEVA RAJAH AND MR. SURYYA KUMAR SOM.

The Honourable Sir Muhammad Zafrullah Khan (Leader of the House): Sir, Honourable Members must have learnt with sorrow of the loss which the House has suffered, since it last met, by the deaths of two of its Honourable Members, namely, the Rajah of Kollengode and Mr. Suryya Kumar Som. The Rajah of Kollengode had to his credit a long period of public activity and during the last ten years, he represented in this House the Madras Landholders constituency. He was a very modest and unassuming gentleman and though he seldom took any active part in the proceedings of this House, he was a very much respected Member of it. Mr. Suryya Kumar Som was elected at the last general election to represent the Dacca Division: Non-Muhammadan Rural constituency in this Assembly and in spite of his years—I believe he was over 70 when he died—he took a very active part in the proceedings of this House and made very useful contributions to it. I am certain that the House feels keenly the loss of these two Honourable Members and would wish you, Sir, to convey to the bereaved families its sincere condolences and sympathies and I request you accordingly.

Mr. M. S. Aney (Berar: Non-Muhammadan): Sir, I rise to associate myself and my Party with the expression of sorrow over the deaths of our deceased friends and colleagues, the Rajah of Kollengode and Mr. Suryya Kumar Som. The Rajah of Kollengode was one of the old Members of this House and although as has been stated by the Honourable the Leader of the House, he was not seen taking a very active part in the proceedings of the House, in other respects, he was no doubt a very useful Member of the society. Particularly, his death will be mourned by the orthodox section of the Hindu community. He was very keen upon that aspect of work of this House and in him we could always expect to hear the opinion of the orthodox section on many questions of social reform which used to be considered in this House. To that extent this House is no doubt a great loser. Besides, most of us have had a good deal of experience of the gentleman in him. We found in him a thorough gentleman of the old aristocratic type, a type which is fast becoming extinct now-a-days.

Sir, as regards Mr. Suryya Kumar Som, he was a Member of the Party which I have the privilege to lead in this House. In spite of his old age, he was extremely active in the work that was transacted in this House, particularly whenever he found the cause of the poor at stake, he was an unusual enthusiast. The contributions that he made particularly on the Motor Vehicles Bill and the Insurance Bill, mainly in the interest of the poor new Insurance companies and the poor motor drivers and lorry drivers and owners, will be remembered by this House. I believe that much of the improvements that were made in those Bills subsequently were due not to a small extent to the labours which he took on these matters. It was really a very encouraging thing to see that in spite of his age, he kept up the joviality of youth in him which was an example for most of us younger people to follow and imitate. Besides, he was a staunch nationalist, free from any communal bias. That is another point which requires to be noted in these days. Sir, he represented a constituency and in his own province he has suffered for the sake of serving the country in more ways

than one. He had a lucrative practice at the Bar which he gave up at the call of the country and he devoted himself solely to the service of the country for a number of years. In Mr. Suryya Kumar Som we are losing a patriot of a very high order and this House a very useful and experienced Member. Sir, I entirely join with the Honourable the Leader of the House in asking you, Sir, to record the sense of sorrow of this House and also to convey the same to the members of the bereaved family.

Syed Ghulam Bhik Nairang (East Punjab: Muhammadan): Sir, on behalf of my Party, I associate myself with the motion expressing the deep sense of loss of this House by reason of the passing away of two of its prominent Members, the Rajah of Kollengode and Mr. Suryya Kumar Som.

The Rajah of Kollengode, as has been very rightly remarked, belonged to the old aristocratic order and also to the old school of thought. He belonged to the type of man which is now fast disappearing. He was a most popular Member in this House on account of his genial and sociable disposition and broad sympathies and he was a very fit representative of the orthodox Hindu community in the South.

Mr. Suryya Kumar Som was among my personal friends, and we can all remember how heartily and broad-mindedly he took part in all social functions which were meant to bring together men of different schools of thought. He had very broad sympathies, gentlemanly manners and a loving disposition, and there is no doubt that the very valuable contributions which he made to the debates of this House will be long remembered and his services will be long appreciated. Sir, I associate myself with the motion to express the sympathy and sense of loss of this House and convey the sympathy of this House to the members of the bereaved families.

Mr. L. C. Buss (Nominated Non-Official): Sir, I should like to add a tribute on behalf of the European Group to what has been said by the Leaders of the other Parties about our late colleagues the Rajah of Kollengode and Mr. Suryya Kumar Som. We knew them both particularly for their unassuming courtliness and kindness and their loss to this House is a great one. Although Mr. Som did not appear in this House very frequently last Session owing to ill-health, we little thought that when we re-assembled we should see neither of these colleagues among us again. I would ask you to associate the European Group with any message of condolence that you may be sending to the families of our lost friends.

Mr. President (The Honourable Sir Abdur Rahim): I share with Honourable Members the sorrow and sense of loss which we all feel at the deaths of the Rajah of Kollengode whom I had the privilege of knowing for a long number of years and of Mr. Suryya Kumar Som who came from my own province of Bengal. I endorse the very appropriate tributes which have been paid to their memory by the Leader of the House and by other Honourable Members and I shall forward the condolence of the House to the bereaved members of their families.

MOTIONS FOR ADJOURNMENT.

FAILURE OF THE GOVERNMENT OF INDIA TO EVOKE WHOLE-HEARTED ENTHUSIASM IN THE NATION TO FIGHT THE TOTALITARIAN STATES.

Mr. President (The Honourable Sir Abdur Rahim): I have received notices of a number of adjournment motions. The first is in the name of

[Mr. President.]

Mr. G. V. Deshmukh who wants to discuss a definite matter of urgent public importance, namely, the failure of the Government of India to resort to steps to evoke whole-hearted enthusiasm in the nation and to expedite the expansion and equipment of the Indian Army, Navy and Air Forces to fight the totalitarian States which have brought war to Egypt and raised apprehensions about the external as well as internal security of India.

What steps has the Honourable Member got in mind?

Mr. Govind V. Deshmukh (Nagpur Division: Non-Muhammadan): Sir, I want to say that the steps which they have taken are not the proper steps and I want to suggest certain other steps. For instance, I want to point out that the distinction between martial and non-martial classes has not yet been eliminated and there is no proper expediting of the expansion of the army. The Communiqués which are issued from time to time do not show any progress. I want to suggest some means by which it can be done. Have I to give details, Sir?

Mr. President (The Honourable Sir Abdur Rahim): Is there any objection to this motion being discussed?

Mr. C. M. G. Ogilvie (Defence Secretary): Sir, I fail to see how this can be described as a definite matter of public importance. The words of the motion are, "steps which might evoke the whole-hearted enthusiasm of the nation". No indication is given as to what steps he considers the Government of India have not taken. It, therefore, seems to be completely indefinite.

Mr. President (The Honourable Sir Abdur Rahim): It speaks of failure of the Government of India and is, therefore, worded in the negative.

Mr. C. M. G. Ogilvie: We have yet to know what further and effective steps the Honourable the Mover has in mind. Again, the matter must be of recent date. Is there any recent failure on the part of Government or is the Honourable Member condemning the whole course of Governmental activity since the beginning of the war? As regards the failure quickly to expedite the expansion of the Indian Army, Navy and Air Force, that is a categorical statement which is based upon nothing.

Mr. President (The Honourable Sir Abdur Rahim): It seems to be somewhat vague.

Dr. Sir Ziauddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): Sir, the Honourable the Mover has clearly said

Mr. President (The Honourable Sir Abdur Rahim): Unless it is a point of order, the Honourable Member cannot say anything now.

As objection has been taken, I want to know how many Honourable Members are in support of leave being granted.

(Less than 25 Honourable Members rose in their seats.)

As less than 25 Members have risen in their places, leave is refused.

DACCA MAIL DISASTER.

Mr. President (The Honourable Sir Abdur Rahim): The next motion stands in the name of Pandit Lakshmi Kanta Maitra who wants to discuss the failure of the Government of India to institute a judicial inquiry or an enquiry by an impartial tribunal into the Dacca Mail Disaster near Jairampur on the Eastern Bengal Railway on the 5th August, 1940.

Is there any objection to that?

The Honourable Sir Andrew Olow (Member for Railways and Communications): Sir, I have no desire to burke discussion on this subject but there is another motion on the same subject which I think is in better form than this. The actual failure of Government does not occur on any specific date. There is a motion in the name of Dr. Banerjee which relates to the specific occurrence itself and I suggest that the Honourable the Mover might withdraw in favour of Dr. Banerjee.

Pandit Lakshmi Kanta Maitra (Presidency Division: Non-Muhammadan Rural): I have no objection to withdrawing this motion on the understanding that the other motion will not be objected to by Government.

EXPANSION OF H. E. THE VICEROY'S EXECUTIVE COUNCIL AND THE CONSTITUTION OF WAR ADVISORY COMMITTEE.

Mr. President (The Honourable Sir Abdur Rahim): The next motion also is in the name of Pandit Lakshmi Kanta Maitra who wishes to discuss the failure of the Government of India to give an opportunity to this House to consider the declaration made on behalf of His Majesty's Government by His Excellency the Viceroy in August last regarding the expansion of the Viceroy's Executive Council and the constitution of War Advisory Committee. What I should like to know from the Honourable Member is how this House can discuss any action or failure on the part of His Excellency the Viceroy in matters in which he acts in his discretion or under orders of His Majesty's Government in England: that is to say. I should like to know what part the Government of India is taking in this matter or were expected to take by the Honourable Member.

Pandit Lakshmi Kanta Maitra: Sir, the issue is rather simple. His Majesty's Government made a certain offer regarding constitutional changes and that was communicated to the Indian people through the Viceroy; in other words, a declaration was made by the Viceroy on behalf of His Majesty's Government. This declaration related mainly to the expansion of the Executive Council of His Excellency the Viceroy, which is connected with this Assembly. Also the formation of the War Advisory Committee which is.....

Mr. President (The Honourable Sir Abdur Rahim): Let us confine ourselves at present to the Executive Council; the expansion of the Executive Council depends on the discretion of His Majesty.

Pandit Lakshmi Kanta Maitra: I quite see that. I do not challenge that. All I say is that when such a declaration was made and when it related to this Legislature—it certainly does not relate to the Provincial

[Pandit Lakshmi Kanta Maitra.]

Legislatures—the Government should have given an opportunity to this Assembly to consider the offer. My point is that the Government failed in its duty by not advising the Governor General to convene a session of the Assembly and place the declaration made on behalf of His Majesty's Government to be considered by the Assembly and get a vote recorded thereon, because, after all, if the expanded Executive Council came into existence they would be functioning here, and we, as popular representatives, will have to work with them, vote their supplies or reject them and so on . . .

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member need not elaborate the point.

Pandit Lakshmi Kanta Maitra: Therefore, the point is the default on the part of the advisers of His Excellency the Governor General to advise His Excellency to convoke a session of the Assembly to consider this specific offer, because it was a momentous offer and it is surprising that instead of giving the Legislative Assembly any chance . . .

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member is making a speech.

Pandit Lakshmi Kanta Maitra: I am not making a speech. I merely say that people who are not connected with the Assembly in any way, outside people, should not have been preferred to the Legislative Assembly in the matter of the consideration of this offer and we should have been given a chance. Government has failed to do that.

The Honourable Sir Muhammad Zafrullah Khan (Leader of the House): Sir, I object to this motion, as the subject matter of this motion cannot form the subject of an adjournment motion. To begin with, what is sought to be discussed is the declaration, and the declaration is the declaration of His Majesty's Government made by the Governor General; and even assuming that this motion could in some manner be shown to be in order, what is there to be discussed? The subject matter of the discussion would be the declaration of His Majesty's Government through the Governor General . . .

Mr. President (The Honourable Sir Abdur Rahim): I think what the Mover wants to discuss is the failure of the Government of India to advise the Governor General.

The Honourable Sir Muhammad Zafrullah Khan: I am coming to that. Then the Honourable Member has said that this House should have been taken into confidence before the public were taken into confidence: that is to say, before the declaration was made, this House should have been summoned and the declaration placed before it . . .

Mr. M. S. Aney (Berar: Non-Muhammadan): No, no.

The Honourable Sir Muhammad Zafrullah Khan: The declaration was made by the Governor General as Governor General. The Government of India as such need have no knowledge and do not necessarily have knowledge of matters which are entirely within the discretion of the

Governor General as such. Therefore, the adoption of any suggestion that before the public was taken into confidence,—that is what the Honourable Member said—this House should have been taken into confidence, was, so far as the Government of India are concerned, out of the question.

Next, the summoning of the Legislature is the business of the Governor General, and the Government of India as such have no *locus standi* to advise the Governor General on such matters. Therefore it comes to this, that according to the Honourable Member, either before the declaration was actually made or immediately after it was made, the Government of India should somehow or other have forced the Governor General to call a session of the Assembly and forced him to place the matter before the House.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member's point seems to be that they have no duty to advise the Governor General to that effect.

The Honourable Sir Muhammad Zafrullah Khan: Not only is it not their duty, they have no business to give advice on such a matter. So far as the responsibility of the Government of India is concerned, there is no obligation laid upon them to give advice in these matters. They would be exceeding the limits of the constitution if as a matter of right they insisted upon giving advice to the Governor General in these matters.

Mr. President (The Honourable Sir Abdur Rahim): What about the constitution of War Advisory Committees? Does not that come within the scope of this Executive Council?

The Honourable Sir Muhammad Zafrullah Khan: No. The offer was made that the Governor General would constitute a War Advisory Committee to advise him: it has nothing to do with the Government of India.

Pandit Lakshmi Kanta Maitra: May I say a word by way of reply?

Mr. President (The Honourable Sir Abdur Rahim): There is no reply. As objection has been taken, those Honourable Members who are for leave being granted will rise in their places. (Less than twenty-five Honourable Members rose in their seats.) As less than twenty-five Members are for leave being granted, leave is refused.

NON-ASSOCIATION OF NON-OFFICIAL REPRESENTATIVE INDIANS WITH THE EASTERN GROUP CONFERENCE.

Mr. President (The Honourable Sir Abdur Rahim): The next motion is also in the name of Pandit Lakshmi Kanta Maitra, who wishes to discuss a definite matter of urgent public importance, *viz.*, the failure of the Government of India to impress on His Majesty's Government at Home, the necessity of associating Non-official Representative Indians with the Eastern Group Conference held in Delhi towards the end of October last. Can the Leader of the House throw any light on this matter?

The Honourable Sir Muhammad Zafrullah Khan: In the first place, Sir, this is put the other way about. It is not the business of His Majesty's Government. But actually there are quite a substantial number of representative Indians associated with the Eastern Group Conference as Advisers in exactly the same way as advisers of the other delegations.

Pandit Lakshmi Kanta Maitra: It does not meet my point at all. My motion is based on the fact that they had no character of delegates. It is not a question of giving advice. The Conference had representative delegates from all these countries, except India

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has worded his motion as "the necessity of associating non-official representative Indians"

Pandit Lakshmi Kanta Maitra: Certainly it means in the capacity of delegates, not as advisers.

Mr. President (The Honourable Sir Abdur Rahim): It does not say so.

The Honourable Sir Muhammad Zafrullah Khan: May I explain, Sir? The Eastern Group Conference, so far as the Visiting Delegations from countries in the Eastern Group are concerned, consists of delegates who represent their Governments and Advisers to delegations. The Indian representation also consists of delegates who represent the Government of India and non-official as well as official advisers in the same way as there are advisers to other delegations. There is no distinction whatever between the two arrangements, and, as I have said, there are a substantial number of official as well as non-official Indian advisers; as a matter of fact, their number is so large that it has been freely referred to as the army of Indian advisers which the Government have associated with this conference.

Mr. President (The Honourable Sir Abdur Rahim): In view of the facts the Leader of the House has stated, this motion is disallowed as not being in order.

REFUSAL OF PERMISSION TO MR. BHULABHAI DESAI AND TO MR. ASAF ALI
TO VISIT WAZIRISTAN.

Mr. President (The Honourable Sir Abdur Rahim): The next one is also in the name of Pandit Lakshmi Kanta Maitra in which he wants to discuss a definite matter of urgent public importance, namely, the refusal of permission to Mr. Bhulabhai Desai. Leader of the Opposition, and to Mr. Asaf Ali, another Member of this House, to visit Waziristan on a goodwill mission. . . . Refusal by whom?

Pandit Lakshmi Kanta Maitra: By the Government of the Frontier in consultation with the Government of India.

Mr. President (The Honourable Sir Abdur Rahim): In consultation with the Government of India?

Pandit Lakshmi Kanta Maitra: Yes, as we read in the press reports, that these two gentlemen who are Members of this House were under the Defence of India Act prevented from entering Waziristan; the Defence of India Act has been passed by this House; and this action on the part of the Government means the curtailment of the liberties of Members of this House

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member need not make a speech. I want to know the facts.

