

2nd April 1935

THE  
LEGISLATIVE ASSEMBLY DEBATES

(Official Report)

Volume IV, 1935

(29th March to 9th April, 1935)

FIRST SESSION

OF THE

FIFTH LEGISLATIVE ASSEMBLY,  
1935



NEW DELHI  
GOVERNMENT OF INDIA PRESS  
1935

# Legislative Assembly.

## *President :*

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

## *Deputy President :*

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

## *Panel of Chairmen :*

SIR MUHAMMAD YAKUB, KT., M.L.A.

MR. S. SATYAMURTI, M.L.A.

LIEUT.-COLONEL SIR HENRY GIDNEY, KT., M.L.A.

SARDAR SANT SINGH, M.L.A.

## *Secretary :*

MIAN MUHAMMAD RAFI, B.A.,-AT-LAW.

## *Assistant of the Secretary :*

RAI BAHADUR D. DUTT.

## *Marshal :*

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

## *Committee on Petitions :*

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

MR. S. SATYAMURTI, M.L.A.

DR. ZIAUDDIN AHMAD, C.I.E., M.L.A.

RAJA SIR VASUDEVA RAJAH, KT., C.I.E., M.L.A.

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

# CONTENTS.

VOLUME IV.—29th March to 9th April, 1935.

	PAGES.		PAGES.
<b>FRIDAY, 29TH MARCH, 1935—</b>		<b>WEDNESDAY, 3RD APRIL, 1935—</b>	
Questions and Answers	3027—77	Questions and Answers	3455—94
The Indian Criminal Law Amendment (Repeal) Bill—Discussion on the motion to consider not concluded	3078—3123	Unstarred Questions and Answers	3495—3515
<b>SATURDAY, 30TH MARCH, 1935—</b>		Statements laid on the Table	3515—18
Questions and Answers	3125—78	✓ The Indian Finance Bill—Discussion on the consideration of clauses not concluded	3518—65
Short Notice Question and Answer	3178	<b>THURSDAY, 4TH APRIL, 1935—</b>	
Statements laid on the Table	3179—88	Questions and Answers	3567—3630
Demands for Supplementary Grants—concl.	3188—3246	Election of a Member to the Standing Committee on Pilgrimage to the Hedjaz	3630
Statement of Business	3206	The Reserve Bank of India (Note Refund) Rules	3630—34
✓ The Parsi Marriage and Divorce Bill—Referred to Joint Committee	3246—47	Regulations re Powers of Command of Indian Commissioned Officers	3634
<b>MONDAY, 1ST APRIL, 1935—</b>		The Payment of Wages Bill—Appointment of certain Members to the Select Committee	3634—35
Questions and Answers	3249—3301	✓ The Indian Finance Bill—Discussion on the consideration of clauses concluded.	3635—76
Motion re Election of a Member to the Standing Committee on Pilgrimage to the Hedjaz—Adopted	3301—02	<b>FRIDAY, 5TH APRIL, 1935—</b>	
The Cantonments (Amendment) Bill—Introduced	3302	Questions and Answers	3677—3725
The Indian Tea Cess (Amendment) Bill—Introduced	3302	Message from H. E. the Viceroy and Governor General	3725—26
Declaration by the Governor General in Council regarding the Customs Supplementary Demand refused by the Legislative Assembly.	3302	The Indian Tariff (Amendment) Bill—Discussion on the motion to pass not concluded	3726—59
✓ The Indian Finance Bill—Discussion on the consideration of clauses not concluded	3303—53	<b>SATURDAY, 6TH APRIL, 1935—</b>	
<b>TUESDAY, 2ND APRIL, 1935—</b>		Questions and Answers	3761—98
Member Sworn	3355	The Indian Tariff (Amendment) Bill—Passed as amended	3798—3800
Questions and Answers	3355—3405	✓ The Indian Finance Bill—Recommended amendment negatived	3800—36
Short Notice Questions and Answers	3405—13	Statement of Business	3818
Motion for Adjournment re Hunger Strike of political prisoners at the Dacca Central Jail—Ruled out of order	3413—14	The Indian Tea Cess (Amendment) Bill—Passed	3836—52
The Indian Finance Bill—Discussion on the consideration of clauses not concluded	3414—53		

	PAGES.		PAGES.
<b>MONDAY, 8TH APRIL, 1935—</b>		<b>MONDAY, 8TH APRIL, 1935</b>	
Members Sworn . . . . .	3853	<i>contd.</i>	
Questions and Answers . . . . .	3853—74	Demands for Supplemen- tary Grants . . . . .	3903—08
Statements laid on the Table . . . . .	3874—93	The Cantonments (Amend- ment) Bill—Referred to Select Committee . . . . .	3908—12
Motions for Adjournment re—		The Salt Additional Import Duty (Extending) Bill— Passed . . . . .	3912—40
Prohibition of the holding of the session of the All- India Trade Union Con- gress at Calcutta— Ruled out of order . . . . .	3894—95	The Indian Mines (Amend- ment) Bill—Passed as amended . . . . .	3940—58
Publication of the views of some of the Members of the Indian Civil Ser- vice, serving in Bengal, on the Reforms—Ruled out of order . . . . .	3895—3901	<b>TUESDAY, 9TH APRIL, 1935—</b>	
The Aligarh Muslim Uni- versity (Amendment) Bill . . . . .	3901—02	Questions and Answers . . . . .	3959—81
		Unstarred Questions and Answers . . . . .	3981—92
		The Code of Civil Proce- dure (Third Amendment) Bill—Referred to Select Committee . . . . .	3992—4007

# LEGISLATIVE ASSEMBLY.

Tuesday, 2nd April, 1935.

---

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

---

## MEMBER SWORN.

Mr. Andrew Gourlay Clow, C.I.E., M.L.A. (Government of India: Nominated Official).

---

## QUESTIONS AND ANSWERS.

### WOMEN'S MEDICAL SERVICE.

1313. \*Dr. N. B. Khare: (a) Will Government please state whether the control of the Women's Medical Service is in the hands of the Government of India or some other body, and if the latter, why?

(b) What is the pay of the Chief Medical Officer who controls this service? Have Government considered whether she cannot be replaced by an Indian woman doctor on reduced salary?

(c) Have Government considered whether this work cannot be done by any branch of the Director General, Indian Medical Service?

Mr. G. S. Bajpai: (a) The Women's Medical Service is administered by the Council of the Countess of Dufferin's Fund.

(b) Rs. 1,400 per mensem. The matter is one for the Council of the Fund.

(c) As already stated the service is not a Government service and the work of the Chief Medical Officer cannot be transferred to the Director General, Indian Medical Service.

Mr. N. M. Joshi: May I ask in connection with this Women's Medical Service, whether some members of this service, who were serving some outside organisations, were given the benefit of the outside service after they were taken up by this service?

Mr. G. S. Bajpai: I have to ask for notice of that question. I do not know whether this is the case or not.

## WOMEN'S MEDICAL SERVICE.

1314. \*Dr. N. B. Khare: Has any doctor of Indian race been placed on the Executive Committee of the Women's Medical Service or Selection Committee and if so, with what result?

Mr. G. S. Bajpai: The Honourable Member's attention is invited to the information laid on the table on the 31st August, 1934, with reference to Mr. S. G. Jog's question No. 682. Dr. Pannell who is an Indian has since been appointed to be a member of the Executive Committee also.

## PERCENTAGE OF RECRUITMENT OF INDIANS AND EUROPEANS IN THE WOMEN'S MEDICAL SERVICE.

1315. \*Dr. N. B. Khare: (a) What is the percentage of recruitment of Indians and Europeans in the Women's Medical Service and what percentage is recruited, respectively in England and in India of European and Indian women doctors?

(b) Are any posts reserved for Europeans or Anglo-Indians?

Mr. G. S. Bajpai: (a) The present composition of the Service is 22 Europeans and 28 Indians. Recruitment is made on the basis of merit.

(b) No.

Mr. S. Satyamurti: May I know if recruitment being made on grounds of merit has resulted in 22 Europeans and 28 Indians? Are there no Indians who can take the place of the 22 Europeans?

Mr. G. S. Bajpai: My Honourable friend will appreciate that Indianisation can proceed only as vacancies occur.

Mr. S. Satyamurti: May I know if every vacancy is being filled by an Indian?

Mr. G. S. Bajpai: According to my information, since 1924, the Fund has been recruiting Europeans and Indians in equal proportions.

Mr. S. Satyamurti: May I know the reason why European recruitment still goes on? Is it because there are no Indians qualified, or is any policy involved in it?

Mr. G. S. Bajpai: There is no question of policy involved. If my Honourable friend would wait for another question on that subject which comes up later, I will give the information then, but, if he likes, I can give it now. My information is that sufficient Indian women possessing the requisite qualifications are not forthcoming yet. That is the reason why the proportion is maintained at 50 : 50.

Mr. S. Satyamurti: May I take it that, if qualified Indians are available and apply, they will be appointed?

Mr. G. S. Bajpai: I assume so, Sir.

**DUFFERIN FUND AND THE INDIAN NATIONAL ASSOCIATION FOR SUPPLYING MEDICAL AID BY WOMEN TO WOMEN OF INDIA.**

1816. \***Dr. N. B. Khare:** (a) Is it a fact that 50 years have elapsed since the creation of the Dufferin Fund and the Indian National Association for supplying medical aid by women to women of India?

(b) Is it a fact that even after half a century's experience and training of Indian women, European women doctors are found necessary, to give medical aid to the women of India?

(c) Is it not a fact that the Dufferin Fund was raised from contribution by the princes and the people of India?

(d) What is the contribution which Government of India make annually towards the Central Dufferin Fund?

(e) Is it a fact that the notification published in the *Statesman* of Delhi, dated the 10th June, 1934, regarding recruitment to the Women's Medical Service, is contrary to the announcement made by Sir David Petrie, Chairman of the Dufferin Fund that holding the M.B.B.S. degree of any Indian University is sufficient qualification for Indian ladies for entry into that service?

(f) Are Government prepared to take immediate steps to stop the recruitment of non-Asiatics to this service in England, and to Indianise this service by Indian women medical graduates?

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

(b) and (f). Government are informed that Indian women doctors, with the necessary qualifications and experience, are not yet available in sufficient numbers.

(c) Partially so.

(d) During the current year (1934-35) Government gave a grant of Rs. 3,44,300 to the Countess of Dufferin's Fund.

(e) The matter is one for consideration by the Council of the Fund.

**Prof. N. G. Ranga:** Have the Government of India any control or supervising authority over the appointment of staff for this particular fund?

**Mr. G. S. Bajpai:** I answered that question yesterday. The appointments are made by the Council of the Fund. Government have no control over them.

†1817\*—1818\*.

†Questions Nos. 1317-1318 lapsed as the questioner (Munshi Iswar Saran) was unseated as a result of an election petition against him.

**FINANCIAL ASSISTANCE TO ENCOURAGE THE PRODUCTION AND EXHIBITION OF EDUCATIONAL FILMS.**

1319. \***Mr. Lalchand Navalrai:** (a) Will Government be pleased to state if they give any financial assistance to encourage the production and exhibition of educational films, specially in centrally administered areas? If so, to whom are these grants made and how much?

(b) Are educational films exhibited in schools in rural areas in India as suggested by the Cinematograph Committee?

(c) Are any rules framed or instructions given by the Central Government to the educational authorities in India on the subject? If so, will Government be pleased to place them on the table?

**Mr. G. S. Bajpai:** (a) No direct subvention is given in centrally administered areas. Educational films receive a rebate of customs duty and are also wholly or partly exempt from censorship fees.

(b) Very considerable advance has been made in this direction in recent years in many provinces.

(c) No; Education is now a transferred subject.

**Mr. Lalchand Navalrai:** Does the Honourable Member know if the Provincial Government give any help to this cinematograph industry?

**Mr. G. S. Bajpai:** I have informed my Honourable friend that Provincial Governments do exempt partly or wholly educational films from censorship fees.

**FORMATION OF A CENTRAL CINEMA LIBRARY AND LABORATORY FOR GIVING TRAINING IN CINEMA TECHNIC.**

1320. \***Mr. Lalchand Navalrai:** (a) Will Government be pleased to state if there is any cinema library and laboratory for giving training in cinema technic to the people of this country?

(b) If not, do Government propose to form a Central Cinema Library and Laboratory for the purpose? If not, why not?

**The Honourable Sir Frank Noyce:** (a) The Government of India have no information. I may remind the Honourable Member that the development of industries and technical education are both Provincial transferred subjects.

(b) Does not arise.

**Mr. Lalchand Navalrai:** Does the Honourable Member know if the Provincial Governments do anything in this direction?

**The Honourable Sir Frank Noyce:** I have no information.

**Mr. Lalchand Navalrai:** Has not the Honourable Member collected any information from them?

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

CRIMINAL TRIBES ACT AND FRONTIER REGULATIONS IN FORCE IN BRITISH BALUCHISTAN.

1321. \***Mr. Lalchand Navalrai:** (a) Will Government be pleased to state if the Criminal Tribes Act and Frontier Regulations in force in British Baluchistan apply to the 'Hindu' residents of British Baluchistan? If so, which?

(b) Is there any practice of sending Hindu residents of British Baluchistan for trial for any offences by *Jirgas* (Courts of Elders) in British Baluchistan? If so, under what law, rules, or regulations is the same done?

**Mr. H. A. F. Metcalfe:** (a) The Criminal Tribes Act does not apply to Baluchistan. The Frontier Crimes Regulation applies by Notification issued under section 1(4) of the Regulation, with the previous sanction of the Governor General in Council, to all persons, not being European British subjects, who are born or ordinarily resident in British Baluchistan and the Agency territories and consequently also to Hindu residents.

(b) Yes, in accordance with the above, cases between tribesmen and Hindus born or ordinarily resident in the tribal areas are referred to *jirga*. When this procedure is followed it is arranged that there should be an adequate Hindu representation on the Council of Elders.

**Mr. Lalchand Navalrai:** May I know on what principle this Frontier Regulation is being applied to the Hindus?

**Mr. H. A. F. Metcalfe:** I explained that in the main answer to the question. On the principle that they are born or are ordinarily resident in British Baluchistan and the Agency.

**Mr. Lalchand Navalrai:** May I know why the ordinary law is not being applied to them as it is being applied in the neighbouring parts of the country?

**Mr. H. A. F. Metcalfe:** The ordinary law can be applied so far as it is applicable, but it frequently happens that Hindus are plaintiffs in a case and the defendant belongs to one of the frontier tribes, in which case the Hindu prefers to have his civil suit tried under the Frontier Crimes Regulation.

**Mr. Lalchand Navalrai:** What about the criminal jurisdiction? Are Hindus tried by *jirga* for offences?

**Mr. H. A. F. Metcalfe:** I could not obviously give an answer to that without notice. There may have been cases and there may not have. If the Honourable Member wishes to have precise information, he had better put down a question on paper.

**Mr. M. Ghiasuddin:** Is there a separate law for Hindus and Muhammadans in Baluchistan?

**Mr. H. A. F. Metcalfe:** No. There is the same law.

## TREATY BETWEEN THE SULTAN OF ZANZIBAR AND GREAT BRITAIN.

1922. \***Mr. S. Satyamurti:** (a) Will Government be pleased to state whether there is a treaty between the Sultan of Zanzibar and Great Britain?

(b) On what terms and conditions was the British Agency and Consulate established at Zanzibar to protect the rights of Indian settlers there in 1841?

(c) Will Government please lay a copy of such treaty on the table? If not, why not?

**Mr. H. A. F. Metcalfe:** (a) and (c). There are probably several treaties between His Majesty's Government and the Sultan of Zanzibar but the only treaty, of which information is immediately available, is dated 5th June, 1873, and relates to the abolition of the Slave trade. This is presumably not the Treaty in which the Honourable Member is interested but further enquiries will be made into the Treaty relations between His Majesty's Government and the Sultan of Zanzibar if the House so desires.

(b) The information asked for is not readily available since the records of 1841 are kept in Calcutta and not in Delhi and considerable historical research would be necessary to elucidate the question put. This Department will, however, if the Honourable Member so desires, undertake this research and lay a reply upon the table in due course.

**Mr. S. Satyamurti:** With regard to clauses (a) and (c), may I invite the Honourable Member, with your permission, to collect the information?

**Mr. H. A. F. Metcalfe:** I have undertaken to obtain the information, but the Honourable Member will understand that when old records dating back to 1841 have to be searched, the information cannot be obtained within the short space allowed.

**Mr. S. Satyamurti:** I am willing to wait. With regard to clause (b) of the question, may I know if the Honourable Member has any information as to whether the rights of the Indian settlers now in Zanzibar are affected by any of these treaties?

**Mr. H. A. F. Metcalfe:** That is exactly the information which I propose to obtain by historical research into the records which are kept in Calcutta.

**Mr. S. Satyamurti:** May I ask one more question? With respect to the recent dispute between the Government of India and His Majesty's Government in the Colonial Department, with regard to the rights of Indian settlers in Zanzibar especially about the clove trade, has any reference been made either by this Government or by His Majesty's Government to any treaty rights or obligations on the part of the parties concerned?

**Mr. G. S. Bajpai:** I do not think, Sir, that I would be justified in disclosing, even by implication, what material we have relied upon in making our representations to His Majesty's Government but I think I can assure my Honourable friend that every relevant material available to us has been utilised for the purpose of making representations.

**Mr. S. Satyamurti:** Have Government referred in their representation to His Majesty's Government to any treaty rights secured to Indian settlers in Kenya between the Sultan of Zanzibar and the British Government or the Government of India?

**Mr. G. S. Bajpai:** Sir, I should have to look up that point, I could not say off-hand.

**Mr. S. Satyamurti:** When was this representation made?

**Mr. G. S. Bajpai:** The last representation was made after the middle of March.

**Mr. S. Satyamurti:** Have the Government of India heard from His Majesty's Government in answer to that representation?

**Mr. G. S. Bajpai:** No, Sir.

**Mr. S. Satyamurti:** Did this Government ask the Government of Zanzibar to stay their hands until this Government's representation had been considered by them—or did they so ask the Colonial Office?

**Mr. G. S. Bajpai:** I answered that question in reply to a supplementary question asked by my Honourable friend on the 11th March. I said that the question of staying hands would arise only when the new clove crop is on the market. That won't be till July next.

**Mr. S. Satyamurti:** What action do Government propose to take before July next?

**Mr. G. S. Bajpai:** I hope, Sir, as a result of the further representation which was made to His Majesty's Government, it will not be necessary to take any action but the action of a friendly acknowledgment of their acceptance of our representation.

**Mr. S. Satyamurti:** Has the Honourable Member any basis for this optimism?

**Mr. G. S. Bajpai:** Sir, hope springs eternal in the human breast. (Hear, hear.)

**Mr. S. Satyamurti:** That is poor consolation!

**MOVE OF THE OFFICE OF THE IMPERIAL COUNCIL OF AGRICULTURAL RESEARCH BETWEEN SIMLA AND NEW DELHI.**

1323. **\*Mr. P. S. Kumaraswami Raju:** (a) Will Government be pleased to state if the office of the Imperial Council of Agricultural Research is a moving office between Simla and Delhi?

(b) Will Government state the reasons why this office should be made to move between Delhi and Simla?

(c) Will Government state if it is not a fact that during the sittings of the Retrenchment Committee in 1950 or 1951, a suggestion was put forward by the head of this office that the office could usefully be kept down in Delhi with saving in travelling and other allowances and no loss of efficiency?

(d) If the answer to part (c) be in the affirmative, will Government state the reasons why the suggestion was not accepted and why it was decided to continue the old practice?

(e) Is it a fact that a part of this office is already located in Delhi throughout the year, and if so, are Government prepared to consider the desirability of keeping the whole office down at Delhi permanently?

**Mr. G. S. Bajpai:** (a) Yes, with the exception of the Publication and Library Sections.

(b) The Imperial Council of Agricultural Research Department is a Department of the Government of India.

(c) In view of the serious financial stringency, which was then prevailing, the Vice-Chairman stated that it would be possible to carry on the work of the Department if it remained at Delhi throughout the year, provided that he and a limited staff were allowed to move to Simla with the Government of India.

(d) After careful consideration Government decided, that for reasons of administrative convenience and efficiency, it was not desirable to leave it in Delhi during the summer.

(e) The answer to the first part is in the affirmative. As regards the second part, the matter has already been considered as stated in the answer to part (d).

**Mr. S. Satyamurti:** In answer to clause (c) of the question, I think the Honourable Member said that the proposal was made to retain the office in Delhi in view of the financial stringency. What is the reason why the Government have turned down that proposal? Is it their opinion that that financial stringency has passed away?

**Mr. G. S. Bajpai:** No, Sir. I think my Honourable friend did not follow what I said on the subject, or perhaps I did not make the point clear. I said that the Vice-Chairman, during the period of the financial stringency,—and I presume that it continues,—offered to stay down, but the Government, after a consideration of all the relevant circumstances, came to the conclusion that, along with the other Departments of the Government of India, this Department should continue to move; in other words, it has been moving all the time.

**Mr. S. Satyamurti:** What are the reasons why the Government have come to the conclusion that this Department should also move to Simla and back again to Delhi?

**Mr. G. S. Bajpai:** Because the Government feel that this Department is of such great help to them as regards furnishing information on agricultural problems and assisting them in matters bearing on agricultural problems that they came to the conclusion that it would be undesirable to leave it down in Delhi for six months.

**Seth Govind Das:** Did the Retrenchment Committee not see the point which the Honourable Member is pointing out?

**Mr. G. S. Bajpai:** The Retrenchment Committee no doubt considered every point, but my Honourable friend will appreciate the fact that the decision rests with the executive Government.

**Seth Govind Das:** Have they ever been following any of the recommendations of this Retrenchment Committee?

**Mr. G. S. Bajpai:** That would involve historical research extending over many years; I could not answer the question now.

**Mr. S. Satyamurti:** With reference to clause (e) of the question, may I know why Government are not prepared to consider the desirability of keeping the whole of this office down at Delhi?

**Mr. G. S. Bajpai:** Sir, the position is that the Imperial Council of Agricultural Research Department is a Department of the Secretariat of the Government of India like other Departments, and we feel that there cannot be any distinction or discrimination made against this Department. In other words, the question, as to whether it can be left down or not, is part of the general question of the move to Simla.

**Mr. S. Satyamurti:** May I take it that no part of the Secretariat will ever be allowed to remain on and work in Delhi, until the Government come to the conclusion that there will be no exodus?

**Mr. G. S. Bajpai:** I cannot answer for other Departments, Sir, but that is our attitude in regard to this Department.

#### SUCCESSFUL MECHANICAL *EX*-APPRENTICES OF THE LILLOOAH WORKSHOPS, EAST INDIAN RAILWAY.

1324. \***Mr. D. K. Lahiri Chaudhury:** (a) Are Government aware that in spite of the assurance given by Government no endeavour is made to provide the successful mechanical *ex*-apprentices of the Lillooah Workshops, East Indian Railway with posts?

(b) Are Government aware that every endeavour is made by the Deputy Chief Mechanical Engineer (now designated as Divisional Superintendent, Mechanical) East Indian Railway, Jamalpur, to provide the *ex*-apprentices with posts in other workshops of the same Railway as well, such as Charbagh and Alambagh?

(c) Are Government aware that not a single successful *ex*-apprentice of Lillooah Workshops has been provided in Charbagh and Alambagh Workshops, although these Workshops are under one and the same head, i.e., the Chief Mechanical Engineer, East Indian Railway? If so, why?

(d) Are Government aware that the majority of the chargemen, mechanics and journeymen at the Charbagh and Alambagh Workshops, East Indian Railway, are illiterate (cannot speak in English even) and received no technical education at all? Are Government also aware that even some clerks have been promoted to these posts?

(e) If the answer to part (d) above be in the affirmative, will Government please state the reasons for appointing these illiterate persons and clerks, who received no technical education at all, in preference to many technically trained *ex*-apprentices of the Lillooah Workshops, who are still waiting for appointments?

(f) Are Government prepared to take necessary steps to put a stop to the practice of appointing illiterate persons to such posts in future and appoint successful mechanical *ex*-apprentices of the Lillooah Workshops to these posts, and issue necessary orders to the Agent, East Indian Railway to this effect? If not, why not?

(g) Are Government also prepared to take necessary steps to replace those illiterate chagemen, journeymen and mechanics by the successful *ex*-apprentices who are waiting for appointment? If not, why not?

**Mr. P. R. Rau:** With your permission, Sir, I propose to reply to questions Nos. 1324, 1325 and 1326 together. Information is being collected and a reply will be laid on the table of the House in due course.

**Mr. Lalchand Navalrai:** How is it that since lately the Honourable Member is always saying like that—that “the reply will be laid on the table of the House in due course”?

**Mr. President** (The Honourable Sir Abdur Rahim): Order, order.

**Mr. S. Satyamurti:** May I ask the Honourable Member, when he says that the matter is being collected and will be laid on the table in due course, whether it is to be laid on the table as a matter of course, or does he expect any further question on the matter?

**Mr. P. R. Rau:** As a matter of course.

#### **EX-APPRENTICES OF JAMALPUR TECHNICAL SCHOOL, EAST INDIAN RAILWAY.**

†1925. \***Mr. D. K. Lahiri Chaudhury:** (a) Are Government aware that the *ex*-apprentices of Jamalpur Technical School, East Indian Railway, who completed their training at earlier dates, have prior claims, in the matter of appointments, to their juniors who completed their training at later dates?

(b) Are Government aware that the *ex*-apprentices of Jamalpur Technical School, East Indian Railway, who completed their apprenticeship training after 1933 and were retained in service under the Chief Mechanical Engineer, East Indian Railway in Jamalpur and other workshops, are governed by the old scales of pay?

(c) Are Government aware that some of the successful *ex*-apprentices of the Jamalpur Technical School, who completed their training before 1933 and were discharged, there being no vacancies, are now on re-appointment under the Chief Electrical Engineer and the Deputy Chief Mechanical Engineer (now designated as Divisional Superintendent, Mechanical) Jamalpur, East Indian Railway, governed by the revised scales of 1934?

†For answer to this question, see answer to question No. 1324.

(d) Are Government aware that some *ex*-apprentices of the Jamalpur Technical School, East Indian Railway, who were appointed as Train Examiners in 1938, under the Chief Operating Superintendent, in Howrah Division, are also governed by the old scales of pay, and that they were also discharged after the completion of their apprenticeship training but were reappointed?

(e) If the answers to parts (b) and (c) above be in the affirmative, will Government please state whether they are prepared to consider the cases of the senior *ex*-apprentices who were re-appointed, and take necessary steps to put them in the old scales, as their juniors are given, and issue necessary orders to the Agent, East Indian Railway to this effect? If not, why not?

(f) If the answers to parts (b) and (c) above be in the negative, are Government prepared to make an enquiry into the matter and take necessary steps? If not, why not?

**CONFIRMATION OF CERTAIN MECHANICAL *EX*-APPRENTICES UNDER THE CHIEF MECHANICAL ENGINEER, EAST INDIAN RAILWAY.**

†1326. \*Mr. D. K. Lahiri Chaudhury: (a) Are Government aware that in spite of the assurance given by them the first grade bound mechanical *ex*-apprentices, whose services have been retained after the completion of their apprenticeship training under the Chief Mechanical Engineer, East Indian Railway, are not confirmed within six months, but are kept on probation for years?

(b) If the answer to part (a) above be in the affirmative, will Government please state whether:

- (i) they are prepared to take immediate steps against this action of the Railway Administration who are deliberately acting in contravention of the policy laid down by Government; if so, when and in what way; if not, why not; and
- (ii) they are prepared to confirm them in their posts without further delay and issue necessary orders to the Agent, East Indian Railway, to this effect; if not, why not?

(c) If the answer to part (a) above be in the negative, will Government please state whether they are prepared to make an early enquiry into the matter and take necessary steps? If not, why not?

**MOVE OF THE OFFICE OF THE MILITARY ACCOUNTANT GENERAL TO SIMLA.**

†1327. \*Mr. Amarendra Nath Chattopadhyaya: (a) Is it a fact that the entire Military Accountant General's Office is moved to Simla every year unlike the sister account and audit offices, such as that of the Auditor General in India? If so, what are the reasons for such differential treatment?

(b) What is the total expenditure incurred on this account each year?

†For answer to this question, see answer to question No. 1324.

**The Honourable Sir James Grigg:** (a) The Military Accountant General's office is an attached office of the Military Finance Department. A portion of this office remains in Simla the whole year round, but much administrative inconvenience would result if the whole of the office were located for a large part of the year away from the Military Finance Department and the Headquarters of the Military Administration.

(b) On an average about Rs. 26,000.

**Mr. S. Satyamurti:** Why should this administrative inconvenience not be obviated by doing it the other way about, that is, by removing the military offices to Delhi? Why not get rid of this inconvenience of having offices in two places?

**The Honourable Sir James Grigg:** They will have to move up again when Army Headquarters moves up.

**Mr. S. Satyamurti:** Why should they move up?

**The Honourable Sir James Grigg:** That is the same question as that which the Honourable Member has already been asking.

#### INSTALLATION OF TELEPHONE CONNECTIONS TO THE RESIDENCES OF GOVERNMENT OFFICIALS.

1328. **\*Mr. Amarendra Nath Chattopadhyaya:** (a) Will Government be pleased to state the rules which govern the installation of telephone connections to the residences of Government officials, and the conditions under which they are installed at Government expense?

(b) Is it a fact that all the officers of Military Accountant General's Office have got such telephones at their residence at Government expense *vide* telephone directory—Army Headquarters? If so, what is the cost and what public interest is served by providing such installation in each quarter?

**The Honourable Sir James Grigg:** (a) The installation of a telephone connection at the residence of an officer can only be sanctioned if the official concerned is required to deal with urgent cases out of office hours.

