

6th April 1935

# THE LEGISLATIVE ASSEMBLY DEBATES

(Official Report)

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Volume IV, 1935

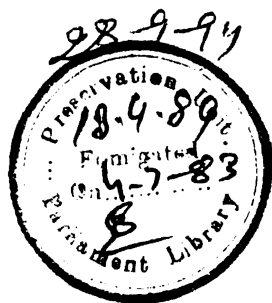
(29th March to 9th April, 1935)

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## 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.

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# LEGISLATIVE ASSEMBLY.

*Saturday, 6th 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.

## QUESTIONS AND ANSWERS.

### RECRUITMENT OF NURSES FROM ENGLAND AND FROM THE MINTO NURSES ASSOCIATION FOR THE IRWIN HOSPITAL.

1583. **\*Mr. G. Morgan** (on behalf of Lieut.-Colonel Sir Henry Gidney): (a) Is it a fact that Government propose to recruit the nursing staff (matron and sisters) necessary for the Irwin Hospital, now under construction, from England and from the Minto Nurses Association? If so, why?

(b) If the answer to part (a) be in the negative, will Government state whether they are prepared to recruit the entire nursing staff from all communities in India?

**Mr. G. S. Bajpai:** (a) and (b). The question of the composition and strength of the nursing staff for the Irwin Hospital is being examined and no decision has yet been reached. The Honourable Member's suggestion will receive most careful consideration.

### COST OF BUILDING THE "INDIA GATE" IN NEW DELHI.

1584. **\*Mr. A. K. Fazlul Huq:** (a) Will Government be pleased to state the total cost of building the "India Gate" in New Delhi?

(b) How long did it take to build it?

(c) Who was the contractor?

(d) Were any tenders called for? If so, who are the persons or firms which submitted tenders? What were the various estimates quoted?

(e) Who passed the final orders accepting the approved tender?

(f) What purpose is this 'India Gate' intended to serve?

**The Honourable Sir Frank Noyce:** On the assumption that the Honourable Member refers to the All-India War Memorial Arch, the information required is as follows:

(a) Rs. 6,18,918.

(b) Eight years.

(c) Messrs. Sujan Singh and Sons, and Messrs. the Stone Dressing Co., were the Contractors employed on the work.

(d) Yes. The information asked for in the latter part of the question is not now available.

(e) The tender of Messrs. Sujan Singh and Sons was accepted by the then Superintending Engineer, II Circle, and that of the Stone Dressing Co., by the Chief Engineer, Central Public Works Department.

(f) It is a memorial to the officers and other ranks of the Indian Army who lost their lives in the Great War.

**Mr. A. K. Fuzlul Huq:** As regards the answer to clause (d) of the question, have any attempts been made to find out the names of the persons who submitted tenders?

**The Honourable Sir Frank Noyce:** No, Sir. As I have said, the information asked for in the latter part of the question is not now available.

CONTRACTORS ENTRUSTED WITH CERTAIN WORKS IN BUILDING NEW DELHI.

1585. **\*Mr. A. K. Fuzlul Huq:** (a) Will Government be pleased to state the names of the various contractors who were entrusted with the work of constructing structures, roads, avenues, gates and other architectural or connected works involved in building New Delhi?

(b) Were tenders invited? If so, will Government be pleased to lay on the table the names of the persons or firms who submitted tenders? What were the respective quotations?

(c) If tenders were not invited, will Government please state the reason for not doing so?

**The Honourable Sir Frank Noyce:** The Honourable Member's question covers every activity undertaken in connection with the building of New Delhi, and any attempt to answer it would involve an expenditure of time and labour out of all proportion to the results likely to be attained.

**Mr. A. K. Fuzlul Huq:** Was any attempt made to collect the information?

**The Honourable Sir Frank Noyce:** No attempt will be made.

**Mr. S. Satyamurti:** May I ask,—as a general practice, were tenders invited? I am not asking for details, but I am asking, generally, in the matter of the construction of all these works, were tenders invited?

**The Honourable Sir Frank Noyce:** I think, Sir, that in all cases that is the practice.

RESOLUTIONS ADMITTED FOR DISCUSSION BY THE HONOURABLE THE PRESIDENT OF THE LEGISLATIVE ASSEMBLY DURING THE DELHI SESSION, 1935.