Mr. O. K. Caroe (Secretary, External Affairs Department): With your permission, Sir, I wish to take the point about refusal of permission to visit Waziristan. This is a matter connected with the tribal areas, and Waziristan being a part of tribal areas, under the Legislative Rules a motion of adjournment cannot be moved without the consent of the Governor General on any matter connected with the tribal areas. The same rule which applies to Resolutions applies to adjournment motions also.

Mr. President (The Honourable Sir Abdur Rahim): Then, I suppose the Honourable Member can move it if he can get the consent of the Governor General. Does the Honourable Member object to this motion?

Mr. O. K. Caroe: Yes, Sir, unless consent of the Governor General is obtained, it is out of order. The rule is sub-clause (b) of clause 2 of sub-rule (2) of rule 23, page 111, read with clause 5 of rule 12 at page 107.

Mr. President (The Honourable Sir Abdur Rahim): That applies to adjournment motions also.

Mr. O. K. Caroe: Under rule 12, clause 5, that rule applies to adjournment motions also.

Mr. President (The Honourable Sir Abdur Rahim): As objection has been taken to this motion being moved, Honourable Members who are in support of this motion will rise in their seats.

(Less than 25 Honourable Members stood up.)

As less than 25 Honourable Members are in support of this motion, leave is refused.

Then, the next one, No. 8, is also in the name of Pandit Lakshmi Kanta Maitra.

DACCA MAIL DISASTER.

Mr. President (The Honourable Sir Abdur Rahim): Then, we come to No. 6, which is in the name of Dr. P. N. Banerjea. He wishes to move that the business of the House be adjourned to consider a definite matter of urgent public importance, namely, the Dacca Mail disaster on the Eastern Bengal Railway on the 6th August, 1940, resulting in heavy loss of life. I understand there is no objection to this motion.

The Honourable Sir Andrew Clow: I have no objection, Sir.

Mr. President (The Honourable Sir Abdur Rahim): The motion will be taken up either at 4 O'clock or before that, as soon as the business of the House is finished.

H. E. THE GOVERNOR GENERAL'S ASSENT TO BILLS.

Secretary of the Assembly: Sir, information has been received that the following Bills which were passed by both Chambers of the Indian Legislature, during the Budget Session, 1940, have been assented to by His Excellency the Governor General under the provision of sub-section (1) of section 68 of the Government of India Act, as continued by section 317 of the Government of India Act, 1935:—

- (1) The Registration (Emergency Powers) Act, 1940,
- (2) The Foreigners Act, 1940,
- (8) The Royal Indian Navy (Extension of Service) Act, 1940,
- (4) The Offences on Ships and Aircraft Act, 1940,
- (5) The Trade Marks Act, 1940,
- (6) The Indian Coinage (Amendment) Act, 1940,
- (7) The Reserve Bank of India (Closing of Annual Accounts) Act, 1940,
- (8) The Indian Emigration (Amendment) Act, 1940,
- (9) The Reserve Bank of India (Amendment) Act, 1940,
- (10) The Indian Arbitration Act, 1940,
- (11) The Coal Mines Safety (Stowing) Amendment Act, 1940,
- (12) The Income-tax Law Amendment Act, 1940,
- (18) The Reserve Bank of India (Second Amendment) Act, 1940,
- (14) The Parsi Marriage and Divorce (Amendment) Act, 1940,
- (15) The Excess Profits Tax Act, 1940,
- (16) The Indian Finance Act, 1940,
- (17) The Factories (Amendment) Act, 1940,
- (18) The National Service (European British Subjects) Act, 1940,
- (19) The Defence of India (Amendment) Act, 1940,
- (20) The Insurance (Amendment) Act, 1940,
- (21) The Indian Tariff (Amendment) Act, 1940,
- (22) The Indian Tariff (Second Amendment) Act, 1940,
- (28) The Drugs Act, 1940,
- (24) The Indian Mines (Amendment) Act, 1940,
- (25) The Petroleum (Amendment) Act, 1940,
- (26) The Motor Vehicles (Amendment) Act, 1940, and
- (27) The Agricultural Produce Cess Act, 1940.

CERTAIN HOME DEPARTMENT DOCUMENTS LAID ON THE TABLE.

The Honourable Sir Reginald Maxwell (Home Member): Sir, I lay on the table copies of the nine documents* named under item 1 in the list of business. I think I need not read them out.

GOVERNMENT OF INDIA, HOME DEPARTMENT, DECLARATION OF EXEMPTION, No. 21/68/39-POLITICAL, DATED NEW DELHI, THE 18TH APRIL 1940.

In exercise of the powers conferred by section 6 of the Registration of Foreigners Act, 1939 (XVI of 1939), the Central Government is pleased to declare that the provisions of the Registration of Foreigners Rules, 1939, except rule 8 and such of the provisions of rules 4, 14, 15 and 16 as apply to, or in relation to, passengers and visitors who are not foreigners, shall not apply to, or in relation to, the officials attached to the Japanese Consulate in India, mentioned in the annexed list and their families so long as they hold the posts noted against their names.

List.

1. Mr. T. Inui, Chancellor, Consulate General for Japan at Karachi.
2. Mr. T. Ishidia, Chancellor, Consulate General for Japan at Calcutta.

GOVERNMENT OF INDIA, HOME DEPARTMENT, DECLARATION OF EXEMPTION, No. 21/68/39-POLITICAL (W), DATED SIMLA, THE 1ST JUNE, 1940.

In exercise of the powers conferred by section 6 of the Registration of Foreigners Act, 1939 (XVI of 1939), the Central Government is pleased to declare that the provisions of the Registration of Foreigners Rules, 1939, except rule 8 and such of the provisions of rules 4, 14, 15 and 16 as apply to, or in relation to, passengers and visitors who are not foreigners, shall not apply to, or in relation to, Mr. Josef Luley, and his family so long as the said Mr. Josef Luley, holds the post of Secretary of the Consulate for Czechoslovakia at Bombay.

GOVERNMENT OF INDIA, HOME DEPARTMENT, NOTIFICATION, No. 21/15/40-POLITICAL (W), DATED SIMLA, THE 6TH JUNE 1940.

In exercise of the powers conferred by section 6 of the Registration of Foreigners Act, 1939 (XVI of 1939), the Central Government is pleased to direct that the following further amendment shall be made in the Declarations published with the notification

- *(i) a copy of the Home Department Declaration of Exemption No. 21/68/39-Political, dated the 18th April, 1940;
- (ii) a copy of the Home Department Declaration of Exemption No. 21/68/39-Political (W), dated the 1st June, 1940;
- (iii) a copy of the Home Department Notification No. 21/15/40-Political (W), dated the 6th June, 1940;
- (iv) a copy of the Home Department Order of Exemption No. 21/2/40-Political (W), dated the 15th June, 1940;
- (v) a copy of the Home Department Exemption Order No. 21/75/39-Political (W), dated the 27th June, 1940;
- (vi) a copy of the Home Department Declaration of Exemption No. 21/68/39-III-Political (W), dated the 28th June, 1940;
- (vii) a copy of the Home Department Declaration of Exemption No. 21/18/40-Political (W), dated the 3rd July, 1940;
- (viii) a copy of the Home Department Order of Exemption No. 21/2/40-Political (E), dated the 4th September, 1940; and
- (ix) a copy of the Home Department Declaration of Exemption No. 21/18/40-Political (E), dated the 7th October, 1940.

tion of the Government of India in the Home Department, No. 21/32/39-Political, dated the 21st June 1939, namely :—

In declaration 3 of the said Declarations, after clause (d) the following clause shall be inserted, namely :—

“(dd) any French subject of non-Asiatic birth ordinarily resident in any of the French Settlements bounded by India;”

GOVERNMENT OF INDIA, HOME DEPARTMENT, ORDER, No. 21/2/40-POLITICAL (W), DATED SIMLA, THE 15TH JUNE, 1940.

In exercise of the powers conferred by section 6 of the Registration of Foreigners Act, 1939 (XVI of 1939), the Central Government is pleased to declare that the provisions of sub-rule (3) of rule 7 and of sub-rules (1) and (1-A) of rule 15 of the Registration of Foreigners Rules, 1939, shall not apply to, or in relation to, Mr. Philip William Swan and Mrs. Margaret Nansen Swan, American subjects, on any occasion on which they depart from British India with the object of proceeding only to Portuguese India.

GOVERNMENT OF INDIA, HOME DEPARTMENT, EXEMPTION ORDER, No. 21/75/39-POLITICAL (W), DATED SIMLA, THE 27TH JUNE, 1940.

In exercise of the powers conferred by section 6 of the Registration of Foreigners Act, 1939 (XVI of 1939), the Central Government is pleased to declare that the provisions of sub-rule (3) of rule 7 and of sub-rules (1) and (1-A) of rule 15 of the Registration of Foreigners Rules, 1939, shall not apply to, or in relation to, any French subject registered in British India on any occasion on which he departs from British India with the object of proceeding only to a place in the French possessions bounded by India.

GOVERNMENT OF INDIA, HOME DEPARTMENT, DECLARATION OF EXEMPTION, No. 21/68/39-III-POLITICAL (W), DATED SIMLA, THE 28TH JUNE, 1940.

In exercise of the powers conferred by section 6 of the Registration of Foreigners Act, 1939 (XVI of 1939), the Central Government is pleased to declare that the provisions of the Registration of Foreigners Rules, 1939, shall not apply to, or in relation to, the Administrator of French Chandernagore, or to members of his family or staff accompanying him.

GOVERNMENT OF INDIA, HOME DEPARTMENT, DECLARATION OF EXEMPTION, No. 21/18/40-POLITICAL (W), DATED SIMLA, THE 3RD JULY, 1940.

In exercise of the powers conferred by section 6 of the Registration of Foreigners Act, 1939 (XVI of 1939), the Central Government is pleased to declare that the provisions of rule 10 (2) of the Registration of Foreigners Rule, 1939, shall not apply to, or in relation to, the persons mentioned in the annexed list.

List.

1. Dr. Galen Fisher Scudder, Head of the Scudder Memorial Hospital, Ranipet.
2. Dr. Paul Farr Russell, attached to the Rockefeller foundation, International Health Division, New York.
3. The Most Rev. Louis Mathias, S. C. Roman Catholic Archbishop of Madras.

GOVERNMENT OF INDIA, HOME DEPARTMENT, ORDER, No. 21/2/40-POLITICAL (E), DATED SIMLA, THE 4TH SEPTEMBER, 1940.

In exercise of the powers conferred by section 6 of the Registration of Foreigners Act, 1939 (XVI of 1939), the Central Government is pleased to declare that the provisions of sub-rule (3) of rule 7 and of sub-rules (1) and (1-A) of rule 15 of the Registration of Foreigners Rules, 1939, shall not apply to, or in relation to, Mr. Richard Rhea Patton Goheen, an American subject, on any occasion on which he departs from British India with the object of proceeding only to Portuguese India.

GOVERNMENT OF INDIA HOME DEPARTMENT, DECLARATION OF EXEMPTION, No. 21/18/40-POLITICAL (E), DATED SIMLA, THE 7TH OCTOBER, 1940.

In exercise of the powers conferred by section 6 of the Registration of Foreigners Act, 1939 (XVI of 1939), the Central Government is pleased to declare that the provisions of rule 10 (2) of the Registration of Foreigners Rules, 1939, shall not apply to, or in relation to the Very Reverend Monseigneur L. P. Kierkels, Apostolic Delegate to the East Indies.

STATEMENT *RE* NET EARNINGS OF NEW RAILWAY LINES.

The Honourable Sir Andrew Olow (Member for Railways and Communications): Sir, I lay on the table a copy of the statement showing the net earnings for the financial year 1938-39 of recently constructed railway lines.

Statements showing net earnings during the financial year 1938-39 of new lines opened on and after 1st April 1932 throughout for traffic for a full year.

Serial No.	Name of project.	Working Railway.	Gauge.	Mileage.	Date of opening.	Net income creditable to the project for 1938-39.	Percentage return of income (column 6 on capital outlay).			Estimated percentage and return of income of capital outlay some years after opening as estimated originally.
							1937-38.	1938-39.		
	1	2	3	4	5	6	7	8	9	

(a) Excludes net earnings of existing lines from new traffic interchanged with new railway but estimated return took into account such credit.

(b) Government were committed to the construction of the line as part of the terms of transfer of the Tanjore District Board lines to the South Indian Railway. It was estimated that a loss of Rs. 37,500 would accrue to Government on an outlay of Rs. 3½ lakhs.

(c) Actuals excluding guarantees.

(d) Government of Assam have agreed to pay the actual loss incurred in working the railway for an indefinite period subject to a maximum of Rs. 1,75,000 each year provided that, if and when, the line yields a return of over 5 per cent. on its capital cost, the balance will be utilised in repaying sums that may have been paid under the guarantee.

(e) Reference remark "Under investigation" given against this figure in the statement for 1937-38 placed on the table on 30th August 1939. This figure which was provisionally given in the statement for 1937-38 has on investigation been found to be correct; the higher percentage return in 1937-38 than in 1938-37 allowed credit for the earnings from contiguous lines in accordance with the method of framing the original estimates though this had not been provided for in the previous years.

(f) Does not take into account loss of earnings to contiguous railways from traffic previously passed over those lines, since diverted to the new branch line as it has not been possible to estimate it even approximately.

†The decline is due to heavy falling off in the through manganese ore traffic.

**CERTAIN PAPERS ~~RE~~ THE AGRICULTURAL PRODUCE CESS
ACT LAID ON THE TABLE.**

Mr. J. D. Tyson (Secretary, Department of Education, Health and Lands): Sir, I lay on the table:

- (i) a copy of the rules framed by the Central Board of Revenue under section 5 of the Agricultural Produce Cess Act, 1940;
- (ii) a copy of the Central Board of Revenue notification No. 35-Customs, dated the 3rd August, 1940, embodying an amendment to the rules framed by the Board under section 5 of the Agricultural Produce Cess Act, 1940;
- (iii) a copy of the rules framed under section 9 of the Agricultural Produce Cess Act, 1940; and
- (iv) a copy of the Regulations made under section 7 (2) of the Agricultural Produce Cess Act, 1940.

CENTRAL BOARD OF REVENUE.

NOTIFICATION.

Customs.

New Delhi, the 20th April, 1940.

No. 21.—In exercise of the powers conferred by section 5 of the Agricultural Produce Cess Act, 1940 (XXVII of 1940), the Central Board of Revenue makes the following rules:—

Rules.

1. When cess has been levied on any article specified in the Schedule to the said Act exported by land, and the exporter within two months from the date on which the cess was paid applies for a refund and presents to the Land Customs Officer in charge of the land customs station at which the cess was paid, a re-importation certificate granted by the proper customs officer at the land customs station or customs port through which the article was subsequently reimported into India, the Land Customs Officer shall, if he is satisfied of the identity of the article referred to in the certificate with the article in respect of which the refund is claimed, refund the whole amount of the cess so levied.

2. If any person exporting by land any of the articles specified in the Schedule to the said Act declares that the article is subsequently to be imported into India, the Land Customs Officer may, subject to any general or special orders of the Collector of Land Customs, permit him to export the article without payment of the cess leviable thereon:

Provided that a person permitted to export any such article without payment of the cess leviable thereon shall, if the article is not re-imported into India within such period as may be fixed by the Collector of Land Customs, pay the duty on demand, and the Land Customs Officer shall refuse to pass any goods belonging to such person until the said duty has been paid.

K. G. JACOB,

Second Secy., Central Board of Revenue.

No. 21.—C. No. 231-Cus. I/40.

Copy forwarded to—

All Collectors of Customs (including the Collector of Customs, Chittagong and the Collectors of Salt Revenue, Bombay and Madras.)

The Director of Inspection, Customs and Central Excises.

- The Secretary to the Financial Commissioner, Burma.
- The Collector of Customs, Rangoon.
- The Education, Health and Lands Department.
- The Commerce Department.
- The Political Department.
- The External Affairs Department.
- The Director General of Commercial Intelligence and Statistics for publication in the *Indian Trade Journal*.
- The Indian Trade Commissioner, London.
- *The Indian Government Trade Commissioner, Hamburg, Germany.
- *The Indian Government Trade Commissioner, Milan, Italy.
- The Indian Government Trade Commissioner, Japan.
- The Indian Government Trade Commissioner, Mombasa (East Africa).
- The Indian Government Trade Commissioner, New York.
- The Indian Government Trade Commissioner at Alexandria.
- The Canadian Government Trade Commissioner, Calcutta.
- The American Trade Commissioner, Calcutta.
- The British Trade Commissioners in India, Calcutta and Bombay.
- The Director, Federation of British Industries, London.
- The Hon'ble the Resident for the States of Western India.
- The Resident for Baroda and the Gujerat States.
- The Resident for the Madras States.
- The Resident for Kolhapur and the Deccan States.
- The Chief Customs Officer, Okha (Kathiawar).
- The Principal Collector of Customs, Colombo.
- The Excise Inspector, Sea Customs, Alleppy.