(b) Five out of seven officers have telephones at their residences. The total cost is Rs. 95 per mensem. The officers who are provided with residential telephones are expected to be available for advice at all times to officers of the Army Headquarters and Military Finance, and to deal with urgent cases after office hours.

**Mr. S. Satyamurti:** Are there any urgent cases?

**The Honourable Sir James Grigg:** I am bound to say, from my own experience, that a number of cases are treated as urgent which ought not to be.

**Mr. S. Satyamurti:** Are these urgent cases disposed of at night?

**The Honourable Sir James Grigg:** It depends on your definition of night.

**PAY AND ALLOWANCES OF OFFICERS AND STAFF OF THE FINANCIAL ADVISER, MILITARY FINANCE, AND THE DIRECTOR OF ARMY AUDIT.**

1329. \*Mr. Amarendra Nath Chattopadhyaya: (a) Is it a fact that the pay and allowances of officers and staff of the Financial Adviser, Military Finance, and the Director of Army Audit, are met from civil estimate? If so, what is the total amount involved in them and why are they not met from the defence service estimates?

(b) Is it a fact that pay and allowances of the Financial Adviser, Posts and Telegraphs, is met from the Postal budget estimate? If so, why is a distinction made in the case of the Financial Adviser, Posts and Telegraphs and Military Finance?

**The Honourable Sir James Grigg:** (a) Yes. The total amount involved is approximately Rs. 10 lakhs a year.

(b) Yes. Except in the case of commercial departments, such as the Posts and Telegraphs Department, expenditure is classified in the public accounts as expenditure of the authority exercising control. The Financial Adviser, Military Finance, and the Director of Army Audit are not under the control of the Army Department but under the control of the Finance Department and the Auditor-General respectively.

**Mr. S. Satyamurti:** Is that the principle which is applied to all Departments,—that all expenditure on audit is debited to the Finance Department, and not to the Department concerned?

**The Honourable Sir James Grigg:** It is debited to the controlling authority, except in the case of the commercial departments.

**COST OF THE ASSAM RIFLES AND THE BURMA RIFLES.**

1330. \*Mr. Amarendra Nath Chattopadhyaya: (a) Is it a fact that the cost of the Assam Rifles and Burma Rifles, is met from the provincial revenue instead of from the central budget? Does that form part of the defence service?

(b) Will Government be pleased to state what other similar expenditure, is borne by (i) central civil estimates and (ii) provincial estimates?

**The Honourable Sir Henry Craik:** (a) The Assam Rifles and Burma Military Police, to which the Honourable Member presumably refers, fulfil a dual role of guarding the frontiers and preserving the internal security of the two Provinces. The cost of those portions of the two forces which are employed on frontier defence is met by contributions from the central revenues which are shown under the head "Frontier Watch and Ward" in the budget. The cost of the remaining portions of the two forces which are engaged on internal police duties is met from Provincial revenues.

(b) There are certain other civil armed forces maintained wholly for guarding the frontier—e.g., frontier constabulary, North-West Frontier Province, the expenditure on which is legitimately borne by central civil estimates and classified under the head "Frontier Watch and Ward". No part of the expenditure on these forces is debited to provincial revenues.

**Mr. S. Satyamurti:** What is the proportion between the provincial expenditure and the Central expenditure with regard to these two units, the Assam Rifles and the Burma Military Police?

**The Honourable Sir Henry Craik:** The subventions paid to Burma amount to Rs. 45,74,000, and that paid to Assam is four-fifths of the total cost of the force subject to a maximum of 16 lakhs.

#### RECORD CLERKS IN THE OFFICE OF THE ACCOUNTANT GENERAL, CENTRAL REVENUES.

1331. **\*Mr. D. K. Lahiri Chaudhury:** (a) Will Government be pleased to state the number of Record Clerks in the Accountant General, Central Revenue's Office?

(b) Is it a fact that they were originally appointed on Rs. 30 per mensem and that their pay has now been reduced to Rs. 25 per mensem according to revised scales of pay, without giving them any previous notice to this effect?

(c) Is it also a fact that all the retrenched hands thrown out of employment on the amalgamation of the Pay and Accounts Office with the Office of the Accountant General, Central Revenues, have been provided?

(d) Is it a fact that these Record Clerks are not promoted to the clerical cadre, although outsiders are being recruited to fill up vacancies in that cadre? If so, why?

**The Honourable Sir James Grigg:** (a) Nine, of whom eight are matriculates and one has lower educational qualifications.

(b) They were originally appointed as temporary record clerks as an experimental measure on a fixed pay of Rs. 90 a month. A revised scale of Rs. 25—1—45 was applied to record clerks with effect from the 1st of August, 1934, after due notice had been given as in the case of other grades.

(c) No.

(d) Yes. They are not promoted to the clerical cadre because their appointment as record clerks was made on the understanding that they would not ordinarily be eligible for promotion to the clerical grade, for which they are not fitted. Only graduates are ordinarily appointed to the clerical cadre.

#### CIVILIAN CLERKS EMPLOYED IN THE MILITARY ENGINEERING SERVICES.

1332. **\*Mr. Muhammad Anwar-ul-Aziz:** (a) Will Government be pleased to state as regards civilian clerks employed in the Military Engineering Services:

(i) the number of permanent upper and lower division clerks in each Command separately, and

(ii) the number of temporary clerks in each Command?

(b) What is the proportion of Muslim clerks in the total number referred to at parts (i) and (ii)?

(c) What is the number of clerks of each community appointed to permanent and temporary services after the issue of the Government communiqué in July 1934?

(d) Was the proportion as laid down in the communiqué adhered to in making the appointments, permanent or temporary? If not, why not?

(e) If the reply to part (d) above be in the negative, are Government prepared to consider the question of cancelling the appointments (permanent or temporary) given to the members of the majority community over and above the proportion laid down and of appointing Muslims in the vacancies so caused? If not, why not?

**Mr. G. R. F. Tottenham:** (a) I lay a statement on the table.

(b) 15·7 per cent.

(c) Muslims—9.

Other communities—48.

(d) and (e). The recognised communal proportions are observed, when appointments are made, but it is impossible to maintain those proportions in the temporary establishment owing to constant fluctuations in its strength.

---

Command.	Number of permanent upper and lower division clerks.	Number of temporary clerks.
Northern	173	222
Southern	94	116
Eastern	119	166
Western	52	64

---

**APPOINTMENTS OF CIVILIAN CLERKS IN THE MILITARY ENGINEERING SERVICES, AND DISTRICT COMMANDING ENGINEERS.**

1333. **\*Mr. Muhammad Anwar-ul-Azim:** (a) Is it a fact that Command officials are responsible for making permanent appointments of civilian clerks in the Military Engineering Services, and District Commanding Engineers for temporary?

(b) If the reply to part (a) above be in the affirmative, will Government be pleased to state if the Army Headquarters issued instructions to their subordinate recruiting officials to adhere to the Government communiqué of 1934 or they were supposed to act accordingly after the issue of the communiqué?

(c) Is it a fact that officials responsible failed to take due notice of the communiqué, and if so, what action do Government propose to take in the matter?

**Mr. G. R. F. Tottenham:** (a) Yes.

(b) The Resolution of 1934 was communicated to Commands by Army Headquarters, and instructions were issued that members of minority communities, if available and adequately qualified, were to be given reserved vacancies in the clerical establishment of the Military Engineer Services in order to redress communal inequalities

(c) No.

**APPOINTMENTS TO THE POSTS OF CIVIL CLERKS IN THE MILITARY ENGINEERING SERVICES.**

**1334. \*Mr. Muhammad Anwar-ul-Azim:** (a) Is it a fact that permanent appointments to the posts of civil clerks in the Military Engineering Services are made from the existing temporary staff and that temporary clerks are recruited without any entrance examination?

(b) Is it a fact that temporary clerks are recruited generally on the recommendations of the Head Clerks of District Offices?

(c) Will Government state the reason for inadequate representation of Muslims in the Commands?

**Mr. G. R. F. Tottenham:** (a) Permanent appointments to the clerical establishment of the M. E. S. are normally made from temporary clerks who have qualified in an examination prescribed by Army Headquarters. Individuals are required to possess a particular standard of education before they are appointed as temporary clerks and have to qualify in an examination for retention as such.

(b) No.

(c) The percentage prescribed for Muslims in the Home Department Resolution of the 4th July, 1934, has not yet been worked up to because the necessary adjustments depend on vacancies and can, therefore, only be effected gradually.

**ARRANGEMENTS IN FORCE ON THE VARIOUS RAILWAYS REGARDING INSPECTION CARRIAGES.**

**1335. \*Dr. N. B. Khare:** (a) Will Government be pleased to state whether in a Memorandum "on the arrangements in force on the various railways regarding inspection carriages" to the Standing Finance Committee for Railways in June 1984, Government have stated?

"The conditions on Indian railways are entirely different from those on railways in other countries (especially in the West). Inspections on Indian railways have mostly to be commenced in the early morning and this cannot be achieved unless inspecting officers can travel at nights to road-side stations ready to start work in the early morning. Such night travel would be entirely out of the question unless officers are supplied with the minimum comforts and facilities that are available in most of these inspection carriages."

(b) Is it a fact that the East Indian Railway have twenty-five bogie and one six-wheeler inspection carriages for the Heads of Departments and the Divisional Superintendents and one hundred and one four-wheeler carriages for other gazetted officers?

(c) How many Heads of Departments (including the Agent) and Divisional Superintendents are there on the East Indian Railway?

(d) Will Government please state the number of gazetted officers on the East Indian Railway in the year ending the 31st March, 1984?

(e) Will Government also please state the number of occasions the twenty-five bogie and the one six-wheeler inspection carriages were used in 1984?

(f) Is it a fact that when a bogie inspection carriage is attached to a passenger or express train for the journey of an officer, a bogie third class carriage has to be detached from the train in order to prevent an overload?

(g) Are Government prepared to consider whether these twenty-five bogie inspection carriages should be converted and utilised for the carriage of passengers, and the six-wheeler carriage and the 101 four-wheeler inspection carriages be set aside for the use of the officers?

(h) Are the subordinate inspecting staff required to perform their work "in the early morning"?

(i) What arrangements are in existence on the East Indian Railway for "the minimum comforts and facilities" of these subordinate employees of Government?

**Mr. P. R. Rau:** (a) The quotation is substantially correct though not quite accurate.

(b) The East Indian Railway have 25 bogie and one six-wheeler inspection carriages for 95 administrative officers and 101 four-wheeled carriages for nearly 300 Executive and Assistant Officers.

(c) 17.

(d) 932.

(e) The information is not readily available and its compilation would involve considerable amount of labour incommensurate with the value of the information obtained.

(f) No.

(g) Government consider this proposal impracticable.

(h) The subordinate inspecting staff may have to perform their work in the early morning.

(i) The headquarters of the subordinate inspecting staff are so arranged as to be centrally situated for the sections they inspect, and furnished rest houses are provided for their comfort at suitable intervals throughout the railway.

**CONVENING OF A SELECTION BOARD BY THE CHIEF COMMERCIAL MANAGER, EAST INDIAN RAILWAY.**

1336 \***Dr. N. B. Khare:** (a) Will Government please state whether the Chief Commercial Manager, East Indian Railway, passed orders in February, 1935, convening a Selection Board consisting of Messrs. E. E. Ellis, D. G. Dickens and A. J. Doran?

(b) Was Mr. C. A. Crawford, Assistant Superintendent, subsequently nominated to this Board to replace Mr. Dickens?

(c) Did this Board sit on the 25th February, 1935, to select an incumbent for the post of Personal Assistant to the Chief Commercial Manager, grade Rs. 400—20—500 and held by a Mr. T. J. Ryan, which will fall vacant in April, 1935?

(d) Is it a fact that this Selection Board examined four Anglo-Indians and domiciled Europeans only?

(e) Is it also a fact that two of these men are in the grade Rs. 275—15—380 and two in grades below Rs. 250?

(f) How many Indians (excluding Anglo-Indians and Domiciled Europeans) are there in the grade Rs. 275—15—380, and in the same grades as the two men referred to in part (e)?

(g) Were any Indians examined by this Selection Board?

(h) Are there any Indian officers in the office of the Chief Commercial Manager, and in the same grade as Mr. C. A. Crawford?

(i) Was "a positive act of selection" performed by the Selection Board and recorded in writing, justifying the selection of Mr. Purcell?

(j) Are Government prepared to order the appointment of a fresh Selection Board to decide on a suitable candidate for the vacant post?

(k) What action do Government propose to take to remove those employees who are working in the subordinate grades and who have relatives in gazetted posts in the same offices?

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

(b) Yes. This was in order to have a representative of the Rates Branch on the Selection Board. Messrs. Ellis and Dickens were both Claims Branch officers.

(c) Yes.

(d) Yes. Government are informed that the Selection Board first scrutinised the lists of clerks in lower grades which included Indians and examined those they considered suitable. The only Indian among those considered suitable was already officiating in a similar grade. Government understand that it was only a coincidence that the candidates actually examined included no Indian.

(e) Yes.

(f) There are four Indians in the grade of Rs. 275—15—380, nine in the grade of Rs. 200—10—220 and seven in the grade of Rs. 178—10—218.

(g) No.

(h) No.

(i) Yes.

(j) No. Government do not consider that their interference is called for in this case.

(k) None.

#### APPOINTMENTS OF INSPECTORS OF CREWS ON THE EASTERN BENGAL RAILWAY.

1337. \***Dr. N. B. Khare:** (a) Is it a fact that the Eastern Bengal Railway advertised for applicants "for temporary posts of about three Inspectors for the Crews on Rs. 200 per mensem" in June 1984?

(b) If the answer to part (a) be in the affirmative, will Government please state:

- (i) the number of Inspectors actually appointed; and
- (ii) whether they had any previous railway experience?

(c) How long were these Inspectors utilised for Crew work?

(d) In what capacities have they been utilised after their removal from Crew work?

(e) What are the revised salaries for the posts of:

- (i) Inspectors of Crews; and
- (ii) the jobs the men are now on?

(f) Is it also a fact that the Eastern Bengal Railway again advertised in January 1935 for applicants "for temporary posts of four Crew Inspectors on Rs. 200 per mensem"?

(g) Have any appointments been made?

(h) If the answer to part (g) be in the affirmative, will Government please state the previous railway experience of these men?

(i) Are they being utilised for Crew work?

(j) Are these appointments in conformity with the rules laid down by the Railway Board for the recruitment and training of subordinate staff?

(k) Will Government please quote the rule which permits of direct recruitment to the posts of Inspectors of Crews on a salary of Rs. 200 per mensem?

**Mr. P. R. Rau:** The Agent, Eastern Bengal Railway, reports:

"(a) Yes.

(b) (i). Four.

(ii) No.

(c) and (d). These Inspectors work directly under the Deputy Traffic Manager, Commercial, and not solely on crew work. They actually travel over the system checking the work performed by station and crew staff with a view to detecting malpractices on the part of the staff leading to loss of revenue such as carriage of ticket-less passengers, booking of parcels underweight, etc.

(e) (i). Rs. 180 and Rs. 200 plus travelling allowance.

(ii) Rs. 200 consolidated, which includes travelling allowance.

(f) Yes.

(g) No.

(h) and (i). Do not arise."

(j) Yes.

(k) I would refer the Honourable Member to Rule 64 of the Rules for the recruitment and training of subordinate staff on State-managed Railways, a copy of which is in the Library of the House.

**TRAINING GIVEN TO THE SON OF A EUROPEAN GAZETTED OFFICER EMPLOYED IN THE OFFICE OF THE CHIEF COMMERCIAL MANAGER, EAST INDIAN RAILWAY.**

1338. **\*Dr. N. B. Khare:** (a) Is it a fact that in the Office of the Chief Commercial Manager of the East Indian Railway the son of a gazetted officer (European), employed in that office, is being unofficially trained in railway working for the past eleven months?

(b) Will this concession be extended to other applicants?

(c) Is such private training in accordance with the rules laid down by Government? If not, what action do Government propose to take in this case?

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

(b) This concession has also been given to another. Government understand that these facilities have been afforded on the personal responsibility of a gazetted officer of the Commercial Department without any obligation on the part of the administration for subsequent employment.

(c) Though such arrangements are, I understand, common on foreign railways, it has not been the general practice on Indian Railways to give facilities for training in such circumstances. The Agent, East Indian Railway, is being advised to withdraw these facilities and to stop this practice entirely in future.

#### ESTABLISHMENT MANUAL FOR RAILWAYS.

1339. \*Dr. N. B. Khare: (a) Will Government be pleased to state whether the Establishment Manual, for the preparation of which a sum of Rs. 13,000 was sanctioned by the Standing Finance Committee for Railways in June 1934, has been completed?

(b) Will this Establishment Manual, like similar Government publications, be available for sale?

(c) If the answer to part (b) be in the negative, will Government please state the reason why railway employces should be deprived of the opportunity of knowing the rules that govern their service?

Mr. P. R. Rau: (a) The Manual has not been completed but is expected to be ready shortly. A good portion of it is already under print.

(b) Yes.

(c) Does not arise.

#### CASES OF SUPERSESSION OF CLAIMS IN RESPECT OF PROMOTIONS IN THE MORADABAD DIVISION OF THE EAST INDIAN RAILWAY.

1340. \*Dr. N. B. Khare: Are Government prepared to enquire and state:

(a) how many cases of supersession of claims in respect of promotions have taken place in the Moradabad Division of the East Indian Railway during 1934, and to date during 1935 due to the decision of the selection boards due to the recommendations of the Divisional Superintendent as a personal recognition of an employee's case, and due to transference of men from one branch to another with reference to the following Branches:

(i) office establishment,

(ii) Travelling Ticket Examiners,

(iii) Ticket Collectors, and

(iv) Guards;

(b) whether the orders of the Railway Board in respect of promotions and recruitments of staff have been adhered to while transferring men from one branch to another and while promoting staff in their proper channel in regard to:

(i) the channel of promotion,

(ii) the grant of maximum pay on "direct appointment" and "direct recruitment" to the different classes, and

(iii) holding of a selection in non-selection grade posts?

**Mr. P. R. Rau:** (a) Government have no information and do not consider the expense and labour involved in its collection will be commensurate with the results to be achieved.

(b) Government have no reason to presume otherwise.

**Sir Muhammad Yakub:** Is it legible for a Member of the Government to say, after the Honourable the President of the Assembly has passed a question and has considered it fit to be answered, that the expenditure and labour involved are not commensurate with the results to be achieved?

**Mr. President** (The Honourable Sir Abdur Rahim): With regard to the point of order raised, I think it is quite within the competence of the Government to say that the labour involved in collecting certain information is such that it would not be justified by or commensurate with the result. The Chair can have no knowledge and cannot estimate the amount of labour involved in answering the question.

**Sir Muhammad Yakub:** Is it to be left to the Department alone to judge whether the labour involved is commensurate with the effect or not when the Honourable Member of the House and the Honourable the President consider that this question should be answered and the information should be supplied to the House?

**Mr. President** (The Honourable Sir Abdur Rahim): There may be some obvious cases in which the Chair can interfere and suggest to the Honourable Member on behalf of the Government to try and answer the question, but ordinarily it must be left to the Government.

#### FINES IMPOSED AND RECOVERED IN THE MORADABAD DIVISION OF THE EAST INDIAN RAILWAY.

1341. **\*Dr. N. B. Khare:** Will Government be pleased to state the number of persons on whom fines were imposed and the total amount recovered and the number of various categories of staff so affected during 1934, and up to the 15th February, 1935, in the Moradabad Division of the East Indian Railway?

**Mr. P. R. Rau:** Government have no reason to think that fines are being imposed unnecessarily and are not prepared to collect the information required as the expense of time and labour will hardly be commensurate with its value.

**Prof. N. G. Ranga:** What is the latter part of your reply?

**Mr. P. R. Rau:** They are not prepared to collect the information required as the expense of time and labour will hardly be commensurate with its value.

**DISCONTENT PREVAILING AMONGST THE EMPLOYEES ON THE MORADABAD  
DIVISION OF THE EAST INDIAN RAILWAY.**

1342. \***Dr. N. B. Khare:** (a) Is it a fact that in the Moradabad Division of the East Indian Railway there is grave discontent prevailing amongst the employees, because they do not get a reply to their letters for months, no leave is granted in time, and no satisfactory reply is given to the appeals preferred by the employees for the redress of their grievances, except that they are told either to stop further correspondence or that their appeal was put up before the Divisional Superintendent who upholds the decision of his subordinate officers, or that the orders stand?

(b) Are Government prepared to see that proper reply is given to the appeals?

**Mr. P. B. Rau:** (a) Government have no information.

(b) Government have no reason to believe that the orders on the subject of appeals from staff are not being carried out in the Moradabad Division.

**MILEAGE ALLOWANCE ADMISSIBLE TO THE RUNNING STAFF ON STATE-MANAGED  
RAILWAYS.**

1343. \***Dr. N. B. Khare:** Is it a fact that the mileage allowance admissible to the running staff on State-managed Railways in India is treated as pay under Fundamental Rule 9(21)(a)(iii)?

**Mr. P. B. Rau:** No.

**Dr. N. B. Khare:** In reply to question No. 866, part (a), which was asked on the 12th March, 1985, and which was of a similar nature, Government said that these allowances up to a certain scale were treated as pay. May I know which answer is correct?

**Mr. P. B. Rau:** What is the answer referred to by the Honourable Member?

**Dr. N. B. Khare:** It is question No. 866, part (a), which was asked on the 12th March, 1985.

**Mr. P. B. Rau:** I have not got that question and the answer here in my possession. Will the Honourable Member kindly read them out?

**Dr. N. B. Khare:** We also feel the same difficulty when you refer to answers given on previous occasions. I am simply paying you back, in your own coin. The question was:

"Will Government be pleased to state if it is a fact that the old Travelling Ticket Inspectors of the Accounts Department on the East Indian Railway were paid mileage allowance which unlike all other forms of travelling allowances, was treated as pay for all practical purposes?"

The answer was:

"Yes, up to the end of May, 1931."

And today the answer is "No."

**Mr. P. B. Rau:** The question here is whether it is treated as pay under Fundamental Rule 9.(21) (a) (iii), and my reply is that this fundamental rule does not refer to mileage allowances.

**Dr. N. B. Khare:** What is the difference between "pay proper" and "treated as pay"?

**Mr. P. B. Rau:** The reply to the previous question was that these allowances were treated as pay for the purpose of leave salary, provident fund and bonuses.

**Dr. N. B. Khare:** Will the Honourable Member quote the rule under which these allowances are treated as pay proper?

**Mr. P. B. Rau:** I want notice. I cannot remember off hand the particular rule under which they were allowed to count these allowances as part of pay for the purpose of leave salary and provident fund bonuses.

**Dr. N. B. Khare:** There is no rule to that effect.

**Mr. P. B. Rau:** If the Honourable Member has already got that information, there is no use in asking that question.

**Dr. N. B. Khare:** Just to bring it to the notice of the Honourable Member and this House.

#### CLASS OF EMPLOYEES TERMED AS TRAIN STAFF OR RUNNING ESTABLISHMENT ON RAILWAYS.

1344. **\*Dr. N. B. Khare:** Will Government please state the class of employees termed as train staff or running establishment under Article 1067 of the Civil Service Regulations?

**Mr. P. B. Rau:** Article 1067 of the Civil Service Regulations has been superseded by Supplementary Rules 82 and 83. Classes of staff who are directly connected with the charge of moving trains, such as, drivers, firemen, guards, brakemen, etc., are termed as running staff.

#### NON-GRANT OF ALLOWANCE TO MEET INCIDENTAL CHARGES ON TRANSFERS FROM ONE STATION TO ANOTHER ON STATE-MANAGED RAILWAYS.

1345. **\*Dr. N. B. Khare:** (a) Is it a fact that the staff on State-managed Railways are never granted allowance to meet incidental charges (cartage from residence to station, loading and unloading of household, luggage, furniture, etc.) on transfers from one station to another? If so, why is such hardship done to low paid staff on Railways?

(b) Do Government propose to fix a rate or to pay actual expenses incurred by a non-gazetted or inferior staff on transfers? If not, why not?

(c) Is the staff employed in other Departments under the Governor General in Council also denied the privileges?

**Mr. P. B. Rau:** (a) to (c). The rules governing the travelling allowance of State Railway employees are those contained in Supplementary Rules 82 and 119. They are different from those governing the T. A. of employees of other departments of Government. State Railway employees are granted free passes for their own journey and their families, and also free passes for the conveyance of their luggage and personal effects to an extent which, in practice, cover almost invariably their entire needs. In addition they are granted daily allowances for any day on which they are absent from their headquarters for more than eight consecutive hours. Government do not consider that the existing rules entail any hardships and that there is any necessity for modifying the rules.

#### PRIVILEGES OF GAZETTED OFFICERS ON STATE-MANAGED RAILWAYS.

1346. **\*Dr. N. B. Khare:** Is it a fact that the gazetted officers on State-managed Railways are entitled to carry their wives, children and other members of the family, whether dependent or not, relatives and friends in their inspection carriages while travelling on duty, at the expense of Government? If so, will Government please state:

- (a) whether officers of other Departments under the Governor General in Council are paid railway fares for their wives, children, etc., when travelling on duty within their jurisdiction; if not, the reason for this differentiation;
- (b) whether the officers of departments other than State-managed Railways are required to spend nights outside their headquarters; if so, whether they do not take their wives, children, etc., with them;
- (c) whether Rest Houses, Rest Rooms, etc., are provided on State-managed Railways;
- (d) whether P. W. D. Rest Houses, Rest Rooms, etc., are open for occupation by Railway officers;
- (e) what are the conditions of occupancy of the Rest House at Raiwala on Hardwar-Dehra Dun Railway by Railway officers?

**Mr. P. B. Rau:** A gazetted officer, travelling in an inspection carriage, must have a pass for himself, and every person travelling with him must also be covered either by a pass or a ticket.

(a) No. It is believed it is the universal practice on all railways to allow the wife and children of a railway officer a limited amount of free travel as a privilege.

(b) The reply to the first part is in the affirmative. I have no information as regards the second part.

(c) There are Rest Houses and Rest Rooms at certain stations.

(d) Possibly, but always subject to the superior claims of Public Works Department officers, I believe.

(e) Government have no information.

#### SENIORITY OF STAFF ON THE EAST INDIAN RAILWAY AND THE OLD OUDH AND ROHILKUND RAILWAY.

1347. **\*Dr. N. B. Khare:** With reference to the information laid on the table of the House on the 21st January, 1935, in reply to starred question

No. 688, asked on the 20th August, 1934 regarding seniority on the East Indian Railway and old Oudh and Rohilkund Railway staff, will Government please state:

- (a) the date when the two Oudh and Rohilkund Railway Sub-Engineers' posts were converted into Grade II Inspectors of Works and were filled by East Indian Railwaymen;
- (b) the date when an adjustment was made by filling the next two vacancies in that grade by Oudh and Rohilkund Railwaymen;
- (c) whether the seniority of the staff was affected; if so; to what extent;
- (d) whether the posts of Sub-Engineers were converted in the interest of East Indian Railwaymen;
- (e) whether the conversion affected the old Oudh and Rohilkund staff; if so, to what extent;
- (f) how many posts held by company's staff on retirement have likewise been converted to lower grades since the amalgamation;
- (g) whether it is the policy of Government to accept proposals through which the further advancement of the staff is jeopardised;
- (h) what other posts on the old Oudh and Rohilkund Railway Section are contemplated to be converted into lower grades during the year 1935; and
- (i) whether Government propose to allow and receive a deputation from the class of staff to be affected by such conversion before approving the scheme or sanctioning the conversion or abolition; if not; why not?

**Mr. P. R. Rau:** The Agent, East Indian Railway, reports as follows :

"(a) Two Oudh and Rohilkund Railway Sub-Engineers posts were converted into grade II Inspectors of Works, one on the 5th May, 1928, and the other on the 18th February, 1929. They were filled by East Indian Railwaymen from the 1st April, 1930.

(b) The adjustments were made from the 1st June, 1932, and 3rd February, 1934, when two Oudh and Rohilkund Railwaymen were promoted.

(c) No. Promotions to the next higher grade posts are made by selection.

(d) No.

(e) Yes. The Oudh and Rohilkund Railway Inspectors of Works now have two posts in higher grades open for promotion where none existed before.

(f) None, except the two posts referred to in part (a).

(g) No.

(h) None.

(i) No.

**APPOINTMENT OF GUARDS IN THE DINAPORE DIVISION OF THE EAST INDIAN RAILWAY.**

**1348. \*Dr. N. B. Khare:** With reference to the information placed before this House on the 21st January, 1935, in reply to starred question No. 729, asked on the 21st August, 1934, regarding appointment of guards in the Dinapore Division, East Indian Railway, will Government please state the categories of vision test required for (i) firemen, (ii) shunters and (iii) guards; and what is the difference in the test of these classes of employees?

**Mr. P. R. Rau:** I would refer the Honourable Member to Regulation 3 of the rules for the medical examination of candidates and non-gazetted employees (including inferior and labourer grades) on Indian State Railways and appendices 2 and 3 of these rules, a copy of which is in the Library of the House.

**POSTS OF CONTROLLERS IN THE MORADABAD DIVISION OF THE EAST INDIAN RAILWAY.**

**1349. \*Dr. N. B. Khare:** With reference to the information printed on page 32 of the Legislative Assembly Debates, dated the 21st January, 1935, regarding the posts of Controllers in the Moradabad Division, East Indian Railway will Government please state:

- (a) the authority who assured Government that the allegation is unfounded;
- (b) whether the Governor General in Council satisfied himself that the allegation is unfounded; and
- (c) whether the Railway Board have perused the classified lists for the period referred to in part (a) (i) of starred question No. 785, asked on the 21st August, 1934; if so, with what result?

**Mr. P. R. Rau:** (a) The Agent, East Indian Railway.

- (b) Government have accepted the assurance of the Agent.
- (c) No.