1586. **\*Mr. A. K. Fuzlul Huq:** Will Government be pleased to state the number of Resolutions admitted for discussion by the Honourable the President of the Legislative Assembly during the Delhi Session, 1935?

**The Honourable Sir Nripendra Sircar:** The Honourable Member's attention is invited to Admitted Lists Nos. 13-A, 18-A and 23-A, dated the 29th January, 1935, the 2nd February, 1935, and the 11th February, 1935, respectively, which contain the information asked for and which were circulated to all the Honourable Members. It will appear therefrom that so far 59 Resolutions have been admitted by the Honourable the President during the current Session.

**Mr. Lalchand Navalrai:** Can the Honourable Member say how many were not admitted?

**The Honourable Sir Nripendra Sircar:** If my Honourable friend will put down a question, I will make a calculation.

**APPOINTMENTS IN THE MINING DEPARTMENT GIVEN TO STUDENTS PASSING FROM THE DHANBAD SCHOOL OF MINES.**

1587. **\*Mr. Satya Narayan Sinha:** (a) Are Government aware that in the colliery of the East Indian Railway at Beniadih two vacancies are going to be advertised in the near future?

(b) Will Government please state whether the students who obtained degrees from the Mining School at Dhanbad in Bihar are eligible for the posts to be advertised?

(c) Is it a fact that only one Biharee student has obtained the degree from the said school?

(d) Will Government please state how many people have secured appointments in the Mining Department, who have passed from the Dhanbad School?

**Mr. P. R. Rau:** Government have no information, but have forwarded parts (a) and (b) of the question to the Agent, East Indian Railway, for consideration.

(c) No, the correct number is nine, including five diploma holders and four certificate holders.

(d) Three.

**PAYMENT OF LOCAL TAXES BY NON-GAZETTED EMPLOYEES ON STATE-MANAGED RAILWAYS.**

1588. **\*Mr. A. K. Fuzlul Huq:** (a) Will Government please state the reasons and circumstances under which a non-gazetted employee on State-managed Railways is required to pay local taxes, such as, *haisiyat* tax, circumstances and property tax, etc., when he has no personal property except the legal remuneration (pay and allowances) on which he under the rules pays Income and Super-taxes?

(b) Do Government propose to protect their employees from the local (Municipal or District Board) taxes? If not, why not?

**Mr. P. R. Rau:** (a) Liability to pay these taxes is governed by the terms of the relevant local legislation.

(b) Government do not propose to take any action.

**DIFFERENTIAL TREATMENT METED OUT TO WORKSHOP EMPLOYEES ON STATE-MANAGED RAILWAYS.**

1589. **\*Mr. A. K. Fuzlul Huq:** (a) Will Government please state the reasons and circumstances under which the Workshop Employees on State-managed Railways are treated differentially as compared with other employees in respect of leave, passes, residential quarters, hours of employment, medical treatment, etc.?

(b) Do Government propose to rectify the anomaly? If not, why not?

**Mr. P. B. Rau:** Conditions of service for the different classes of non-gazetted employees are generally based on the nature of the work required to be done by them. Government are not aware that workshop employees are treated differently from other non-gazetted employees in respect of passes and medical treatment.

There are differences in the conditions of service of workshop and other employees in the matter of leave, residential quarters, and to some extent in the hours of employment. Under the new State Railway Leave Rules, workshop staff have been allowed more leave than what they were previously entitled to. The difference in leave for the workshop and other non-gazetted staff is that the Government consider that for persons employed by way of manual labour an annual holiday should be sufficient. The policy in the matter of provision of quarters is laid down in Chapter II of the State Railway Code (Revised) a copy of which is in the Library of the House. Workshop staff have never been provided with rent free quarters nor do Government see any reason to exempt them from payment when railway quarters are allotted to them.

As regards hours of employment, the difference is due to the fact that some staff are governed by the Factories Act while others are governed by the provisions of the Indian Railways (Amendment) Act of 1930.

Government do not consider that there is any justification or necessity for absolute uniformity in respect of conditions of service of the different categories of non-gazetted staff.