By order, etc.,

W. A. ROSE,

for Second Secretary, Central Board of Revenue.

CENTRAL BOARD OF REVENUE.

NOTIFICATION.

CUSTOMS.

Simla, the 3rd August, 1940.

No. 35.—In exercise of the powers conferred by section 5 of the Agricultural Produce Cess Act, 1940 (XXVII of 1940), the Central Board of Revenue directs that the following amendmend shall be made in the Rules published with its notification No. 21-Customs, dated the 20th April 1940, namely :—

In rule 1 of the said Rules, for the word "two" the word "six" shall be substituted.

K. G. JACOB,

Second Secy., Central Board of Revenue.

*c/o The High Commissioner for India, London.

C. No. 35/638-Cub. I/40.

Copy forwarded to—

All Collectors of Customs (including the Collector of Customs, Chittagong and the Collectors of Salt Revenue, Bombay and Madras).
The Director of Inspection, Customs and Central Excises.
The Secretary to the Financial Commissioner, Burma.
The Collector of Customs, Rangoon.
The Education, Health and Lands Department.
The Commerce Department.
The Political Department.
The External Affairs Department.
The Director General of Commercial Intelligence and Statistics for publication in the *Indian Trade Journal*.
The Indian Trade Commissioner, London.
The Indian Government Trade Commissioner, Japan.
The Indian Government Trade Commissioner, Mombasa (East Africa).
The Indian Government Trade Commissioner, New York.
The Indian Government Trade Commissioner at Alexandria.
The Canadian Government Trade Commissioner, Calcutta.
The American Trade Commissioner, Calcutta.
The British Trade Commissioners in India, Calcutta and Bombay.
The Director, Federation of British Industries, London.
The Hon'ble the Resident for the States of Western India.
The Resident for Baroda and the Gujerat States.
The Resident for the Madras States.
The Resident for Kolhapur and the Deccan States.
The Chief Customs Officer, Okha (Kathiawar).
The Principal Collector of Customs, Colombo.
The Excise Inspector, Sea Customs, Alleppy.

By order, etc.,
KISHORI LAL,

for Second Secy., Central Board of Revenue.

DEPARTMENT OF EDUCATION, HEALTH AND LANDS.

NOTIFICATION.

AGRICULTURE.

New Delhi, the 18th September, 1940.

No. F. 8/40.—In exercise of the powers conferred by section 9 of the Agricultural Produce Cess Act, 1940 (XXVII of 1940), the Central Government, after consultation with the Imperial Council of Agricultural Research, is pleased to make the following rules, namely:—

The Imperial Council of Agricultural Research Reserve Fund and Regulation of Expenditure Rules, 1940.

1. These Rules may be called the Imperial Council of Agricultural Research Reserve Fund and Regulation of Expenditure Rules, 1940.

2. In these Rules, unless there is anything repugnant in the subject or context,—

(a) 'Act' means the Agricultural Produce Cess Act, 1940 (XXVII of 1940);

(b) 'Committee' means the Standing Finance Committee constituted under section 7 of the Act;

- (c) 'Council' means the Imperial Council of Agricultural Research;
- (d) 'Financial Adviser' means the officer appointed by the Central Government as a member of the Committee under sub-section (1) of section 7 of the Act;
- (e) 'Fund' means the reserve fund created under section 8 of the Act.

3. The Council shall contribute annually to the Fund such amount of the net proceeds of the duty received during the financial year under section 6 of the Act as may be in excess of Rs. 14 lakhs:

Provided that the annual contribution—

- (a) need not be greater than the amount necessary to bring the accumulated balance in the Fund up to Rs. 20 lakhs;
- (b) shall not exceed Rs. 2½ lakhs except on the recommendation of the Committee.

4. The Fund may be invested wholly or in part in the same manner as the other funds of the Council.

5. The uninvested balances of the Fund shall be kept with the Imperial Bank of India separately from the other funds of the Council.

6. All interest accruing on investments of the Fund shall until the accumulated balance therein amounts to Rs. 20 lakhs, be credited to the Fund, and shall thereafter be available for expenditure for the purposes of the Council.

7. (1) If in any year the net proceeds of the duty received under section 6 of the Act fall short of Rs. 14 lakhs, the Council may, on the recommendation of the Committee and with the approval of the Governing Body, draw upon the Fund to make good the deficiency.

(2) Save as provided in sub-rule (1), no money shall be withdrawn from the Fund without the previous approval of the Central Government.

8. The Council shall refer to the Financial Adviser for his advice—

- (i) the annual statement of income and expenditure of the Council, and
- (ii) such matters relating to the expenditure of the money paid to the Council under section 6 of the Act as the Central Government may by general or special order specify.

9. The Financial Adviser shall be given access to all such records of the Council as may be required by him for the purpose of advising on the matters referred to him under rule 8.

10. In the event of disagreement between the Council and the Financial Adviser in respect of any matter referred to him under rule 8, the Financial Adviser may ask the Council to bring the matter to the notice of the Central Government, and the Council shall comply with the request.

11. Save as otherwise expressly provided in these Rules, all transactions relating to the Fund shall generally be subject to such provisions of the rules and regulations and bye-laws of the Council as are applicable to the financial transactions of the Council.

G. S. BOZMAN,

Joint Secy., to the Govt. of India.

IMPERIAL COUNCIL OF AGRICULTURAL RESEARCH.

NOTIFICATION.

New Delhi, the 10th September, 1940.

No. F. 48 (10)/40-G.—The following Regulations, made by the Imperial Council of Agricultural Research under Section 7 (2) of the Agricultural Produce Cess, Act, 1940, are published for general information:—

STANDING FINANCE COMMITTEE REGULATIONS.

(made by the Imperial Council of Agricultural Research with the previous approval of the Central Government under Section 7 (2) of the Agricultural Produce Cess Act, 1940.)

1. In these Regulations,

- (i) 'Committee' means the Standing Finance Committee constituted under Section 7 of the Agricultural Produce Cess Act, 1940, (XXVII of 1940);
- (ii) 'Council' means the Imperial Council of Agricultural Research.

Constitution of the Committee.

2. The Committee shall consist of the following members :—

- (i) the Vice-Chairman of the Council *ex-officio*,
- (ii) one member appointed by the Central Government (hereinafter referred to as the Financial Adviser),
- (iii) three members elected annually by the Governing Body of the Council, two from among themselves and one from among the representatives of the Central Legislature on that Body.

3. The elected members shall hold office for 12 months commencing on the 1st September, but shall be eligible for re-election.

4. Any casual vacancy in the Committee shall be filled by election or appointment, as the case may be, in accordance with the provisions of regulation 2.

5. The term of office of a member elected to a casual vacancy shall commence from the date of election and shall continue to the 31st August next.

6. No act or proceeding of the Committee shall be invalid by reason only of the existence of a vacancy in the Committee.

7. The Committee shall elect annually, as soon after the 1st September, as may be practicable, a President from among its members.

8. The Secretary of the Council shall *ex-officio* be the Secretary of the Committee.

Functions of the Committee.

9. The functions of the Committee are—

- (i) to scrutinise the annual statement of income and expenditure of the Council and submit it to the Governing Body with its recommendations;
- (ii) to examine the estimates of all schemes involving—
 - (a) an annual expenditure of not less than Rs. 10,000 or
 - (b) a total expenditure of Rs. 50,000 or more.
- (iii) to scrutinise all proposals for the creation of Class I posts;
- (iv) to scrutinise all proposals for amendment of the bye-laws of the Council affecting delegation of financial powers by the Governing Body; and
- (v) such other functions in respect of financial matters as may be assigned to the Committee by the Governing Body of the Council.

Procedure of the Committee.

10. (1). The President of the Committee shall preside at all meetings of the Committee.

(2) In the absence of the President the members present shall elect a member of the Committee to preside at the meetings.

11. Three members of the Committee shall constitute a quorum.

12. (1) Meetings of the Committee shall ordinarily be convened by the Secretary as occasion may require, and at least once a year.

(2) A meeting shall also be convened if not less than three members of the Committee make a written request to that effect.

13. Ten clear days' notice of every meeting of the Committee shall be given to each member.

14. In the case of a difference of opinion among the members of the Finance Committee the opinion of the majority shall prevail :

Provided that the dissenting members shall have the right to record minutes of dissent.

15. In case of an equality of votes on any question, the President of the meeting shall have a casting vote.

16. Notwithstanding anything contained in regulations 14 and 15, the Financial Adviser may in the event of his disagreement with the other members of the Committee in respect of any matter, require a reference to be made by the Committee to the Governing Body, and by the Governing Body to the Central Government.

17. Any business, except such as the Committee may by general or special order direct to be placed before a meeting, may be transacted by circulating papers to all members and by obtaining in writing the views of at least three of them.

18. The Secretary shall keep a record of all proceedings of the Committee and discharge such other functions as the Committee may assign to him.

S. BASU,

Secretary.

CERTAIN PAPERS RE MOTOR VEHICLES RULES LAID ON THE TABLE.

The Honourable Sir Andrew Clow (Member for Railways and Communications): Sir, I lay* on the table:

- (a) The Motor Vehicles Rules, 1940, for British Baluchistan and two notifications, dated 24th June 1940 and 7th September 1940 amending them;
- (b) The Motor Vehicles Rules, 1940, for Ajmer-Merwara;
- (c) The Motor Vehicles Rules, 1940, for Delhi and two notifications, dated 29th May 1940, and 3rd October 1940, amending them;
- (d) The Motor Vehicles Rules, 1940, for Coorg and two notifications, dated 15th June 1940, amending them;
- (e) The Motor Vehicles Rules, 1940 for the Andaman and Nicobar Islands; and
- (f) Two notifications, dated 9th April 1940, and 9th August 1940, amending the Motor Vehicles International Circulation Rules, 1938.

MOTION RE ELECTION OF A MEMBER ON THE COUNCIL OF THE INDIAN INSTITUTE OF SCIENCE, BANGALORE.

Mr. J. D. Tyson (Secretary, Department of Education, Health and Lands): Sir, I move:

"That this Assembly do proceed to elect, in such manner as may be approved by the Honourable the President, a member to represent this House on the Council of the Indian Institute of Science, Bangalore, for the period 1941—43 (both years inclusive) in pursuance of the provisions of clause 11 (Secondly) of the Scheme for the Administration and Management of the Properties and Funds of the Institute, which was published in the *Gazette of India*, with the notification of the Department of Education, Health and Lands, No. F. 53-1/37, dated the 2nd December 1937 as subsequently amended."

*Not included in these debates, but copies have been placed in the Library of the House—Ed. of D.

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

"That this Assembly do proceed to elect, in such manner as may be approved by the Honourable the President, a member to represent this House on the Council of the Indian Institute of Science, Bangalore, for the period 1941—43 (both years inclusive) in pursuance of the provisions of clause 11 (Secondly) of the Scheme for the Administration and Management of the Properties and Funds of the Institute, which was published in the *Gazette of India*, with the notification of the Department of Education, Health and Lands, No. F. 53-1/37, dated the 2nd December 1937 as subsequently amended."

The motion was adopted.

Mr. President (The Honourable Sir Abdur Rahim): I may inform Honourable Members that for the purpose of election of a Member to the Council of the Indian Institute of Science, Bangalore, the Notice Office will be open to receive nominations up to 12 noon on Friday the 8th November, 1940, and that the election, if necessary, will be held in the Assistant Secretary's room in the Council House, New Delhi, between the hours of 10-30 A.M. and 1 P.M. on Monday the 11th November, 1940. The election will be conducted in accordance with the principle of proportional representation by means of the single transferable vote.

THE REPEALING AND AMENDING BILL.

The Honourable Sir Muhammad Zafrullah Khan (Law Member): Sir, I beg to move for leave to introduce a Bill to repeal certain enactments and to amend certain other enactments.

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

"That leave be granted to introduce a Bill to repeal certain enactments and to amend certain other enactments."

The motion was adopted.

The Honourable Sir Muhammad Zafrullah Khan: Sir, I introduce the Bill.

THE INDIAN REGISTRATION (AMENDMENT) BILL.

The Honourable Sir Reginald Maxwell (Home Member): Sir, I beg to move for leave to introduce a Bill further to amend the Indian Registration Act, 1908, for certain purposes.

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

"That leave be granted to introduce a Bill further to amend the Indian Registration Act, 1908, for certain purposes."

The motion was adopted.

The Honourable Sir Reginald Maxwell: Sir, I introduce the Bill.

THE CODE OF CIVIL PROCEDURE (AMENDMENT) BILL.

The Honourable Sir Reginald Maxwell (Home Member): Sir, I beg to move for leave to introduce a Bill further to amend the Code of Civil Procedure, 1908.

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

"That leave be granted to introduce a Bill further to amend the Code of Civil Procedure, 1908."

The motion was adopted.

The Honourable Sir Reginald Maxwell: Sir, I introduce the Bill.

THE CODE OF CRIMINAL PROCEDURE (AMENDMENT) BILL.

The Honourable Sir Reginald Maxwell (Home Member): Sir, I beg to move for leave to introduce a Bill further to amend the Code of Criminal Procedure, 1898.

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

"That leave be granted to introduce a Bill further to amend the Code of Criminal Procedure, 1898."

The motion was adopted.

The Honourable Sir Reginald Maxwell: Sir, I introduce the Bill.

THE INDIAN WORKS OF DEFENCE (AMENDMENT) BILL.

Mr. C. M. G. Ogilvie (Defence Secretary): Sir, I beg to move for leave to introduce a Bill further to amend the Indian Works of Defence Act, 1903.

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

"That leave be granted to introduce a Bill further to amend the Indian Works of Defence Act, 1903."

The motion was adopted.

Mr. C. M. G. Ogilvie: Sir, I introduce the Bill.

THE INDIAN NAVY (DISCIPLINE) AMENDMENT BILL.

Mr. C. M. G. Ogilvie (Defence Secretary): Sir, I beg to move for leave to introduce a Bill further to amend the Indian Navy (Discipline) Act, 1934, for certain purposes.

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

"That leave be granted to introduce a Bill further to amend the Indian Navy (Discipline) Act, 1934, for certain purposes."

The motion was adopted.

Mr. C. M. G. Ogilvie: Sir, I introduce the Bill.

THE INDIAN NAVY (DISCIPLINE) SECOND AMENDMENT BILL.

Mr. C. M. G. Ogilvie (Defence Secretary): Sir, I beg to move for leave to introduce a Bill further to amend the Indian Navy (Discipline) Act, 1934. (Second Amendment.)

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

"That leave be granted to introduce a Bill further to amend the Indian Navy (Discipline) Act, 1934. (Second Amendment.)"

The motion was adopted.

Mr. C. M. G. Ogilvie: Sir, I introduce the Bill.

THE INDIAN MERCHANDISE MARKS (AMENDMENT) BILL.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar (Member for Commerce and Labour): Sir, I beg to move for leave to introduce a Bill further to amend the law relating to fraudulent marks on merchandise.

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

"That leave be granted to introduce a Bill further to amend the law relating to fraudulent marks on merchandise."

The motion was adopted.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: Sir, I introduce the Bill.

THE INDIAN COMPANIES (AMENDMENT) BILL.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar (Member for Commerce and Labour): Sir, I beg to move for leave to introduce a Bill further to amend the Indian Companies Act, 1913.

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

"That leave be granted to introduce a Bill further to amend the Indian Companies Act, 1913."

The motion was adopted.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: Sir, I introduce the Bill.

THE WAR DONATIONS AND INVESTMENTS (COMPANIES) BILL.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar (Member for Commerce and Labour): Sir, I beg to move for leave to introduce a Bill to enable companies in British India to make donations to public funds formed, and to make investments in Government loans floated, for the purpose of assisting the prosecution of the present war.

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

"That leave be granted to introduce a Bill to enable companies in British India to make donations to public funds formed, and to make investments in Government loans floated for the purpose of assisting the prosecution of the present war."

The motion was adopted.

The Honourable Diwan Bahadur Sir A. Ramaswami Mudaliar: Sir I introduce the Bill.

THE CANTONMENTS (AMENDMENT) BILL.

Mr. O. M. G. Ogilvie (Defence Secretary): Sir, I beg to move for leave to introduce a Bill further to amend the Cantonments Act, 1924.

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

"That leave be granted to introduce a Bill further to amend the Cantonments Act, 1924."

The motion was adopted.

Mr. O. M. G. Ogilvie: Sir, I introduce the Bill.

THE RESERVE BANK OF INDIA (THIRD AMENDMENT) BILL.

The Honourable Sir Jeremy Raisman (Finance Member): Sir, I move for leave to introduce a Bill further to amend the Reserve Bank of India Act, 1934.

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

"That leave be granted to introduce a Bill further to amend the Reserve Bank of India Act, 1934."

The motion was adopted.

The Honourable Sir Jeremy Raisman: Sir, I introduce the Bill.