**Dr. N. B. Khare:** When the Government say in answer to (c) that they have not seen the classified list, how can they say that the allegations are unfounded?

**Mr. P. R. Rau:** They have been assured by the Agent that the allegations are unfounded.

**Dr. N. B. Khare:** What was the material before him on which the Agent reported?

**Mr. P. R. Rau:** Government have left it to the Agent to decide as to what material he should collect to give a reply to the Railway Board.

**Dr. N. B. Khare:** Do not Government rely on their own classified list?

**Mr. P. B. Rau:** The question refers, so far as I can see, to subordinate staff in particular divisions of the East Indian Railway, and these lists are not in the possession of Government.

**CONSOLIDATED ALLOWANCE OF TRAVELLING TICKET INSPECTORS ON THE EAST INDIAN RAILWAY.**

1350. **\*Dr. N. B. Khare:** With reference to the statement laid on the table of this House on 29th January, 1935, in reply to unstarred question No. 216, asked on the 19th March, 1934, regarding consolidated allowance of Travelling Ticket Inspectors, on the East Indian Railway, will Government please state.

- (a) the strength in each grade or time-scale of the Travelling Ticket Inspectors prior to the crew system;
- (b) the rate of allowance paid to this class prior to the crew system;
- (c) the strength in each grade or time-scale of this class during crew system;
- (d) the rate of allowance paid to this class during crew system;
- (e) the strength in each grade or time-scale of this class under Moody-Ward system;
- (f) the rate of allowance paid to this class under Moody-Ward system;
- (g) the reasons for differences, if any?

**Mr. P. B. Rau:** The information asked for is not readily available. Government do not consider that the time and labour involved in its compilation will be justified by results.

**PROMOTION OF NUMBER TAKERS ON THE EAST INDIAN RAILWAY.**

1351. **\*Dr. N. B. Khare:** With reference to the statement laid on the table of this House on the 29th January, 1935, in reply to part (e) of starred question No. 417, asked on the 7th August, 1934, regarding promotion of Number Takers on the East Indian Railway, will Government please state:

- (a) the date on which the word "Selection" was added to the rules for the recruitment and training of staff on State-managed Railways governing the normal channel of promotions of individual classes referred to in the said rules;
- (b) whether it is the intention of the Governor General in Council that each and every promotion from lower to higher grade or from one time-scale to another time-scale or increments therein should be by selection; and
- (c) the policy of the Railway Board, of the Agents, of the Divisional Superintendents of individual officers (senior-junior scales or lower gazetted), and of Inspectors, in respect of promotions from lower to higher grade, from one stage to another in time-scale and for increments in the same stage?

**Mr. P. B. Rau:** (a) I regret I have not been able to understand this question. The rules issued in 1931 provide for selection in certain cases.

(b) and (c). I would refer the Honourable Member to the 'Rules for the recruitment and training of subordinate staff on State-managed Railways'. Increments in the time scale are regulated by rule 24 of the Fundamental Rules.

**CLASS OF EMPLOYEES ON STATE-MANAGED RAILWAYS WHO ARE PAID PRESIDENCY ALLOWANCE.**

1352. \***Dr. N. B. Khare:** Will Government please state the class of employees on State-managed Railways who are paid presidency allowance?

**Mr. P. R. Rau:** The information required is being collected and will be placed on the table of the House in due course.

**CLASS OF EMPLOYEES EQUIVALENT TO TRAVELLING TICKET COLLECTORS ON STATE-MANAGED RAILWAYS.**

1353. \***Dr. N. B. Khare:** Will Government please state the present equivalent class of employees on State-managed Railways to Travelling Ticket Collectors as used in paragraph 392 of State Railway Open Line Code, Volume II, Provisional Issue 1908?

**Mr. P. R. Rau:** My Honourable friend is presumably referring to paragraph 362. The classes of employees who are now charged with the duties of checking passengers' tickets in trains are Travelling Ticket Examiners, or Special Ticket Examiners or crew-staff where such a system exists.

**TRAVELLING TICKET COLLECTORS CLASSED AS TRAFFIC TRAIN STAFF.**

1354. \***Dr. N. B. Khare:** Will Government please state the reasons and circumstances under which in 1908 the Travelling Ticket Collectors were classed as Traffic Train Staff as used in paragraph 392 of State Railway Open Line Code, Volume II, Provisional Issue 1908?

**Mr. P. R. Rau:** Government regret that they are unable to trace the circumstances which led to the Travelling Ticket Collectors being treated as Traffic Train Staff in 1908.

**APPLICABILITY OF CERTAIN PARAGRAPHS OF THE STATE RAILWAY OPEN LINE CODE, VOLUME II, ON STATE-MANAGED RAILWAYS.**

1355. \***Dr. N. B. Khare:** Will Government please state whether paragraphs 155 to 302, 319 to 384, 403, 562 to 589 and Appendices 2, 3, 5, 6, 8 and 10 of State Railway Open Line Code, Volume II, Provisional Issue 1908, are still effective and operative upon the State-managed Railways? If not, will Government please lay on the table of the House the authority revising, modifying or annulling the said Code and the said paragraphs?

**Mr. P. R. Rau:** The information is being collected and will be laid on the table of the House in due course.

**STAFF DISCHARGED ON ACCOUNT OF THE REDUCTION OF STAFF ON THE INTRODUCTION OF THE MOODY-WARD SCHEME OF TICKET CHECKING ON THE EAST INDIAN RAILWAY.**

1356. \***Dr. N. B. Khare:** Will Government please state whether the staff discharged on account of the reduction of staff on the introduction of Moody-Ward Scheme of ticket checking on the East Indian Railway is treated in the same way and manner as the staff discharged on account of the reduction of staff on the basis of general economy in 1931?

**Mr. P. R. Rau:** No. The reduction of the crew staff was not part of the economy campaign but of a change of system of checking adopted independently of retrenchment measures. The special terms for retrenched staff did not, therefore, apply.

**SURPLUS STAFF OF CREW SYSTEM OF TICKET CHECKING ON THE EAST INDIAN RAILWAY.**

1357. \***Dr. N. B. Khare:** Will Government please state the number of the surplus staff of Crew System of ticket checking on the East Indian Railway who were not absorbed in the Moody-Ward system of ticket checking and the number, with the terms and conditions provided in service shortly after the 1st June, 1931? If so, on what terms and conditions?

**Mr. P. R. Rau:** Government have no detailed information, but understand that on the abolition of the Crew System on the 1st June, 1931, most of the Crew staff were absorbed in the Moody-Ward System, and only those who were considered unsuitable were discharged.

**SURPLUS STAFF OF CREW SYSTEM OF TICKET CHECKING ON THE EAST INDIAN RAILWAY.**

1358. \***Dr. N. B. Khare:** Will Government please state whether the surplus staff of Crew System of ticket checking on the East Indian Railway remained from absorption into the Moody-Ward system of ticket checking and whether they preferred appeals against their discharge? If so, what were the orders passed on the appeals?

(b) How many of them were taken back in service and on what terms and conditions?

(c) What were the reasons for non-condoning the services of the Crew system?

(d) Does Governor General in Council propose to extend the clemency to this poor class of employees by permitting them a link (continuance) with the service in the Crew system?

**Mr. P. R. Rau:** (a) The Agent, East Indian Railway, reports that staff who were surplus after meeting the requirements of the Moody-Ward System were discharged. Appeals against discharge were received, in some cases, and those cases were reviewed. Those among the surplus staff who were found fit for employment under the Moody-Ward scheme were placed on a list of staff awaiting re-appointment.

(b) The information is not readily available.

(c) Temporary service followed by a break cannot be added to subsequent service for purposes of gratuity.

(d) No.

**Mr. M. S. Aney:** With regard to part (b) the question is how many?

**Mr. P. R. Rau:** The information, I understand, is not readily available.

**APPLICABILITY OF FINANCE DEPARTMENT CIRCULAR NO. F-78-XI-EX-1-31,  
TO THE STAFF ON STATE-MANAGED RAILWAYS.**

**1359. \*Dr. N. B. Khare:** Is it a fact that the instructions contained in Circular No. F-78-XI-EX-1-31, dated Simla, the 3rd August, 1931, issued by the Finance Department of the Government of India are also applicable to the staff on the State-managed Railways? If so, will Government please state:

- (a) whether the Court of Enquiry presided over by Mr. Justice Murphy rejected the principles laid down in Railway Board's letter No. 688-E. G., dated the 3rd March, 1931;
- (b) whether the said Court of Enquiry ordered that the staff retrenched under the Railway Board's said letter should be taken back and recalled to duty;
- (c) whether the said Court of Enquiry recommended that Committees be appointed to select the staff for retrenchment;
- (d) if the reply to part (c) be in the affirmative, whether any Committee assembled to retrench the staff of the Railway School of Transportation, East Indian Railway, Chandausi in 1933;
- (e) the date on or from which the staff at Railway School of Transportation, East Indian Railway, Chandausi was brought under retrenchment;
- (f) the extent and class of staff retrenched at Railway School of Transportation, East Indian Railway, Chandausi;
- (g) whether it is a fact that the Agent, East Indian Railway in an Extraordinary Gazette, dated the 24th June, 1933, notified that he had decided to retrench, one month from date, subject to the necessary notice from any subsequent date prior to 31st July, 1933, staff to the extent shown in the accompanying statement;
- (h) whether it is a fact that the statement accompanying the Agent's said notification is published in English on pages 4 and 5 of the said Gazette, showing the class and number of the staff surplus (i) in the Mechanical Workshops (Jamalpur Shops; Carriage and Wagon Shops, Alambagh; Locomotive Shops, Churbagh); Printing (Press Staff); and Engineering (Block Signal Shop, Howrah) Departments; and (ii) in the Non-Workshops of Electrical; Stores (Lilloah and Jamalpur Depots); Printing (Press Staff, Stationery and Printed Forms) Departments; Howrah; Asansol (Transportation; Power and Way and Works Branches) Dinapore; Allahabad; and Moradabad (office Peon and Way and Works Branch) Divisions; and that the statement does not indicate the Staff (School Sergeant; Head Mali; Cooly Jemadar and Coolies) of the said School;

- (i) how far the information laid on the table of this House on the 19th July, 1934, in reply to part (h) of starred question No. 310, asked on the 2nd March, 1934 is correct;
- (j) whether the information furnished by the Agent is not correct, and if so, what action has been taken against the Agent; if none, why not;
- (k) what was the function or duty of the School Sergeant;
- (l) what is the function or duty of the School Stewart?

**Mr. P. E. Rau:** The reply to the first part of the question is in the negative. The staff on State-managed Railways, who were retrenched in 1931, were governed by the orders contained in Railway Board's letters, No. 683-E.G., dated the 3rd and 6th March, 1931, respectively, copies of which are in the Library of the House.

(a) The Court of Enquiry came *inter alia* to the conclusion that of the four principles laid down by the Railway Board for the selection of individuals for retrenchment that of short service seemed to be the only one suitable for block retrenchments.

(b) The Court recommended the reinstatement of 80 employees and the re-examination of the cases of 68 employees retrenched in 1931. They also considered that those retrenched on the ground of short service only should be given an assurance of re-employment when recruitment is resumed and that men should ordinarily be recalled in the order in which they had been discharged.

(c) In paragraphs 363 and 364 of the report the Court recommended that committees should be formed in each administration affected to prepare the orders to be issued to the administrative officers who were to carry out retrenchment and that an appeal by the individuals affected should be allowed to such a committee.

(i) and (j). If the Honourable Member will state precisely in what particulars the information supplied is incorrect, Government will consider what action is necessary.

(d) to (h), (k) and (l). The information is being collected and a reply will be laid on the table of the House in due course.

**FURNISHING THE AGENT, EAST INDIAN RAILWAY, BY HIS SUBORDINATE OFFICERS WITH A STATEMENT OF APPEALS WITHHELD BY THEM.**

1360. **\*Dr. N. B. Khare:** Is it a fact that the Agent, East Indian Railway is furnished by his subordinate officers with a statement of appeals withheld by them? If so, will Government please lay on the table copies of such statements received by the Agent during the preceding three years ending on the 28th February, 1935? If not, why not?

**Mr. P. E. Rau:** The rules provide that a quarterly list of all appeals withheld, if any, other than those addressed to an authority to whom under the rules no appeal lies, is submitted to the authority to whom such appeals are addressed. Government have no reason to think that this is not being followed in the East Indian Railway. As regards the second part Government do not consider that the expense and labour involved in collecting the information will be commensurate with its value.

**AGREEMENTS ARRIVED AT BETWEEN ACCOUNTS AND OPERATING DEPARTMENTS,  
HEADS OF THE DEPARTMENT AND THE STAFF, ETC.**

1361. **\*Dr. N. B. Khare:** Is it a fact that the Governor General in Council has adopted a policy authorizing the Agents of the State Railways in India not to act upon agreements, if and when, arrived at between Accounts and Operating Departments, Head of the Department and the staff, etc.? If not, will Government please state the reasons for not enforcing the agreement arrived at at a meeting held at Calcutta on the 3rd May, 1927 as published on page 45 of the Report on Crew System by the Chief Operating Superintendent, East Indian Railway, dated the 5th January, 1928?

**Mr. P. E. Rau:** I am not quite clear what exactly my Honourable friend means by the agreements he refers to, but obviously the Agent has complete discretion whether to approve or to reject proposals made by his subordinate officers.

**TRAVELLING ALLOWANCES IN FORCE PAID TO RAILWAY STAFF.**

1362. **\*Dr. N. B. Khare:** Is it a fact that the Governor General in Council has adopted a policy authorizing the Agents on State-managed Railways to reduce, alter or modify the terms, rates, or conditions of travelling allowances in force and paid to staff from time immemorial against the option of the staff?

**Mr. P. E. Rau:** I am not aware of any such general instructions. If my Honourable friend will tell me what particular order he is referring to, I may be in a position to give him a definite answer.

**STATION MASTER'S EXAMINATION IN THE MORADABAD DIVISION, EAST INDIAN RAILWAY.**

1363. **\*Dr. N. B. Khare:** With reference to the information printed on page 83, of No. 1 of Volume I, of the Legislative Assembly Debates, of 1935, regarding Station Master's Examination in the Moradabad Division, East Indian Railway, will Government please state:

- (a) whether the books provided at station can be taken by staff to their residence or while on study leave for preparing for the examination;
- (b) whether the staff can devote their time in study while on duty or to pay attention to the routine work;
- (c) the dates from which it has been made a rule that staff should not be supplied with books in which they are to be examined;
- (d) the date from which it is considered that Station Masters' examination is not equivalent to the Goods Accounts Examination; and
- (e) whether the Inspectors appointed in 1934 on the East Indian Railway have passed the Goods Accounts Examination; if so, when and where individually; if not, what are the reasons?

**Mr. P. B. Rau:** (a) to (e). All the matters referred to relate to matters of detailed internal administration which is entirely within the competence of the Agent to decide and Government are not prepared to interfere.

**TRAIN CONDUCTORS ON THE NORTH WESTERN RAILWAY.**

1364. \***Dr. N. B. Khare:** With reference to the information placed on the table of this House on the 21st January, 1935 in reply to starred question No. 918 asked on the 30th August, 1934, regarding Train Conductors on the North Western Railway, will Government please state:

- (a) the reference to the rule from the Rules for the Recruitment and Training of Subordinate Staff on State-managed Railways;
- (b) the consideration for appointing guards as Train Conductors; and whether this is against rules for the recruitment and training of non-gazetted staff on State-managed Railways;
- (c) whether Government propose to do away with this anomaly; if not, why not; and
- (d) whether the Government are aware that Ticket Collectors or Special Ticket Examiners in case of emergency and exigency are drawn up from their duties to work as guards; if so, how far the answer to part (d) of the said starred question is in conformity with practice?

**Mr. P. B. Rau:** The Agent, North Western Railway, reports as follows:

(a) and (b). The rules for the recruitment and training of subordinate staff do not apply in this case. Conductor Guards are appointed from the existing senior Guards, Grade IV, the majority of whom entered the service many years ago. Junior Guards both now and in the past are and were recruited as such, without reference to any 'conducting' functions which they may perform in future years.

(c) The alleged anomaly is not apparent.

(d) At times of occasional emergencies station staff including Ticket Collectors or Special Ticket Examiners, and who may happen to be qualified in guards' duties and physically fit to work as such, are put on as ordinary guards. For instance, if a guard falls sick in the middle of his run, any employee qualified as guard and available on the spot has to take his duties. This is an emergency and in no way conflicts with the answer to part (d) of question No. 918.

**RE-INSTATEMENT OF THE DEMOTED DRIVERS OF THE GREAT INDIAN PENINSULA RAILWAY.**

1365. \***Dr. N. B. Khare:** With reference to the reply to starred question No. 922, asked on the 30th August, 1934 regarding the re-instatement of the demoted drivers of the Great Indian Peninsula Railway laid on the table of this House on the 21st January, 1935, will Government please state:

- (a) whether the report of the Agent, Great Indian Peninsula Railway, is being scrutinized by the Railway Board;
- (b) whether the Railway Board or the Agent is not in a position to know the connection for which the meaning of the expression given is required;

- (c) the reference to the Railway or ordinary dictionary, where the meaning of "re-instated" is given as "promoted" or "re-promoted";
- (d) the rule under which service in a demoted grade is disallowed or debarred from counting towards increments;
- (e) whether on reinstatement the staff is permitted to count their intervening service; if not, how and why;
- (f) under what rule qualifying and approved service is not allowed to count towards increments on re-instatement;
- (g) whether in the absence of any rule, the Governor General in Council is prepared to permit the demoted staff to draw their increments to which they were eligible had they not been demoted;
- (h) whether demotion is permissible under Fundamental Rule 15;
- (i) whether the seniority is affected by demotion and repromotion, if so, how and why; and
- (j) the circumstances under which no increments are due to demoted staff on re-instatement?

**Mr. P. B. Rau:** (a), (b) and (c). Government have nothing further to add to the reply to parts (i) to (iii) of Mr. S. G. Jog's question No. 322 placed on the table of this House on the 21st January, 1985.

(d), (e), (f) and (j). The provisions prescribing the conditions in which service counts for increments in a time scale are contained in Fundamental Rule 26 under which service in a lower post does not count for increment in a higher post and an employee can get increments only if the conditions prescribed in the rule referred to above are satisfied. A copy of the Fundamental Rules is in the Library of the House.

(g) Does not arise.

(h) I would refer the Honourable Member to the Government of India's decision given under Fundamental Rule 15 in the Posts and Telegraphs compilation of the Fundamental Rules.

(i) I would refer the Honourable Member to paragraphs 5 (1) and (4) of Railway Board's letter No. 683-E.G., dated the 3rd March, 1981, which was placed on the table of the House on the 12th February, 1982, *vide* Legislative Assembly Debates, 1982, Volume I, pages 608-610.

**Dr. N. B. Khare:** With reference to (c), what is the meaning of the word "re-instated"? Does it mean promoted, or does it mean re-promoted, or has it got any other meaning?

**Mr. P. B. Rau:** With regard to the explanation of these terms, the original reply quoted ran as follows:

"It is not possible to say what material difference there may be between the meaning of the expressions given unless it is known in what connection they have been or are to be used."

**REVENUE LOST OVER THE KALKA SIMLA RAILWAY AS A RESULT OF THE ROAD MOTOR COMPETITION.**

1366. \*Maulvi Syed Murtuza Sahib Bahadur: (a) Are Government in a position to state how much revenue they lose over the Kalka Simla Railway as a result of the road motor competition?

(b) Are Government aware that a large number of people use road motors to avoid smoke, particularly in the tunnels?

(c) Is it a fact that the smoke nuisance can be effectively removed by burning coke instead of coal?

(d) What will coke cost as compared with coal if the former is used in passenger trains between Kalka and Simla?

(e) Do Government propose making an experiment with coke during the ensuing move of the Government of India to Simla? If not, why not?

**Mr. P. E. Rau:** (a) It is not possible to estimate, even approximately, what revenue is lost to Government on the Kalka-Simla Railway as a result of road-motor competition. It cannot be assumed that all passengers travelling by road would travel by rail under altered conditions.

(b) It is possible that some people prefer using road motors in order to avoid smoke on journey by rail; whether the number of such people is large or small is not known.

(c) The burning of coke possibly reduces smoke nuisance, but sulphurous fumes from coke are injurious, especially in confined spaces, hence in tunnels the burning of coke would be a positive danger to human life especially to the engine crew, upon whose shoulders the safety of passengers lies. Further, it would be quite impossible to work trains up the heavy gradients to Simla with coke, as it does not generate steam fast enough.

(d) If coke could be used, its cost would be prohibitive, steam coal costing Rs. 3-6-0 per ton as against Rs. 16 per ton for coke.

(e) No, for reasons already stated.

**CLOSING OF OPEN ARCHES AT THE CORNERS OF SEVERAL SQUARES OF ORTHODOX QUARTERS IN NEW DELHI.**

1367. \*Maulvi Syed Murtuza Sahib Bahadur: (a) Did Government some time ago close the open arches at the corners of several squares of orthodox quarters in New Delhi? If so, why?

(b) Do the open arches between the orthodox quarters on the Lady Hardinge Road provide a constant thoroughfare for pedestrians, cyclists and cattle over the lawn in front of the quarters in spite of the resistance offered by the mali who is responsible for its maintenance?

(c) How do Government propose to check this nuisance? Have they received any representations for the control of this traffic? If so, what action have they taken in the matter?

(d) Do Government propose to close the arches or to make a straight road connecting them with the Lady Hardinge Road? If not, why not?

**The Honourable Sir Frank Moyer:** (a) Yes, as it was found that the squares were being fouled by men and cattle.

(b) Yes.

(c) No recent representations have been received regarding the alleged nuisance.

(d) I am asking the Chief Engineer to examine the matter.

**RETRENCHMENT IN THE RAILWAY MAIL SERVICE IN THE SIND BALUCHISTAN CIRCLE.**

1368. \***Bhai Parma Nand:** (a) Is it a fact that retrenchment in the Railway Mail Service in the Sind Baluchistan circle is under contemplation?

(b) Is it a fact that officials of over 25 and below, seven years service in the circle are proposed to be retrenched and even some poor sorters of 25 years service are already retrenched while officials with more than 80 years' service in the Punjab circle are kept in service?

(c) Is it a fact that there are vacancies in the Railway Mail Service line in 'L' and 'D' divisions? If so, why are not these persons transferred to that division?

**Mr. G. V. Bewoor:** (a) to (c). Government have no information and do not propose to call for it as compulsory retrenchments have ceased from the 1st April, 1935. Government have no reason to believe that any retrenchments that were made were not carried out strictly in accordance with the orders on the subject. If any individual official feels aggrieved he is at liberty to represent his grievance through the proper channel.

**COMMISSION TO INVESTIGATE THE TUNGABHADRA PROJECTS.**

1369. \***Mr. K. Nageswara Rao:** (a) Will Government be pleased to state whether on the representation of the Madras Government they appointed a Commission to investigate the Tungabhadra project in consultation with the other Governments concerned? If so, what are the names of the members and the terms of reference?

(b) Do Government propose to make the terms of reference adequate to work out a comprehensive scheme?

(c) If the Commission is not yet appointed, are Government prepared to appoint the Commission at an early date?

**The Honourable Sir Frank Noyce:** (a) No Commission has yet been appointed.

(b) and (c). The matter is under consideration.

**Mr. K. Nageswara Rao:** I know something about this project. There is one scheme costing 15 crores and another smaller scheme costing about eight or nine crores. When the matter comes before the Government of India, will they make inquiries about both schemes before they sanction it?

**The Honourable Sir Frank Noyce:** I have not yet seen the papers, and I cannot give a definite answer to my Honourable friend.

**Mr. K. Nageswara Rao:** I am only making a request to the Honourable member to inquire into both the schemes before they give their sanction, and they should, if possible, sanction the larger scheme.

**The Honourable Sir Frank Noyce:** When I have examined the matter, I shall be in a better position to reply to my Honourable friend. I can only express my thanks to him for having brought this fact to my notice, and I can assure him that I will take it into consideration.

**Mr. K. Nageswara Rao:** I had a consultation about this matter with the Chief Engineer of Madras, and he gave me this information.

**BRIDGING THE KISTNA AND GODAVARI RIVERS.**

1870. **\*Mr. K. Nageswara Rao:** Will Government be pleased to state whether the importance of bridging the Kistna and Godavari rivers was brought to their notice to make the Madras-Calcutta Grand Trunk Road a useful trunk road in reality? If not, are Government prepared to investigate the matter in consultation with the Madras Government and the District Boards concerned?

**The Honourable Sir Frank Noyce:** Schemes for bridging the Kistna at Bezwada and the Godavary at Rajahmundry were at one time proposed by the Government of Madras as objects for assistance from the Government of India's Reserve in the Road Account, but no definite estimates were prepared; and, owing to their apparently prohibitive cost, the schemes were abandoned. It rests with the Local Government to revive them, but it may be mentioned that the provision of these two bridges, even were that possible, would not complete the necessary bridging of the direct road from Calcutta to Madras.

**Prof. N. G. Ranga:** Is it or is it not a fact that the construction of these two bridges will certainly help the development of the through road traffic between Madras and Calcutta?

**The Honourable Sir Frank Noyce:** The Honourable Member is stating a fact, he is not asking a question.

**BUILDING OF AN OVERBRIDGE AT THE LEVEL CROSSING AT THE BEZWADA RAILWAY STATION.**

1871. **\*Mr. K. Nageswara Rao:** Will Government be pleased to state whether they received any representation regarding the urgent need of building an overbridge at the level-crossing at Bezwada Railway station, which causes considerable loss and inconvenience to the public? If not, are Government prepared to issue instructions to the Agent of the Madras and Southern Mahratta Railway, to investigate the matter in consultation with the authorities of the Bezwada Municipality and report at an early date?

**Mr. P. R. Rau:** No representation has been received by Government, but they are forwarding this question to the Agent, Madras and Southern Mahratta Railway, for consideration.

**REDUCTION IN THE NUMBER OF POST OFFICES AND LETTER BOXES.**

1872. **\*Mr. K. Nageswara Rao:** (a) Will Government be pleased to state why the number of the Post Offices and letter boxes was reduced in 1932—1934 from 60,611 to 59,872?

- (b) What is the amount saved in closing these Post Offices?
- (c) What is the number of the offices closed in rural and urban areas, respectively?
- (d) How much loss is incurred in the rural areas and how much in the urban areas in working the post offices in the above year?

**Mr. G. V. Bewoor:** (a) The net reduction in the number of post offices and letter boxes existing on the 31st March, 1934, as compared with those existing on the 31st March, 1933, was 121 and 1,239 respectively. Post Offices are closed when they are found to be working at a heavy loss thus indicating that the local public does not need the facilities provided to any appreciable extent. Letter boxes are removed when it is found that few articles are posted in them indicating that there is no real need for the provision of this facility.

(b) As I have stated above, the reduction in the number of post offices is a net figure. A number of post offices are closed every year but, on the other hand, such new ones are opened as may be found necessary from time to time. Exact figures of the amounts saved in closing certain post offices are not readily available and cannot be collected without an undue amount of labour and expense.

(c) In urban areas there was a net increase of 28 in the number of offices existing on the 31st March, 1934, as compared with that existing on the 31st March, 1933. In the case of post offices in rural areas, however, there was a net reduction of 149 offices during the same period.

(d) It is not possible to maintain or work out figures of the profit or loss on the working of the post offices in rural areas separately from that in urban areas. The total loss on the working of the post offices in the whole of the areas served by the Department amounted in round figures to 6,07,000 in 1932-33 and 11,69,000 in 1933-34.

**Mr. M. S. Aney:** With regard to (a), what is the minimum number of articles required for retention of letter boxes at any place?

**Mr. G. V. Bewoor:** There is no minimum laid down. The number of letters posted in a letter box is generally noted by the postman who clears the letter box and a report is submitted to the Superintendent of the Division, and the Superintendent on a general consideration of all the circumstances either has the letter box removed from that particular village entirely or has it transferred to a neighbouring village where there is more likelihood of the letter box being of real use to the public.

**Prof. N. G. Ranga:** If there are no post boxes placed in even those villages where there are no post offices, how do Government expect to collect the letters that are sent from that particular village to other parts of the country?

**Mr. G. V. Bewoor:** The villagers go to the nearest village where there is a letter box.

**Prof. N. G. Ranga:** In view of the fact that postmen are expected to go to each village by a particular system twice or thrice a week, will Government consider the advisability of placing at least one post box in every village visited by the postmen?

**Mr. G. V. Bewoor:** That will be prohibitively expensive. There are about 7,00,000 villages in India, and we cannot possibly contemplate 7,00,000 post boxes.

**Prof. N. G. Ranga:** Are all the villages visited by the postmen?

**Mr. G. V. Bewoor:** No: there are certain villages which are regularly visited and which are known as the fixed beat villages, and there are certain villages which are visited only if there are any letters for delivery in that village.

**CONSTRUCTION OF SERVANTS' QUARTERS ATTACHED TO THE VICEREGAL ESTATE.**

1373. \***Khan Sahib Nawab Siddique Ali Khan** (on behalf of Mr. A. K. Fuzlul Huq): (a) Is it a fact that in the summer of 1934 some servants' quarters attached to the Viceregal Estate were to be constructed? Will Government kindly state what was the estimated amount of their construction?

(b) Is it a fact that tenders were duly called for the work and the Superintendent of the Estate forwarded for the sanction of the Superintending Engineer, Second Circle, the acceptance of the lowest tender?

(c) Will Government kindly state what was the classification of the work and the specification of the material to be used therein?

(d) Is it a fact that shortly after giving the above contract, some police quarters in the Viceregal Estate were to be constructed? If so, will Government kindly state what was the estimated cost of the work? Will Government kindly state what was the specification of the material and classification of this work?

(e) Are Government aware that instead of the first class material only third class material was used, for instance, the old tiles of a dismantled building, auctioned by the Central Public Works Department in New Delhi and third class and rejected bricks were used in these works?

(f) Are Government aware that when the Superintendent of Viceregal Estate paid a visit to these works from Simla, first class bricks and other first class material were kept on site and as soon as he left, these were at once removed and the above rejected material was actually used in the works?

(g) Are Government prepared to invite any expert in structural work, not connected or interested in Delhi in any way, to inspect these works and pronounce his opinion as to the material actually used in the buildings?

**The Honourable Sir Frank Noyce:** (a) Yes. The estimated cost of the work was Rs. 25,000.

(b) Yes.

(c) The work was classified as original construction chargeable to the head "57—New Capital". The standard specifications of the Central Public Works Department were laid down. It is not possible to detail them within the limits of a reply to a question, as they amount to five pages of typed matter.

(d) Yes. The estimated cost of the work was Rs. 19,000. The standard

specifications of the Central Public Works Department were laid down. The work was classified as original construction chargeable to the head "41-Civil Works (Provincial)—Police".

(e) and (f). No.

(g) No, in view of the reply given to parts (e) and (f) above.

#### ENQUIRY INTO ALLEGATIONS MADE ABOUT THE CENTRAL PUBLIC WORKS DEPARTMENT OFFICERS.

1374. \*Khan Sahib Nawab Siddique Ali Khan (on behalf of Mr. A. K. Fuzlul Huq): (a) With reference to the answer to my starred question No. 508 will Government be pleased to state whether it is a fact or not that the Chief Commissioner of Delhi made a suggestion that enquiries be made regarding the allegations made about the Central Public Works Department Officers, etc., in the *Riyasat*, dated the 6th August, 1934? What action was taken or what action do Government contemplate taking now? If no action is to be taken, why?

(b) With reference to part (d) of my starred question No. 508 asked on the 23rd February, 1935, will Government be pleased to state when they expect to start examining the statements supplied by the Central Public Works Department officers regarding the property owned by them?

The Honourable Sir Frank Noyce: (a) No reference was made to my Department and no action is proposed.

(b) As early as possible.

#### APPOINTMENT OF FIVE NEW SUBORDINATES IN THE "B" DIVISION OF THE CENTRAL PUBLIC WORKS DEPARTMENT.

1375. \*Khan Sahib Nawab Siddique Ali Khan (on behalf of Mr. A. K. Fuzlul Huq): (a) Will Government please state whether the figures given in part (a) of their reply to my question No. 512 on the 23rd February, 1935, regarding the appointment of five new subordinates in the 'B' Division of the Central Public Works Department, relate to technical and clerical posts only or they include the inferior staff also?

(b) Will Government please give up to date figures regarding permanent, temporary and work-charged staff (technical, non-technical, clerical and inferior staff, etc., etc.), separately by communities? If not, why not?

The Honourable Sir Frank Noyce: (a) The figures relate to technical appointments of Engineering Subordinates, and not to clerical or inferior posts.

(b) A statement showing the communal composition of the non-gazetted staff, excluding the work-charged and inferior staff, as it stood at the end of the year 1934, is placed on the table. Information in regard to the inferior staff is being obtained and will be placed on the table in due course. Information in regard to the work-charged staff is not readily available and the results of collecting it would not justify the labour involved.



*Statement showing the communal composition in the various classes of non-gazetted establishments of the Indore Central Division Central Public Works Department at the end of 1934.*

Section.	Posts.	Strength.	Hindus.		Muslims.		Europeans and Anglo-Indians.		Sikhs.		Indian Christians.		Other communities.	
			No.	Per. cent. age.	No.	Per. cent. age.	No.	Per. cent. age.	No.	Per. cent. age.	No.	Per. cent. age.	No.	Per. cent. age.
Technical Staff	(1) Upper Subordinates, Overseers and Sub-overseer.	{ Permanent	6	100.0	..	..	..	..	..	..	..	..	..	..
		{ Temporary	10	70.0	3	30.0	..	..	..	..	..	..	..	..
	(2) Draftsmen and Tracers.	{ Permanent	2	100.0	..	..	..	..	..	..	..	..	..	..
		{ Temporary	2	100.0	..	..	..	..	..	..	..	..	..	..
	(3) Mechanical Overseer.	{ Permanent	1	..	..	..	1	100.0	..	..	..	..	..	..
		{ Temporary	12	11	91.7	1	8.3	..	..	..	..	..	..	..
Office Staff	Clerks	{ Temporary	6	80.0	1	20.0	..	..	..	..	..	..	..	

*Statement showing the communal composition in the various classes of non-gazetted establishments of the Ajmer Central Division Central Public Works Department at the end of 1934.*

Technical Staff	(1) Overseers and Surveyors.	{ Permanent	5	60.0	1	20.0	..	..	1	20.0	..	..	..	..
		{ Temporary	1	100.0	..	..	..	..	..	..	..	..	..	..
Miscellaneous	(2) Draftsmen and Tracers.	{ Permanent	3	66.7	1	33.3	..	..	..	..	..	..	..	..
		{ Temporary	3	100.0	..	..	..	..	..	..	..	..	..	..
Office Staff	Store Keepers	{ Permanent	1	100.0	..	..	..	..	..	..	..	..	..	..
		{ Temporary	1	..	..	..	..	..	..	1	100.0	..	..	..
Office Staff	Clerks	{ Permanent	8	87.5	1	12.5	..	..	..	..	..	..	..	..
		{ Temporary	8	6	75.0	1	12.5	..	..	..	..	1	12.5	..

**SUPERINTENDENTS IN THE CENTRAL PUBLIC WORKS DEPARTMENT.**

1376. \*Khan Sahib Nawab Siddique Ali Khan (on behalf of Mr. A. K. Fuzlul Huq): Will Government please state what is the total number of Superintendents in the Central Public Works Department? How many are Muslims?

**The Honourable Sir Frank Noyce:** There are six posts of Superintendents in the Central Public Works Department. One of these posts is held by a Muslim.

**TENURE OF THE APPOINTMENTS OF THE SUPERINTENDENTS OF THE CENTRAL PUBLIC WORKS DEPARTMENT.**

1377. \*Khan Sahib Nawab Siddique Ali Khan (on behalf of Mr. A. K. Fuzlul Huq): (a) Will Government please state what is the practice obtaining in the Central Public Works Department, regarding the tenure of the appointments of the Superintendents?

(b) Are they not transferred from one Section to the other? If not, why not?

**The Honourable Sir Frank Noyce:** (a) and (b). There is no rule regulating the tenure of appointments of Superintendent in the Central Public Works Department. Transfers are made when they are required on administrative grounds.

**REFUSAL OF ANNUAL INCREMENTS TO DRAFTSMEN AND CLERKS IN THE CENTRAL PUBLIC WORKS DEPARTMENT.**

1378. \*Khan Sahib Nawab Siddique Ali Khan (on behalf of Mr. A. K. Fuzlul Huq): Is it a fact that many draftsmen and clerks, etc., in the Central Public Works Department, drawing Rs. 95 per mensem and who are even employed in the time-scale up to the maximum of Rs. 200, have not been given their annual increments for the last several years? If not, why not?

**The Honourable Sir Frank Noyce:** I would invite the Honourable Member's attention to the reply which I gave on the 21st March, 1934, to Mr. S. G. Jog's question No. 548. It has since been decided to permit members of the clerical establishment to cross the efficiency bar if they are considered capable of performing responsible duties efficiently, and individual cases are now under examination in the Central Public Works Department.

There are no such restrictions in the case of Draftsmen.

**APPOINTMENT OF APPRENTICE PERMANENT WAY INSPECTORS ON THE EASTERN BENGAL RAILWAY.**

1379. \*Sardar Sant Singh: (a) Has the attention of Government been drawn to the advertisement which appeared in the *Statesman*, dated the 16th November, 1934, regarding the appointment of Apprentice Permanent Way Inspectors on the Eastern Bengal Railway?

(b) Will Government please state how many applications were received by the Eastern Bengal Railway for the apprentice Permanent Way Inspector job and how many candidates, departmental and outsiders, respectively, were actually called for interview by the Selection Board of

the Eastern Bengal Railway and what was the number of vacancies under the following heads for which candidates were called for interview :

- (i) Hindus,
- (ii) Muslims,
- (iii) Anglo-Indians; and
- (iv) Sikhs?

(c) Are Government aware that out of the required quota under (i) three-fourths will be selected from among the Departmental employees, i.e., mistresses, gangmen and others, while one-fourth will go to the relative of a high officer on the Eastern Bengal Railway?

(d) Are Government aware that candidates called for interview came from various provinces and at their own expense?

(e) Will Government please state the object of the Eastern Bengal Railway in inviting outsiders for interview? Is it a fact that the Railway authorities had already earmarked the Departmental candidates and the relative of a high officer for these appointments?

(f) Will Government please make enquiries from the Eastern Bengal Railway as to why they did not consider the necessity of reserving any appointments for Departmental candidates and advertise only those residue for outsiders?

(g) Are Government aware of the amount of disappointment the outsiders have met with after undergoing long journeys and incurring heavy expenditure, particularly when they came to know that there was not a single post for them?

(h) Are Government prepared to cancel the selection and order a new one to be made by the Chief Engineer, Deputy Chief Engineer, and Deputy Agent purely from among the outsiders, while the cases of candidates already in Railway employ should be considered for promotion separately and departmentally? If not, why not?

**Mr. P. R. Rau:** I am obtaining certain information and will lay a reply on the table of the House in due course.

#### CANDIDATES REQUISITIONED FROM THE PUBLIC SERVICE COMMISSION BY THE ARMY HEADQUARTERS.

1380. **Sardar Sant Singh:** (a) Will Government please state the number of candidates requisitioned from the Public Service Commission by the Army Headquarters, branch by branch for employment in the I. A. C. C.?

(b) Is it a fact that the Army Headquarters experience difficulty in obtaining qualified men for employment in the I. A. C. C? If not, are Government aware that when the Public Service Commission offers appointments to qualified candidates for employment in the Army Headquarters they invariably decline the offer?

(c) Are Government further aware that it is due to unattractive and hard conditions of service under the I. A. C. C. which have become the source of unpopularity and discontentment among the civilian Indian staff?

(d) Are Government aware that on account of not being able to get qualified candidates from the Public Service Commission, the branches of the Army Headquarters do not forward applications of their employees.

for transfer to other Departments, and will Government kindly lay on the table a statement showing the number of such candidates, whether holding permanent or temporary appointments, branch by branch?

(e) Are Government aware that owing to the unpopularity of the I. A. C. C. service of the Army Headquarters, whosoever accepts it and takes the appointment, he is also anxious to get himself transferred to the civil offices in order to improve his future prospects?

(f) Are Government aware that there are some qualified candidates who were never warned of the change of conditions of service before the examination by the Public Service Commission was held?

(g) Do Government propose to issue orders to the effect that applications for transfer from one office to another should in no case be withheld? If not, do Government propose to consider the abolition of the I. A. C. C.?

**Mr. G. R. F. Tottenham:** (a) A statement is laid on the table.

(b) and (c). This is not borne out by the last Public Service Commission examination at which about 90 per cent. of the candidates expressed their willingness to accept appointments in the Indian Army Corps of Clerks.

(d) No, except that one Branch of Army Headquarters, owing to the exigencies of the service, has had to withhold applications for transfer during the last six months.

(e) No.

(f) Yes.

(g) The answer to both parts of the question is in the negative.

*Statement showing the number of candidates requisitioned from Public Service Commission by the Army Headquarters, branch by branch, for employment in the I. A. C. C.*

Name of the Branch.	Number of candidates requisitioned.
G. S. Branch	1
A. G.'s Branch	7
Q. M. G.'s Branch	7
M. G. O.'s Branch	8
M. S. Branch	2
E.-in-C.'s Branch	5
Medical Directorate	4
A. M. S. (Personal) to H. E. the Commander-in-Chief	..
Judge Advocate General	..
A. D. O. S. (P.)	..
R. A. F. Headquarters	4
	38

**PROMOTION OF A CLERK OF THE ROUTINE DIVISION TO THE SECOND DIVISION  
IN THE DEPARTMENTS OF THE GOVERNMENT OF INDIA.**

1381. \***Bhai Parma Nand:** (a) Is it a fact that under the orders contained in paragraph 1(iv) of the Home Department O. M. No. F.-452/27-Ests., dated the 8th December, 1928, it is open to Departments in cases of exceptional merit to promote a member of the routine division to the Second Division in not more than one of every five vacancies?

(b) Will Government be pleased to state how many vacancies have been filled in the Second Division in the Departments of the Government of India since the issue of the Home Department orders mentioned above and how many of these were filled by the appointment of unqualified men?

(c) Is it a fact that the Home Department have issued orders in October 1934, to the effect that in Departments where owing to the retrenchment campaign of 1931-32 Second Division posts are to be replaced by Third Division posts, only the first and every fifth vacancy occurring after the 1st October, 1934, should be filled by promotion from the routine division, provided qualified and exceptionally meritorious men are available? If the reply be in the affirmative, will Government kindly state whether unqualified men in the routine division who are of exceptional merits are eligible for promotion in these vacancies along with men who are qualified for the Second Division but working in the Third Division? If not, what are the reasons?

(d) Will Government please state whether in Departments where there are no qualified Second Division men working in the Third Division, it is permissible to promote to the first and the fifth vacancy unqualified routine division men who are of exceptional merit? If not, why not?

**The Honourable Sir Henry Crank:** (a) The reply is in the affirmative.

(b) The information is being collected and will be laid on the table in due course.

(c) The reply to the first part is in the affirmative and the reply to the second part is in the negative. The orders issued in October, 1934, were designed to meet the case of qualified men serving in Divisions lower than those for which they have qualified, who have better claims to promotion than unqualified men.

(d) No, Sir; qualified men are eligible for appointment in promotion vacancies by inter-departmental transfer and it has been decided that until these men have been absorbed, no unqualified persons should be promoted.

**CREATION OF A NEW SECOND DIVISION IN THE ATTACHED OFFICES OF THE  
GOVERNMENT OF INDIA.**

1382. \***Sardar Sant Singh:** (a) Is it a fact that with effect from the 1st June, 1934, a new Second Division has been created in the Attached Offices of the Government of India, and the then existing members of the lower division have been treated as members of the Second Division?

(b) If the reply to the above be in the affirmative, will Government please state:

- (i) whether all the members of the new Second Division, are eligible for promotion to the First Division in the vacancies reserved for departmental promotions;
- (ii) whether only such members of the new Second Division are eligible for promotion to the First Division, as are qualified for the Second Division of the Secretariat, and if so, will Government please state the reasons for the preferential treatment of this category of clerks when all clerks are considered members of the new Second Division; and
- (iii) whether such members of the new Second Division as have not passed the Second Division examination are not eligible for promotion?

(c) If the reply to part (b) (ii) be in the affirmative and (b) (iii) in the negative, are Government aware that this will cause heart-burning and hardship to members falling in the category (b) (iii)? Is it a fact that in several instances, they are senior in service and pay to members mentioned in (ii) and have also officiated in the First Division, and earned annual increments in that grade?

**The Honourable Sir Henry Craik:** (a) The reply is in the affirmative.

(b) Members of the Second Division in the Attached Offices (whether qualified for the Second Division of the Secretariat or not) are eligible for promotion to the First Division in accordance with the rules issued from time to time, copies of which are in the Library of the House.

(c) Does not arise.

#### REVISED SCALES OF PAY FOR SUBORDINATE STAFF ON RAILWAYS.

1383. \*Sardar Sant Singh: (a) Will Government be pleased to lay on the table of this House a copy of the orders issued by the Railway Board on the subject of revised scales of pay, for subordinate staff?

(b) Will Government be pleased to state if any explanatory memorandum was issued by them on this subject? If so, will Government be pleased to lay on the table a copy of this Memorandum also?

(c) Is it a fact that these orders were interpreted by various Railway Administrations and Heads of Departments according to their own choice?

(d) Are Government prepared to examine all the circular letters issued by the State Railway Administrations and bring them into a line?

**Mr. P. B. Rao:** (a) I would refer the Honourable Member to Railway Board's letter No. 807-E.G./II, dated the 31st August, 1934, a copy of which will be found in the Library of the House.

(b) The reply to the first part of the question is in the negative and the latter part does not arise.

(c) and (d). The same question was put by my Honourable friend on the 5th March, 1935, as question No. 695. I have already given him a reply.

**AGREEMENT ENTERED INTO BETWEEN A STATE RAILWAY ADMINISTRATION AND AN EMPLOYEE.**

1384. \*Sardar Sant Singh: Will Government be pleased to state if an agreement entered into between a State Railway Administration and an employee on form No. W. W.-87 duly stamped, is an agreement which entitles the particular employee the full benefit of the provisions of that printed agreement? If so, can revised scales of pay rules be made applicable to him? If not, why not?

Mr. P. R. Rau: The Agent, North Western Railway, reports that Form W. W.-87 referred to in the question is a stamped declaration signed by subordinate staff engaged for purely temporary purposes or special works and contains a statement of the conditions of service applicable to the particular employee who signs the Form and accepts the conditions. Such a declaration cannot be termed an Agreement. It does not show the rate or the scales of pay to be drawn by the employee and the application of the old or revised scales of pay is not dependent on the execution of Form W. W.-87 but is regulated in accordance with the Rules and Orders issued by Government on the subject from time to time.

Sardar Sant Singh: May I know if any employé on the basis of this form of agreement—which the Honourable Member says is no agreement—can go to the law Court and sue the administration if the administration does not act according to that?

Mr. P. R. Rau: That is a question for a lawyer to advise on: and, I am sure my Honourable friend will advise any person who approached him in the best manner possible.

**RAILWAY ADMINISTRATIONS REPRESENTED ON THE PERSONNEL SECTION OF THE INDIAN RAILWAY CONFERENCE ASSOCIATION.**

1385. \*Sardar Sant Singh: (a) Is it a fact that various Railway Administrations who are represented on the Personnel Section of the Indian Railway Conference Association, consult each other in important questions affecting the staff as a whole? If so, was the question of revised scales of pay discussed by that section?

(b) Will Government be pleased to lay on the table of this House a copy each of the discussions, if any, and the findings of this section on the subject of revised scales of pay for subordinate staff?

Mr. P. R. Rau: My Honourable friend asked the very same question some time ago and I replied to it on the 5th March. To refresh his memory, I might add that the number on the list is 696.

**SENIOR AND JUNIOR AUDITORS IN THE SUBORDINATE RAILWAY AUDIT SERVICE.**

1386. \*Sardar Sant Singh: (a) Will Government please state the present strength of Subordinate Railway Audit Service of the Indian Audit Department by (i) Senior Auditors and (ii) Junior Auditors?

(b) Will Government please state the percentage composition of each class by Hindus, Muhammadans, Sikhs and Christians?

(c) Is it a fact that one member of the Sikh community passed the Subordinate Railway Audit Service Examination in 1928?

(d) Is it a fact that he has been passed over by members of other communities, who had equal length of service in the clerical grade, but passed the Examination in 1932, i.e., some four years after?

(e) If the answer to part (d) be in the affirmative, will Government please state if this is due to the application of a rule framed after 1928, which has been introduced in the Railway Audit Department and is not in force in any other Department?

(f) If the answer to part (e) be in the affirmative, will Government please state:

(i) the reasons for providing such special rule for the Railway Department only;

(ii) the reasons for applying it to men who had passed the examination prior to the framing of the rule; and

(iii) what steps Government propose to take to set right the mistake?

(g) Is it a fact that the percentage composition of the Sikhs in the service is practically nil, and are Government prepared to consider the possibility of promoting to the service members of the Sikh community who have passed the Subordinate Railway Audit Service Examination?

**The Honourable Sir James Grigg:** (a) Senior Auditors: 48.  
Junior Auditors: 61.

(b) The approximate percentages are as follows:

	Hindus.	Muslims.	Sikhs.	Europeans and Anglo-Indians.
Senior Auditors.	92	2	2	4
Junior Auditors.	87	6½	..	6½

(c) Four Sikh clerks passed the examination in 1928. Three of these clerks are employed in the Railway Accounts Department and one in the Railway Audit Department.

(d) The Sikh clerk who is at present employed in the Railway Audit Department holds a permanent post in the lower grade of the clerical establishment and has, therefore, been considered junior to men who hold permanent posts in the upper grade of the clerical establishment.

(e) and (f). This is in accordance with the rules approved in 1925. Similar rules are not in force in other branches of the Audit Department because conditions are not the same.

(g) Promotion to the Subordinate Railway Audit Service from the clerical grade is departmental promotion regulated, among those who have passed the examination, by seniority and merit, and is outside the scope of the rules governing the recruitment of members of minority communities.

**Dr. Ziauddin Ahmad:** Did the Honourable Member say  $6\frac{1}{2}$  per cent. or  $6\frac{1}{4}$  per cent.?

**The Honourable Sir James Grigg:**  $6\frac{1}{2}$  per cent.

**UNDERCHARGING BY THE BOOKING STATIONS OF GOODS CONSIGNED BY RAILWAYS TO DIFFERENT STATIONS.**

1387. **\*Babu Baijnath Bajoria:** (a) Is it a fact that at times the Booking Stations undercharge goods consigned by railways to different stations of railways?

(b) Is it a fact that the railway freight rules provide that the freights charged by the station booking the consignment must be checked at the destination station before delivery of the consignments to the consignee?

(c) Is it a fact that the destination station has been empowered to withhold consignments unless and until the difference of undercharge and actual charge is paid to the railways by the consignee?

(d) Will Government be pleased to state whether in every case of consignment of goods the delivery station calculates the freights charged? If so, will Government be pleased to state whether in cases of excess charge, the difference is paid to the consignor immediately after the goods are delivered to the consignee before the consignor claims a refund?

(e) Are Government aware that in many cases the consignors are not aware as to whether the charges levied by the starting station is correct or in excess?

(f) Will Government be pleased to state the total amount the different railways have earned by such excess charges on consignment of goods during the year 1934 and for which claims of refund have not been made? Will they be pleased to state how much of such excess charges have been refunded on claims made and how much of such claims for refund have been rejected by the different railways during the year 1934?

(g) Will Government be pleased to state how much of such excess charges have been forfeited by the different railways in the absence of any such claims from the consignors?

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

(d) The accuracy of the freight charges invoiced is required to be checked before a consignment is delivered. Overcharges of not less than Rs. 5, detected by the Accounts Department are brought to the notice of the Traffic Department which arranges for a refund after ascertaining the names of the persons legally entitled to the refund.

(e) Possibly.

(f) and (g). The information is not readily available.

**Babu Baijnath Bajoria:** Do the railways claim any under-charge from senders of consignments?

**Mr. P. R. Rau:** Yes; if claims are made.

**Babu Baijnath Bajoria:** Do railways refund, of their own accord, any over-charge when they come to know that an over-charge has been made?

**Mr. P. E. Rau:** I have already replied to that question. I said:

"Overcharges of not less than Rs. 5 detected by the Accounts Department are brought to the notice of the Traffic Department which arranges for a refund after ascertaining the names of the persons legally entitled to the refund."

**Babu Baijnath Bajoria:** What happens when it is over Rs. 5?

**Mr. P. E. Rau:** I was referring to cases where it is Rs. 5 and over.

---

SHORT NOTICE QUESTIONS AND ANSWERS.

NEGOTIATIONS BETWEEN INDIAN PRINCES AND THE SECRETARY OF STATE FOR INDIA ON THE INDIAN FEDERATION.

**Mr. S. Satyamurti:** Will the Honourable the Law Member be pleased, 12 Noon, to state:

- (a) whether the Government of India or His Excellency the Governor General have been kept informed of the progress of negotiations between the Indian Princes and the Secretary of State for India about the Indian Federation;
- (b) whether Government were at any time called upon to express their opinion on these negotiations;
- (c) whether His Excellency the Governor General was consulted;
- (d) whether he asked the Government of India for their opinion;
- (e) whether they gave any opinion, and if so, what it was;
- (f) whether Government considered the legal and constitutional implications of the requests of the Indian Princes to amend the Government of India Bill in respect of the future Federation;
- (g) whether Government are aware of the consultations, now going on in London, between the legal advisors of the Princes on the one hand and the legal advisors of the Crown on the other;
- (h) what their scope is; and
- (i) whether Government propose to place the whole matter before the Assembly; if not, why not?

I will also ask, with your leave, question No. 1145 in the printed list of business today.

---

NEGOTIATIONS BETWEEN INDIAN PRINCES AND THE SECRETARY OF STATE FOR INDIA ON THE INDIAN FEDERATION.

1145. **\*Mr. S. Satyamurti:** Will the Honourable the Law Member be pleased to state:

- (a) whether his attention has been drawn to the fact that negotiations are proceeding between some Indian Princes and the Secretary of State for India regarding the proposed Federation;

- (b) whether Government have any knowledge of these negotiations;
- (c) whether the Secretary of State has agreed to table amendments to the Government of India Bill to meet the demands of the Princes, and if so, what those amendments are;
- (d) whether the Government of India were consulted in this matter;
- (e) whether any opportunity will be afforded to the Legislature or public opinion in British India to pronounce on these amendments; and
- (f) what are the amendments to the Bill which the Princes want, and the reason why they want them?

**The Honourable Sir Nripendra Sircar:** If you approve, Sir, I will first answer question No. 1145, and if my friend finds it necessary he can put supplementary questions to both.

(a) and (b). If I am correct in presuming that the Honourable Member is referring to negotiations with regard to the accession of States to the Federation the answer is in the negative, and I need only state the constitutional position which is that no such negotiations can be undertaken till the proposed Government of India Bill has been passed. If, on the other hand, the Honourable Member is referring to representations which the States have made to His Majesty's Government through the Government of India with regard to the draft of the proposed Government of India Bill, then the answer is in the affirmative.

(c) The Secretary of State has made his intentions clear in his telegraphic despatch to the Government of India, dated the 14th March, 1935, and the memorandum accompanying it, which formed part of the White Paper presented to Parliament by the Secretary of State on 18th March, 1935. This has appeared in the press and I have agreed to have copies circulated to Honourable Members.

(d) In the public interest the Government of India are not prepared to give any further information.

(e) The answer is "No", as I have already stated in reply to part (e) of his question No. 1077.

(f) The Honourable Member's attention is directed to the White Paper referred to above.

I will now answer the short notice question.

(a) and (b). I would refer the Honourable Member to my answer to part (d) of his question No. 1145, which I answered just now.

(c) In the public interest, Government are unable to make any statement concerning the Governor General as distinct from the Governor General in Council, or to answer parts (c) to (e).

(f) Yes.

(g) to (h). The attention of the Honourable Member is invited to the White Paper. They have no further information.

(i) No. The Government of India do not think it desirable to do so.

**Mr. S. Satyamurti:** Before I put the supplementary questions, I wish to ask your ruling on a point of order; and that is with reference to the answer given by the Honourable the Leader of the House to clauses (c),

(d) and (e) of my short notice question, in which, if I caught my Honourable friend aright, he stated that, apart from the argument of public interest on which you have given your ruling, and which I accept, he refuses to answer the question as to the consultation or advice between the Governor General and the Governor General in Council. I have looked up the matter carefully, and I want you to bear with me for a minute, when I make my submissions for your consideration and ruling. In May's Parliamentary Practice, the position with regard to this matter is stated at page 241. "Questions may be asked of the ministers who are the confidential advisers of the Crown, regarding matters relating to those public duties for which the sovereign is responsible; but no question can be put which brings the name of the sovereign or the influence of the Crown directly before Parliament, or which casts reflections upon the Parliament". Now, Sir, taking my stand on that, my submission is this. In this country the position is even stronger. In Great Britain, as you know, the King reigns, he does not govern. In this country the Governor General governs, if anybody governs at all, and with regard to these matters the Governor General is, I submit, more amenable to this House than even the sovereign in England. . . .

**Mr. President** (The Honourable Sir Abdur Rahim): The Chair thinks the Honourable Member will find that Speaker Lewther ruled that no questions can be put. . . .

**Mr. S. Satyamurti**: And the ruling is at the bottom of the very page from which I have quoted the above, and it is stated here:

"It has been ruled that the Prime Minister cannot be interrogated with regard to the advice that he may have given to the Sovereign with regard to the grant of honours, or the ecclesiastical patronage of the Crown or with regard to the prerogative of mercy."

I entirely concede that position. There are certain points which are in the absolute discretion of the Crown, like the prerogative of mercy, conferment of titles and so on, on which, I agree, this House cannot ask questions. . . .

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member will bear in mind that this is a matter of putting questions, and whether those questions should be answered or not. . . .

**Mr. S. Satyamurti**: Questions may be asked, and my submission is, once a question is asked, the only ground on which my friend can refuse to answer it will be that it will be against the public interest to answer the question. He cannot. . . .

**The Honourable Sir Nripendra Sircar**: May I put in a word here, Sir? I think my Honourable friend did not catch the answer which I gave:

"(c) to (e). In the public interest, Government are unable to make any statement concerning the Governor General as distinct from the Governor General in Council, or to answer parts (c) to (e)."

that is to say parts (c) to (e) have not been answered on ground of public interest. I may remind my Honourable friend that when this discussion

arose on a previous occasion, I said that I would raise no discussion as to what questions can be put or what questions cannot be put, but if a question is put, then whether that question can be answered or not, that is a different matter, and what you have referred to at page 241 related to a question being allowed to be put. That has been done, but whether Government need answer it or not that is for the President to say. Mr. Satyamurti is labouring what can be put, when I have not objected to question being put.

**Mr. S. Satyamurti:** The Honourable Member's answer consists of two parts—the latter part of which I accept, that is to say, Government saying that they refuse to answer the question, but their refusal to make a statement as to what happened between the Governor General and the Governor General in Council is not covered by any authority. I also submit for your consideration, Sir, a specific ruling on this matter in *Campion's Introduction to the Procedure of the House of Commons* at page 130. . .