THE MOTOR SPIRIT (DUTIES) AMENDMENT BILL.

The Honourable Sir Jeremy Raisman (Finance Member): Sir, I move for leave to introduce a Bill further to amend the Motor Spirit (Duties) Act, 1917.

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

"That leave be granted to introduce a Bill further to amend the Motor Spirit (Duties) Act, 1917."

The motion was adopted.

The Honourable Sir Jeremy Raisman: Sir, I introduce the Bill.

THE INDIAN INCOME-TAX (AMENDMENT) BILL.

The Honourable Sir Jeremy Raisman (Finance Member): Sir, I move for leave to introduce a Bill further to amend the Indian Income-tax Act, 1922, and to make certain transitory provisions with respect to the operation of that Act on the coming into force of Part II of the Indian Income-tax (Amendment) Act, 1939.

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

"That leave be granted to introduce a Bill further to amend the Indian Income-tax Act, 1922, and to make certain transitory provisions with respect to the operation

of that Act on the coming into force of Part II of the Indian Income-tax (Amendment) Act, 1939."

The motion was adopted.

The Honourable Sir Jeremy Raisman: Sir, I introduce the Bill.

FINANCE MEMBER'S STATEMENT ON THE FINANCIAL POSITION.

Mr. President (The Honourable Sir Abdur Rahim): The Chair understands that the Honourable Sir Jeremy Raisman wishes to make a statement.

The Honourable Sir Jeremy Raisman (Finance Member): Sir, in the course of my Budget speech, I emphasised the impossibility of foreseeing the future course of the War and the highly conjectural nature of many of the assumptions underlying our Estimates for the current year. In particular, I made it clear that the Budget Estimates of Defence Expenditure provided for only such emergency measures chargeable to Indian Revenues as had either already been put into force or were in train, and I also drew attention to the precarious nature under War conditions of our revenue, particularly our revenue from Customs duties.

The tremendous events of the last six months have justified these premonitions to an extent which no one could foresee last February. The overrunning by the Germans of Norway, Denmark, Holland, and Belgium, the entry of Italy into the war, and finally the catastrophic collapse of France, all within a space of less than four months, are developments of such immensity that no country, however far removed from the actual arena of war, can have escaped their disturbing influence. Their effect on the general economy of India is twofold, for apart from the wide resultant dislocation of trading activities, the sense of insecurity that these happenings engendered has compelled us to review the whole question of India's needs in the matter of defence. The threats to India's security from land, sea and air have, in the changed world conditions, become infinitely more menacing, and clearly necessitated the taking of further measures.

2. So far as the economic aspect of these developments is concerned, it is clear that the passing under German domination of many of those European countries with which India had flourishing trade relations must, for the time being, exercise a serious adverse effect on India's export and import activities. Moreover, for the purpose of conserving dollar exchange, we have had to impose certain restrictions on the import of non-essential goods from outside the sterling area. These factors, together with the dislocation in shipping caused by the entry of Italy into the war, have resulted in a marked decline in our Customs receipts. On present indications the current year's revenue from Customs and Central Excise taken together is likely to be considerably below even our conservative Budget estimates, and we now expect a decrease of Rs. 2½ crores on this account. At the same time owing to the piling up of stocks of Salt last winter, which inflated the receipts of last year, our revenue from this source in the current year is expected to be a crore less than the budget estimate. Railway receipts have continued to be satisfactory; it is now expected that

[Sir Jeremy Raisman.]

they will pay to Central Revenues under the Railway convention not only their full contribution of Rs. 463 lakhs, based on 1 per cent. of the capital at charge, but also a further Rs. 79 lakhs as one-third of the excess over the first Rs. 3 crores transferred to the Railway Reserve Fund. But as the arrears in the contribution due on account of last year are smaller than anticipated, the actual increase in the Railway contribution this year is estimated at only Rs. 41 lakhs more than the budget figure. At the same time the share of the Provinces in the divisible pool of income-tax for last year has worked out at Rs. 2,81 lakhs as compared with our revised estimate of Rs. 2,38 lakhs. Rs. 99 lakhs were due as arrears from the previous year and the sum actually distributed last March was Rs. 2,79 lakhs. There will thus be a further Rs. 41 lakhs to be paid to the Provinces along with the provisional payment for the current year. The only other appreciable change is an increase of Rs. 70 lakhs under Currency and Mint from the larger profits from the circulation of coin and notes; this provides a set-off to the heavy expenditure that has had to be incurred in the Mints and the Security Printing Press. The total result is a drop of nearly Rs. 3 crores in revenue in the current year. We are, however, fortunate in having an additional Rs. 6.86 lakhs available in the Revenue Reserve Fund from the unexpectedly large surplus of last year. This was mainly due to the laying in of stocks in the closing months of the last financial year so that the abnormal receipts which then accrued from Customs, Salt and Railways, were not only temporary, but have been the cause of corresponding decreases under these same revenue heads this year.

Against this additional balance in the Revenue Reserve Fund we have to set off not only the current year's drop in revenue but also the additional civil expenditure estimated at approximately Rs. 230 lakhs which has had to be incurred this year. The greater part of this has been directly or indirectly due to the war and the schemes in question have been approved by the Standing Finance Committee or sanctioned by Government on this account. Thus there is the scheme for the training of 300 pilots and 2,000 mechanics each year for the Air Force Reserve; Rs. 30 lakhs are to be expended this year on the purchase of aeroplanes and equipment for training centres and for the payment of allowances and fees for the trainees.

Then there is the scheme for the training of war technicians designed to ensure a constantly growing supply of skilled personnel for munitions factories and other war industries. The arrangements for obtaining additional equipment for the institutions already selected for training purposes and for the calling up of volunteers are now nearing completion and there is every reason to hope that the training courses will be in operation by January and that within 6 months trainees who have had previous experience will be passing out into the technical branches of the defence services as well as into ordnance factories and civil industry. Within the next 3 months many more institutions will have been selected for training purposes and the number of trainees greatly increased, while by the end of next year it is expected to have 15,000 men trained or under training. A very large expenditure is involved, estimated at about Rs. 93 lakhs but as the bulk of this will have to be met in the financial year 1941-42, only initial payments amounting to Rs. 10 lakhs fall to be provided in the current year.

Expenditure on Air Raid Precautions, though occurring largely in the Provincial field, is to be met by the Centre through grants-in-aid to the

Provincial Governments and this is expected to cost Rs. 25 lakhs in the current year. Payments amounting to Rs. 25 lakhs are also being made to the Provinces to cover the cost of extra police employed as the result of the war for agency functions and for protective duties. The Centre has also agreed to pay one-third of the cost of the training of Civic Guards which is expected to involve payments amounting to Rs. 10 lakhs this year. The strengthening of the Frontier Constabulary in the Tribal Areas has cost Rs. 8 lakhs. A scheme for the improvement of the road from Multan to Quetta to ensure the maintenance of through communications for heavy motor transport has been sanctioned by the Standing Finance Committee; on this Rs. 20 lakhs are expected to be spent this year. In view of the danger of the interruption of supplies of quinine from abroad, the Central Government agreed to finance a large-scale purchase on behalf of the pooled requirements of the Provinces and States in India and of the Defence Services. The amount to be charged to revenue on account of the Central Civil Reserve is Rs. 15 lakhs. Another large sum has to be provided for the additional expenditure on metal, paper and machinery for the Mints and the Currency Note and Security Presses to meet the wide-spread demand for coin and notes. Of this sum, Rs. 20 lakhs is expected to be spent in the current year. Other items approved by the Standing Finance Committee include a grant of Rs. 8½ lakhs to the Tuberculosis Association of India towards the cost of establishing and maintaining a Tuberculosis Sanatorium at Kasauli, of which Rs. 2 lakhs are to be paid this year. Then in addition to a number of self-balancing items, the cost of which will be recovered later, there is the grant of Rs. 5 lakhs to the Board of Scientific and Industrial Research promised at the time of the last Budget and not provided in the grants then voted. Finally, a further Rs. 15 lakhs have had to be spent on Famine Relief works and on Medical Establishment for Famine Camps in Ajmer-Merwara which owing to the failure of the winter crops had to be extended till September of this year.

3. But it is in the field of defence expenditure that our budget has been most seriously disturbed. The increase in such expenditure over the pre-war level was estimated at Rs. 884 lakhs. The opinion has, I know, been held in many quarters that this represented a remarkably modest addition to India's defence expenditure; and if it had been intended as the measure of India's war effort for the current year, it would clearly have been grossly inadequate. But as I explained at the time it represented only so much of the cost of the commitments already undertaken as was chargeable to Indian revenues under the financial settlement with His Majesty's Government. Moreover, India's war effort was at the time very severely restricted by supply difficulties. The position in this respect has since improved enormously and it will perhaps not be out of place here to give the House a conspectus of the present situation and some indication of our future plans.

Owing to a variety of factors into which I need not enter, the provision of certain forms of equipment for which India is dependent upon overseas sources has been unavoidably delayed. The position is, however, now steadily improving and regular consignments of some of these supplies are now beginning to reach India. There are still difficulties in the way of India procuring certain types of machinery, aircraft, and some of the more specialised forms of equipment. Every possibility has been explored in our efforts to make good these deficiencies and there is no doubt that as soon

[Sir Jeremy Raisman.]

as the over-riding requirements of the United Kingdom and other active war fronts have been met, our wants can and will be supplied. As soon as this happens, and I do not think that we shall have to wait long, much heavier charges than hitherto will have to be undertaken.

Meanwhile the financial settlement with His Majesty's Government has enabled the mobilization and development of India's resources for war to be expanded with the utmost rapidity at a cost to the Indian taxpayer which represents no more than a fair charge to India for her own requirements. Indeed it is not too much to say that apart from having made invaluable contributions to the conduct of the war on many fronts, India has reached the stage when virtual self-sufficiency in matters pertaining to her local defence is no longer a distant dream. When the war began India's main assets were an enormous supply of man power and an abundance of raw materials. She has now become, in addition, a producer of a great range of manufactured stores. Starting as she did with small, though highly organised Ordnance factories, she has been enabled owing to careful pre-war planning, not only vastly to increase the output of those articles which she was already producing, but to develop new lines with success and rapidity. This progress could not possibly have been achieved had it not been for the completeness of this pre-war planning.

For reasons which I trust will be generally appreciated, we have not hitherto felt justified in describing in any detail the progress and dimensions of our war effort. The time has, however, come when we can lift the veil a little more than we have done in the past, though there is, of course, still a good deal which in the interests of security I am unable to mention.

Our schemes for the expansion of our armed forces have, of course, depended on the availability of supply both from the United Kingdom and other overseas sources and from the development of Indian industries. We are now actually engaged in producing as a first step and in a comparatively short time an army which will amount in all to close upon half a million men of all arms, properly trained, equipped and mechanised according to modern standards. On completion of this we shall proceed to whatever degree of further expansion the circumstances may dictate.

Schools for advanced training in all branches of military knowledge and in the use of the new weapons which modern armies are called upon to employ have been vastly increased. For example, the number of those undergoing instruction at the Armoured Fighting Vehicles School is more than five times what it was in August, 1939. Three quarters of these are Indians. The Signals School has more than trebled its numbers. New officers' training institutions have been formed, the maximum output of which amounts to about five thousand a year at the present rate. Mechanical transport schools have been developed and increased on a tremendous scale for the production of the necessary numbers of men capable of driving and maintaining motor vehicles. Apart from mechanised cavalry and artillery, who train their own men, the output of drivers is now about sixteen times what it was in August last year and will within a few months undergo a further spectacular increase. The increases in the training of Sapper and Miner and other technical troops are equally striking.

Recruitment for all arms has gone on steadily and at a rapidly increasing tempo as the facilities for training and equipping the men have increased. Up to date over 60,000 troops from this country have proceeded

overseas to assist in defending what have been described as the outer bastions of India and over 100,000 men of all arms, a large proportion of whom are already fully trained, have joined the colours. A modern army is a most intricate and complicated mechanism; apart from infantry, mechanised cavalry and artillery, no formation is fit to take the field without a large number of specialised ancillary troops. There are, for example, railway construction companies, railway operating companies, engineering workshops, base depots for stores, field survey companies, bridging sections, excavating machinery establishments, signals units of all kinds, ordnance workshop companies and many other units to be provided. Mechanical transport has, of course, increased enormously and, apart from existing strengths, there are now 85 new M. T. sections in process of formation. The expansion of the medical services has been planned on the fullest scale. Provision has been made for no less than 19 new general hospitals consisting of no less than 290 sections. In addition, casualty clearing stations, field ambulances, ambulance trains and hospital ships have been provided and equipped.

The Royal Indian Navy started from very much smaller beginnings than the Army and proportionately its growth and development has perhaps been even more striking. A little over a year ago, provision for local naval defence was purely on a peace-time basis; now, not only are sloops of the Royal Indian Navy assisting the Royal Navy in Indian waters, but Indian ports and harbours are watched over by a large and growing fleet of minesweepers and anti-submarine patrol boats. More new sloops of the latest pattern are being completed in the United Kingdom and will be ready for delivery in a few months. Powerful and well-armed minesweeping craft, corvettes and patrol boats are being constructed in Indian yards and also overseas. Every slip in India which is capable of accommodating the hulls of these craft, some of which are of considerable size, is occupied.

With this expansion in the scale and activities of the Royal Indian Navy there has been a concomittant notable increase in the number of ratings of all classes, officers and warrant officers.

As I have already pointed out, the difficulties to be overcome with regard to the expansion of the air force have been much greater than in the case of the other services, though in their case too they were far from inconsiderable. Much progress has, however, been made and we have pressed on in every possible way with our preparations so that, when machines become available, we shall be able to go straight ahead. The expansion of the Indian Air Force, of which Honourable Members are aware, is well under weigh, and Coast Defence flights of the I. A. F. Volunteer Reserve are now actually operating. I have already mentioned the scheme, which is now being actively carried out, for the training of 300 pilots and 2,000 mechanics to form a reserve for the air forces in India. The personnel of this reserve will receive their elementary training under the auspices of the Director of Civil Aviation before entering schools for intermediate and advanced training. A training school for officers has recently been opened and will provide initial flying and ground training for fifty officers at a time. One of the schools of Air Force Technical Training has been expanded to train 350 Indian airmen at a time. The work in connection with the enlargement of aerodromes for the most modern types of aircraft is proceeding rapidly and buildings to accommodate squadrons equipped with such aeroplanes have been and are being

[Sir Jeremy Raisman.]

constructed. A new Flying Training School is in process of formation and training in it will begin in a month's time. A large number of service aircraft for training purposes are being supplied by the United Kingdom and, as soon as further supplies of aircraft are received, we shall be in a position to make immediate use of them. In this connection, I may say that the scheme for establishing aeroplane factories in India has by no means been abandoned. On the contrary, it is our intention to proceed with it as soon as the necessary plant and materials become available. Steps to increase our reserve of aviation spirit and to introduce the manufacture of aircraft lubricating oil in this country have been taken.

As far as the land forces are concerned, the development of the equipment position has been phenomenally rapid; in fact the last few months have witnessed a radical change in the position. The basically important article in a mechanised army is the motor vehicle of various types, planned and adapted for military needs. Before the war we had something like 5,000. Now we have actually in service or on the way approximately 30,000 and by next year these numbers will have doubled. The most complicated and formidable motor vehicle is, of course, the tank or armoured fighting vehicle. Most of the difficulties, and these were many, in the way of producing a suitable armoured fighting vehicle in India have now been successfully surmounted. Armour plate, which has never been produced in India before, is now after an exhaustive series of tests, being successfully manufactured and will shortly be produced at the rate of hundreds of tons a month. A suitable type of chassis has been selected by our experts here and is being imported in the necessary quantities. Plans exist for an output of something like 3,000 armoured fighting vehicles within the next year for India's own requirements and manufacture will shortly begin.

As regards the remainder of the supply position, I will not attempt to go into the details of the vast number of items of ordnance stores, apart from the M. T. stores, which are now produced in India. With the successful harnessing of civil industry to the task of war production, not only is the output being very greatly and steadily increased but new items in an ever-increasing quantity, which had previously been imported from overseas, are being produced in this country. India is already in a position to produce far more than she at present requires for herself of many classes of lethal and ordnance stores as well as of clothing and other military equipment, and the requirements of His Majesty's Government have not only enabled Indian ordnance factories to be maintained at full blast, but have enabled us to embark on a programme of greatly expanded production. I will give a few examples of what we have already been able to do in addition to fulfilling our own local requirements. Since the war began over 100 million rounds of small arms ammunition have been sent overseas and nearly 400,000 rounds of gun ammunition of various kinds. Large quantities of explosives have also been despatched including 100 tons of cordite and a quarter of million detonators. The clothing figures are also striking, for soldiers must be clad and shod as well as armed. We have sent overseas over 1½ million pairs of boots; 1½ million blankets; more than 10 million yards of khaki drill; 1·2 million cotton shirts and 2½ million pairs of socks. Our production of military uniforms and made-up clothing is already seventeen times the average pre-war production and our eventual target will be more than double this.