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member should tell the Chair—does the fact that the Government of India, the Governor General or the Secretary of State is not responsible to the Legislature gives him wider power to put questions or less power?

**Mr. S. Satyamurti:** Yes, Sir, it gives me more power. We cannot displace them. I beg of you to consider that we must have more power, because we cannot displace them. I can understand that, if we can really take the bigger action, it is perfectly open to waive our rights at question time, but this is the only occasion on which light can be thrown on this matter. If you look. . . .

**The Honourable Sir Nripendra Sircar:** My friend is still misquoting me as usual.

**Mr. S. Satyamurti:** This is an old complaint. This is the paragraph entitled "Constitutional Propriety and Rules of Order":

"The following types of questions are out of order as infringing constitutional propriety, etc.

26. Asking what advice a Minister proposes to give the Crown.

But it is in order to ask what advice he has given."

It is ruled specifically there. Then, I want to draw the attention of the Chair to this also. Sub-clause 30 says:

"Seeking information about matters which are in their nature secret, such as, decisions or proceedings of Cabinet, (including the Committee of Imperial Defence and other committees of the Cabinet), advice given to the Crown by Law Officers, etc."

These are in their very nature secret and confidential. Or:

"Reflecting on the decision of a Court of Law." etc.

I do not propose to ask those questions at all. There is one other ruling, to which I should like to draw your attention; it is reported in *Hansard* of 1921, Volume 139, page 846. Mr. Delvin asked a question about the exercise of the prerogative of mercy in respect of two Irishmen,

named, Thomas Whelan and Patrick Moran. The Speaker informed him that the question could not be put. He raised the question on the floor of the House of Commons, and the Speaker ruled:

"The general rule which has been laid down repeatedly—and I think I have sent to the Honourable Member a copy of the last occasion when it occurred, when Mr. Bryne, late Member for Dublin Harbour, asked a question, and the ruling was then given—is that no question ought to be answered, either by the Home Secretary as to the advice which he will tender to the Crown, or by the Chief Secretary as to the advice which he will tender to the Lord Lieutenant, in respect of the exercise of the prerogative of mercy. The House has always felt that it is very undesirable that these cases should be discussed here or even raised by way of question and answer. The questions which have been asked and to which the Honourable Member refers have, I think, been questions on matters of fact as to whether or not the prerogative in a particular case had been exercised."

In this case, one of my questions is whether the Governor General consulted the Government of India. The Honourable Member refused to answer even that. In this specific case the question was asked and was allowed whether the prerogative of mercy had been exercised or not:

"I see less objection to that, but I do see great objections to putting in interrogative form reasons for, or it may be objections against, the prerogative of mercy."

I will not quote more rulings, but I may say I have examined all these rulings. Questions cannot be asked as to the advice given by a Minister to the Crown in respect of bestowal of titles or honours, in respect of the prerogative of mercy.

**Mr. President** (The Honourable Sir Abdur Rahim): On what ground?

**Mr. S. Satyamurti**: They are within the sole jurisdiction of the Crown. The Crown is not expected to act on any advice given to it, such advice as is given to it is really a matter within the cognisance of nobody but the Crown.

**Mr. President** (The Honourable Sir Abdur Rahim): Supposing there are matters within the sole jurisdiction of the Governor General or the Governor General in Council or the Secretary of State, then what will be the position?

**Mr. S. Satyamurti**: If the Governor General has, as a matter of fact, exercised the discretion without consulting the Governor General in Council, I am out of court. I concede that. That is why I have asked the preliminary question, if the Governor General did, as a matter of fact, consult the Governor General in Council. And, if the Governor General in Council gave any advice, I submit I am entitled to put a question and get an answer, except in the one contingency on which you have ruled,—though, if I may say so, you have no means of judging it—where they may say that in public interest they refuse to answer the question.

**Mr. President** (The Honourable Sir Abdur Rahim): That is what the Honourable Member has done.

**Mr. S. Satyamurti**: There are two parts that are answered, if you will kindly look at that.

**The Honourable Sir Nripendra Sincar**: You will find the words control both the parts.

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

"In the public interest, Government are unable to make any statement concerning the Governor General as distinct from the Governor General in Council."

**Mr. S. Satyamurti**: As regards refusal to answer, it is for them to say. They may appeal to you in exceptional cases and you may rule it is not in public interest. Generally they are the best judges to say what is in public interest. But I am entitled to an answer to the question whether as a matter of fact they were consulted by the Governor General. That is not a matter on which they can say they refuse to answer.

**Mr. President** (The Honourable Sir Abdur Rahim): It is really part of the same question. . . .

**Mr. S. Satyamurti**: The public interest is this. We want to know if, in these very important matters being done over our heads, . . .

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member knows that the Secretary of State may or may not consult the Governor General. That is the Constitution.

**Mr. S. Satyamurti**: And that is what I want to know. Were they consulted, will they tell me whether in this case they were consulted? If I know that they were consulted and they refuse to answer my question, I know the result. In view of the rulings I have cited, I ask whether it is a *bona fide* exercise of the right to refuse to answer a question in the public interest. I submit, Sir, after all, there is some residuary power in your hands. They cannot take shelter under this plea, whenever there is an inconvenient question.

**Mr. President** (The Honourable Sir Abdur Rahim): In a matter like this, it is impossible for the Chair to say whether the answer is *bona fide* or not.

**Mr. S. Satyamurti**: The Chair does not realise our difficulty. We are trying. . . .

**Mr. President** (The Honourable Sir Abdur Rahim): If the Honourable Member wants any further ruling, the Chair will give it, but at present . . .

**Mr. S. Satyamurti**: If the ruling is going to be against me, I do not want it. (Laughter.) I will take a more favourable opportunity.

**Mr. President** (The Honourable Sir Abdur Rahim): As a matter of fact, the Chair may inform the Honourable Member it has thought over the whole matter. The Chair has gone through many of these references but as the Government were prepared, and very rightly prepared to answer some of these questions, the Chair refrained from giving its ruling.

**Mr. S. Satyamurti**: I shall wait for a more favourable opportunity. In the meantime, I will merely ask what is the public interest which the Honourable the Law Member says will be affected adversely by his answering the question specified in (c) of the short notice question No. 2307.

What is the public interest which, according to the Law Member; will be adversely affected by his answering my question (c) of short notice question No. 2307, whether His Excellency the Governor General was consulted?

**The Honourable Sir Nripendra Sircar:** I do not think that my Honourable friend will find any authority for permission to cross-examine me on what is public interest. It is easy for him to think of the reasons which can be urged, in support of public interest.

**Mr. S. Satyamurti:** I am not cross-examining him. I am asking a straight question. I am not equal to the Honourable Member in legal genius, I am simply asking what is the public interest which the Honourable the Law Member thinks will be adversely affected by answering the simple question whether the Governor General was consulted.

(No answer.)

May I ask with regard to part (d), what is the public interest which will be adversely affected in answering the question "whether he asked the Government of India for their opinion"?

(No answer.)

What is the public interest, again, which will be adversely affected by answering the question "Whether they gave any opinion, and if so, what it was?"

(No answer.)

**An Honourable Member:** Government are dumbfounded!

**The Honourable Sir Nripendra Sircar:** No. I repeat the same answer that my Honourable friend has no right to cross-examine me as to what is public interest. My friend is going on repeating.

**Mr. S. Satyamurti:** I am asking what is the particular public interest which, according to the Leader of the House, will be adversely affected by his answering any of these questions.

**Mr. President** (The Honourable Sir Abdur Rahim): If that question were put to the Honourable Member himself, he would perhaps find it difficult to answer.

**Mr. S. Satyamurti:** I would answer it readily. But coming back to question No. 1145, may I ask with regard to clauses (a) and (b) of the question, what is the knowledge of the Government of India—assuming the latter part as correct, that was the meaning in which I put the question—the Honourable the Law Member gave two interpretations, and said yes to the latter interpretation, that was the sense in which I put the question? I am asking, what the knowledge of the Government is about the negotiations, especially the later stage of the negotiations.

**The Honourable Sir Nripendra Sircar:** Our knowledge is derived from the White Paper.

**Mr. S. Satyamurti:** Have Government no further knowledge?

**The Honourable Sir Nripendra Sircar:** I have already answered that question. We are not willing to give any further information in public interest.

**Mr. S. Satyamurti:** Do the Government of India know whether the Secretary of State has made up his mind on the question of the further amendments to the Bill in the later stages of the Bill before the House of Commons?

**The Honourable Sir Nripendra Sircar:** We are not aware of that.

**Mr. S. Satyamurti:** Are the Government of India consulted about the amendments which are moved by the Secretary of State to the Bill in order to oblige the princes?

**The Honourable Sir Nripendra Sircar:** I repeat the same argument and the same answer I have already given this morning.

**Mr. S. Satyamurti:** With reference to the answer to clause (f), whether Government have considered the legal and constitutional implications of the request of the Indian princes to amend the Government of India Bill in respect of the future Federation, I thought I heard my Honourable friend say "yes". Am I right?

**The Honourable Sir Nripendra Sircar:** Yes.

**Mr. S. Satyamurti:** Very good, Sir. What are the conclusions to which they have arrived?

**The Honourable Sir Nripendra Sircar:** We have arrived at no definite conclusions?

**Mr. S. Satyamurti:** What are the indefinite conclusions at which they have arrived?

**The Honourable Sir Nripendra Sircar:** If they are indefinite, they are not conclusions at all.

**Mr. S. Satyamurti:** I give it up!

#### SIMULTANEOUS HOUSE SEARCHES IN DELHI.

**Mr. S. Satyamurti:** Will the Honourable the Home Member be pleased to state:

- (a) whether it is a fact that simultaneous searches were conducted by the special staff of the Criminal Investigation Department in several houses in the Delhi City on the morning of Wednesday, the 27th March, 1935;
- (b) the purpose of these searches;
- (c) the names of the persons whose houses were searched;
- (d) the results of the searches; and
- (e) whether this denotes any change of policy on the part of Government?

**The Honourable Sir Henry Craik:** The houses of eleven persons in Delhi were searched on the 27th March in connection with two dacoities committed in the Meerut district. So far as the dacoity cases were concerned, nothing incriminating was recovered but certain books, including proscribed literature which were found in some of the houses searched, were seized by the police. The searches were carried out in the usual course of the investigation of crime and do not involve any question of policy. I do not think it is desirable to give the names of persons whose houses were searched.

**Mr. S. Satyamurti:** No supplementary questions, Sir. (Laughter.)

---

### MOTION FOR ADJOURNMENT.

#### HUNGER STRIKE OF POLITICAL PRISONERS AT THE DACCA CENTRAL JAIL.

**Mr. President** (The Honourable Sir Abdur Rahim): The Chair has received notice of a motion for the adjournment of the House by Mr. Avinashilingam Chettiar and a similar notice by Mr. Chattapadhyaya. The first notice is that the Honourable Member proposes to ask for leave to make a motion for the adjournment of the House to discuss a definite matter of urgent public importance as follows: the reported hunger strike of 18 political prisoners at the Dacca Central Jail for over 63 days. Is there any objection?

**The Honourable Sir Henry Craik** (Home Member): I take objection to this motion on more than one ground. My first ground, which I hope will be found conclusive, is that it relates to what is not a matter of recent occurrence. My attention was first drawn to this incident by a short notice question put down by a Member of this House, on the same subject, so long ago as the 20th or 21st of March. I refused to accept short notice question as I had no information about the incident, and the question has not actually been put. Then, Sir, I find that so long ago as the 22nd March, that is 11 days from now, the matter was discussed in the Bengal Legislative Council. In the first place, there was a short notice question put to the Home Member of the Bengal Government, and, on the same day, there was a lengthy discussion on a cut motion during the course of the budget discussions. Those proceedings were published at length in the newspapers of the 24th March, or rather in the newspapers that reached Delhi on the 24th March. A lengthy report of the discussion, for example, will be found in the newspaper called *Forward* of that date. I understand, it reached here on the 24th or the 25th March. All aspects of the question were discussed in the Bengal Legislative Council, and, ultimately, the cut motion was defeated without a division. These facts must have been or could have been in the knowledge of Honourable Members of this House on the 24th or at the latest on the 25th March, that is eight days ago, and it was not till yesterday that any steps were taken to bring the matter before this House. I submit that in those circumstances it is impossible to claim that this matter is one of urgent public importance or that it deals with a matter of recent occurrence. That is my main ground. In case that ground is not successful as an objection to the motion, I have a further ground which I should like to state later, if necessary.

**Mr. T. S. Avinashilingam Chettiar** (Salem and Coimbatore *own* North Arcot: Non-Muhammadan Rural): The first objection raised by my Honourable friend, the Home Member, is that it is not a matter of recent occurrence. I may say that it came to our knowledge only when we saw the *Hindustan Times* yesterday, and, after that, we gave notice. As regards the debate in the Bengal Legislative Council about which the press reports have appeared, according to the Home Member, they were not published in the *Hindustan Times* as far as I am aware.

**Mr. President** (The Honourable Sir Abdur Rahim): There are other papers in which it appeared.

**The Honourable Sir Henry Craik**: May I interrupt the Honourable Member for a moment? There were two articles. There was a fairly lengthy article in the *Hindustan Times* of the 24th March. The Honourable Member says that he saw it only on the 31st March. In that case, I am not the only person who does not read the morning papers.

**Mr. T. S. Avinashilingam Chettiar**: I submit even the *Hindustan Times* of the 24th could not have raised the question on the occasion of the 68rd day of the fast. The fast is continuing, and this is the 65th day, and, therefore, it is a matter of very urgent importance.

**The Honourable Sir Henry Craik**: It is not urgent on the 58rd or 57 day. It becomes urgent only on the 68rd day?

**Mr. T. S. Avinashilingam Chettiar**: The lives of 18 people are at stake, and I submit to the House that the matter is urgent and important. Therefore, the motion should be allowed.

**Mr. President** (The Honourable Sir Abdur Rahim): On the facts stated by the Honourable the Home Member, the Chair must hold that this is not an urgent matter or a matter of recent occurrence within the meaning of the Rules or Standing Orders. The Chair, therefore, rules the motion as being out of order.

Mr. Amarendra Nath Chattopadhyaya's motion relates exactly to the same matter and is also out of order.

### THE INDIAN FINANCE BILL—*contd.*

**Mr. President** (The Honourable Sir Abdur Rahim): The House will now resume consideration of the Finance Bill, clause by clause.

As regards clause 2, the Chair said that there are a number of other amendments which also, it thinks, are out of order, having regard to the result of the voting on amendment No. 9. The Chair now, therefore, puts the question.

**Pandit Nilakantha Das** (Orissa Division: Non-Muhammadan): But what about my amendment No. 35?

**Dr. P. N. Banerjea** (Calcutta Suburbs: Non-Muhammadan Urban): And what about my amendment No. 34, Sir? -.

**Mr. S. Satyamurti** (Madras City: Non-Muhammadan Urban): And what about my amendment No. 32, Sir?

**Mr. President** (The Honourable Sir Abdur Rahim): With regard to the surcharge? That is out of order as being outside the scope of the Bill.

**Dr. P. N. Banerjea**: Mine is on the salt surcharge levied in 1931—No. 34.

**Mr. President** (The Honourable Sir Abdur Rahim): That does not fall within the scope of the Bill at all.

**Dr. P. N. Banerjea**: It is a proviso to be added to this Bill.

**Mr. President** (The Honourable Sir Abdur Rahim): That makes no difference.

Now, with regard to amendment No. 35, is that in order having regard to what has been passed?

**Pandit Nilakantha Das**: It is an *Exception*—a saving clause.

**Mr. S. Satyamurti**: The point raised in amendment No. 35, Sir, by my Honourable friend, is that, so far as any person manufacturing salt for non-commercial domestic purposes is concerned, the duty on that should go; that was never discussed. I quite agree that all amendments relating to the rate are out of order, because the House has already given its verdict.

**Mr. President** (The Honourable Sir Abdur Rahim): It does not affect the rate?

**Pandit Nilakantha Das**: It is a remission. . . .

**Mr. President** (The Honourable Sir Abdur Rahim): The Chair wants to know why it is out of order, with regard to the vote of the House. Has the Honourable Member any objection? What is argued on the other side is that this is an exception. Supposing the clause, as it stands, is amended, this will work as an exception to that?

**The Honourable Sir James Grigg** (Finance Member): Sir, I am afraid that with the best will in the world, I am not able to make out a very convincing case for this being out of order. It is merely intended to make Statutory the Gandhi-Irwin Pact. If the amendment is moved, it is unnecessary, because it is already done administratively.

**Mr. President** (The Honourable Sir Abdur Rahim): That is another matter.

**Pandit Nilakantha Das**: Sir, my amendment is that:

“That to clause 2 of the Bill the following proviso be added:

‘Provided that the said provisions shall, in so far as they enable the Governor General in Council to remit any duty so imposed, be construed as if with effect from the 1st day of April, 1935, they remitted the said duty to the entire extent in value on salt manufactured by any person for non-commercial domestic purposes, that is, not for making any commercial profit out of the sale of such salt, and which remission shall be deemed to have been made out of the leviable duty by rule made under that section.’”

[Pandit Nilakantha Das.]

There is a misprint here—it should be “and such remission” instead of “and which remission”.

Now, the Salt Act of 1882, clause 7, says:

“The Governor General in Council may, from time to time by rule consistent with this Act :

(a) impose a duty not exceeding Rs. 3 per maund manufactured or imported by land into any part of British India.”

Then, according to this clause, he will impose 12 annas per maund, as we have passed.

Then, clause (b) empowers the Governor General to reduce or remit any duty so imposed and re-impose any duty so reduced or remitted.

So I propose that, according to clause (b) of this section, this duty on salt, manufactured for domestic consumption and non-commercial domestic purposes, i.e., the duty of 12 annas per maund already imposed on this salt, that is, salt which is manufactured by individuals for non-commercial domestic purposes will be deemed to have been remitted by the Governor General in Council.

It was a subject of the Gandhi-Irwin Pact of 1931. You are allowed to manufacture salt for your domestic consumption, Sir, according to that Pact. But many things have happened since then, and, in many parts of India, it is not clear whether people are enjoying this privilege, as a matter of right, to manufacture salt for their domestic purposes. Of course, the Government are willing to allow people, wherever they strictly observe the terms of the Pact, to manufacture salt for their domestic purposes, but we should like to see that some provision should be made in the Act so that people may enjoy that privilege as a matter of right. It may be that there are some officials or some people in the areas where people manufacture salt for domestic purposes, who may, for some reason or other, want to victimise those manufacturers. There may be various such cases and then these people have no appeal in Courts of law. So if this privilege is to be extended, it should be extended as a part of some Statutory provision. As Government have no objection to allow people to make their own salt for their domestic consumption and for non-commercial purposes in a *bona fide* manner, I think there will be no objection on the part of the Government to allow this proviso to be added to section 2 of this Act.

I may explain here fully that it is not only for people who live by the side of the sea. In our country people make their salt from salt earth. Of course, the quantity of the salt so made is not much but it is enough for their domestic purposes. In the interior, I have seen they made salt from the salt earth found in fields and in cowsheds—from their fields and from their cowsheds they take some earth and manufacture salt out of this for their domestic consumption. Then there are certain wells and springs for instance, in Assam, the water of which is guarded by the Salt Department now and people are not allowed to take any water out of them. From that water also they make salt for their domestic consumption. Then, some people also make salt from the banana plant. They dry out the banana leaves and other refuse of the banana plant and from the ashes of these they prepare salt for their domestic purposes. But when we come to

think of salt manufacture in this House, we think of salt pans and then calculate the labour, capital and interest involved in the undertaking. Only the other day, I was reading that for producing five lakhs of tons of salt only 600 men are to get employment. I will give an instance for analogy. Suppose, rice is husked in mills and Government makes a monopoly of it and it is dealt out to people at a certain price. Suppose, after the monopoly there is some excise duty like the salt duty and then if you calculate that, if people do not make it at home, then in so many mills only about 15 to 20 thousand people are employed all over the rice eating tract of India and only so many people will get employment. If you calculate in that manner in this mass production of husking rice, then you will find the husking much cheaper, for in the houses women have to do it with an ordinary country machine. If you calculate the wages and other expenses in home husking, then it becomes much more than what you would spend on husking rice in your mills. So, just like that, we sometimes calculate the price of salt. Suppose, from half a dozen banana plants the housewife makes some salt, you cannot calculate the cost of it because there is no cost involved. It is only on account of our State monopoly that we always think in terms of big pans and plants for salt making. It is said that the cost of making the Panga salt is about eight annas to ten annas per maund. That may be so; but if people are allowed to make their own salt, it will not cost them so much.

Sir, salt is a prime and bare necessity of life. It is more so to people who live on rice, for rice eating people require more salt than others. It is a bad necessity of life to people in the eastern part of India, particularly from Assam up to Cape Comorin and even in Malabar, for the whole of this tract is rice eating. Thus, in the peninsular India and the Eastern India, it is a supreme necessity. Then, again, it is necessary for cattle. And the third necessity is for plantations. In the eastern and Malabar coast of the peninsular India cocoanut plantations require salt very badly. If you give salt to cocoanut plants, their produce will be just the double of the usual quantity. Now you contemplate protecting the Indian cocoanut against the Ceylon cocoanut, and, therefore, it is high time that we should now think of free salt specially for this coastal area. Salt is the food of cocoanut and it is the best manure for it. If you put salt under the plant, you will get cocoanut in much greater quantity. That is my experience because I have got cocoanut plantations. So I say, it is now high time that you should think of giving this privilege as a matter of statutory right to people especially in the peninsular and eastern India where people will profusely make use of this privilege.

Sir, rice eating people require more salt. Poor people sometimes eat wet rice and salt. Then, again, it is required for their cattle and perhaps our cattle in the rice fields are more hard-worked than in the wheat fields. Then it is also required for cocoanut plants. Therefore, this privilege should be extended to our people as a matter of statutory right. I hope Government will raise no objection to this proviso which I have proposed and will support me in adding it to the Act.

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

“That to clause 2 of the Bill the following proviso be added :

“Provided that the said provisions shall, in so far as they enable the Governor General in Council to remit any duty so imposed, be construed as if with effect from the 1st day of April, 1935, they remitted the said duty to the entire extent in

[Mr. President.]

value on salt manufactured by any person for non-commercial domestic purposes, that is, not for making any commercial profit out of the sale of such salt, and such remission shall be deemed to have been made out of the leviable duty by rule made under that section."

**Mr. A. H. Lloyd** (Government of India: Nominated Official): I regret to say that I must disappoint the Honourable the Mover of this amendment by saying that it is impossible for the Government to accept it. Whatever his motive, and I understand his motive to be a desire to put the provisions of the Delhi Pact of 1931 on a statutory basis, the method by which he is undertaking to do it is completely unworkable. He appears to overlook the fact that the Delhi Pact, with its arrangement that the officials should close their eyes to offences against salt laws, deals with a great many other provisions besides that which lays down the rates of duty. This clause merely refers to the rate of duty and it says nothing about the machinery in the various Salt Acts in force in this country for controlling the production of salt. If this provision were put into law, it would still be open to us to exercise our rights to the full in controlling the production of salt so as to see that the salt which purported to be duty free under this amendment should not be diverted to other purposes. That it would be necessary to use those powers is obvious if the wording of the amendment is seen. It merely says:

"Remitted the said duty to the entire extent in value on salt manufactured by any person for non-commercial domestic purposes."

It does not say who is to determine what is a non-commercial domestic purpose and it does not say what are to be the limits of quantity. There would be no method of controlling the concession except the close, inquisitorial supervision which I referred to yesterday and which one of the part-authors of the Delhi Pact was particularly anxious to avoid. The clause in the instructions of May, 1931, which immediately preceded the one that I quoted yesterday said that watchers should be withdrawn. Now that clause would be completely unworkable if we had a provision such as this which left it for determination on the merits in every single case whether or not the concession is being abused. The only workable scheme is the one which Mr. Gandhi himself approved of allowing the concession by shutting our eyes generally to the provisions of the law and withdrawing it if abuses became widespread. To watch each individual person and to see that he does not abuse the concession would be an impossible task. There are other points on which I might dilate, but really I do not wish to take up the time of the House beyond mentioning one, namely, that we should, in many cases, retain the full right to impose a preventive staff over the places in which salt was made, *albeit* it is made for duty free purposes. Under the law we shall be allowed to charge the maker of salt with the cost of the preventive staff. Let us suppose that we engage a peon on Rs. 20; that would cost Rs. 240 a year to the man in order to enable him to enjoy a concession that might give him a benefit of Rs. 1-8-0 or Rs. 2 in the year. That I merely put forward as an illustration to show that this is an unworkable proposition. We are satisfied that the method which was adopted, in 1931, is the only possible method; it gives discretion to the Government and the Government officials, a discretion which, I am confident, we can say is not abused; and the method adopted, by avoiding all complicated interference with a number of statutes, is far and away the

simplest,—that is to say the method of issuing executive instructions which involve our shutting our eyes to the provisions of the law rather than issuing statutory rules, let alone a statutory provision such as the Honourable the Mover wishes us to embody in the law. For these reasons, I oppose the motion.

**Prof. N. G. Ranga** (Guntur *cum* Nellore: Non-Muhammadan Rural): Sir in opposing this particular motion, the Honourable Member on the Government Benches has stated that the system of giving discretion to the local authorities of seeing and checking the free manufacture of salt by the poor people, in different areas, has worked very well and he did not see any reason why any change should be made in the present practice. Only the other day, through a supplementary question, I tried to draw the attention of the Honourable the Finance Member to what is happening in certain parts of the Madras Presidency. Sir, although this discretion has been granted to the local officers whether or not to allow the peasants and workers to manufacture salt free in their own local areas for their local and personal use, yet the police have been taking the law into their own hands and have been going about frightening away the masses from exercising this particular privilege of theirs and thus preventing the ordinary people from making use of this particular privilege. Secondly, when we asked the Honourable the Finance Member whether in cases where the local officers refused permission to freely manufacture salt to local people, any appeal lay to him against their decisions, he gave his answer in the negative saying that he did not see any reason why there should be any appeal at all to him against the decisions taken by the local officers. Sir, the effect of these two things, the *zulum* used by the local police on the one hand and the refusal of the Honourable the Finance Member on the other hand to interfere, whenever the local officers decided against the petitioners for freely manufacturing salt,—the combination of these two circumstances will result in the actual nullification of this particular Gandhi-Irwin Pact. It will become impossible for peasants and workers anywhere in this country to try to take advantage of this particular Pact and even where these people have been manufacturing salt for a long time freely and in an unfettered manner, it would become impossible for them to go on manufacturing salt because of the police *zulum*.

As Honourable Members are aware there is famine in five districts of the Madras Presidency, known as the Ceded districts and I learn now that there is also famine in two other districts, Tinnevely and Nellore.

**Maulvi Syed Murtuza Sahib Bahadur** (South Madras: Muhammadan): And Trichinopoly.

**Prof. N. G. Ranga:** My Honourable friend says, in Trichinopoly too. When famine is prevalent in eight districts of Madras Presidency, applications have been sent by various peasants and workers to the authorities in Madras Presidency for permission to freely manufacture salt, and yet, except in the case of peasants and workers in the Anantapur and Bellary districts, in all other cases, these petitions were dismissed and we are told that there should be no appeal at all against the refusal of the local authorities, to permit these hard pressed people, to manufacture salt freely for their own use or for local sale. If this is the manner in which the Government of India wishes to implement the Gandhi-Irwin Pact, in so far as free manufacture of salt is concerned and, if this is the manner in which the

[Prof. N. G. Ranga.]

Government of India wish to leave everything to the discretion of local officers and refuse to interfere even where there are flagrant instances of injustice, then it is better that this House should insist that this power of enforcing this Gandhi-Irwin Pact should not be left to the discretion of the executive authorities, but should insist on a statutory provision being made in this particular Finance Bill. Even in the case of these two districts, where permission is supposed to have been granted to the peasants and workers, it is specifically stated that this permission is given to them only because there is supposed to be famine in those districts and not because they can possibly and easily manufacture salt in their own local areas without causing any effective loss to the Government of India in their revenues. I would like to know whether the Government of India, when they were concluding this particular Pact, had in mind the granting of this particular concession only to those areas, only to those people who are supposed to be suffering from any particular calamity, like famine, or whether they really thought of permitting people to manufacture salt freely in their own local areas and for their own local use. I am sure that at the time when this particular Pact was concluded, it was thought by those who concluded the Pact, as well as those outside in the country who accepted it, that this particular privilege will be extended to those workers and peasants and other poor people who could easily manufacture salt in their own areas and for their own local use or personal use irrespective of any special or economic conditions of their particular locality. If that is so, I find now that the present practice that is being followed by the Madras Government and according to the instructions of the Government of India and also as admitted by the Government of India in this House is a slow process of contravention of the real intentions of this Pact and also of the authors of this Pact. I, therefore, suggest to this House that it should not leave this thing entirely to the discretion of the Executive Government, but insist upon a Statutory provision being added to this particular Finance Bill, so that, hereafter, at least those millions and millions of people, who are in this country, would like to have this small privilege left in their hands and be benefited. It may be argued and I feel that my Honourable friend, Mr. Haroon, will argue . . . .

**Mr. President** (The Honourable Sir Abdur Rahim): That need not trouble the Honourable Member.

**Prof. N. G. Ranga:** Mr. Haroon is impatient about making a possible  
 1 P. M. remark about the loss of revenue that may have to be incurred by the Government of India in regard to this. Even in that connection, what I would like to state is that after all, in view of the admission made by Mr. Lloyd on the other side only yesterday that this particular tax certainly presses hard upon all these poorer classes and upon every person to the extent of six annas per annum, it is but fair that those of them who can possibly manufacture salt for their own use and who can possibly make a small living for a few days in the year by selling the salt that they manufacture in their own areas, ought not to be prevented from enjoying this particular privilege. I, therefore, sincerely hope that Honourable Members on this side will accept this particular amendment and carry it.