Much remains to be done and there is still a considerable field of Defence equipment in which the rate of our expenditure is for the present determined, not by our readiness to incur it, but by the limits of the available supplies. But considering the difficulties with which we have had to contend—the uncertainties of the early period of the war; the scarcity both of certain types of equipment and of the wherewithal to make them; and finally the events in May and June last which no one could have foretold, we can, I think, fairly claim that the results achieved and in process of achievement have been surprising. I have of course made no mention of the Eastern Group Conference, which has just commenced its deliberations. These proceedings are bound to have an important bearing on the further production of war supplies in India, but it would be beyond the scope of this statement to deal with those possibilities of the future.

4. I return now to the more immediate purpose of my speech. For that purpose it is only necessary to consider the effect of all these activities on the amounts that India has herself to provide for defence. As a result of the review of India's own defence needs to which I have already referred, a general expansion of all three Branches of the Service—Army, Air Force and Navy—was decided upon and some indication of the measures contemplated has already been given to the public from time to time in the form of press communiqués and broadcasts. These measures comprise a large expansion of the Army in India on a fully mechanised basis and equipped according to modern standards, the raising and embodiment of additional I. T. F. battalions, garrison companies and coastal defence batteries, the special training, equipment, and employment outside their States of additional I. S. F. units, measures to ensure the protection of aerodromes and raising of anti-parachute troops, the creation of an Indian Observer Corps, and the strengthening of the defences on India's land frontiers. In the R. I. N., as already indicated, an extensive programme of ship-building has been embarked upon for the provision of additional trawlers and other vessels required for local naval defence purposes, while numerous measures connected with the defensive armament and equipment of merchant vessels on the Indian register against submarines and mines have been undertaken. Lastly, there is the expansion of the Indian Air Force strength and the creation of a reserve of trained pilots and airmen to which I have referred above. All these measures, constituting that portion of India's total war effort which under the settlement with His Majesty's Government is chargeable to Indian revenues, involve heavy expenditure. The total initial outlay cannot be estimated at this stage with any accuracy but a very rough assessment indicates that it may amount to as much as Rs. 33 crores. Other large measures are under consideration and will probably come forward in the very near future.

The extra recurring expenditure involved will also be very large, that on the Army expansion scheme alone being now estimated at approximately Rs. 12 crores per annum while the remaining schemes will add a further Rs. 4 crores per annum, making Rs. 16 crores per annum in all.

Of these total commitments the amount that will come forward during 1940-41 must depend on a number of uncertain factors, and this makes it extremely difficult to frame a close estimate of such expenditure at this stage. Taking all the available information however it seems fairly certain that the total will amount to not less than Rs. 14½ crores and may possibly

[Sir Jeremy Raisman.]

be even greater; our defence expenditure for the year is thus likely to reach at least Rs. 68 crores against the budget estimate of Rs. 53½ crores.

We are therefore in the position of having to meet an increase of at least Rs. 14½ crores in defence expenditure and nearly Rs. 2½ crores in Civil expenditure, while against the extra balance of nearly Rs. 7 crores available in the Revenue Reserve Fund has to be set off the drop of Rs. 3 crores in revenue this year. In the result we are faced with a prospective deficit of roughly Rs. 18 crores in the current year, which might easily expand to Rs. 15 crores. But a more important aspect of the matter is that we have entered into commitments in regard to defence measures involving a recurring increase of Rs. 16 crores in a full year and non-recurring expenditure of well over Rs. 30 crores to be spread over the next year or two. While I do not propose that this should be met entirely from taxation, it is obvious that with defence expenditure now running at the rate of over Rs. 20 lakhs a day, we must begin at once to raise extra revenue to cover at least a portion of the additional expenditure, the remainder being met from the proceeds of our Defence Loans.

5. I therefore propose that the provisions of the Finance Act, 1940, should now be supplemented by two simple measures of fresh taxation designed to bring in Rs. 6 crores in a full year, leaving the position to be fully surveyed at the time of the Budget next February when we shall be better able to gauge our financial position.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member is going to introduce a Bill. This is only a statement on the financial position and, therefore, the provisions of the Bill cannot be discussed now. The Bill will speak for itself as to what provisions it contains.

The Honourable Sir Jeremy Raisman: With all due deference, Sir, I submit it has been the practice when making a statement on the financial position which is subsequently followed by legislative proposals to indicate how these fit in with the financial statement which has just been made.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has already said that so much deficit has to be met and so much expenditure will be incurred which has also to be met and so to discuss the provisions of the Bill will not be in order now.

Sir Cowasji Jehangir (Bombay City: Non-Muhammadan Urban): Do I understand the Honourable Member is going to introduce his Bill now?

The Honourable Sir Jeremy Raisman: I shall be introducing the Bill immediately after the statement which I am making.

Sir Cowasji Jehangir: Why not introduce it now and then continue the statement.

Mr. President (The Honourable Sir Abdur Rahim): That must be on a separate motion.

Dr. P. N. Banerjee (Calcutta Suburbs: Non-Muhammadan Urban): This is in the nature of a supplementary financial statement and both revenue and expenditure should be explained in connection with this statement.

Dr. Sir Ziauddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): That should be done when the Bill is under discussion and not now.

Mr. President (The Honourable Sir Abdur Rahim): If the Honourable the Finance Member discusses the provisions of the Bill now, other Honourable Members will have no opportunity at this stage to discuss them.

Mr. M. S. Aney (Berar Non-Muhammadan): Sir, may I just point out that in this House, whenever a Finance Bill has to be introduced a general statement is made before its introduction by the Honourable the Finance Member, which not only gives us an idea of the general revenue and expenditure position for the year, but also explanations relating to particular items on which taxation is intended to be raised. That is the usual procedure followed with regard to the introduction of the Financial Bill and on this supplementary Finance Bill, I think you will be justified in permitting the Honourable the Finance Member to follow the same procedure now.

Mr. President (The Honourable Sir Abdur Rahim): If the House generally wants to hear such explanation, the Chair will allow that, but there will be no discussion of the provisions of the Bill.

Mr. M. S. Aney: There will be none today.

Mr. President (The Honourable Sir Abdur Rahim): If it is not the desire to discuss the provisions of the Bill, the Chair will allow the Honourable Member to indicate the provisions he is making in the Bill.

Sir Muhammad Yamin Khan (Agra Division: Muhammadan Rural): It is not the practice to discuss the statement. It is merely a statement.

Mr. President (The Honourable Sir Abdur Rahim): If it is the general desire of the House, the Chair will allow the Finance Member to indicate what provisions he proposes to make to meet the financial position, but there shall be no debate at this stage.

Babu Baijnath Bajoria (Marwari Association: Indian Commerce): Sir, may I suggest that an early date should be fixed for discussing this important statement and the taxation proposals made?

Mr. President (The Honourable Sir Abdur Rahim): The Bill is going to be introduced now. That Bill will give Honourable Members an opportunity to discuss it.

Babu Baijnath Bajoria: Will the whole of the statement be open to discussion?

Mr. President (The Honourable Sir Abdur Rahim): Yes, certainly on consideration of the Bill.

THE INDIAN FINANCE (NO. 2) BILL.

The Honourable Sir Jeremy Raisman (Finance Member): Sir, I move for leave to introduce the Indian Finance (No. 2) Bill, 1940.

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

"That leave be granted to introduce the Indian Finance (No. 2) Bill, 1940."

Sir Cowasji Jehangir (Bombay City: Non-Muhammadian Urban): Sir, may I know whether the usual procedure with regard to all Finance Bills will be followed in this case? Will the same time be allowed for consideration and discussion and for voting?

The Honourable Sir Jeremy Raisman: It will be the same as the Finance Bill but there is no voting of demands for grants.

Mr. President (The Honourable Sir Abdur Rahim): The only thing for discussion will be the Finance Bill.

Sir Muhammad Yamin Khan (Agra Division: Muhammadan Rural): On the Finance Bill is it not open to every Member to discuss the expenditure for which the provision is being asked for?

Mr. President (The Honourable Sir Abdur Rahim): Yes, certainly. The question is:

"That leave be granted to introduce the Indian Finance (No. 2) Bill, 1940."

The motion was adopted.

The Honourable Sir Jeremy Raisman: Sir, I introduce the Bill.

FINANCE MEMBER'S STATEMENT ON THE FINANCIAL POSITION—*contd.*

The Honourable Sir Jeremy Raisman (Finance Member): My first proposal is to impose a 25 per cent. surcharge for Central purposes on all taxes on income including Super-tax and Corporation Tax, which for the current year, will work out as an increase of $8\frac{1}{3}$ per cent. on account of the last four months of the year. In the case of incomes other than salaries there will be a supplementary assessment increasing the tax already assessed for 1940-41 by one-twelfth and in the case of incomes from which tax is deducted at source, that is salaries, interest on securities and dividends the previous deductions will be treated as short by one-twelfth, so that for the remaining 4 months of the year deductions will be increased by 25 per cent. This surcharge is imposed as a Federal surcharge for Central purposes so that the entire proceeds will go to the Centre for the financing of the war effort. I have already mentioned that the provincial share of income-tax for last year has turned out to be Rs. 2,81 lakhs as compared with the budget estimate for 1939-40 of Rs. 1,78 lakhs and our revised estimate on the basis of the amended Niemeyer formula of Rs. 2,38 lakhs. The Provinces will thus be receiving nearly double the amounts that fell to their share on account of each of the two preceding years and considerably more than they could ever have expected to get but for the war.

I now come to my second taxation proposal, which is to increase the postal rates to a limited extent to bring in Rs. 1 crore in a full year. The initial rate for inland letters is to be raised from 1 anna to 1 anna 3 pies, for letters to Burma from 1 anna 6 pies to 2 annas, and for letters to Empire countries from 2 annas 6 pies to 3 annas 6 pies, while that for book packets is to be raised from 6 pies for the first $2\frac{1}{2}$ tolas to 9 pies for the first 5 tolas.

All other postal rates including that of the post-card, are to remain unchanged. These increases are expected to bring in Rs. 83 lakhs. The remaining items are the levy of a surcharge of 1 anna on each ordinary and 2 annas on each express inland telegram and a surcharge of 10 per cent. on trunk telephone bills, which together are estimated to yield a further Rs. 17 lakhs. The actual increases will be brought about by notification after the passing of the Bill which provides for the raising of the maximum rates to enable this to be done.

That, Sir, brings me to the end of my statement. It is a truism that in time of war Finance is the handmaiden of Defence, for no country can afford not to take the measures necessary for its own survival. In relation to the needs of the present situation, the sacrifices which I have to ask of the community at this stage are not excessive. Clearly they are not the last that we shall be called upon to bear if India is to play a worthy part in securing the victory of civilisation over the dark forces that would engulf it.

RELINQUISHMENT OF SIMLA FOR SITTINGS OF THE LEGISLATIVE ASSEMBLY.

The Honourable Sir Muhammad Zafrullah Khan (Leader of the House): Sir, before you adjourn the House, I would ask permission to seek your ruling on a question raised by the relinquishment of Simla as the scene of the sittings of this House. In a ruling delivered on the 25th March, 1934, your predecessor observed incidentally that unless otherwise specifically directed by the Assembly, the meetings of Select Committees should be held within the precincts of the House. There are now no precincts of the House in Simla, but, for so long as Government continue to move to Simla, there will inevitably be occasions on which it will be desirable for a Select Committee to meet in Simla. If your predecessor's ruling is strictly construed, it will be impossible for a Select Committee to meet in Simla unless the House, in setting up the Select Committee, specifically directed it to sit in Simla. I submit for your consideration that Simla should continue to be regarded as the normal scene for meetings of Select Committees and that express direction should be required only when it is desired that a Select Committee should meet elsewhere than in New Delhi or Simla.

Dr. Sir Ziauddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): Sir, before you give your ruling, you should give us an opportunity to discuss this matter. Government gave us clearly to understand that they would be going up to Simla only for a short term and come down in September. Now they have been staying there for six weeks longer. The amount of saving they said

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member need not go into the saving.

Dr. Sir Ziauddin Ahmad: When our houses in Simla have been taken away from us, it is desirable that Government Members should come down here to hold these meetings. They should not have all the advantages of Simla and drag Honourable Members to Simla and give no convenience of accommodation and of office to them and even refuse the Sessions to be held there. Therefore, this matter requires serious consideration.

Sir Muhammad Yamin Khan (Agra Division: Muhammadan Rural): Sir, the remarks made by the previous speaker are very pertinent and Government should have given some explanation for the departure which they made from their laid-down policy. This House cannot say anything unless we know from what time to what time Government propose to remain in Simla. Of course there will be inconvenience if Government Members do not find sufficient time to come down from Simla from May to August, and postpone meetings of the Select Committees to take place here just before the Session. I think some kind of explanation is due from Government as to the course of action they are going to adopt in future. Let the matter be settled for the present year but for the future some kind of indication must be given before any decision can be taken on this motion.

Mr. Muhammad Azhar Ali (Lucknow and Fyzabad Divisions: Muhammadan Rural): There is one point more which I would like to put

Mr. President (The Honourable Sir Abdur Rahim): Two Honourable **P.M.** Members from his Party have already spoken.

The Chair has had occasion to consider this matter. There is no doubt that it is the practice in the British Parliament that meetings of the Select Committee or of committees analogous to Select Committees should be held ordinarily within the precincts of the House, unless otherwise desired by the House itself. It is really a matter of consulting the convenience of the House and also how best the Select Committee under particular circumstances can discharge its duties. For instance, suppose a member of the Select Committee is too ill to attend the House of Parliament, the Select Committee has been ordered by the House to hold its meeting in his place to enable him to participate in the deliberations; again where some inquiries may have to be made and witnesses summoned or examined in certain localities, under those circumstances the members of the House have specially authorised the holding of the meeting in those localities. The Chair thinks under the circumstances there can be no doubt that the proper course for the Government would be, when a motion is moved for the constitution of a Select Committee, to ask the House at the same time if it is so desired, to authorise the meetings of that committee in Simla. If that is done, the Chair does not think there will ordinarily be very much difficulty in obtaining the authority of the House on the point. That is the ruling of the predecessor of the Chair, and that is in accordance with the parliamentary practice, and the Chair thinks it is a course of action which would meet the convenience of ordinary members of the House as well as the members of the Government. The Chair, therefore, rules that whenever it is desired, under the present circumstances now that there is no Assembly House in Simla, that a meeting of any particular Select Committee should be held there, to obtain beforehand the consent of the House to that effect.

Dr. Sir Ziauddin Ahmad: Then we will impose a condition that the office should be permitted to move up.

Sir Muhammad Yamin Khan: May I ask, Sir, what has happened to the Council House that was built there specially for the Assembly? Without the consent of the House it cannot be given away to any other body.

It was in charge of you, Sir. Sanction was obtained from this House to build that House in Simla for the purpose of holding meetings of the Assembly, and, therefore, it was property which was vested in the President and not in the Government of India, and it cannot be given out without the consent of the President.

Mr. President (The Honourable Sir Abdur Rahim): What has happened to the Council House—the Chair is not quite sure whether it was called the Council House or the Assembly House—the Chair is not in a position to say; but according to the statement made by the Leader of the House it is no longer ordinarily available for the meeting of the Assembly.

Sardar Sant Singh (West Punjab: Sikh): Was it done with your consent or not?

Mr. President (The Honourable Sir Abdur Rahim): As regards the adjournment motion which the Chair said would be taken up at once as soon as the business on the agenda is terminated, the Chair forgot to consult the House whether it will suit their convenience as to what hour they would like to meet to discuss that motion—at 4 P.M., as usual, or at 2-30 P.M. or shall we begin at once?

Mr. M. S. Aney (Berar: Non-Muhammadan): After the lunch interval.

Mr. President (The Honourable Sir Abdur Rahim): Is that the general desire of the House, to take up the discussion at 2-30?

Honourable Members: Yes.

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

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

MOTION FOR ADJOURNMENT.

DACCA MAIL DISASTER.

Dr. P. N. Banerjee (Calcutta Suburbs: Non-Muhammadan Urban): Sir, I beg to move that the House do now adjourn. The facts relating to this unfortunate accident on the Eastern Bengal Railway are these. On the 5th August, 1940, the Dacca Mail met with a very serious accident at about 8 A.M., that is, at 8 O'clock in the morning. While approaching Jairampore station, about 80 miles from Calcutta, the engine and three bogies went down the bank and three more bogies were derailed. Thirty-four persons were killed outright and 59 injured persons were taken to the Calcutta Medical College hospital. Of these injured persons, several subsequently succumbed to their injuries

Sir Abdul Halim Ghuznavi (Dacca cum Mymensingh: Muhammadan Rural): Not several.

Dr. P. N. Banerjee: Yes, several.

Sir Abdul Halim Ghuznavi: How many?

Dr. P. N. Banerjee: I don't remember the exact number; I think it was four, five or six.

Sir Abdul Halim Ghuznavi: Not more than three.

Dr. P. N. Banerjee: However, I say "several", you need not object to that. When the dead bodies were taken to the Sealdah Station, the scene was indescribably pathetic. The relatives of the dead persons who came to identify them were in utmost distress, and when they found that it was their own relations who were dead or dying, you can easily imagine what was the state of their mind. Sir, our hearts go out in sympathy to the relatives of the deceased persons in their dire distress.

But mere sympathy will not do. What is wanted of us is to find out the cause and apply a suitable remedy. It was mentioned in the papers a few days later that an inquiry had been made and the engineering authorities of the Eastern Bengal Railway said that a rail had been removed, and this was the cause of the derailment. So, in their view, sabotage was the cause of the disaster. But, Sir, sabotage has been regarded as the cause of so many other disasters, and, subsequently, when independent inquiries were made, it was found that sabotage was not the real cause. And why should there be any sabotage? No reason has been assigned for this. I hold in my hand two letters from very respectable gentlemen who were on this ill-fated train. One letter is from Mr. Profulla Chandra Das Gupta, a pleader of Dacca. Another is from Mr. Priya Nath Sen, a well-known public man of Eastern Bengal. Mr. Sen, although he is a public man, does not belong to the Congress Party, and so it may be said that his testimony is not a tainted one

An Honourable Member: Is that so?

Dr. P. N. Banerjee: So far as the Government are concerned, whatever comes from congress source is supposed to be tainted

Another Honourable Member: No, No.

Dr. P. N. Banerjee: I am speaking of the official mind, and not of the public mind. The public, of course, give greater credence to anything that comes from the Congress Party than to anything that comes from other parties. However, let us not discuss that matter for the present. Now, this gentleman, Mr. Gupta, says

Sir Abdul Halim Ghuznavi: Let us first hear what Mr. Priya Nath Sen says:

Dr. P. N. Banerjee: Mr. Sen says

Sir Abdul Halim Ghuznavi: Where is the letter? Please read that.

Dr. P. N. Banerjee: If I were to read out the whole letter you will get tired. I shall make it over to you later on.

Sir Abdul Halim Ghuznavi: I also want to quote from it, and so I should like to know what he has said to you.

Dr. P. N. Banerjee: This gentleman says that the mail steamer from Dacca and another steamer arrived at Goalando very late, so that the Dacca Mail was unable to start before one hour after the scheduled time, and as the line between Narayanaganj and Poradah is single, there was not much chance to make up the loss of time. The loss of time was actually made up within a distance of 21 miles from Poradah and Jairampur, and, therefore, he says that the driver drove his engine at a very high speed.

Sir Abdul Halim Ghuznavi: But what was the distance and what was the speed?

Dr. P. N. Banerjee: He says the distance was between 20 and 21 miles.

An Honourable Member: What is the speed limit?

Dr. P. N. Banerjee: The ordinary speed limit is 35 miles, but it is probable that the engine was driven at a speed of 55 miles in order to make up the loss of time. That is his version. He further says that there was so much jolting in that train that people could not sleep. Besides, the ground at this particular place was soft with the result that the engine went off the rails.

This version is corroborated by Mr. Das Gupta, who is a pleader of Dacca, and who was also a passenger on the ill-fated train

An Honourable Member: Not a congressman, I suppose?

Dr. P. N. Banerjee: No, he is not a congressman.

He says that this train arrived punctually near Jairampur station although it had started one hour later, and that accounted for the high speed at which the engine was driven.

These two independent witnesses further say that no proper enquiry was made. An official enquiry, it is true, was made, but these passengers were not asked to give their evidence. Mr. P. N. Sen gave his evidence before the Superintendent of Police, but when the enquiry actually took place he was not asked to attend. The opinion of the general public is that this enquiry which was made was a white-washing enquiry; it was not a true enquiry.

Sir, what was really the cause? This is one version—that the engine was driven at a very high speed, and to that is added the cause that at that particular place the ground was soft and the rail-road gave way. There may be some other causes also. Perhaps, the line was not in a proper state of repair. We must also consider whether the physical and mental condition of the driver was what it ought to have been. This was one of the matters for enquiry which I mentioned in connection with another disaster which took place last year on the East Indian Railway, and exception was taken to my remarks. On that occasion I did not suggest that the driver was drunk. What I suggested was that it might be one of the possible causes of the disaster. There is no harm in making a proper enquiry. There is no harm in making an enquiry into all the possible causes.

[Dr. P. N. Banerjee.]

Then, Sir, there is another matter which should be sufficiently considered. Was adequate relief given to the passengers? My information is that the relief train came nearly five hours later, and in the meantime several persons died. Further, no anti-tetanus injections were given and it is held by some that if such injections had been given a few more lives could have been saved.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has two minutes more.

Dr. P. N. Banerjee: Before I conclude, I should like to urge that what is needed at the present moment is to find out the real causes, and the real causes can only be found out by referring the matter to an independent and impartial tribunal.

As for compensation, we have in Sir Andrew Clow a very sympathetic Member and I hope he will realise the distress in which the families of the bereaved persons have been placed and that adequate compensation will be granted to these persons.

Railway disasters have now become things of ordinary occurrence. During the last four or five years, no less than fifteen disasters of a very serious character have taken place. The time has now come when the question should be taken seriously in hand and every step taken in order to prevent a recurrence of such disasters in future.

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

“That the Assembly do now adjourn”.

Sir Abdul Halim Ghuznavi: Mr. President, I am glad that my Honourable friend gave me an opportunity to speak on this motion which he has moved.

Mr. M. S. Aney (Berar: Non-Muhammadan): Why? You have a right to speak.

Sir Abdul Halim Ghuznavi: He has given me this opportunity, because, if he had not had moved this motion, I could not have spoken, I could not get an opportunity to speak on this subject. That is the thing. I am an elected Member from Dacca *cum* Mymensingh constituency, and as soon as this disaster took place, the first step that I took to find out the facts was to put in an advertisement in all the vernacular newspapers calling for evidence from whosoever had any evidence, and asking them to see me with their evidence so that I might know the facts. To that advertisement, I received half a dozen answers . . . (An Honourable Member: “only?”) . . . yes, only. I was then up in Simla. I went back to Calcutta and made first hand enquiries about this disaster. My Honourable friend will admit that the Honourable the Communications Member of the Bengal Government referred to this disaster in the Bengal Legislative Assembly, and he spoke in most eloquent terms of the way in which the General Manager of the Eastern Bengal Railway, treated the wounded and the dead, and their relations.

Pandit Lakshmi Kanta Maitra (Presidency Division: Non-Muhammadan Rural): And their sympathisers also?

Sir Abdul Halim Ghuznavi: No use interrupting me, because my friend does not know the facts which I know. The Honourable the Communications Member said on the floor of the Bengal Legislative Assembly that he was personally satisfied that the cause was that of a sabotage and nothing else.

Pandit Lakshmi Kanta Maitra: He never said that.

Sir Abdul Halim Ghuznavi: He has said that in the Legislative Assembly.

Dr. P. N. Banerjee: One person's testimony is not sufficient.

Sir Abdul Halim Ghuznavi: Immediately after, half a dozen accidents at least have happened in Bengal, and I have been at the stations, but never did I hear of the amount of trouble that the Railway Administration took on the occasion of this accident to give relief to the people suffering from wounds. The first thing that the Administration did was, they gave free orders for all kinds of drinks and eatables to the wounded persons and those who were attending on them on the spot. Train after train went with food and medicine and appliances and doctors. I am awfully sorry that my Honourable friend referred to the relief train arriving there too late.

Dr. P. N. Banerjee: Did it not arrive nearly five hours after the accident?

Sir Abdul Halim Ghuznavi: My Honourable friend is not correct, and I am not going to give details as to why that is not correct, because my time is very short.

Dr. P. N. Banerjee: All right. Go on.

Sir Abdul Halim Ghuznavi: The fact of the matter is that every person, every public man, every newspaper in Calcutta admired the way in which the Administration carried out the difficult duties of giving relief to the wounded and their relations. My Honourable friend referred to anti-tetanic injections. I am amazed at his colossal ignorance. Not only had special arrangements been made in the hospitals which had never been made before by any railway, but additional expenditure has been incurred by the Eastern Bengal Railway in giving relief. Further, free passage was given to the friends and relations of the wounded and free food was given to those who came to look after the comforts of the wounded, and still my friend says that the Railway Administration did not do the duty which they owe to the wounded. Then, special nurses were engaged. I could go on like that, but I would now come to the facts about the accident. The Honourable Member has forgotten them. Public memory is very short. The Members of the Legislative Assembly who travelled by that train, including Mr. P. N. Sen, who made a statement to the General Manager, said that it was a case of sabotage and nothing else. It had appeared in the *Amrita Bazar Patrika*, the *Star of India* and also

[Sir Abdul Halim Ghuznavi.]

Mr. Sen's letter. If my friend had taken the trouble to read that letter, he would have seen that it was a case of sabotage.

Mr. Ghulam Bhatt Nairang (East Punjab: Muhammadan): Mr. P. N. Sen said that!

Sir Abdul Halim Ghuznavi: He told me that it was a case of sabotage. He is a colleague of mine in the Central Jute Committee. That is the reason why my friend would not read his letter. He would only give an extract here and there.

Dr. P. N. Banerjee: I will give the whole thing to you.

Sir Abdul Halim Ghuznavi: You may give it to me, but you never mentioned what the contents of the letter were.

Dr. P. N. Banerjee: I read out portions.

Sir Abdul Halim Ghuznavi: There is a notorious gang.

Pandit Lakshmi Kanta Maitra: Captained by whom?

Sir Abdul Halim Ghuznavi: That gang is responsible for that disaster, the later disaster. It has been proved

Pandit Lakshmi Kanta Maitra: Where?

Sir Abdul Halim Ghuznavi: by the different Railways, and my friend will soon hear that that gang will be arrested for committing what they have done in the Eastern Bengal Railway. Why they did it, is the question. That gang is not a terrorist movement.

Mr. M. Ghiasuddin (Punjab: Landholders): Non-violent?

Sir Abdul Halim Ghuznavi (addressing Mr. M. Ghiasuddin): The object is to steal people's goods and money.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member should address the Chair.

Sir Abdul Halim Ghuznavi: I have found out that the object of that gang is to make money by taking away the jewellery from the ladies who travel, when they are dead and also loot the train. That has been proved.

Dr. P. N. Banerjee: At Majdia also?

Sir Abdul Halim Ghuznavi: That was a clear case where the driver did not mind the signal, but here it is a clear case that it is nothing but sabotage. Nevertheless, the position that the Railway Board finds itself in is that, in the case of sabotage, no compensation is paid, and it is a great pity that in the case of sabotage no compensation is given. After all, it is a railway accident, whatever may be the cause, and there should be compensation in every case. If the Honourable Member announces that even in case of sabotage they shall be given compensation, you will

find that in nine cases out of ten people declare that it is sabotage and nothing else. Because there is no compensation, people do not want to say that it is a case of sabotage.

Then, my Honourable friend said that the train was running very fast, at a higher speed, because the two Dacca steamers arrived an hour and a half late. I find that it is not the case. I have read the diary kept by the guard and the station masters in regard to that particular train. It showed no faster speed than was allowed by the timing. Is my Honourable friend prepared to say that the timing was changed right up from Goalundo up to that spot where the sabotage had taken place?

Dr. P. N. Banerjee: Did that train start at the scheduled time?

Sir Abdul Halim Ghuznavi: The time of arriving at that point shows that the train did not run at more than the speed allowed. That is the point.

Dr. P. N. Banerjee: If the train started one hour later?

Sir Abdul Halim Ghuznavi: Then it will arrive one hour later. The point is whether the time had been recovered. I say that it is not so. The driving shows that it did not recover the speed that you say was lost at the start. They had made no attempt to run faster in order to recover the loss of timing owing to the late arrival of the steamers. That is what I read from the diaries. Records are kept from the start up to the time of reaching the destination. They have been shown to me. I was entitled to see them as a member of the Standing Finance Committee.

Mr. M. S. Aney: You have seen what the records are?

Sir Abdul Halim Ghuznavi: Yes.

Sardar Sant Singh: May I ask one question of the Honourable Member? Is he prepared to say that the time taken between the two intermediate stations, the station of departure and the station of arrival, was the same as is taken usually under the ordinary normal speed or had been less or more.

Sir Abdul Halim Ghuznavi: I have not been able to follow you.

Sardar Sant Singh: Suppose the train starts from station A and goes to station B. Did the train take the same time which it ordinarily takes if the speed is normal, or was it less or more?

Sir Abdul Halim Ghuznavi: It must have been the same. My friend has made one mistake because of his ignorance. The allegation was that the train was driven at a faster rate between Jairampur and Poradah or one station above that, which I forget. The allegation was that the distance covered was only five miles, and some of the passengers said that at that particular time the train was jerking terribly, that is, at the time when those five miles were being covered, but the records clearly show that the train was not running faster than usual—not from Poradah, but from one station above Jairampur, where the accident took place. The records are there. Not only that there is further evidence . . .

Mr. M. S. Aney: How did it reach Jairampur in time?

Sir Abdul Halim Ghuznavi: It did not reach in time. The time as to when it left the station above Jairampur is recorded.

Sardar Sant Singh: What is the time?

Sir Abdul Halim Ghuznavi: I cannot say from memory. It was some time in the early morning, of course.

Then, at the time of the accident, the inquiry shows that the train was not running fast. But I am coming to further facts which clearly prove that it was a case of sabotage, and I appeal to the Honourable Member for Communications that he must consider the question of paying compensation, because it is not a case of colossal death, and the Government of India would not lose much. They ought to consider this as to who is responsible for the sabotage as it is the Government of India which runs the trains, because, there is no policing on the way, and then why does he not provide the police

The Honourable Sir Andrew Olow (Member for Railways and Communications): The police are not under me.

Sir Abdul Halim Ghuznavi: Why do you not provide the police? You will find that accidents are going on every month, it is a daily occurrence, and that should be taken into account when you present your Budget. Provide your own police to police the lines so that there may not be sabotage; and then, if you do not provide that, then provide this: even in the case of sabotage, you must give compensation,—and they are entitled to compensation in the case of sabotage also

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member's time is up.

Sir Abul Halim Ghuznavi: Very well, Sir. In the circumstances which I have stated, I hope my Honourable friend will ask the leave of the House to withdraw this motion.

Dr. Sir Ziauddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): Sir, my friend, Sir Abdul Halim Ghuznavi, last year mentioned the very important motto that "travel by A. I. R. and see the world, and travel by the E. I. R. and see the next!" Today he has come forward with the opposite proposition, and, instead of attacking the Railways, he is now defending them. The points which my Honourable friend, Dr. Banerjee, raised, are important and should be answered. The first point that was made was that the train was running at a tremendous speed. I think it would be well if we could answer this question very simply, and I hope the Honourable Member for Communications will explain this point which can easily be decided; he must have got possession of the time when the train left the last station and the time when the train arrived at this station and the distance between the two, and then anybody can calculate the speed easily

The Honourable Sir Andrew Olow: Sir, to save the time of the House I may say that the train travelled about four and a quarter miles since it left the last station and covered that distance in eight minutes.

Dr. Sir Ziauddin Ahmad: So this thing can be decided very easily by the facts and there is no question of any argument about this particular point. Now, the second thing is whether the engine driver was drunk. This is a point which can be inquired into by the people who are on the spot and it is very difficult for us to express our opinion on this question. Now, the third thing is whether it was a question of sabotage or it was a question of some kind of mistake on the part of the railway servants. That is a point which really also we cannot answer on the floor of the House. Dr. Banerjee's point was that these points ought to have been inquired into by some independent and impartial committee of inquiry, and we have always insisted that there ought to be a kind of judicial inquiry in all cases of accidents and should not depend entirely on the opinions of Railway Inspectors. Of course, a judicial inquiry may not be an inquiry by means of a judge but it should be an inquiry by a committee presided over by a gentleman of the rank of a High Court Judge or a District and Sessions Judge.

We have always pressed this particular point on the floor of the House that whenever there is any accident of a very great importance in which there is a loss of life, then immediately there ought to be an impartial inquiry conducted by the Government. Now, we expected on this occasion as well as on the occasion of the accident on the Bombay, Baroda and Central India Railway that there would be an immediate Government communique on this particular point, but probably I missed the particular copy of the statement, and I saw no such communique. I hope my Honourable friend in the reply to this question will mention the dates of the accidents and the dates of the communiques issued by the Railway Board or by the Government of India. Now, all that my friend wanted was that this particular thing on which we are raising questions ought to be inquired into and some authoritative opinion given to the public. Now, I hope the Government will appreciate the point of view which we have in our mind. We want that the railways should command the confidence of the travelling public and it is essential that the public carrier should command the confidence of the travelling public and this confidence can only be restored if a court of inquiry is held and the persons who are really guilty are properly punished,—and this is all we want; and therefore, the demand on this side is for the benefit of the Railways themselves,—that is, all kinds of doubts about negligence and irregularity should be removed and should be properly explained by the Government. Now, a further question was also raised about the frequency of these accidents. I have got before me the last report of the Railway Board, and I find that in the year 1938-39 there were no less than 18,811 accidents in a whole year, some of them smaller, some of them greater, and the total loss of life during the same period was 3,474, and the number of injured was 15,809.