**Seth Haji Abdoola Haroon** (Sind: Muhammadan Rural): Sir, I did not want to intervene in this debate, but even after hearing the arguments of my Honourable friends, Pandit Nilakantha Das and Prof. Ranga, I cannot understand even now how the individual man or the poor man can manufacture salt on an economical basis. A maund of salt can be manufactured by mass production at two annas, 2½ annas or even three annas. And a family of four persons, each person requiring about 15 pounds of salt, requires 60 pounds or hardly a maund. And how can they be able to produce or manufacture that salt, as suggested by Pandit Nilakantha Das. . . . .

**Dr. T. S. S. Rajan** (Tanjore *cum* Trichinopoly: Non-Muhammadan Rural): Sir, on a point of information, I may tell my Honourable friend that the salt is available there. They are not to manufacture, but simply to take it; that is all.

**Seth Haji Abdoola Haroon**: Yes, I have seen this also in Karachi in the midst of the agitation in 1930. There was a bed on the sea coast where salt was lying for many years, and, in the midst of that agitation, thousands of men, women and children went to bring that salt from the bed. What I found was that all that salt was sold to merchants in many places and they even commenced to sell it in the market by hawking it, and some bags were even despatched through the railways. If my Honourable friends want to change the law on that point, I have no objection if they think it is proper. But if the argument only is that the poor man will be benefited by this salt, it is at least beyond my understanding as to how it can be possible for a family to collect the salt. It was said by one of my friends just now that much salt is lying in the earth. I know on the sea coast there is plenty of salt lying in many places, but in the interior of the country I have a little experience of how they manufacture salt, and, in my opinion, to produce a maund of salt from the earth might cost even Rs. 2 or 3 more than if they were to buy it in the bazar. I have no objection if Honourable Members sentimentally want to enter these things in the Bill itself. But, economically, to benefit the poor, there is, in my opinion, no case at all.

**The Honourable Sir James Grigg**: I beg to move that the question be now put.

**Pandit Govind Ballabh Pant** (Rohilkund and Kumaon Divisions: Non-Muhammadan Rural): Sir, in order to cut short this discussion, I would, with your permission, just put a question to the opposite Benches, and if their answer is satisfactory, perhaps my friend might withdraw his motion and the discussion will be cut short and the time saved. Will Government be pleased to tell us if they adhere to the letter and the spirit of the provision relating to salt embodied in the Gandhi-Irwin Pact, and if they have any rules on the subject?

**The Honourable Sir James Grigg**: Sir, that assurance can readily be given. Government do adhere to the Pact, and, to the best of their belief, they are administering the salt tax in the spirit of the Gandhi-Irwin Pact and have every intention of so doing. But I would point out to my Honourable friend that the last clause of that Pact does provide for the withdrawal of the concession in cases of abuse and provides a *prima facie* criterion of what is abuse drafted by Mr. Gandhi himself.

**Maulvi Muhammad Shafi Daudi** (Tirhut Division: Muhammadan): Sir, I am in sympathy with the object of this amendment, because I have seen the poor people really suffering in Bihar and Orissa, not only on the sea coast, but in the villages also. There are poor people who have to make salt from saltpetre, but they have got to take a license and pay a heavy sum on that account. I have not been able to understand my Honourable friend, Mr. Lloyd, over there, who says that giving effect to the provision of this amendment is something impossible. If I feel that it is impossible to make provision for remission of excise duty on salt made by persons for non-commercial domestic purposes, that is a different matter. But reading the Indian Salt Act, 1882, I find that there is a provision in section 7(b) to remit any duties so imposed and that that power is given to the Governor General in Council. I think that the object of this provision in the Act was really to remit all duties likely to be imposed under the other provisions of the Act on those who prepare salt for their domestic purposes.

**Mr. A. H. Lloyd:** Sir, may I just explain? I said that the thing was unworkable. I did not say that it was impossible within the terms of section 7(b). I said that, as drafted, the amendment was unworkable, because even if a remission of duty is granted, there will still remain provisions for controlling the output of the salt to see that the remission is not abused.

**Maulvi Muhammad Shafi Daudi:** The provision in clause 7(b) must have been introduced for some purpose, and the purpose must be to relieve the poor people for preparing salt for their domestic purposes . . .

**Mr. A. H. Lloyd:** The usual use of clause (b) is for salt issued for industrial purposes.

**Maulvi Muhammad Shafi Daudi:** My point was, why no provision has still been made, since 1882, to relieve poor people who prepare salt for their domestic purposes. That would have been a laudable object. I believe, every one will admit that the poor people, who have got no employment whatsoever and those who cannot afford even an anna for the purpose of buying salt, should be allowed to employ their time usefully by the seaside and get salt for their domestic purposes. You are depriving them of the little salt which they can get by their manual labour. That is the objection I have to this excise duty. For that reason alone, whatever may be the Pact between those two Pact makers with which I have nothing to do, for the sake of the poor people I feel that some such provision should be made for these people who have no money to pay even for their salt.

**The Honourable Sir James Grigg:** I move that the question be now put.

**Pandit Nilakantha Das:** Sir, I shall probably withdraw this amendment, but I would make a request to the Government. I find they have now agreed, under these rules, to give effect to the Gandhi-Irwin Pact on this particular subject. . . .

**The Honourable Sir James Grigg:** It has been in effect for four years.

**Pandit Nilakantha Das:** . . . . . and these are the rules, I believe:

"Clause 20 is intended to benefit the poor classes. It will be open therefore to those in villages adjoining salt areas to make or collect salt for domestic use and sale in their respective villages.

Domestic use shall include use for manure, cattle or fish-curing by individual fishermen.

For this purpose the villagers may make salt pans or beds.

There should be no sale of salt for purposes of trade outside the villages. It follows therefore that such salt can be carried only on foot and not in carts or such other conveyances.

Wherever manufacture of salt under the foregoing clause is permitted, salt pans will not be dirtied or otherwise interfered with by Government officers and regular watches will be withdrawn."

This is all right so far as it goes, but clause (5) says:

"The concession will be withdrawn from villages where it is found that it is abused. Wherever it is discovered that salt is manufactured or collected in quantities, above the requirements of a particular village, abuse of the concession will be presumed."

I would request the Government and the Honourable the Finance Member that it may well be that in withdrawing the concession it may be due to the act of a single individual in the village who may make some mischief. . . . .

**The Honourable Sir James Grigg:** To the best of my knowledge, the concession has never been withdrawn except in the case of widespread abuses; and let me tell the Honourable Member that in one of the cases about which he wrote to me saying that the concession had been withdrawn, I have now received an answer to my inquiries to say that the concession has not been withdrawn.

**Pandit Nilakantha Das:** In that case, I gladly beg leave to withdraw my amendment. I am, moreover, thankful to learn that the concession is not to be withdrawn from the Kakatpur area in the Puri district.

The amendment was, by leave of the Assembly, withdrawn.

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

"That clause 2, as amended, stand part of the Bill."

The motion was adopted.

Clause 2, as amended, was added to the Bill.

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.

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

"That clause 3 stand part of the Bill."

[Mr. President.]

The first part of clause 3 relates to duty on silver. There is one amendment by Seth Govind Das, and the Chair holds that it is out of order.

As regards the next part relating to skins, there is an amendment by Mr. Ananthasayanam Ayyangar. There is also another amendment by Mr. Sami Vencatachelam Chetty. That is clearly out of order.

**Mr. Sami Vencatachelam Chetty** (Madras: Indian Commerce): I propose moving it if this amendment is not carried.

**Mr. President** (The Honourable Sir Abdur Rahim): That is out of order, because the House cannot refer one clause of a Bill to a Select Committee unless the Bill itself has been referred to a Select Committee and comes back here. Then, it is possible that one clause may be re-committed, but one clause of the Bill alone cannot be referred to a Select Committee.

**Mr. M. Ananthasayanam Ayyangar** (Madras ceded Districts and Chittoor: Non-Muhammadan Rural): Sir, I move:

"That sub-clause (2) of clause 3 of the Bill be omitted."

In introducing the budget, the Honourable the Finance Member, in paragraph 37 of his speech relating to export duty on skins, said thus:

"The third change of a minor order is the abolition of the export duty on raw skins. During the eight months ending 30th November, 1934, the export trade in raw skins declined in volume as compared with the corresponding period of the previous year, from 13,133 tons to 8,938 tons and in value from Rs. 2.24 lakhs to Rs. 1.19 lakhs. We all believe, of course, that the most necessary factor in India's economic recovery is a revival of her export trade."

Then, he goes on:

"Many of us feel angry and humiliated at our inability to suggest any positive action designed to promote that end, apart from international action of a kind which is not at present likely to be taken, namely, a general agreement to reduce tariffs and quotas. But here is one case, though, unfortunately, only a small one, where some action is possible within the bounds of our available resources and I think that it should be taken."

That is the reason why he says that a small export duty, which gives about eight lakhs to the exchequer, might be abolished. Sir, I do want by this amendment that this export duty should be continued, for this reason that it helps one of the most important industries of Southern India, which is a key industry for the whole of India,—I refer to the tanning industry. The Hide Cess Committee, which was appointed to report on this matter, has found that to the extent of nearly 48 to 50 crores of rupees worth of raw skins and tanned skins are being produced, of which some are consumed in this country and the rest are exported. We find from the Trade Review published for 1932-33, that the volume of export trade in raw hides and skins was to the extent of only eight crores and odd, and the balance must have been wholly consumed in India. At the time when the Hide Cess Committee reported, the value might have been double the value which now prevails, and, therefore, reducing it by half, it may come to 25 crores. The value of the total quantity produced in this country may be 25 crores, of which after deducting eight crores worth hides and skins which are exported, there is a balance of about 17 crores

worth of hides and skins which are used up in this country. The major portion of raw hides and skins are used up in this country either in factories or in cottage industries, and nearly three millions of Indians are employed in this industry. I would refer my Honourable friends to paragraph 129 of the Report of the Hide Cess Inquiry Committee. At page 168 this is what they say:

"The value to India of this industry taken as a whole, (i.e., the raw stock and leather trades and the leather, leather working and other allied industries) is about forty to fifty crores; it provides employment to large numbers of men, (tanners and leather workers being a little under three million) and is a factor in the economic well-being of millions of the depressed classes. There is scope for work in order to reduce the national waste. Improvement effected will not only benefit those directly engaged in the industry as a whole but will also re-act favourably on the peasantry of India. Our proposals have this objective in view, and are, in our opinion, so designed as to achieve it, as far as it is practicable."

Now, out of the volume of export trade which is to the extent of nearly eight crores a year, more than half are tanned skins and hides. Of the balance of four crores, hides come to nearly two crores, and skins two crores. It was in the year 1919, in order to protect this tanning industry against unhealthy competition from abroad, an export duty of 15 per cent. was imposed, with a rebate of 10 per cent. in favour of exports to any part of the British Empire. This worked quite well for some time, say till 1923, when the 15 per cent. export duty was reduced to 5 per cent. duty all round. Since then, we find from the figures that have been collected in the Trade Reviews, year after year, that the tanning industry has been working against heavy odds. America has taken special precautions to prohibit the import of even a square inch of tanned leather into the country. Germany also has taken similar precautions and has included even tanning materials in the list of articles prohibited. It only wants raw skins and raw hides, but it has prohibited the import of even a square inch of tanned articles into the country. France and Australia have prohibited the export of raw skins and hides in order to develop their industries. Under these circumstances, it was thought necessary that hides and skins which form one-third of the total volume of the whole trade, should be utilised for the purposes of tanning industry. Sir, the history of this industry will clearly show that during all these years the protection that has been extended to it, by way of an export duty, has certainly served a very useful purpose. We are now able to use nearly 20 crores worth of articles produced, locally in the several tanneries. The two or three crores that remain untanned here are being exported in a raw and unfinished state. There is considerable scope for using up these two or three crores worth of articles also in this country itself. Sir, I find that in the year 1922-23, the export of tanned hides was 9,900 tons, and of skins 4,700 tons; in 1923-24, 13,200 and 4,900 tons; in 1925-26, 12,100 tons and 6,300 tons; 1926-27, 11,300 tons and 7,000 tons; in 1927-28, 15,800 tons and 7,500 tons; and in 1928-29, 16,400 tons and 7,100 tons respectively. Thus, we see that, from the year 1922-23 right up to the year 1928-29, there has been a progressive increase in the volume of export trade in tanned hides and skins. It may be worth while to remember that with respect to skins India practically holds a monopoly in the world.

**Dr. Zaidin Ahmad** (United Provinces Southern Divisions: Muzaffaran Rural): Question.

**Mr. M. Ananthasayanam Ayyangar:** Now as I am questioned in this matter, I would request my Honourable friends to refer to paragraph 150 of the Taxation Enquiry Report:

"The duty on skins falls in a different category. Indian goat-skins, though they contribute only one-third of the world's total, enjoy a good reputation, and the trade figures since the duty was imposed do not indicate that it has had an injurious effect."

**Mr. Muhammad Nauman** (Patna and Chota Nagpur *cum* Orissa: Muhammadan): Enjoy good reputation means monopoly?

**Mr. M. Ananthasayanam Ayyangar:** I did not say that. But when we command one-third of the whole trade of the world with respect to goat-skins. . . .

**Mr. Muhammad Nauman:** That does not show that there is a monopoly. When we hold only one-third share, it shows that we hold no monopoly.

**Mr. M. Ananthasayanam Ayyangar:** It is not absolute, but I would say to a large extent we are commanding.

**Mr. Muhammad Nauman:** Then we hold a monopoly in everything, if this is your mathematics of calculation.

**Mr. M. Ananthasayanam Ayyangar:** You will please wait and see.

**Mr. President** (The Honourable Sir Abdur Rahim): Order, order. The Honourable Member will go on.

**Mr. M. Ananthasayanam Ayyangar:** At page 111 of the "Review of Trade of India for the year 1932-33," we find:

"The total value of the trade has fallen from Rs. 8,92 lakhs in 1931-32 to Rs. 7,43 lakhs in the year under review, a fall of 16 per cent. The main reason for this decline, as explained in earlier issues of this Review, is the trade depression, which led to a reduction in the demand for hides and skins. The average declared value for raw hides and skins declined from 7 as. 9 ps. to 7 as. 2 ps., whereas in the case of tanned hides and skins, the decline was from Rs. 1-7-10 per lb. to Rs. 1-7-0 per lb."

Later on, in the next page:

"As usual, the United States of America took the major portion of the exports of goat skins, her share amounting to 7,600 tons valued at Rs. 87 lakhs in the year under review as compared with 11,600 tons valued at Rs. 1,77 lakhs in the preceding year."

Then, at page 113:

"The United States of America ceased to be interested in these exports in the year under review...Shipments of tanned hides were, as usual, mostly to the United Kingdom."

Towards the end of that paragraph.

"The United States showed no interest whatever in this line of trade during the year. Of the total quantity of tanned skins exported, the United Kingdom took 88 per cent, and Japan 8 per cent, as compared with 87 per cent, and 9 per cent, respectively in the preceding year."

Thus, we find that with respect to tanned hides and skins, the United States of America, which was a ~~very~~ good market some years ago, has ceased to purchase any quantity of either tanned hides or skins. It only wants our raw materials to our detriment. Therefore, reading that paragraph in the Taxation Enquiry Committee's report in conjunction with the actual figures that have been given in the Review of Trade for India as to how other countries have been taking our hides and skins now in a raw condition and not in a tanned condition,—still there is a market for it—I wanted to say, though, of course, not absolutely, that with respect to goat-skins at least we command to some extent a monopoly in that direction, not an absolute monopoly.

**An Honourable Member:** Question.

**Dr. Ziauddin Ahmad:** Have you seen the two tables in the "Review" which you have just quoted?

**Mr. M. Ananthasayanam Ayyangar:** I have seen all the tables there. The five per cent. duty that is now imposed on exports does not stand in the least in the way of an increased export trade. Prices have fallen nearly by fifty per cent., of all articles in this country, of grains, and other articles and of the skins also in particular, and this export duty of five per cent. is not going to stand in the way of an increase in the sale of hides and skins. In 1934, the export duty was removed with respect to hides. The then Finance Member, in moving the clause in the Finance Bill relating to the removal of the export duty on hides, said that, so far as hides were concerned, it was necessary in order to augment the trade in foreign countries, but he did not press for the removal of the export duty so far as skins were concerned. Now, Sir, if we have not had such large exports of raw materials to foreign countries, it is not due to the fact that there is a want of foreign market, but to the way in which our raw products in this country are being manufactured. The Hides Cess Committee reported that there was great scope for improvement in this direction. The cattle are not bred properly, some of them die on account of starvation or disease, and the hides that are sent to other countries are quite inferior in quality, and that was why India was losing the hold on the foreign market so far as hides were concerned. A number of suggestions were made by the committee that cattle should be bred properly, and that, after they grow into proper size, they should be killed and the hides and skins exported or after they die a natural death. Even in the process of curing and the preparation and preservation of hides and skins, there is much scope for improvement. The ordinary man with little or no scientific knowledge does it in a manner which makes them absolutely unfit for use. The Hide Cess Committee say. . . .

**Dr. Ziauddin Ahmad:** From what book are you reading?

**Mr. M. Ananthasayanam Ayyangar:** I am referring to the Legislative Assembly Debates, page 2585. I quote from Mr. Vidya Sagar Pandya's speech:

"Then, Sir, the methods used here are comparatively primitive, while, in other parts of the world, they employ advanced and scientific methods. India greatly lacks in them, and then they point out on page 59 of the report:

'We shall describe the chief defects under the heads (i) adherence of foreign matter and lack of general cleanliness, (ii) freezing, sun blisters or burns and surface drying, (iii) uneven cooling and drying and crumpling, (iv) over drying, and (v) dragging and scratching or rubbing of the grain.'

[Mr. M. Ananthasayanam Ayyangar.]

Thus, the man that handles and removes the skin, handles it in a manner which makes it absolutely unfit. He has no scientific knowledge about it at all.

Thirdly, in the report, they refer to the fact that marketing facilities have not been given for our products when they are exported, say, to England and other countries. There is great scope for further improvement in this matter also. It is on account of these defects that gradually, from year to year, our raw skins and hides have been losing their hold on the foreign market, and it is, therefore, idle to contend that the five per cent. duty on exports stands in the way of the increase or augmentation of this article of trade. It is well to note that the tanning industry is not confined only to the Madras Presidency. In Bombay also this industry is flourishing and in Cawnpore and in some portions of Northern India also. Nearly 75 to 80 per cent. of the total quantity of hides and skins that are produced in this country are being utilised in this industry. Those persons that are anxious to avoid this export duty of five per cent. can rest well content by selling those articles to these various tanneries and factories and to those other persons who are eking out a living in the cottages by running these as cottage industries. Again and again on the floor of this House and elsewhere, we are making a plea for the amelioration of the depressed classes. That plea will be absolutely futile so long as we do not do anything to improve their condition. This industry is giving them a means of sustenance year after year. If you go to shops and buy foreign articles, boots, shoes, etc., made of leather originally untanned, having sent away skins in an undressed form from India only to come back in a finished form to us, you are only taking away the bread from out of the mouths of hundreds and millions of depressed classes in this country. The effect of the removal of this duty will be to divert the entire volume of trade to foreign countries, and even for small things, such as *chappals* and shoes, we shall be at the mercy of foreign countries for supply here.

**Mr. Muhammad Nauman:** *Chappals* are not made out of these skins. It is out of hides.

**Mr. M. Ananthasayanam Ayyangar:** My friend wants to justify the action that was taken in 1934. A sin was committed against this tanning industry in 1934 by making an inroad upon it.

**Mr. Muhammad Nauman:** We are discussing skins here.

**Mr. M. Ananthasayanam Ayyangar:** The Honourable Member was not in this House last year, but the way had already been paved for the ruin of this industry. This removed one of the corner stones of that building. Let us not add one more injustice to the injustice that has been already done. There is already an inclination towards the foreign market. We do not want to contribute to it by the removal of this tax by way of export duty. I am sorry that the Honourable the Finance Member has entirely misjudged the situation in his budget speech. We do want special protection for this industry. There is no meaning in saying that the 5 per cent. duty stands in the way of the export trade. If originally an export duty of 5 per cent. was imposed it was to protect this industry in 1919.

Now, the question that one has to address oneself to is whether this protection has served its purpose. It has amply justified itself. We have now nearly 80 per cent. skins tanned in our own country. Therefore, there is ample justification for continuing this small protective duty. It has been suggested sometimes that if an industry is to be protected, it is by means of an import duty upon articles of like description and not by way of export duty on raw articles exported to foreign countries. You will kindly consider that this aspect of the principle cannot work properly so far as hides and skins are concerned. The total imports of hides and skins or leather in a finished or unfinished form into this country is not more than a crore of rupees a year, whereas the total amount of exports, either of raw skins or hides or tanned skins or hides to foreign countries year after year, is not less than 8 to 9 crores of rupees. Therefore, if the tanning industry has got to be protected it is not by imposing a duty on the one crore of worth of materials sent to this country and by giving up the 8 or 9 crores worth of the unfinished articles sent to other countries. Tanning industry is different from the industry of making boots and shoes. That is converting the raw hides and skins from the natural form to another form fit for converting them into various articles of use and apparel. If these raw skins and hides are sent away, year after year, in large quantities to other countries, tanning industry would fail for want of sufficient material and there is a danger ahead of this industry. Already an injustice has been committed regarding hides. Even with respect to goat skins and sheep skins which are practically put under a different category even by the Taxation Committee report, should we perpetuate the wrong. The question is also whether we should do anything which will have the effect of taking away the bread from out of the mouth of hundreds of thousands of persons who are starving in this country.

I can tell this House that I am not personally interested in this industry and the members of my community have nothing whatever to do with it. Most of the Mussalmans in the south of India are tanners. Their main occupation is tanning. Honourable Members of this House, who are not acquainted with the tanning industry, may note that our brothers, the members of the Muslim community, are running this industry and the members of the depressed classes have made this their main occupation as labourers and coolies. It is thriving as a cottage industry also. Therefore, we must bear in mind that this duty does not directly affect the consumer. If this five per cent. duty is imposed on the finished articles that are imported into this country, then it will affect the consumer. There is absolutely no question of the consumer being affected, so far as this 5 per cent. export duty is concerned, which helps the industry. If the fall of 50 per cent. in prices has not been able to achieve the object of increase in exports, the removal of this five per cent. duty is not going to achieve it.

There is another danger also which has been visualised in the Hide Cess Committee Report. If we remove this export duty on hides and skins we shall be putting a premium on the killing of these animals prematurely. If the animals are killed prematurely, the leather will not have assumed a proper thickness or toughness. Just as food grains cannot be eaten raw, i.e., before they are ripe, so these hides and skins will be useless unless and until the animal is fattened, grown to a good size and precautions are taken that it is not starved or that it does not die of disease.

These are all the conditions imposed to make these hides marketable. Therefore, let us not go away with the impression that persons from Madras at the other end of the continent are crying hoarse over the continuance-

[Mr. M. Ananthasayanam Ayyangar.]

of the five per cent. duty without rhyme or reason. We say mere provincial barriers ought not to stand in our way. Sir, we have been taxing ourselves more and more for the sake of this industry and that industry—for the cotton industry, for the sake of the mill industry, for the sake of the salt industry, for the sake of the iron and steel industry, and for the sugar industry of Northern India. (Hear, hear.) Likewise, even if, in spite of all that has been said from time to time and what I have been able to say today, the House is not convinced at any rate with regard to the cry that we are making from the other end that the abolition will seriously interfere with our industry, let the Members put up with this five per cent. duty.

Then, there is one other matter with respect to which the Honourable the Finance Member made some remarks. This is an absolutely minor matter—the export of hides and skins does not get us more than eight crores of rupees a year, whereas our foreign exports are of very much higher value.

**An Honourable Member:** Eight lakhs.

**Mr. M. Ananthasayanam Ayyangar:** The revenue is eight lakhs, I know.

3 P. M. The total volume of trade is eight crores. Now, eight lakhs is such a small matter. We can easily afford that. The Honourable the Finance Member says that the salvation for India lies in the exports that it makes of raw produce to other countries. Sir, I want to shatter that proposition. It is absolutely unsound. In the present circumstances, the fact is, that no other country is prepared to take our raw produce unless it is absolutely compelled to do so. Whatever kind of raw produce it is able to produce, it produces itself. Well, so far as finished articles are concerned, we have been finished long ago. God has, in His dispensation, finished us to that extent. It is impossible to visualize the date in the distant future when we shall be able to produce finished articles and export them to other countries. We are destined to remain the hewers of wood and the drawers of water. Perhaps the Honourable Members from Bengal will realise our position. With regard to the export duty on jute that commands a monopoly there, jute which was selling to the value of 33 crores some years ago has now come down to 26 crores and cotton from 26 crores to 20 crores.

Then, with regard to rice and wheat, unfortunately we have been reduced from the position of exporters to that of importers, and with regard to the cry for the reduction of the import duty on wheat, well, Bengal Members have been complaining against that.

Now, with respect to the problem of rice in Southern India, we have been considering various projects and schemes, but we are not able to export large quantities of rice, but, on the other hand, Siam is trying to dump rice on us. Where, then, is the market for our produce? It is idle to consider that in the future there will be a huge market for our produce. Java, Japan, China,—everybody is going to grow its own rice. On account of the sugar import duty on Java sugar, they have been converting all their land into rice-producing areas. Then, Sir, if Honourable Members of the House will patiently go through the report of 1932-33 or the "Review of Trade" and find out the balance of trade from year to year, we are absolutely nowhere in the world. The balance in 1930-31 in our favour

was as follows. Our total exports in 1930-31 were 226 crores. I mean "private merchandise"—not the distress gold that has been going away to other countries. The balance of trade was then 50 crores in our favour. In 1931-32, 161 crores was the total export of private merchandise to foreign countries. Then we had Rs. 30 crores in our favour as the balance of trade. In 1932-33, from 161 crores it has come down to 136 crores in our exports and our balance of trade was three crores only. If you take the years 1933-34 and 1934-35, you will find how degraded we have become. If we treat the large quantities of gold as commodities which have gone away from our country, there is a balance of trade in our favour. But, Sir, should we not be ashamed that this position is only fallaciously reached by our exporting vast quantities of our available gold, in terms whereof alone we realize all our commodities? Thus, our export trade is absolutely shrinking. The exports *minus* the imports are absolutely nothing: and the imports stand out as being in the very forefront and they have the upper hand. How is the Finance Member going to relieve us from this inconvenient situation, except by processes of our own self-help—by our trying to improve our cottage industries, as well as our own industries and factories, etc. and, Sir, unless we become self-sufficient, there does not seem to be any hope for us in the near future. There is this small pittance of five per cent. export duty which persons, who do not really understand the tanning industry, are clamouring. They had been crying hoarse previously and got it reduced to 5 per cent. Sir, I request the Government, in the name of humanity, in the name of the future salvation of this industry and similar industries in this country, and in the name of the well-being of more than three millions of depressed class workers, to save this important industry in the Southern Presidency and to continue this five per cent. duty. I hope all sections of the House will kindly appreciate the position and the difficult position of this industry and whole-heartedly vote for the amendment. (Loud and Prolonged Applause.)

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

"That sub-clause (2) of clause 3 of the Bill be omitted."

**Mr. Sami Vencatachalam Chetty**: Sir, I find that a great industrialist and experienced legislator like my Honourable friend, Dr. Ziauddin Ahmad, is showing great interest in this question, and I see also the great readiness for a fight which my Honourable friend over there, Mr. Nauman, is showing. I, therefore, very earnestly request the Honourable Members of this House and particularly those gentlemen who seem to hold different views to give their earnest and dispassionate consideration to this question.

I cannot, Sir, congratulate the Honourable the Finance Member for throwing this apple of discord, and, as a matter of fact, he has thrown it more as a matter of introducing the thin end of the wedge. His intention is not so much to increase the export trade in skins, or for that matter the export trade of India, as to give the go-by to the policy of protection to which this House is committed for some time past. As for the presentation of materials in respect of the case that this export duty should be retained, I do not think I can improve on the speech made by my Honourable friend, Mr. Ananthasayanam Ayyangar; but one point that I desire to bring prominently to the attention of the Honourable Members is, whether this House is going to revise its opinion in respect of the policy of protection for our industries. If that is not the intention, whatever

[Mr. Sami Vencatachalam Chetty.]

might be the merits of the case for the abolition of this duty, I earnestly request Honourable Members to ignore those considerations for the present, and have only one matter in view, namely, the grant of protection to industries of this kind. (*A Voice*: "Question.") Sir, I take it that the Honourable Members of this House are divided even on the question of protection to industries of this kind. Had it not been so, probably, when the time comes, they will find representatives from the Southern Presidency to be more in agreement with them than those of Upper India. But in order to see that other industries are protected, when we will be in a position not only to supply our own needs, but, if possible, at a distant date to be able to furnish to the markets of the world our finished products, all Presidencies which are not now indusrious are willing to sacrifice their interests in the prosecution of that national policy. I expect the same kind of consideration from those Honourable Members representing other Presidencies who seem to hold different opinions upon this. After all, the only justification which the Honourable the Finance Member has put forward in support of this case is that the export of raw skins has been falling since last year and he has quoted the figures only for a period of nine months.