The Honourable Sir Andrew Clow: These are not all accidents to running trains.

Dr. Sir Ziauddin Ahmad: These are accidents of all kinds; it may be running over by cattle, it may be broken rails, it may be flooding of the permanent-way, so there are twenty-four different items under which they are classified, and I only gave the total. This total appears to be very great, but if you consider the percentage, then it is small considering the amount of travelling involved. But in spite of all that, I think it is very desirable that there should be as

[Dr. Sir Ziauddin Ahmad.]

few accidents on Railways as may be possible and I think greater care should be taken by the Railway Board and the Government so that the confidence of the public should be maintained; and in any big accident where there is a loss of life, the matter should be inquired into and thoroughly thrashed out and an authoritative opinion should be given to the public about the causes of the accident and the action they have taken to punish the persons whose neglect of duty resulted in this accident. Sir, these are all the things which the public want the Government to inquire into and I think it is in the interests of the Railways themselves that they should command the confidence of the travelling public. With these few words I resume my seat.

Mr. M. S. Aney: Sir, the point which a motion like this is intended to raise is this,—whether there is a reasonable case for the inquiry demanded in the motion or not. Now, my Honourable friend, Sir Abdul Halim Ghuznavi, has given us a very valiant defence of the Railway Administration in regard to what has been done by the Railway after the accident. He also thinks that the inquiry has completely and satisfactorily established that it was a case of sabotage. How he is satisfied we do not know, but he says that somebody else is satisfied, somebody else has made the statement in the Assembly somewhere that it was a case of sabotage, and on that testimony of some third man my friend, Sir Abdul Halim Ghuznavi, seems to have been completely satisfied. He also gave us a very graphic description of the promptness with which arrangements for the relief of the people were made by the Railway Administration after the accident. But one thing is quite clear, *viz.*, that there are two versions about this matter which are presented to this House. One is the version which is given by my Honourable friend, Dr. Banerjee. He has, on the testimony of a very respectable gentleman whose letter he holds in his hand, shows that between certain stations certain passengers were feeling that the train was running at a very unusually high speed. There was another point made out—and this was not met by anything which has been said by my Honourable friend, Sir Abdul Halim Ghuznavi, and I have not been able to follow him,—and that point is this, that the train actually started late by an hour from the original station. I only want to know whether the hour at which the accident took place at a certain place near the Jairampur station is the ordinary hour of its arrival there or was it an hour late?

The Honourable Sir Andrew Olow: The train left the preceding station up to time.

Mr. M. S. Aney: My point was this and I should like to explain it in order that I may be perfectly understood. I do not know whether it is a fact or not but I take the fact as it has come out from the letter which my Honourable friend has read out, namely, that the steamer came late by an hour and I take it that the train left the original station an hour later than it should ordinarily have done. If it started late by an hour, then it is expected that it should reach the other stations an hour late if it goes by the normal speed. So, the real point is, what was the time when the train was ordinarily due at Jairampur station and whether the accident took place about the same time or an hour later? That is one of the criteria which the Railway Administration should bear in mind in

deciding the question of the speed at which the train was running. On that point, somehow or other Sir Abdul Halim Ghuznavi has not been able to satisfy me or any Member on this side. He said that there is a record maintained in the diaries. The record may be there but the point is this that the hour at which the accident took place is known to everybody. The point is whether that is the usual hour at which the train comes there. If it is the usual hour, then it means that the train had been running at a higher speed prior to that station, otherwise it could not have arrived there at that time. If it is really an hour later than that, then the question is ordinarily eliminated out of the consideration. That is the point on which up to this time no satisfactory explanation has been offered.

Now, it is perfectly true that the explanation with regard to sabotage is generally regarded by the public outside with great suspicion. The main reason for this suspicion is, as my Honourable friend, Sir Abdul Halim Ghuznavi, has himself explained, that that is the only way by which the Railway can escape paying compensation to the injured persons. If the explanation comes from the Railway Administration that it was a case of sabotage, it is considered to be coming from an interested quarter, which wants to be relieved of the liability which they have to pay on account of the injuries sustained by the passengers in the train. Therefore, that explanation is always and very naturally regarded with a great deal of suspicion by the people. The only way to remove that suspicion and to give a convincing explanation to the public is to hold an inquiry by or entrust the inquiry to some independent tribunal which commands the confidence of the public. In this case who made the inquiries? I do not know. We have not yet got the statement of the Honourable Member in charge. I do not know who has made the inquiries and what the Government think about them. But if the inquiries have been made simply by the Railway Administration or somebody representative of the Railway Administration and no judicial officer or some independent Tribunal was there to go into these details, then the conclusion will always be regarded with a good deal of suspicion by the public.

As my Honourable friend, Dr. Sir Ziauddin Ahmad, has stated, railways are a matter of public concern. They are the public carriers and their running should be of such a nature as to command universal confidence of the public. On the basis of the facts that have been put before us I maintain that there is a *prima facie* case for an inquiry. But I would like to suspend my judgment till I hear the Honourable Member in charge. For the time being, I am inclined to hold that a good case has been made out by my friend, Dr. Banerjee, in support of the adjournment motion.

Pandit Lakshmi Kanta Mahtta: Mr. President, Sir, as one who was perhaps the earliest to bring this matter to the notice of this House, I think I owe it to myself and to my constituency to place certain facts that arise out of this Adjournment Motion. My Adjournment Motion was based on the failure of Government to institute a judicial inquiry or an inquiry by an impartial tribunal into this Dacca Mail disaster. But as my Honourable friend, Sir Andrew Clow, was more disposed to accept the phraseology of my Honourable friend, Dr. Banerjee, I had to withdraw mine. The details of this disaster have been given by the previous speakers and I do not want to repeat them but I will place certain facts which emerge out of

[Pandit Lakshmi Kanta Maitra.]

this disaster and which have not been brought to the notice of this House. It may not be known to many Members of this House that on the Eastern Bēngal Railway as many as five disasters had taken place during the course of the last few years.

The Honourable Sir Andrew Olow: How many?

Pandit Lakshmi Kanta Maitra: I think there were three disasters on the Dacca Mail and altogether there were five disasters on that line.

The Honourable Sir Andrew Olow: In how many years?

Pandit Lakshmi Kanta Maitra: In about 12 years' time, or, say, in the course of the last decade and a half. Anyway, this disaster and the one which preceded it about 15 months ago happened in my own constituency, about 40 miles from the headquarters in which I live, and, naturally, I am interested in it. I am interested to know why these accidents have a knack of taking place in this particular locality? If they are to be attributed to sabotage, why is this particular locality and this particular train selected for this sabotage and who are the persons involved in it? These are the questions that would naturally arise in the mind of any sensible man. The fact is that the Railway track between Poradah Junction and Ranaghat Junction on the main line of the Eastern Bengal Railway, a distance of about 60 miles, has been the scene of these disasters. My learned friend, Dr. Banerjea, suggested, and, for ought I know, it is a fact, that the track on this side is not strong enough to bear the strain of the heavy pressure of the huge locomotives which were introduced on that particular section about 15 years back. The point that suggests itself to the mind of a layman is this: if it is due to the misdeeds of saboteurs or mischief mongers where are they? Why have they not been traced out so far? In the absence of a satisfactory reply we are left to make our own guesses and to form our own judgment.

My Honourable friend, Dr. Banerjea, read a letter from a very esteemable friend of his, Mr. P. N. Sen. It was his personal letter and I am not going into it. But I will place before the House some extracts from letters which have been printed in the newspapers. One letter is from one Khan Bahadur Aulad Hossain, M.L.A. of Manickgunge, who was travelling in the ill-fated train and narrating his experiences of the disaster he said: "After the train had left Chuadanga, it began to run at top-speed. There was considerable jerking, so much so that I had to sit up. One man who was sleeping on the bunk was about to fall owing to jerking when other passengers secured him." That is the statement of one gentleman which appeared in the Press.

Now, let us turn to another. This was the statement of one Mr. Chintaharan Roy, an Advocate of the High Court residing in Kalighat, Calcutta. He told a representative of the *Amrita Bazar Patrika* that he with Mr. S. M. Sen Gupta, Pleader and Chairman of Goalpara Municipality of Assam, had been travelling in the same train in an Inter class compartment of the Dacca Mail on the 5th instant when the disaster took place. At about 2 A.M. feeling something unusual, he woke up and it appeared to him that the train was running at a very high speed and seemed to be bulging at times. He and his fellow travellers felt uneasy and could not go to sleep. Mark his statement.

Here is yet another statement from Mr. Surendra Mohan Sen Gupta, Chairman, Municipal Board, Goalpara and he said that he and other passengers of his compartment woke up at about 2-30 A.M. by the tossing of the train which seemed to have been running at a very high speed.

These are the views given to the Press by people who travelled by the same ill-fated train and published in the *Amrita Bazar Patrika* of the 6th August. In the face of these statements by highly respectable and responsible persons would it lie in the mouth of any supporters of the Government, like my Honourable friend, Sir Abdul Halim Ghuznavi, who I find is not in his seat and who has not had the courtesy to remain and listen to what I was going to say, to say that the accident is due only to sabotage and to nothing else? Would it be easy for any ordinary sensible man to believe that there was no other cause behind the disaster but that of sabotage by some unknown persons? Let it be remembered that the danger zone on the Eastern Bengal Railway is the portion of line—between Poradah and Ranaghat junctions. Several accidents had taken place there. Strangely enough, before this accident took place, another train—the North Bengal Express,—passed over this scene of occurrence a few minutes before and nothing happened to that train. There was only a very short interval between the passing of these two trains—the Dacca Mail and the North Bengal Express. Sir we are told at a subsequent enquiry which was conducted by the Government agency that the railway track of about 42 feet long had been removed. I want the House to bear in mind that 42 feet of railway track was missing. Who removed it? For aught we know, there was no strike on the Eastern Bengal Railway, there was no discontent among the railway labour force at the time. No report is there about these things. Moreover, for ordinary laymen, for ordinary mischief makers, it is extremely difficult to remove rails within such a short time, as it requires a lot of time, technical knowledge and skill, let alone the appropriate tools and appliances. If people with such technical knowledge and skill were lurking about the spot, the police should have been able to trace them. After the accident took place, where did they disappear? I was indeed shocked when I heard the news of this accident in my constituency and I was myself proceeding to the scene of occurrence when reports came to me that the District Magistrate of Nadia and the Superintendent of Police, had taken the earliest opportunity to run to the spot.

Maulana Zafar Ali Khan (East Central Punjab: Muhammadan): May I just seek some information? The Honourable Member said that 42 feet of railway track was removed and before this disaster actually took place, another train actually passed on this track without any accident and within the interval of a few minutes, 42 feet of rails were removed?

Pandit Lakshmi Kanta Maitra: That is the story. Immediately before this mail, the North Bengal Express passed on this track without any accident. Where were the miscreants lurking then?

As I was saying, the District Magistrate and the Superintendent of Police of Nadia rushed to the scene of occurrence. Curiously enough at the Ranaghat junction station, these two gentlemen were held up. They could not get any railway conveyance by which they could proceed to the scene of the disaster. But the railway authorities had already gone there. After some difficulty the District Magistrate and the Superintendent of Police

[Pandit Lakshmi Kanta Maitra.]

managed to reach the spot. The newspapers say that a joint enquiry with the District Magistrate and the Superintendent of Police on the one hand and the Senior Government Inspector of Railways on the other was started. Now, Sir, the public was not taken into confidence, people were not allowed to give evidence in this enquiry. It was held in a manner not calculated to inspire confidence in the minds of the public or to allay their suspicions. Rather some interested witnesses travelling in the train were examined and their version was taken as the only truth in the matter. What I am suggesting to this House is this. If after major disasters of this kind which take a heavy toll of human lives and limbs almost every year, the Government do not think it necessary to institute impartial enquiries by which confidence and faith could be restored in public mind, is that not the saddest commentary on the railway administration in this country?

This morning we heard a statement from the Honourable Sir Jeremy Raisman depicting in glowing terms the returns from railways during the past few months. What are the Government doing to safeguard human lives travelling on these railways? There is absolutely no security in these days for the travelling public. If it is a case of accident pure and simple, nobody will blame the Government for it. We must all submit to accidents in life. But to say immediately after an accident that it has been due to sabotage is something which cannot be swallowed so easily by people however gullible they might be.

In this connection, I should like to draw the attention of the House to an editorial which appeared in the *Statesman* immediately after the disaster. We very often do not see eye to eye with the *Statesman*, but on occasions the Editor talks a good deal of sense. Here is an extract from the editorial of the *Statesman* which appeared in the Calcutta edition of 7th August:

"The assertion that a rail had been removed is so common, emerges so promptly and spontaneously in India after an accident on a railway that caution would suggest the desirability of waiting for authenticated news. . . . The removal of a rail is not an easy matter for the ignorant. It requires some skill and practice as well as the appropriate implements."

I think, Sir, this part of the House at least would endorse every word of this editorial, this brilliant editorial of the *Statesman*. Now, Sir, an enquiry was held. By whom? In this Government-managed Railway enquiry was held by the Senior Government Inspector of Railways. This is not a Company-managed Railway where the Government Inspector holds the enquiry. I want the House to realise the position.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has two minutes more.

Pandit Lakshmi Kanta Maitra: You will please allow me a little more time in view of the interruptions.

Mr. President (The Honourable Sir Abdur Rahim): No.

Pandit Lakshmi Kanta Maitra: So, Sir, this enquiry was held. But it is widely reported that there have been two distinct reports. The District Magistrate could not perhaps agree with the Government agency, I mean the Senior Government Inspector, in his findings. He made another report. I would now request the Honourable the Railway Member to call for these

two reports—the report submitted by the District Magistrate of Nadia on this matter to the Government of Bengal, as well as the report submitted by the Senior Government Inspector of Railways to him—and place them before the House so that we may form our own judgment and decide who is right and who is wrong, on the facts recorded therein.

After all a clear and distinct procedure must be laid down for such enquiries in future. At such enquiries facilities should be given for cross examination of witnesses by experienced lawyers because however brilliant a man may be holding such an enquiry and in the present case at least the District Magistrate of Nadia was an exceptionally brilliant man belonging to the Indian Civil Service, with all his brilliance, it is difficult for him to tackle technical questions, and Government should allow the assistance of experienced lawyers to sift evidence.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member's time is over.

Pandit Lakshmi Kanta Maitra: Unless a proper and regular procedure is laid down, the public mind will never be re-assured by such slip shod enquiries. I, therefore, hope, that the Honourable Sir Andrew Clow will consider this suggestion of mine, and also circulate these two reports of this disaster to us. I am grateful to the Honourable Member that he immediately sent a message of sympathy for the victims and their relations and I appreciate that. I hope he will follow it up and see to it that in future simply white-washing reports are not furnished but only such reports as inspire confidence in the public mind. With these words, I support the motion for adjournment.

Maulana Zafar Ali Khan: Sir, certain people seem to have run away with the idea that everything about the doings of the executive is sacrosanct. The gentlemen who are gracing the Treasury Benches and their henchmen seem to me to be of the opinion that they can commit no mistake and if any mistake does take place, to admit it would be suffering a loss in prestige. On this side of the House it is our duty to point out to them that after all they are human like us and that they can commit mistakes. The motion of my friend, Dr. Banerjea, was a very simple and very plain one and there was nothing controversial about it. It is a fact that railway accidents have been happening in India very frequently. It is also a remarkable fact that certain areas in India seem to have a peculiar attraction for these accidents,—the area surrounded by the Grand Trunk Road and the area through which the East Indian Railway runs. The texture of the soil is such that it is susceptible of attracting accidents; and these engines,—XB engines specially,—with their hunting proclivities have a peculiar knack of jumping off the rails. These are all admitted facts and we have all gone through them. Now occurs this terrible disaster in Dacca in which many men lost their lives. It was the plain duty of Government to at once issue a communique which would make the whole situation clear, and thus take the people into their confidence. They have done nothing of the sort. They have not appointed an independent commission of inquiry to go into all these details. My friend, Pandit Maitra, has very clearly and lucidly pointed out and proved to the hilt that the story of the removal of this 40 ft. long rail is all bunkum, and that the engine must have

[Maulana Zafar Ali Khan.]

jumped off the track while it was running at a tremendous speed. That has also been proved. Where is the harm in appointing a commission of inquiry? We want to know for certain whether the story of sabotage is correct, whether the rail was really removed or whether it is a pure fiction. We want to know whether the engine was being driven at an excessive speed, and if so, who was responsible for it. If the driver was responsible, why was he not taken to task? This is a State railway and not a Company railway and when the officials of a State railway make a mistake their superiors want to shield and protect them. If this kind of protection goes on there will be no protection for the public and railway travel instead of a pleasure will be a great calamity. The only department which we can call our own and a public department is the Railway Department. Eight hundred crores of rupees have been invested in it and when we lose our lives and there are terrible crashes, then come Government prestige and all sorts of stories. So I want that this kind of thing should cease at once. We have a long-standing grievance against Government that they are very irresponsible and are not responsible to this House. At least in this House, since the Congress has committed the greatest blunder of their life by remaining aloof, we have seen that they do what they like. By mere force of numbers they carry everything; there is no logic, no argument and no reasoning; so many votes on this side and so many on that side. If the Congress had not committed this mistake Government would have realised that there are some people here who can give them a tough fight. We, on this side, are few in number but it is our duty to see that there are no differences among us, that at least a band of 24 or 25 people can give them a fight; and I hope that men like Mr. Lalchand Navalrai will not move Resolutions which would make it necessary for us to oppose them. Let us put our shoulders together and fight the manifestation of bureaucracy there. Sir, I strongly support the motion.