Now, with regard to that situation, I may state for the information of the House that during nine months from April to December in the year 1932, the export of raw hides in tons was 9,608, tanned hides 7,127, tanned skins 4,183, raw skins 8,985. I will make no mention so far as hides are concerned, because the hides question does not arise. But so far as skins are concerned, in 1932, for the same period of nine months, that is, April to December, the export in tanned skins was 4,182 and in raw skins 8,135. In 1933, it was 4,732 in tanned skins and 14,857 in raw skins. In 1934, it was 4,857 tanned skins and 10,421 raw skins. After all, in a matter like this, when the trade conditions are undergoing revolutionary changes all over the world, is it a far test to take the figures for one period of nine months of a particular year and come to a conclusion in order to remove a duty which is considered to be a protective duty in respect of the tanning industry? I ask the Honourable Members to bear in mind that if they are going to agree with the Honourable the Finance Member in the matter of the abolition of this duty on the mere plea—a specious plea, no doubt—of there being a small decrease in the export of tanned skins and raw skins during the last nine months, they will have to follow up that kind of support in respect of other matters which I daresay he will bring in in course of time. It is rather a very minor plea indeed to ask the consent of this House for the abolition of the export duty on raw skins. As I have been saying, this tanning industry is one of the foremost industries so far as the Southern Presidency is concerned, and we have very few industries indeed to boast of. This industry employs as many as 50,000 workmen and the number of people who are dependent on this industry is more than two million and all of them belong to very poor classes. It is one of the cottage industries. It must be rather an absurd proposition that while, on the one hand, you want to increase the so-called export trade of India, you should be depriving the people of the very means of livelihood, as so many of them depend entirely upon this tanning industry.

What, after all, is the objection to the retention of this duty? The only objection that I can possibly conceive of is that in respect of those

provinces which have not got the tanning industry, but which are able to export raw skins, the prices affect them. They seem to think that the export of raw skins by those Presidencies which have not got the tanning industry is impeded by the fact that there is an export duty. With regard to that, I will say that the prices have fallen down so considerably that this five per cent. is only a flea-bite in respect of the falling prices. Sir, my experience in skins business is that of an apprentice in that line of business. I believe I learnt business as an apprentice in the skin line and subsequently left it off. But I know the prosperity of merchants at that time, and I also know the miserable condition in which those merchants are today. That is due to the very phenomenal fall of the price of leather. My Honourable friend over there questioned the statement made by my Honourable friend, Mr. Ayyangar, that we hold practically a monopoly in the matter of raw hides and skins. (*A Voice*: "He said goat skins.") I do not want to make any difference in that matter now. The whole question is whether we are not possessing a considerable portion of that trade, and whether that percentage is not such as to command respect in the matter of hides in other markets. If that be so, and if, during the Great War, the whole of the British Empire was able to depend upon India for the production of these raw skins and hides, I do not think one should despair of the position it holds today. I should also like in this connection to make an earnest appeal to the Government. Government consented to impose this duty during the time of war owing to the help which this tanning industry rendered to Government during that period. I expect that, though they are at liberty to break the political pledges that they gave, at least in matters of trade and in matters of industry they will observe their promise scrupulously. I should only be sorry if the Honourable Members sitting on this side of the House should, on account of extremely local conditions, give a handle to the Honourable the Finance Member to run down the protection policy that is now being adopted by this House and allow him to make raids upon this industry in the near future. Sir, I do not want that this matter should be decided upon a tussle of arguments. Arguments there could possibly be on both sides of the House which would appear to be quite plausible. The question is, whether, having regard to the central demand which this tanning industry is meeting,—a demand which will not affect a very large portion of the interests of other people,—they should still be straining on the ground that it would affect their local trade. I may assure Honourable Members of other provinces that it is not likely that the export trade in raw skins will improve in case this duty is abolished.

**Sir Muhammad Yakub** (Rohilkund and Kumaon Divisions: Muhammadan Rural): Certainly it will improve.

**Mr. Sami Venkatchelam Chetty**: It will not increase. As has been stated by my Honourable friend, Mr. Ananthasayanam Ayyangar, there is not a single country which is not planning its own economy in order to see that it is self-sufficient in all matters. I respectfully ask the Honourable Member there to point out one country which will take more raw skins if this duty is abolished. Who is our competitor in the matter of these raw skins, and what is the price that is ruling in respect of that?

**Mr. Muhammad Nauman**: England can buy.

**Sir Muhammad Yakub:** And Germany also can buy.

**Mr. Sami Vencatachelam Chetty:** So, Sir, there is a difference of opinion with regard to that between two Honourable Members. They are not quite sure which country it is that is going to take our raw skins.

**Sir Muhammad Yakub:** Both the countries will purchase our raw skins and there may be many other countries in Europe.

**Mr. Sami Vencatachelam Chetty:** We have shut out the trade of other foreign countries by the blessing which the last Assembly has conferred upon us, namely, the Ottawa Pact. We have been shut out from our Empire countries, and there is no meaning in expecting any increase in the export trade so far as other than Empire countries are concerned. I ask Honourable Members to point out one Empire country which would take more raw skins in case this export duty is abolished. It might be a flattery to the interests of those who want to oppose this and who want to see this export duty abolished. I daresay that if they are going to join hands with the Government which is already strong in this matter, they might be able to defeat us, but let them understand that they are causing an unnecessary sore in the interests of other people with absolutely no tangible benefit to themselves, and if their unfortunate example should be followed by us, we would be drawn to the necessity of acting as a stumbling block to those that might ask for protection on behalf of their province in respect of any particular article in which they are interested. (Applause.)

**Dr. Ziauddin Ahmad:** Sir, I may tell at the very outset that I have no direct or indirect interest in this particular trade or in this particular industry.

**Mr. S. Satyamurti:** In what other trade are you interested?

**Dr. Ziauddin Ahmad:** I may point out that I am interested in the prosperity of the country. I may add that I have known persons who are interested in the export trade and also persons who are interested in the tanning industry. Mr. Jamal Muhammad, who is very much interested in the tanning industry, is a personal friend of mine. Therefore, I look at the whole problem from a dispassionate point of view. Perhaps it would be well that I should give the real difference between hides and skins, because some Honourable Members may not realise the difference between the two. The skin of buffaloes and cows is called hides and the skin of goats and sheep is called skin. This is the real difference between hides and skins. I was told by a tanner, I do not know how far it is correct that Indian conditions are not good enough to tan leather of really first class type.

**Maulvi Syed Murtaza Sahib Bahadur:** You are wrong.

**Dr. Ziauddin Ahmad:** I may be wrong.

**Mr. Lalchand Navalrai (Sind: Non-Muhammadan Rural):** Then, why do you make a wrong statement?

**Dr. Ziauddin Ahmad:** This is the opinion of my friend over there. Let experts fight out the whole thing outside the Chamber and leave me alone.

to continue the debate. In proof of this, that India is not fit for high class tanning, I may just here give the figures of imported leather in this country. I have got before me the sea-borne trade for 1934. The import of tanned hides, in 1929-30, was Rs. 7,31,240, and in 1933-34, it has increased to Rs. 13,06,582. As regards weight, in 1929-30, it was 99 tons valued at Rs. 7,31,240; in 1930-31, it was 40 tons valued at Rs. 5,22,499; in 1931-32, it was 65 tons valued at Rs. 7,97,600; in 1932-33 it was 122 tons valued at Rs. 12,78,081 and in 1933-34 it was 166 tons valued at Rs. 13,06,582. Sir, thus it appears that the import of tanned skins is continually increasing from 1929-30, and, in spite of that fact, no tanner has ever applied and no tanner has ever demanded that this particular industry should be protected by means of an import duty. The very fact that they did not apply for any import duty in order to stop this import of skin into this country clearly shows that the kind of article which is being imported in this country cannot be produced in this country. If that is not the case, I should like to know why no demand has so far been made to protect this industry by means of an import duty. I may be permitted to refer to the history of this particular industry. I will not follow the example of a great philosopher who began the history of philosophy from the time of Adam. He began his history by first discussing whether Adam was or was not a philosopher. I will not take you to the time of Adam and Eve in tracing history of this particular trade, but anyone who is interested in this particular trade, in the earlier stages, will please consult Macdonald's History of Sanscrit literature, pages 167-168, and if you come to the Middle ages, you may take Mooreland's book. I will really begin from the time when this import duty of 15 per cent. was levied in 1919. On September 11, 1919, an import duty of 15 per cent. was levied and the effect of this duty was really well summarised by Chaudhri Shahabuddin (now Sir Chaudhri Shahabuddin) during the debate in 1927:

"During the twelve months, preceding the imposition of export duty 32,960 tons of raw and 29,577 tons of tanned hides and 33,006 tons of raw and 5,033 tons of tanned skins were exported. As against these figures let me quote the figures of exports during the year 1920. From January, 1920, to the end of December, 1920, the figures are, raw hides, 24,952 tons; tanned hides, 7,178 tons; raw skins, 16,186 tons and tanned skins, 3,135 tons. A comparison of these figures clearly shows that the export of raw hides and skins has gone down considerably; and that the export of tanned hides and skins as compared with the figures for the twelve months preceding the imposition of the export duty is ridiculously small."

That was the effect immediately after the imposition of the 15 per cent. duty. This question was also examined by the Fiscal Commission a year later, and their verdict is as follows. The Report says on page 107, paragraph 190; that the duty on raw hides and skins is wrong in principle, and that, if the tanning industry requires protection, it should be given by an import duty and not by an export duty.

**Mr. Sami Vencatachalam Chetty:** Then, they accept the principle of protection.

**Dr. Ziauddin Ahmad:** The Report says on page 108:

"We have received evidence that the hides are frequently allowed to rot on the carcasses, and that in consequence of the low prices, which have undoubtedly been accentuated by the export duty, a source of wealth, in the aggregate not inconsiderable, has actually been destroyed."

[Dr. Ziauddin Ahmad.]

Well, Sir, that is really the finding of the Fiscal Commission. Now, the report further continues and says:

"It has been suggested to us that one effect of the export duty on hides has been, by making the sale of hides unprofitable, to reduce the number of cattle slaughtered and that, from this point of view, the duty has had a beneficial effect on the country generally. It is, however, by no means clear that the duty has had any effect in reducing the number of cattle slaughtered. We have already pointed out that the demand for high class hides which are derived from slaughtered animals has been comparatively less affected, and that the main cause of the smaller supply of hides was that the hides were not collected from the cattle which died a natural death."

In the end, they say:

"We are opposed to the use of differential export duties for the purpose of granting preference. The existing export duty on hides and skins contains a preferential provision. The duty is at the rate of 15 per cent. *ad valorem* with a rebate of ten per cent on hides and skins tanned within the Empire. We have no hesitation in condemning this provision, both on general grounds of principle and on a consideration of the actual effect it has produced."

This was the finding of the Fiscal Commission on the export duty which the Government levied in 1919. Sir, the question was again examined very clearly in 1927 when the proposal was laid before the Assembly to abolish this duty altogether. Here, I may just quote from the speech of Sir Charles Innes who first moved this particular motion. In moving this motion before the House in 1927, he said:

"Let me remind the House of the history of this unfortunate export duty. It is one of the worst mistakes that the Government of India ever made. At the end of 1919, at the height of the post-war boom, when neither the Government of India nor the trade were in a condition, I think, of real sanity, the Government of India arrived at the conclusion that they were in a position to dictate the form in which their raw materials, these Raw Hides, should leave the country. Consequently they put on this extremely heavy export duty, an export duty of 15 per cent *ad valorem*."

Later on, Sir Charles Innes, while moving this particular motion, said:

"Now, Sir, I come from Madras. I used to take a very great interest in that industry, in fact I used to run a School for the benefit of that industry. But, Sir, though I come from Madras, I protest most strongly against sectional interests like the interests of Madras and Cawnpore in a House like this, a House which is representative of all India, being allowed to override the general interests of the country. Sir, what is the Madras tanning industry? I do not wish to decry it, but is it an industry which makes things which are used in this country? No. The Madras tanned hide is merely a half-tanned hide. It is a very useful industry in that it employs a certain number of tanners, but the product is exported, just like the raw hides are exported, to England. It is not an industry which produces anything for use in India. And if you want protection for industries of that kind, take protection by all means after you go to your Tariff Board, but protect them by means of an import duty, do not go protecting them by means of an export duty of this kind."

This is the speech that Sir Charles Innes made in 1927. Then, he goes further:

"In Burma the effect this export duty has been—I say it with sorrow—very disastrous indeed. All efforts to encourage tanning in Burma have failed, the trade has been gravely injured. The House this morning did justice, as they thought, to the poor man. Let me appeal to the House again to do justice to a poor trade."

Before I take you to the history of that tanning from the year 1927 onwards, let me just divert and reply to one or two arguments used by my Honourable friends, Mr. Ayyangar and Mr. Chetty. As regards Mr. Ayyangar, I am really very much surprised to note that he used the very same paragraph which I wanted to use in support of my proposition. He also used the same argument which I am going to use in favour of my argument and this reminds me of the proverb:

“Bold is that thief who always walks with a lantern in his hand.”

He reminds us of unfavourable balance of trade. It is really to make a good balance of trade that I am advocating that this duty should be abolished so that our export duty may be increased.

Now, as regards the other points, I will come to them later on. This was the history of the year 1927. From the year 1927 up to the year 1932, I summarised the whole thing in my speech in this House on the 28th March, 1933. I said:

“The Government decided in 1927 that the 5 per cent export duty should be removed. Therefore, I take 1927 as the starting-point and I will show things have changed from bad to worse. I want to establish certain propositions and I leave the Honourable House to draw their own inferences. The first proposition that I want to establish is that the hides and skins export trade is diminishing. This I do by showing that our export has diminished and our income from export duty has also diminished. In proof of that I shall just give a few figures. In the year 1927-28, the export of cow hides was about 30,500 tons. Now it has diminished to about 10,500 tons, that is, to about one-third. I have taken the figures of the last ten months and added to it one-fifth in order to get the exports for the whole year of 1932-33. Buff hides in the same year was 8.8 thousand tons; now it is reduced to  $1\frac{1}{2}$ , that is about one-fifth. Goat skins were 18,706; now they have been reduced to 11,138. Therefore, we find that the export of hides and skins of every variety has been further diminished since the time we decided to remove the duty of five per cent, i.e., 1927-28. Looking at the same thing from the point of view of income, we find that the income from export duty has also been steadily diminishing. In 1929-30, our estimated income was Rs. 57.74 lakhs, but realised only 35.49; in 1930-31, actual income was 24.80 lakhs; last year it was only Rs. 14 lakhs, and this year it is not likely to be much above though our estimates are for 14 lakhs. So, the actual income has diminished from Rs. 38 lakhs to about ten lakhs. I have, therefore, established by giving figures that the trade has diminished to about one-third during the last five years and that the income also has diminished by about the same proportion, and the tendency is still downwards and we are going down by double marches.”

So I said that, up to 1927, the trade was diminishing, and the figures that I have just quoted show that, during the next five years, 1928 to 1933, the trade has been further reduced to one-third.

**Mr. M. Ananthasayanam Ayyangar:** In tanned skins and hides also?

**Dr. Ziauddin Ahmad:** I am coming to that just now:

“My second proposition is that not only has the export of raw hides and skins diminished, but also the trade in the so called ‘tanned skins’. Because some people argue, that because one thing has diminished, the other thing has gone up and they erroneously believe that the loss of export trade is the gain of Madras.”

It is really the belief of some people that if the trade in raw hides diminishes the trade in tanned hides will increase proportionately. That

[Dr. Ziauddin Ahmad.]

is a proposition which is wrong. Had this been true I would perhaps have supported the original proposition:

"I want to prove that the export of tanned hides and skins has also decreased. Let me give you the figures. In the year 1927-28, the amount of tanned buffs and cows exported was 15,760, and this year it is only 9,177. For this year I have taken the figures of the last ten months and added one-fifth to it. In the case of goat-skins, it was 3,724 tons, and now it has diminished to less than 3,000 tons, and the total of tanned hides and skins of every description has diminished from 23,256 in 1927-28 to 14,738 in 1932-33. In other words, the trade of tanned skins has also diminished to about two-thirds."

Therefore, from these figures it is clear that during the next five years our export in raw hides has diminished and our revenue therefrom has diminished to one-third and the trade in tanned skins has diminished to two-thirds. Both of them diminished but the raw hides diminished to a greater extent.

Now, Sir, after 1933, the Government of India abolished the duty on hides, and what was the effect? Here I take the figures of this year. Before I gave the figures let me remind the House that on one occasion, when I advocated the abolition of the duty, the Commerce Member wanted me to prove that if the duty were abolished the trade would revive. This was the question which he also put to a deputation of merchants which waited upon him to advocate the abolition of this duty. In this matter certain documents were placed in my hands. I think I showed them to the Finance Member and I quoted them in my speech in which I said that if the duty of 5 per cent. be abolished the merchants of this country can successfully compete in Germany, America, the United Kingdom, with other countries who carry on similar trade. It was this five per cent. duty which really works on them as a handicap. I do not argue now in theory, because a year has passed away since the export duty on hide was abolished and I have now got the facts before me. We remember that the duty of five per cent. on hide was abolished last year, but the duty on skin was retained. Here I have a copy of the "Sea-borne Trade" of February, 1935. On account of the abolition of the five per cent. duty, the trade in hides has gone up. . . .

**Mr. B. Das** (Orissa Division: Non-Muhammadan): Was that the only cause?

**Dr. Ziauddin Ahmad:** . . . and the trade in skins has gone down. Had it been due to other causes, it would have affected both; but the very fact, that the trade in hides has gone up and the trade in skins has gone down, clearly shows that it was really due to the abolition of the export duty on hides. I am sure, if the duty on skins is abolished, the trade in skins will also go up. Looking at the figures of sea-borne trade for February, 1935, (page 192) we find that export trade was 18,261 tons for 11 months in 1933-34, and it has increased to 19,998 tons for the same period this year. In the case of goat skins, the figures are 17,774 tons last year and 13,499 tons respectively, therefore, we find that by the abolition of the five per cent. duty on hides the trade in hides has gone up, while that in skins has gone down. Had it been due to some other factors, which my friend, Mr. B. Das, was contemplating, and which he will probably expound in the course of this debate, then I

would certainly ask him, why did it affect only hides and why did it not affect skins? But the figures I have quoted are clear proof that this five per cent. duty is the root cause behind.

As regards this duty on skins, I would remind Honourable Members of some speeches on this subject: I would like to quote the same passage which has been quoted by my friend, Mr. Ayyangar, where he says:

"The value to India of this industry taken as a whole—the raw stuff and leather industry, is about 40 to 50 crores.....it provides employment to large numbers of men, not only tanners but also other people, and this is a factor in the economic well being of millions of the depressed classes", *the depressed classes being these chamars and others.*

I would like to quote one or two passages about the effect in the case of the hide industry from my speech which I delivered in 1931:

"The effect in the case of the hide industry has taken the form of complete strangulation of the source of income of many thousands of the lowest classes of village-dwellers. These men who are engaged in the collection of hides from fallen animals and the preparation of such hides for sale in the various markets throughout India are immediately and particularly unfairly affected by a drop in the exports to foreign countries. The position today is that the prices which the shippers can afford to pay for their hides are so low that, by the time the material has been railed to the ports and the profit of the *Beparis* been set aside, there remains for the village-fayer a figure so small that it is no longer worth his while to collect the hides and cart them to the market."

There is one passage more . . . .

**Mr. B. Das:** Whose speech are you quoting?

**Dr. Ziauddin Ahmad:** My own speech. (Laughter.)

"If we calculate the value of these skins and the loss to India, by a simple mathematical calculation, it comes to about Rs. 6 crores a year. Therefore, on account of the policy of the Government, in one particular commodity alone, the whole country is losing Rs. 6 crores every year."

That was what I said in 1931. The loss is greater in 1935.

Now, coming to recent figures, I will quote from the same book which my friend, Mr. Ayyangar, quoted from: he quoted the passage which suited him and did not refer to the figures which are given in the same book—I will quote them—page 11 in the Review of Trade for 1932-33. In the year 1913-14, the value of the export trade in hides and skins was Rs. 11,69 lakhs: in the year 1932-33, it has been reduced to Rs. 2,76 lakhs or a loss of about Rs. 9 crores to India on account of this fall in trade. Coming to the next page, we find that, as regards the tanned hides and skins, the figures of export for 1913-14 are Rs. 422 lakhs. while, for 1932-33, it is Rs. 466 lakhs or an increase of only 40 lakhs. Therefore, my friends, the people of Madras, are gaining only Rs. 40 lakhs at the expense of nine crores for the rest of India; and I ask, is it business? I can quite understand a loss of 110 or 125 to gain 100 rupees: but if we have to lose nine crores to make 40 lakhs, that is a proposition too good to be admitted or supported.

There is one other proposition which my friend, Mr. Chetty, challenged, and here I wish to establish this other proposition as well: this is what I wanted to prove:

"My third proposition is that the world requirements have not diminished. that the amount of hides which Germany, America and the United Kingdom have been

[Dr. Ziauddin Ahmad.]

importing from other countries during the same year has remained almost uniform. Though our exports have diminished, the world requirements have not diminished, and therefore one cannot say that this diminution is due to world depression. If it had been due to world depression, then certainly the import of hides and skins into countries like Germany, America and the United Kingdom would also have diminished. I have got the import figures of all these three countries in my hand. The imports from Germany are pretty nearly five millions; it is just fluctuating, slightly over and sometimes slightly less, but it is practically about five millions. I need not read all the figures, because they would be uninteresting, it was five millions in 1912, 5·7 in 1931 and 5·3 in 1932. Now, coming to the United States, I find there also the quantity of import is practically the same. The imports from India into the United States of America have diminished from 38 per cent of the total to about 28 per cent, and the amount from China has increased from 13 per cent to 17 per cent. My point was that the world requirements have not substantially changed. The demand for hides and skins in these three important manufacturing countries is pretty nearly uniform. Hence I conclude that our loss of trade both in tanned skins and in raw hides is not due to the world depression. That is the third proposition which I wanted to establish.

The next thing which I want to prove is that the price at which the duty is calculated is not the price of the day, but it is the price which Government evaluated a few years back, and therefore the five per cent duty really works out to something much higher. In the case of goat skins the prices have gone down to about 60 per cent, and therefore the actual duty which they have to pay is not five per cent, now, but 8·13 per cent. In the case of kid skins, it is about 14 2/7. In the case of smaller pieces, the duty is so large that the trade has practically been killed, because the value has fallen to Rs. 15 per hundred pieces, and therefore the 5 per cent duty works up to 33·3 per cent. and this duty has killed completely the trade of smaller pieces."

The next thing I want to prove is that the tanning industry in Madras practically tans for India. This is what the Fiscal Commission said :

"As regards skins, the proportion consumed by the indigenous tanning industry—both organized and of the cottage type—is much smaller. No precise information is available, but over a decade ago the Indian Munitions Board estimated that nine-tenths were exported. In the triennium ending 31st March, 1929, the proportions of (i) raw skins exported to (ii) those tanned in the country and then exported and to (iii) those tanned and finally consumed in the country work out to 6 : 4 : 1.

Mr. B. Das: No, no.

Dr. Ziauddin Ahmad: My friend says "No, no", but I quote from an authoritative Report, and if my friend objects, he must also quote from an authoritative work.

My friend then said that 20 per cent. was exported and that consumed in this country comes to about 80 per cent. These figures may apply to Madras, but they cannot really apply to other parts of India. In regard to skins of slaughtered animals we do consume about 80 per cent. but in regard to skins of animals, which die a natural death, the number is just the reverse, and a very large quantity is exported to foreign countries. I say, I am prepared to give Madras the entire market for India. We support you in all measures if you are prepared to supply the Indian demand. We are also prepared to allow you to compete in any foreign market provided you also allow us to sell the surplus stock to outside world and place them in a position so that we may compete with them with the outside world. You may take whatever you want, but for goodness's sake, place us in such a position that we may be able to sell the surplus goods in the foreign market. Demand whatever you want, but, at the same time, you should not place us in a position that we may not

compete with other countries. It is a proposition which is neither philanthropic nor generous. This is really what is happening. If the Madras tanners desire that their industry should be protected, I am all with them, but this protection should be in the shape of an import duty and not export duty. But if you want that this industry should be protected by levying an export duty on raw hides so that they may buy this stuff at a nominal price or for no price at all in order to enable them to compete with the outside world, this is not desirable. The point I want to impress upon the House is this. This duty of 5 per cent., as I have proved, had affected very adversely our export trade in hides and skins. I also showed that it has gone down to about one third and by removing this duty, as I have also proved, the trade in hides has gone up and the trade in skin has gone down, and; therefore, I am sure, that if the present duty is removed, our trade in skin will improve, and though it may not reach the position it held in 1914, still it will make a substantial improvement. I have also proved that our loss on account of this duty is about nine crores, but I think these figures are much larger now, because we ought to be able to export much more than we did in 1914-15. As the number of cattles now is much more than the number in the year 1913-14, the proportion of the export ought to have increased proportionately. Therefore, I support the proposition that the duty on skins ought to be abolished. I really advocated in 1930, in 1931-32, but the figures and the facts that have emerged since then have compelled the Government to come to this conclusion, a conclusion which they admitted in 1927 as correct and which they ought to have carried out then but which they did not carry out, and it is very gratifying indeed, that after all they are taking the right step to remove the genuine grievances of this particular trade. With these words, I support the original proposition and oppose the amendment.

**Mr. Muhammad Nauman:** Mr. President, I rise to oppose the amendment of the Congress Party and explain the position of the skin trade in India. From my own humble experience in commerce, as a member of different commercial bodies in India, and as a practical businessman dealing in hides and skins besides other commodities, I only feel that the skin trade has reached a level where it may be ruined, like the Indigo trade, unless some relief is immediately given.

May I inform the House that, on the one hand, skin leather is being replaced by the use of artificial leather, fabric oxide leather, and, on the other hand, this trade has to meet the competition from Russia, China, Madagascar, Mombassa, Africa, Persia and a few more other countries. My friends opposite told us that in the skin trade we were probably holding a monopoly. This is absolutely erroneous on his own arguments when he immediately said that we were holding only one-third share of the trade in skins in countries like the United States, France and England, etc. If one-third share in a trade can be said to be holding a virtual monopoly, I agree with him, but I hope he would not compel me to accept his absurd calculations and this kind of mathematics. For the information of the House I may say that Russia, China, Madagascar, Mombassa, Africa and Persia are all exporting raw skins to England, France, Germany, America and other countries who are import-

[Mr. Muhammad Nauman.]

ing skins from all different parts of the world, and India has not got any virtual monopoly in this particular trade. Every country in the world is anxious to export her own products and all possible facilities are afforded for the purpose. In this particular case, we feel that a certain interested section in a certain province are opposing the facilities for export to safeguard their own selfish end. I may point out to the House that my Honourable friends from Madras are under a delusion. They have not been able to make any substantial progress in the art of tanning during this era of protection which existed for the last sixteen years. Will my Honourable friends on the opposite point out to me whether they have been able to make any substantial improvement in the art of tanning? Can they compete with the tanning of foreign countries like Europe and America. Can they actually produce leather with that sort of finish which would compete with the finished leather of the western countries? What have they been doing till now? They have only been exporting half-tanned hides and skins. They say it employs a little more labour. But it deprives other provinces of the labour which they would have employed for direct export. Madras imports skins from the different skin emporiums like Cawnpore, Amritsar, Calcutta and Delhi, all the other provinces which are so far distant have to pay the freight between those places and Madras, and the Madras people only re-ship them to England or Germany or France or any other country in a half-tanned condition. If they would make the skins fit for use within this country and make it into a finished article, I would have been the first man to put, not only a five per cent. or ten per cent. duty, but a prohibitive duty, so that our country might have the use of her own raw products with a distinct advantage. But, if my Honourable friends in the Congress want that a certain section of the people in one province should be profited at the cost of other provinces, we should not allow it. What happens to Burma hides and skins? Those poor people have to send them out to Calcutta, the nearest hide and skin market, then it has got to be sent to Madras, and, then, from Madras, it is re-shipped to other countries like England, France, etc.

**Mr. Sami Vencatachelam Chetty:** Why did you not develop that industry yourself?

**Mr. Muhammad Nauman:** What do the Madras tanneries do? A very poor specimen of development.

**Mr. Sami Vencatachelam Chetty:** There is no answer to my question.

**Mr. Muhammad Nauman:** I am explaining, Madras tanneries only welt the skins, remove the hair by delimiting process, and make it half-tanned for shipment to foreign countries. They do not finish the skins or sell them in a condition to be used in finished articles. I was myself the owner of a tannery in Calcutta and I engaged Madrasi experts. But we have had to close it down because we could not compete in the skill for producing finished leather. Of course, we continued sending our half-tanned skins to foreign countries, but with no great advantage at all. There is another point which has got to be considered, and it is this, that

the freight expense of taking these skins to Madras, from the different skin emporiums, is another useless and huge item for only getting them half-tanned in Madras and profit the province of Madras. You can imagine the cost of taking these skins to Madras from Calcutta, Cawnpore, Delhi and Amritsar—the huge expense on railway freight. And for no other purpose than exporting the same to the same foreign destination to which they would have gone direct from these centres! It might be argued that the labour in Madras was being paid. But may I point out to the House that exporters require and use more labour than these tanners can? One argument of my Honourable friend in the Congress is that we will get them in a finished condition from foreign countries if exported in raw condition. For that, they should propose a prohibitive duty on the import of finished leather and not a duty on export of raw materials. Where protection has been granted in any country, it has been granted by means of an import duty on such articles which we use in this country and not on the actual export of raw materials from which we produce them. If my Honourable friend can cite to me any example of any civilised country where protection was given by duty on the export of raw materials, I should be quite willing to consider his suggestion once again.

**Mr. Sami Vencatachelam Chetty:** Protection can also take this form..

**Mr. Muhammad Nauman:** But till now, the form of protection has always been no other than what I have suggested, i.e., a prohibitive duty on import of finished leather.

**Mr. Sami Vencatachelam Chetty:** India can show an example.

**Mr. Muhammad Nauman:** We can talk all, but there must be a practical solution. The history of this duty only dates from 1919 when it was levied as protection. But what has happened during these 16 years? Tanning did not improve, but it only reduced the volume of the trade of other provinces. As a justification, I want to read the speech of Sir Walter Wilson, who was President of the Associated Chambers of Commerce and was a Member of this House in 1927.