Mr. Lalchand Navalrai (Sind: Non-Muhammadan Rural): Sir, I had an intention in the beginning to speak on this motion, but when I saw that there were allegations and counter-allegations and the Honourable Member for Railways had not yet given us his version, I thought I might not get up to speak. But the last speaker has made a reference to me, and he has done it most unjustifiably. He does not know what kind of adjournment motion I may move with regard to the safety of my own province. He would have known that I have no intention to say anything of a communal nature, and he would have sympathy with us just as sensible Muslims have sympathy with us.

With regard to the present motion I make no assertion or counter-assertion, nor contradict any of the Honourable Members who have spoken today. These disastrous accidents with so much loss of life and property have become very common, and very often they have been found to be due to negligence or lack of proper precautions. Today an assertion has been made by the Honourable the Mover that this accident was due to excessive speed. We know there has been excessive speed on such occasions, and engines have gone beyond the prescribed speed. Therefore, this allegation cannot be lightly brushed aside. With regard to softness of the ground, there have been instances of that nature also where trains have run off the track on account of the softness of the

track. That is also a point to be considered. The third point made was that adequate help was not given. Whether it was given or not can be found out very easily. It is said that the relief train arrived five hours late; this can be easily found out. On the other hand, I have heard Sir Abdul Halim Ghuznavi making a counter allegation—he even made a dogmatic assertion—though he was at Simla at the time of the accident—that this was due to sabotage. It is easy to find out if it is a case of sabotage; but evidence has been placed before the House to show that a previous train passed without being derailed or injured. But if it is sabotage, who is responsible for it? In my humble opinion, if sabotage takes place because the railway has not taken proper precaution or care, then the railway is responsible. Whichever way we look at it, whether the allegation of Sir Abdul Halim Ghuznavi is correct or the other allegation is correct, the point is, why should not a judicial inquiry be made? In matters like these involving questions of life and death, and when travelling conditions have become such that these accidents are shamelessly common, and nothing has been done to prevent them, we must find out what are the causes of these accidents. If it is proved that there has been sabotage, it must be found out whether there was any negligence on the part of the department. I am told—though I do not know if it is a fact—that there is a rule that in cases of sabotage, there is no question of compensation. I do not know if that rule is a fair one. It is for the railways to find out who are the real culprits, and it is for the railways to take proper care to see that no sabotage takes place: otherwise they can always say "We are not responsible: some people are doing this mischief, and, therefore, we will not give any compensation." I know the Honourable Member in charge is a very sympathetic man and he will not shirk even throwing the responsibility on his own subordinates if it comes to that: and, therefore, when it is alleged that there have been two inquiries and the District Magistrate's report is different from the railway officer's report, he must consider whether an impartial and judicial inquiry should not be ordered to find out the truth. It concerns similar accidents which have happened and which might happen. Otherwise, the railways will always say "This is sabotage: we are not responsible." Therefore, I support the Adjournment Motion as a *prima facie* case has been made out.

The Honourable Sir Andrew Olow: Sir, there is only one matter, I am afraid, on which I am in agreement with Dr. Banerjee and that is in my distress at this affair. I am sure that all Members of the House will realise that to any one who has any responsibility for railways, a matter of this kind must be deeply distressing, both because of the grief which it causes to innocent persons and because of the repercussions on the railways. Unfortunately, the debate has proceeded almost entirely on the basis of speculation and not on facts, and I have heard nothing which suggests that this accident is not due to deliberate derailment. I do not like the word sabotage: it is a bad word and it does not really mean what happened here: it is a word in which we have set a bad example in using: it is far better to use the word murder—cold, calculated and deliberate murder. We do not give compensation normally when passengers are murdered . . .

Mr. Lalchand Navalrai: Murder without any fault of the railway?

The Honourable Sir Andrew Clow: I have heard only two suggestions of alternative causes. Some observations were made on the subject of speed. The train stopped at the preceding station: it had stopped there at the correct time. It took eight minutes to reach the site of the accident—4½ miles away: and the Senior Government Inspector finds that the speed could not have been more than in the neighbourhood of 40 to 42 miles an hour, against a maximum permissible speed of 60 miles. There is no reason for supposing that it was due to speed or to the engine or to the track in this case.

A great deal has been made of coincidences and one Honourable Member referred to the fact that there have been two accidents close together in his own constituency in little more than an year. The previous accident was at Majdia, one in which I do not think any one on the railways or anywhere else ever suggested that it was sabotage. Nor are the railways accustomed to suggest sabotage where it does not exist. In one case, the Bhita case, there were suggestions that the accident was due to sabotage. There was evidence pointing in that direction, and there are still facts about that case which I am unable to explain; but the railway after further experiments withdrew the suggestion of sabotage before the case went to the judicial inquiry at all. I know of no other case and if Honourable Members will give me other cases where railways attributed accidents to sabotage and it was afterwards proved incorrect, I will be glad to hear them.

Now, let me briefly give the evidence for this murder,—this derailment. I will give just a few facts which I would ask Honourable Members to bear in mind. Of course, some Honourable Members have tried to discount those facts from the start by impugning the impartiality of the Senior Government Inspector. They seem to forget that certain allegations were made in this House in regard to previous derailments, that there was a previous demand for judicial inquiries to which no reference has been made today and that a tribunal sat under Justice Broomfield to inquire into those accidents and found that these allegations were unsubstantiated. Let me quote one observation from Mr. Justice Broomfield's report:

"A suggestion has been made in certain quarters that these Government Inspectors should be regarded as in a sense partisan witnesses, on the ground that it may be in their interest to fall in with the views of the railway administration and that their training and previous association with railway work on the railways dispose them to accept sabotage as the explanation of an accident rather than some cause reflecting discredit on some one connected with the railways. We think it right to say emphatically that we are not at all impressed with this insinuation."

Now let me turn to the Report presented by the Senior Government Inspector, who is not by the way responsible to the Railway Administration at all. I will mention just a few facts which, to my mind, incontrovertibly proved, that this train was deliberately derailed. In the first place, the engine in derailing made marks on the sleepers below the position which would have been occupied by the rail which was removed. In the second place, the rail just beyond that was twisted by the engine and bogies impinging against it, and although it was twisted all out of place the fish bolts which held it to the preceding rail were undamaged, which it would have been quite impossible if the preceding rail had been in its position. In the third place, there was hammering on the end and marks on the edge of that rail; there were also marks on left wheels

of the engine and the leading coach. In the fourth place, a postal van derailed, and a steel box or well which protruded from below it actually came to rest on the top of the rail. I am very sorry I have not been able to send round copies of the printed Report which reached me only in the interval today, because we are going to incorporate in them two photographs which the Senior Government Inspector has appended to his Report, and this will show that the well actually rested on the rail.

Then it was suggested that the previous train went over this track so immediately before the accident that there could be no time to remove a rail. The time was 24 minutes in which the rail could easily be removed. On the other hand, there was no time for removing a rail after the accident from under the postal van, and the report proves this. The Senior Government Inspector says this: "I have absolutely no doubt that the rail had been removed before the arrival of the No. 8 Down".

Pandit Lakshmi Kanta Maitra: Why was it not noticed by the driver of the engine which had very powerful searchlights?

The Honourable Sir Andrew Olow: A searchlight does not unfortunately find back. Now, Sir, suggestions were made that there was neglect shown after the accident. I am very surprised to hear this. Actually, I think everything was done that could have been done and there are independent testimonies as to that. There were actually some doctors on the train; one of them Dr. Maizuddin Khan is one of them mentioned as having rendered valuable help. The Chief Medical Officer was very near; he was there at about 4/50. The first relief train came at six o'clock.

An Honourable Member: It came six hours later.

The Honourable Sir Andrew Olow: It came in about three hours. The second relief train from Calcutta arrived at 8 O'clock. Let me mention a few more facts. It was stated by the Honourable the Communications Member from Bengal that the arrangements made by the General Manager were excellent. The other testimony is, from, what Dr. Banerjee would call a tainted source, the *Amrita Bazar Patrika*. It says:

"The railway authorities not only promptly sent relief trains, with food and medical equipments to the scene of the accident, but also made adequate arrangements for broadcasting the latest Report to those who had gathered at the station. Even cold drinks, we are told, were supplied to them. The Railway authorities deserve to be thanked for what they did."

Now, Sir, what were the grounds on which the institution of a judicial inquiry is suggested? Maulana Zafar Ali Khan said that it was proved that the removal of the rail was all bunkum; it was proved that the train was going at a very high speed

Maulana Zafar Ali Khan: I did not say that. Somebody else had said so.

The Honourable Sir Andrew Olow: I am glad to accept the Honourable Member's withdrawal of the phrase. I will only ask the Honourable Member to refer to the record kept by the Reporter. However, if the

[Sir Andrew Clow.]

Honourable Member did not imply this, then I gladly accept what he says. I would say that it was not merely not proved, but it is mere speculation based upon no evidence at all. There was one suggestion made which I much resent, and that is the suggestion that the driver might have drunk. That suggestion was made in connection with a previous accident, and neither the Honourable Member nor any others came before the Broomfield Committee to support with any shred of evidence

Dr. P. N. Banerjee: I did not suggest that he was drunk; I said that might be one of the causes.

The Honourable Sir Andrew Clow: The train was not driven at high speed. I do not know if the Honourable Member drives a car. But suppose he drives a car, and in doing so he runs in peril of his life through the malice of any individual, and if we say that we had better inquire if Dr. Banerjee was drunk, I am sure he would resent it doubly, and would resent it rightly, and I do resent insinuations of that kind.

Sir, there have been references to the question of compensation, and I hope I have answered Mr. Lalchand Navalrai's question. Some one suggested, I think, that sabotage was put forward because the Railway wanted to avoid the liability of compensation. I am afraid that suggestions occasionally are put forward on the other side because persons want to secure compensation. I would only quote again from Mr. Justice Broomfield's Report where, after referring to what he describes as the unpopularity of the East Indian Railway, he says:

"We only mention it because it may explain, what otherwise is rather difficult of explanation, the reluctance to accept the results of the Government Inspector's inquiries into the cause of the derailments.

Of course, it is also to be borne in mind in this connection that a finding that the accidents were due to negligence of the railway authorities, directly or indirectly, might have an important bearing on the question of compensation to the injured and the families of the killed."

Sir, the suggestion has been made that we should pay compensation in cases where passengers are murdered through no fault of ours. I wonder if the House will be prepared to extend it to all common carriers. Accidents occur far more frequently on the roads, but I did not hear any suggestion that every accident, the cause of which is clear, should be made the subject of a judicial inquiry. I have examined that suggestion as I do all suggestions that are made in this House, but I must confess that I see considerable difficulties in the way of rendering a corporation or a Railway liable to an accident, to which they have not contributed.

Sardar Sant Singh: May I ask one question, Sir?

The Honourable Sir Andrew Clow: No, Sir; I have very little time. The Honourable Member must table a question.

Sardar Sant Singh: The only question is whether the Railway has obtained the opinion of its law officers as to whether in the case of admitted sabotage, the railway is not liable to pay compensation for lives lost.

The Honourable Sir Andrew Olow: The Honourable Member is a lawyer, and if after reading the Senior Government Inspector's Report he chooses to advise his clients to claim compensation, I cannot prevent him from doing so, and my friend can thereby get an opinion of far greater value than mine on that question from a judicial inquiry and a Court.

I would only say, in conclusion, that any suggestions that the House may make towards preventing sabotage would receive my very careful consideration. The suggestion was made that we should police all the lines. That is quite impracticable even if it were not a matter primarily concerning the Provincial Governments. We are considering measures,— I am not going to disclose anything in that direction at the moment,— but we are considering possibilities of making sabotage in this manner a great deal more difficult, and I hope, and I would appeal that we should have public support, and that the condemnation in these cases should be directed not against the Railway Administrations to whom they are deeply distressing but against those who plot these vile crimes.

Mr. M. S. Aney: I should like to know whether the three or four gentlemen who have published their experiences in the press were summoned and examined by the Inquiry Committee?

The Honourable Sir Andrew Olow: I had no time to deal with the matter, but the Government Inspector examined 12 witnesses from outside the Railways and refers to some of the men here mentioned, including Khan Bahadur Aulad Hussain Khan. I will only read without comment an extract from what the Senior Inspector says:

"Unfortunately the law as it stands may in some cases also tend unconsciously to vitiate an accurate estimate in this connection, for if the accident is established to have been brought about by defective track or rolling stock, the injured and the relations of the dead can legally claim compensation from the Railway."

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

"That the Assembly do now adjourn."

The Assembly divided:

AYES—20.

Abdul Ghani, Maulvi Muhammad.
Aney, Mr. M. S.
Azhar Ali, Mr. Muhammad.
Bajoria, Babu Baijnath.
Banerjee, Dr. P. N.
Bhatto, Mr. Nabi Baksh Illahi Baksh.
Das, Pandit Nilakantha.
Deshmukh, Mr. Govind V.
Ghiasuddin, Mr. M.
Ghulam Bhik Nairang, Syed.

Lalchand Navalrai, Mr.
Maitra, Pandit Lakshmi Kanta.
Manavedan, Raja T.
Murtuza Sahib Bahadur, Maulvi Syed.
Parma Nand, Bhai.
Raza Ali, Sir Syed.
Sant Singh, Sardar.
Umar Aly Shah, Mr.
Zafar Ali Khan, Maulana.
Ziauddin Ahmad, Dr. Sir.

NOES—43.

Abdul Hamid, Khan Bahadur Sir.
 Ahmad Nawaz Khan, Major Nawab Sir.
 Ayers, Mr. C. W.
 Bewoor, Sir Gurunath.
 Boyle, Mr. J. D.
 Bunyad Hussain, Khan Bahadur Sayad.
 Buss, Mr. L. C.
 Caroe, Mr. O. K.
 Clow, The Honourable Sir Andrew.
 Daga, Seth Sunderlal.
 Dalal, Dr. R. D.
 Dalpat Singh, Sardar Bahadur Captain.
 Dumasia, Mr. N. M.
 Frampton, Mr. H. J.
 Gidney, Lieut.-Colonel Sir Henry.
 Griffiths, Mr. P. J.
 Gwilt, Mr. E. L. C.
 Ikramullah, Mr. Muhammad.
 Imam, Mr. Saiyid Haider.
 Ismaiel Ali Khan, Kunwar Hajee.
 Jawahar Singh, Sardar Bahadur Sardar Sir.
 Kamaluddin Ahmed, Shams-ul-Ulema.

Kushalpal Singh, Raja Bahadur.
 Lawson, Mr. C. P.
 Maxwell, The Honourable Sir Reginald.
 Miller, Mr. C. C.
 Muazzam Sahib Bahadur, Mr. Muhammad.
 Mudaliar, The Honourable Diwan Bahadur Sir A. Ramaswami.
 Mukherji, Mr. Basanta Kumar.
 Ogilvie, Mr. C. M. G.
 Ormiston, Mr. J. F.
 Pillay, Mr. T. S. S.
 Rahman, Lieut.-Col. M. A.
 Raisman, The Honourable Sir Jeremy.
 Scott, Mr. J. Ramsay.
 Sheehy, Mr. J. F.
 Sivaraj, Rao Sahib N.
 Spence, Sir George.
 Staig, Mr. B. M.
 Thakur Singh, Captain.
 Tyson, Mr. J. D.
 Zafrullah Khan, The Honourable Sir Muhammad.
 Zaheer, Mr. Saiyid Hasan.

The motion was negatived.

The Assembly then adjourned till Eleven of the Clock on Wednesday, the 6th November, 1940.