**Mr. B. Das:** Now the cat is out of the bag. He has quoted the Associated Chambers of Commerce.

**Mr. Muhammad Nauman:** At least my Honourable friend will agree with me that Sir Walter Wilson was a more important figure in trade than many of us. Sir Walter said on the floor of this House:

“The object of this duty, as was explained by the Finance Member in the Imperial Council in 1919, was to protect Indian tanneries which were started during the War. Now there is a point to be emphasised there, that it was to protect the tanneries started during the War. The tanneries started before the War have on the whole been very successful in India and need no further protection. If it could be shown that the tannery industry as a whole needed protection to-day I should say, as I did originally on the Steel Bill, that the proper way to protect it would be by a system of bounties; but the protection does not appear to be needed for the reasons I have stated. The new tanneries have certainly had a very uphill battle, but the evidence I have is that the protection which has been given by this export duty has not been successful in its object and has, on the other hand, hampered an export trade. Now interests differ so much on this question. There are certain ports that have an export trade where there are no tanneries. If you take Bombay, Bombay has a considerable export trade.

[Mr. Muhammad Nauman.]

in hides, but it also has its tanneries. Cawnpore has its tanneries, but it has no export trade at all as a port, so that obviously interests differ. As I see it, the object was to encourage the tanning of hides within the country, but what has happened? I do not want to quote a lot of figures because my Honourable friend, Mr. Misra, quoted some.

I have only quoted this to show that Sir Water Wilson, who was considered to be an important man in the commerce of India, held this opinion, as long ago as 1927. My Honourable friend opposite over there says that a five per cent duty cannot help export. In the same way I may say that the removal of that duty cannot hinder the tanning industry. My Honourable friend on the Congress Bench said: "We only produce for others". I think this applies more to the Madras tanneries who only tan them in the first stage and it is only a step further from raw. The Madras tanners tan them in a half finished condition, which is only a step forward from raw. To give them the benefit of this five per cent. protection is to encourage them in continuing their profession of "Half art" for an unlimited time. They will never develop by this method. Another argument adduced is that it will encourage the killing of animals at a premature time. I think this is another absurdity. Goats are slaughtered for the necessity of the people, for supply of meat, and no consideration is made for ascertaining mature age. Concluding my speech, I will only point out that the figures which have been quoted on the floor of this House show that the trade has been decreasing all along. My Honourable friend, Dr. Ziauddin Ahmad, has fully explained the different figures which I need not repeat, but I will say this that since the hide duty was removed last year the hide export trade has improved considerably, whereas the skin trade has decreased in the meanwhile. The obvious reason is that, with a handicap of this duty, we cannot compete with other countries.

Then, my friend opposite asked me which were the countries which would take these skins if this five per cent. duty was removed, and what change it will bring on the trade? Probably he being himself a tanner, he does realise what change it will make, but he does not want to confess it here. The value of skins depends on selections and assortments. One skin has one value, so different to another. You can buy one skin for Rs. 3, and another for one anna a piece. The *ad valorem* duty is so fixed that we have to pay the same amount on the skin of one anna as we have to pay on the skin of Rs. 3 and for the last eight years we have not been able to ship any inferior class of skins, which value about Rs. 5 per 100 to any foreign country. Supposing we exported 100 pieces of 5 Rs. An export duty of 5 per cent on that means about 50 to 60 per cent. of value, and, by the time it reaches the destination, it means a lot in price, and we cannot resell same. The cost of these inferior skins in Europe will affect it so differently that we cannot ship them at all. We have been receiving letters from customers in England, Australia, Germany, who say that they could use our inferior class of skins provided they get them at cheaper price and we cannot give them at a cheaper price because of this duty. Supposing we paid Rs. 5 for 100 pieces of a fourth class skin and we have the five per cent. duty on the top, it only makes Rs. 10, and then, with the cost of freight, insurance and other things, we cannot sell them at all, and the poor butchers and the producers, who are *chamars* and depressed class people, have to throw them off

and suffer miserably. They can sell it for no price, and exporters will not have any use for them. I congratulate the Honourable the Finance Member on having taken this step. I brought this fact before the Commerce Member in 1933, when I led a deputation to the Commerce Member, on behalf of the Muslim Chamber of Commerce, Calcutta, and I was given a definite promise that Government would take action as soon as the time came. I am glad that it has now come when I am in this House as a Member. With these words, I oppose the motion, Sir.

**Mr. T. S. Avinashilingam Chettiar** (Salem and Coimbatore *cum* North Arcot: Non-Muhammadan Rural): I should like at the outset to correct my friend who has just finished. He made two mistakes. In the first place, I should like to say that Mr. Sami Vencatachelem Chetty is not a tanner.

**Mr. Muhammad Nauman:** He has told me that he knows tanning.

**Mr. T. S. Avinashilingam Chettiar:** That is something slightly different.

**Mr. Sami Vencatachelem Chetty:** What I said was that I learnt my business in the tanning industry. That is all I said.

**Mr. Muhammad Nauman:** What does it mean in the English language, if you do know the language?

**Mr. T. S. Avinashilingam Chettiar:** He is not a tanner and what he said was from a dispassionate point of view, out of which he could not reap any benefit. The second thing was that my friend said that a duty of 5 per cent. on Rs. 5 meant Rs. 10. That is something beyond my mathematics. (Interruption.) Beyond that, I was not able to understand very much. I am glad that Dr. Ziauddin is here. He was absent some time ago, because I would like to meet some of the points that he raised. If I understood him correctly, he made three propositions with which I have no quarrel. One is that the export trade has to be stimulated. No. 2 is that this tanning industry has to be protected, and he agrees that its claim for protection may be granted, but may be protected by an import duty and not by an export duty, and, No. 3 is that it represents a sectional interest and so it should not be allowed.

**Dr. Ziauddin Ahmad:** Sir Charles Innes said it.

**Mr. T. S. Avinashilingam Chettiar:** The weight of Sir Charles Innes' opinion has been endorsed by Dr. Ziauddin Ahmad. I am here, Sir, to give my humble answers to those three points, and, if possible, to satisfy him. I agree that exports have to be stimulated, that our balance of trade has to be met; that at present our balance of trade is not very favourable and it is getting dangerously bad against our country, and exports have to be stimulated. I suggest that there are two ways of making up the balance of trade—either by restricting the imports or trying to enlarge the exports, and I would suggest to him that in a matter like this we should follow the example of various other countries of the world. Italy, Roumania, Germany and even Persia are now restricting their imports. If we want to make the balance of trade all right, either we should restrict our imports or enlarge our exports. Both things can be done, but, as a right measure, I would suggest that imports should be restricted. I have no quarrel when it is said that exports must be stimulated. I am all for it but I am against it when it comes to a point of not encouraging our industries, rather of discouraging our industries for the sake of exports. Every civilised country encourages

[Mr. T. S. Avinashilingam Chettiar.]

the manufacture of her raw materials into finished goods within their own limits, for the simple reason that they can get work for their labourers, develop their industries and enrich the people of the country. To our surprise, what do we find in this country? We want to encourage the export of raw materials. We are having a small industry which is growing with the help of this duty. Our aim ought to be to export as much of manufactured goods as we can and we must try to make an article as much finished as possible, and, if we cannot do it like other countries, let us at least go half way and manufacture 50 per cent. in this country and export an article which is partially manufactured, and I would suggest to this House that if we do that, it will enrich this country to that extent. I agree with Dr. Ziauddin Ahmad that exports may have to be stimulated but those exports must be manufactured goods and not raw materials which may be necessary for the industry of this country.

**Dr. Ziauddin Ahmad:** I pointed out that the export has diminished by nine crores and the increase in the tanned hide is only about half a crore. How will you account for it?

**Mr. T. S. Avinashilingam Chettiar:** That is one of those things that pass my comprehension. With all the reference books in my hand, I must confess that my intelligence was not upto that. I could grasp the lakhs but I could never grasp the crores. It has been suggested that tanning is a growing industry in our country and encouragement has got to be given to it. Mr. Nauman said that protection may be given. Dr. Ziauddin Ahmad also said that protection may be given but what he suggested was that protection should be given by means of an import duty.

**Seth Haji Abdoola Haroon:** May I put one question, whether my friend Mr. Chettiar, can produce any figure or fact from which he could satisfy the House as to how much the export of tanned skins rose during the last five years?

**Mr. T. S. Avinashilingam Chettiar:** I am coming to that. (Interruptions.) My Honourable friends will allow me to proceed, and I shall be able to answer them as much as I can.

The second suggestion of Dr. Ziauddin was sought to be supported by the very valuable and weighty authority of the Indian Fiscal Commission. He tried to make out that protection can be given to the tanning industry only by an import duty. Sir, if you will pardon me I shall quote a few figures, for I am not fond of quoting too many figures myself. It is from the Indian Year Book. Sir, the import of leather goods into this country—I am reading from the import of merchandise quoted here for the year 1932-33—of leather goods and shoes is Rs. 55.77 lakhs. With this I would mention another matter, i.e., tanned skins in the raw state are being exported to the tune of ten crores, if I remember aright, and how are you going to give protection to an industry in which about Rs. 25 crores worth of manufacture is concerned by putting an import duty on half a crore worth of finished articles? I am taking the statistics of the Hide Cess Enquiry Committee, which suggested that about 50 crores of hides and skins are produced in this country, and that is what my Honourable friend, Mr. Jamal Muhammad, says—out of which we may take it, for the present, that now the price has come down to fifty per cent. so that we may presume that about Rs. 25 crores are produced in this country. Of these

25 crores, about ten crores are exported out of India, four crores are in the raw form and six crores are in the tanned form. I have got the figures for the year 1928-24.

**Seth Haji Abdoola Haroon:** At that time the exports were very high. What are the figures today?

**Mr. T. S. Avinashlingam Chettiar:** In 1933-34, the export of tanned skins was about six crores and the import of raw skins was about 19 crores—I mean, 19 million tons.

**Seth Haji Abdoola Haroon:** 18 million only.

**Mr. T. S. Avinashlingam Chettiar:** What I suggest is that when there is an export of six crores and an import of 50 lakhs, it is beyond my comprehension how you can give protection to a trade of six crores by giving protection to 50 lakhs of most finished articles imported into this country? Common sense says and public finance demands that by a small duty on very finished and specialised articles you can never give protection to a material which can be used for so many other articles. Protection by means of an import duty on shoes and boots can be achieved only to the extent of that shoes and boots industry, but, on the other hand, there are leather skins and hides which can be utilised for so many other purposes: that can never serve as a protection to these vaster category if you impose so small an import duty on a particular and specialised item of the goods. Thirdly, an import duty not being sufficient, neither it being possible for an import duty on boots and shoes to give protection to the tanning industry, I would suggest the question: "what is the way in which you can give protection?" and the answer will be: "by an export duty on raw skins". I would take up the third point of Dr. Ziauddin and that is, that sectional interests are concerned in this matter and national interests are endangered. Sir, I absolutely agree that sectional interests should not be sacrificed for national interests, but I would ask—are these sectional interests? If tanning is a sectional interest, where 50,000 workers are employed in the tanning factories and about three million workers are employed in cottages, I ask what is not sectional? If an industry which caters to the necessities of 30 lakhs of workers is not a national industry, and if it is a sectional interest, then it is beyond my comprehension to know what is really a "national" industry. Take any other industry: take the textile industry, the sugar industry, every other industry. I submit every such industry can, in each case, only be confined to a particular province or to particular people: and if we take them as sectional, there is no other industry which can be said to be non-sectional. What I would suggest is that an industry which commands the employment of so many men and in which money is invested to the tune of Rs. 20 crores can never be considered sectional. Sir, I think Sir Charles Innes must have had other reasons for saying what he has been reported to have said. The arguments of Sir Charles Innes did not go very much further.

**An Honourable Member:** That House contained Swarajists.

**Mr. T. S. Avinashlingam Chettiar:** The House rejected this proposal by the casting vote of the Chairman and the proposal was not carried. I would suggest that in a matter like this we should not go away with the idea that something is sectional and say: "we should not vote for it". This is a matter in which large numbers of people are concerned.

[**Mr. T. S. Avinashilingam Chettiar.**]

Next, Sir, there has been another argument generally advanced against this export duty, and that other argument is that this duty works as a hardship on the agriculturist and the poor man. In fact, while speaking on another matter, the Finance Member said the other day that if the import duty is allowed to remain, the agriculturist would lose part of his income. I would submit that this is not the case. In most cases in our country, as far as I know, in South India, this matter of hides and skins is in the hands of Harijans and the Harijans mostly do the work of the tanning in their own villages. Now it is beyond my comprehension to see how he does not get the benefit of the export duty. If he gets the work of tanning which he does, that means he gets the benefit of the duty. The tanner gets the benefit of the duty and the Harijans, who are mainly in charge of the work, get the benefit of the duty. They are the men in charge of carcases. There is no hardship to anybody here by the retention of the export duty. Its removal will help the export of the article in raw form to a greater degree, and in that sense it will deprive them of the work he has been getting. For these very reasons, I would suggest that there is a very good reason why these duties should continue, and I would again submit another point. During the discussion over the reconsideration of the system and policy of taxation obtaining in our country, my Honourable friend, Mr. Mody, said that there are many industries which have grown under the shade of revenue duties and these have now vested interests, and Government must think twice before recasting their system of duties, to the detriment of these vested interests. In 1919, Sir George Barnes—I think that was the name of the Honourable the Commerce Member when he introduced this Bill for an export duty—specifically stated that this export duty was being given as a sort of encouragement to the tanning industry, and I submit, Sir, that for all these reasons this export duty ought to be retained.

**Several Honourable Members:** I move that the question be now put.

**Syed Ghulam Bhik Nairang (East Punjab: Muhammadan):** Sir, the motion proposed by our Honourable friend, Mr. Ayyangar, has been discussed from the point of view of facts and figures by several speakers, some supporting it and others opposing it. I propose to make a few remarks against the motion of Mr. Ayyangar from what I may call a common sense point of view.

Our friend, Mr. Ayyangar, appeared to contend that the mere abolition of the export duty on skins will not accelerate the trade in skins. Now, I think it is quite clear from the comparative figures quoted by my learned friend, Dr. Ziauddin Ahmad, that ever since the export duty on skins was imposed, the volume of the export of skins has rapidly decreased. That may be, Sir, due to some other causes as well and it may not be due only to the export duty but certainly the export duty is one of the causes, because all Honourable Members, who are interested in this trade, have all along been contending that this export duty should be abolished. Those people who are actually engaged in that trade are expected to understand and know all the factors which go to raise the prices or to bring about a fall in the prices of their goods and all the facts relating thereto. So, their contention which has been very strongly maintained all along in this connection cannot be ignored. It appears to me after listening to the speeches on both sides that, although the last speaker,

our Honourable friend, Mr. Chettiar, contends that the motion before the House is not a sectional motion and that it is not in the interests of a section but in the national interest, there is no doubt that the case really stands as Madras *versus* the rest of India. There appears to be a great desire on the part of the Honourable Members hailing from Madras to push the motion to success anyhow, and to get the proposal of the Honourable the Finance Member to remit the export duty on skins somehow rejected. In fact, the Mover, Mr. Ayyangar, in one part of his speech did make an appeal to Members from other provinces that Honourable Members from other parts of India should consider his motion in the spirit of self-sacrifice and that other provinces should make a sacrifice in the interests of the tanning industry which is growing up in Madras. Now, from that point of view, it may as well be said that Madras may impose on itself a self-denying ordinance in favour of other provinces because, on the showing of Mr. Chetty, who followed Mr. Ayyangar, there are only 50,000 workers employed in the tanneries, and, as pointed out by Mr. Chettiar, there are about three million people who are engaged in the cottage industry of tanning. If that is so, I may point out that it is a very small number indeed which is, according to these learned speakers, beneficially affected by the existence of this export duty, whereas there is a very large number of people indeed—I think it may be about a hundred times more than this number—who are affected adversely by the incidence of this export duty. Everyone who sacrifices a goat has an interest in getting the price of the skin. Now, just count how many people in India sacrifice goats on the occasion of the *Idul Asha* and how many out of them sacrifice more than one. Then, just count how many people go about purchasing those skins and how many others are interested in purchasing from those purchasers, till, of course, you reach the wholesale dealer in skins and then firms which export skins out of India. In that way you can count how many people are interested in this skin trade and their number is certainly very much larger than the number which is alleged to be interested in the tanning industry in Madras. So, the benefit of the abolition of this export duty will certainly go to a much larger number of people than the benefit of the retention of this export duty can go. In fact, to plead merely that in the interests of the tanning industry this export duty should be retained, is really arguing on a line which may be very dangerous indeed if applied to other things. One quotation from the speech of Chaudhri Shahabuddin has already been given by my learned friend, Dr. Ziauddin Ahmad, and from the same speech of Chaudhri Shahabuddin I propose to give another quotation, because he has put the point there much more forcibly than perhaps I can. Therefore, instead of putting the point in my own words, I would prefer to quote from his speech. I quote from page 138 of the report of the Hides Cess Inquiry Committee:

"It was intended that this should be stopped and that India should tan her own skins for her own use. Does not the same argument apply to cotton? Why is it that cotton is not subjected to any export duty? Is not cotton wanted in India? Is it not a fact that the very cotton which is exported from this country in enormous quantities is returned to this country in the shape of fine manufactured goods? Does not the same argument apply in the case of hides and skins? Sir, I may tell the Assembly that all people, especially the Mussulmans, are suspicious, and I for one would say that they are fully justified in their suspicions."

Now, surely we know that, apart from ginning and pressing factories, there are spinning and weaving factories established in India and, of course,

[Syed Ghulam Bhik Nairang.]

It is highly desirable that more such factories should be established and that spinning and weaving should be done in India, on a scale which may be sufficient to supply all the clothing in this country, and yet nobody has ever contended that for that reason and in order to keep cotton in this country, it should be subject to an export duty. On the other hand, we are anxious to find markets for the cotton grown in India. On the same principle, we are anxious to find markets for the skins which form the commodity of so much trade and so many firms and we want to carry on that trade under easy conditions. Therefore, we are anxious to see that this export duty is abolished. For this reason I oppose the motion moved by Mr. Ayyangar and I submit that we should, as proposed by the Honourable the Finance Member, abolish this export duty.

**Maulvi Syed Murtuza Sahib Bahadur:** As it is late in the day, I do not propose to occupy much of the time of the House. Sir, I support the motion put forward by my Honourable friend, Mr. Ananthasayanam Ayyangar, and supported by my Honourable friend, Mr. Sami Venkatachalam Chettiar.

**Sir Muhammad Yakub:** What a pity!

**Maulvi Syed Murtuza Sahib Bahadur:** My Honourable friend, Sir Muhammad Yakub, says what a pity that I support them. He will realise later on as to whether it is a pity or it is a reality that I want to give shape to. Sir, facts and figures have been furnished to this House by the previous speakers. So far as those that oppose this motion are concerned, my Honourable friend, Mr. Avinashilingam Chettiar, has rebutted the arguments put forward by my Honourable friends, Dr. Ziauddin Ahmad and Mr. Nauman. So, I need not go into those facts and figures. What I say is that all of us are unanimous in thinking that tanning industry in South India is next in importance only to the textile industry. It cannot be gainsaid by anybody here. While so, Sir, it was deemed necessary that this industry should be given protection; especially during the time of the Great War, South Indian tanners helped a good deal, not only the Britishers, but also the Allies, and, in recognition thereof, this export duty was imposed.

**Sir Muhammad Yakub:** What a loyalty!

**Maulvi Syed Murtuza Sahib Bahadur:** It was loyalty at the time of adversity. We are always loyal at the time of adversity, but we are not blindly loyal at all times like our friend. (Hear, hear.)

**Sir Muhammad Yakub:** What about Turkey? Loyalty to Turkey?

**Maulvi Syed Murtuza Sahib Bahadur:** It was only the Northern India people who were disloyal. Sir, at the time of the War, the tanners in Southern India helped the Government, and so this tanning industry was given protection which continued for years together. In 1927, an attempt was made to do away with it, and my Honourable friend, Dr. Ziauddin Ahmad, quoted from the speech of Sir Charles Innes and jumped to the conclusion that, because Sir Charles Innes was a civilian from Madras, he had every sympathy for this tanning industry, and such a man proposed that this export duty should be abolished. My Honourable friend

knows full well what fate it met at the hands of the Swaraj Party which did not consist only of Madrasis, but also of Members from all the provinces. That itself goes to prove that it was not a sectional question, but it is an all-India question. (Hear, hear.) What about the European Chamber of Commerce of Madras? This is not only an Indian question, but it is also a European question. They have passed a resolution to the effect that this export duty should be retained.

**Mr. Muhammad Nauman:** I quoted the opinion of the Associated Chamber, which is the mother of all these Chambers.

**Maulvi Syed Murtuza Sahib Bahadur:** My Honourable friend, Mr. Nauman, is personally interested in the matter, and, therefore, his contention is that this export duty should go off. He has also led a deputation which waited upon the Commerce Member for the abolition of this export duty. He prides himself on the presumption that, during his presence in the Assembly, this export duty is going to be abolished, and he also takes pride that the deputation led by him is to fructify.

**Mr. Muhammad Nauman:** I led the deputation on behalf of the Muslim Chamber of Commerce, a responsible body of important merchants.

**Maulvi Syed Murtuza Sahib Bahadur:** That is the Muslim Chamber of Commerce of Bengal, and not the Muslims of other Provinces. The last speaker, my Honourable friend, Syed Ghulam Bhik Nairang, said that only 50,000 people are earning their bread through this tanning industry, while, in other places, lakhs and lakhs of people are starving, and that is why he says that this duty should not be retained. I submit, it is not a question of only 50,000 people, but it is a question of 50,000 families who earn their livelihood by this tanning industry. Above all, the principle of protection to a local industry should be conceded, and we should not bid farewell to that principle. If this export duty is to be done away with, you will be doing away with the tanning industry altogether which, as I already said, is only next in importance to the textile industry. Moreover, Sir, the Harijan question also should be borne in mind. Those that are concerned in this industry are mostly members of the depressed classes. The other day, the House might have read that a Harijan came to Trichinopoly in search of work and he could not find any work, because some of the tanneries had been closed and so he committed suicide. Such is the case. If this export duty on skins should be abolished, then the result would be that the remaining tanneries in Southern India will also be closed resulting in starvation and suicide of many a member of the depressed class in whom all of us cannot but feel keenly interested. (Applause.)

**The Honourable Sir James Grigg:** I do not think it is necessary for me to detain the House very long in winding up this debate, because so many big guns have fired from opposite directions that I think most of the points which can be said to be detailed and technical points which can be made have already been met. Perhaps I might point out one misconception which seems to have prevailed in the course of the debate. As far as I can understand, there has been a good deal of mixing up of hides and skins. Here there is no question of export duty on hides; that was removed last year. On referring to my predecessor's speech last year, I find that had it not been for a few lakhs of revenue which he badly wanted,

[Sir James Grigg.]

or he thought he badly wanted at that time, he would have also removed the duty on skins. But this year it is only the question of skins that we are dealing with and so, as far as I can make out, a certain amount of argument that has been used which is entirely beside the point. To come to the broad merits of the question, I do not think two facts can be gainsaid. These two facts are that the removal of this export duty will benefit the export trade and that the removal of the export duty will benefit the agriculturists, the primary producers. The question of industrialisation has been raised and it is not necessary for me to go into the whole question of whether industrialisation is a good thing or not. What does seem to me to be raised here is a much narrower point and that point is that if you can only establish in India an industry by injuring the agriculturists who are already sufficiently depressed by the disasters which have happened to the world since 1929, then I think we have no right to exploit the agriculturists to establish that industry. And that is the point on which Government take their stand, and their proposal to remove this duty is a step simultaneously designed to promote the export trade and relieve to some very small extent, but an appreciable extent, the lot of the agriculturist.

5 P.M.

Sir, Government must oppose this amendment.

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

“That sub-clause (2) of clause 3 of the Bill be omitted.”

The Assembly divided:

AYES—61.

Aaron, Mr. Samuel.  
Aney, Mr. M. S.  
Ayyangar, Mr. M. Ananthasayanam  
Bajoria, Babu Baijnath.  
Banerjee, Dr. P. N.  
Bardaloi, Srijut N. C.  
Bhagavan Das, Dr.  
Chhattopadhyaya, Mr. Amarendra  
Nath.  
Chettiar, Mr. T. S. Avinashilingam.  
Chetty, Mr. Sami Vencatachelam.  
Das, Mr. B.  
Das, Mr. Basanta Kumar.  
Das, Pandit Nilakantha.  
Datta, Mr. Akhil Chandra.  
Desai, Mr. Bhulabhai J.  
De' Souza, Dr. F. X.  
Essak Sait, Mr. H. A. Sathar H.  
Fakir Chand, Mr.  
Gadgil, Mr. N. V.  
Giri, Mr. V. V.  
Govind Das, Seth.  
Gupta, Mr. Ghansham Singh.  
Hidayatallah, Sir Ghulam Hussain.  
Hosamani, Mr. S. K.  
James, Mr. F. E.  
Jedhe, Mr. K. M.  
Jehangir, Sir Cowasji.  
Jogendra Singh, Sirdar.  
Joshi, Mr. N. M.  
Khan Sahib, Dr.  
Khare, Dr. N. B.

Lahiri Chaudhury, Mr. D. K.  
Lalchand Navarai, Mr.  
Maitra, Pandit Lakshmi Kanta.  
Mudanan Mr. C. N. Muthuranga.  
Murtuza Sahib Bahadar, Maulvi  
Syed,  
Nageswara Rao, Mr. K.  
Faiywal, Pandit Sri Kriahna Dutta.  
Pant, Pandit Govind Ballabh.  
Parma Nand, Bhai.  
Raghubir Narayan Singh, Choudhri.  
Rajah, Raja Sir Vasudeva.  
Rajan, Dr. T. S. S.  
Raju, Mr. P. S. Kumaraswami.  
Ranga, Prof. N. G.  
Saksena, Mr. Mohan Lal.  
Satyamurti, Mr. S.  
Scott, Mr. J. Ramsay.  
Sham Lal, Mr.  
Sheodass Daga, Seth.  
Singh, Mr. Deep Narayan.  
Singh, Mr. Ram Narayan.  
Sinha, Mr. Aungrah Narayan.  
Sinha, Mr. Satya Narayan.  
Sinha, Mr. Shri Kriahna.  
Sinha, Raja Bahadur Harihar Prosad  
Narayan.  
Som, Mr. Suryya Kumar.  
Sri Prakasa, Mr.  
Umar Aly Shah, Mr.  
Varma, Mr. B. B.  
Vissanji, Mr. Mathuradas

## NOES—60.

Abdoola Haroon, Seth Haji.  
 Abdul Aziz, Khan Bahadur Mian.  
 Abdul Matin Chaudhury, Mr.  
 Abdullah, Mr. H. M.  
 Ahmad Nawaz Khan, Major Nawab.  
 Allah Bakhsh Khan Tiwana, Khan  
 Bahadur Nawab Malik.  
 Ayyar, Rao Bahadur A. A.  
 Venkatarama.  
 Azhar Ali, Mr. Muhammad.  
 Bajpai, Mr. G. S.  
 Baqui, Mr. M. A.  
 Bewoor, Mr. G. V.  
 Chatarji, Mr. J. M.  
 Clow, Mr. A. G.  
 Craig, The Honourable Sir Henry.  
 Dalal, Dr. R. D.  
 Drake, Mr. D. H. C.  
 Ebrahim Haroon Jaffer, Mr. Ahmed.  
 Fazl-i-Haq Piracha, Khan Sahib  
 Shaikh.  
 Gajapatiraj, Maharaj Kumar Vijaya  
 Ananda.  
 Gauba, Mr. K. L.  
 Ghiasuddin, Mr. M.  
 Ghulam Bhik Nairang, Syed  
 Gidney, Lieut.-Colonel Sir Henry.  
 Graham, Sir Lancelot.  
 Grigg, The Honourable Sir James.  
 Hockenhull, Mr. F. W.  
 Hudson, Sir Leslie.  
 Jawahar Singh, Sardar Bahadur  
 Sardar Sir.  
 Kirpalani, Mr. Hiranand Khushiram.  
 Lal Chand, Captain Rao Bahadur  
 Chaudhri.

Lindsay, Sir Darcy.  
 Lloyd, Mr. A. H.  
 Mangal Singh, Sardar.  
 Mehr Shah, Nawab Sahibzada Sir  
 Sayad Muhammad.  
 Metcalfe, Mr. H. A. F.  
 Milligan, Mr. J. A.  
 Morgan, Mr. G.  
 Muhammad Nauman, Mr.  
 Mukerjee, Mr. N. R.  
 Mukherjee, Rai Bahadur Sir Satya  
 Charan.  
 Nayar, Mr. C. Govindan.  
 Noyce, The Honourable Sir Frank.  
 Owen, Mr. L.  
 Rajan Bakhsh Shah, Khan Bahadur  
 Makhdum Syed.  
 Rau, Mr. P. R.  
 Row, Mr. K. Sanjiva.  
 Sant Singh, Sardar.  
 Scott, Mr. W. L.  
 Shafi Daudi, Maulvi Muhammad.  
 Shaikat Ali, Maulana.  
 Sher Muhammad Khan, Captain  
 Sardar.  
 Siddique Ali Khan, Khan Sahib  
 Nawab.  
 Singh, Mr. Pradyumna Prashad.  
 Sircar, The Honourable Sir  
 Nripendra.  
 Sloan, Mr. T.  
 Swithinbank, Mr. B. W.  
 Thein, Maung, U.  
 Tottenham, Mr. G. R. F.  
 Yakub, Sir Muhammad.  
 Ziauddin Ahmad, Dr.

The motion was adopted.

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

“That clause 3, as amended, stand part of the Bill.”

The motion was adopted.

Clause 3, as amended, was added to the Bill.

The Assembly then adjourned till Eleven of the Clock on Wednesday, the 3rd April, 1935.