**Mr. A. K. Fuzlul Huq:** As regards (b), do Government admit that there is an apparent anomaly?

**Mr. P. B. Rau:** I have said, Sir, that Government do not consider that there is any justification or necessity for an absolute uniformity in these respects.

#### OFFICERS HOLDING EXECUTIVE CONTROL ON CERTAIN WORKSHOP STAFF ON THE EAST INDIAN RAILWAY.

1590. **\*Mr. A. K. Fuzlul Huq:** Will Government please state the designation of the officer who holds the executive control on the staff (Operating Medical, Engineering, Mechanical, Accounts, Way and Works, Watch and Ward, Commercial, Locomotive, etc.), employed at Jamalpur, Lilloah, Lucknow and Tatanagar Workshops on the East Indian Railway?

**Mr. P. B. Rau:** The Deputy Chief Mechanical Engineers at Jamalpur and Lilloah and the Work Manager at Lucknow and Tatanagar, under the general administrative control of the Chief Mechanical Engineer of the East Indian Railway, exercise executive control over the Mechanical and Operating (Power) staff employed in their respective workshops. The Medical, Workshop Accounts, Engineering and Way and Works staff are under the control of the Chief Medical Officer, the Chief Accounts Officer and the Chief Engineer, East Indian Railway, respectively. There is no Traffic (Commercial) staff employed in these workshops.

**PAY OF STAFF EMPLOYED AT TATANAGAR WORKSHOP ON THE EAST INDIAN RAILWAY.**

1591. \***Mr. A. K. Fuzlul Huq:** Will Government please state the pay (present and previous) of the staff employed at Tatanagar Workshop on the East Indian Railway, with the reasons for increments and degree of relationship, if any, amongst them?

**Mr. P. R. Rau:** The number of staff concerned is so large that any attempt to get the information required will be impracticable.

**EMPLOYMENT OF NEW ENTRANTS AT TATANAGAR WORKSHOP ON THE EAST INDIAN RAILWAY.**

1592. \***Mr. A. K. Fuzlul Huq:** Will Government please state the reasons for employing new entrants at Tatanagar Workshop on the East Indian Railway in preference to those who are on the waiting list resulting from the economy campaign of 1931?

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

"Recruitment from outsiders was confined principally to unskilled local labour. No outsider has been appointed to clerical posts. In regard to skilled and semi-skilled staff preference was given to staff on the local waiting list but a few outsiders were engaged as men on the waiting list were not available to meet urgent work on reopening of shops. The shops are at present only partially open, and it is anticipated that the majority of staff on the local waiting list will be absorbed in due course. If further staff is required retrenched staff from other workshops will be offered employment."

**CERTAIN PARTICULARS CONCERNING THE STAFF OF THE POSTS AND TELEGRAPHS DEPARTMENT AND THE RAILWAY DEPARTMENT.**

1593. \***Mr. A. K. Fuzlul Huq:** Is it a fact that the Posts and Telegraphs Department and the Railway Department are reckoned as Commercial Departments of the Government of India? If so, will Government please state:

- (a) the scales of pay of the ministerial staff of both the said Departments;
- (b) the rules for the recruitment and training of the said staff in the said Departments;
- (c) the rules for the discharges and dismissals of the said staff in the said Departments;
- (d) the leave rules for the said staff; and
- (e) the circumstances of the differences in the same class of posts in these two departments of the same Government; if not, why not?

**Mr. P. R. Rau:** The Indian Posts and Telegraphs Department and the Railway Department are treated as commercial departments.

(a) The rates of pay of Posts and Telegraphs officials, who have been in continuous employ from before the 16th July, 1931, are contained in the 'Manual of Appointments and Allowances of officers of the Indian Posts and Telegraphs Department'. Those applicable to new entrants are contained in the Government of India, Department of Industries and Labour

memorandum No. Es.A.-180/83 (2), dated the 11th March, 1935. Copies of both are in the Library of the House. As for Railways the scales of pay vary from railway to railway and in different departments of the same railway.

(b) 'The Posts and Telegraphs recruitment and training rules' will be found in the Posts and Telegraphs Manual, Vol. IV, a copy of which is in the Library of the House. I also place on the table a memorandum on recruitment to posts in the Indian Posts and Telegraphs Department.

In regard to railway staff rules for the recruitment and training of subordinate staff on State-managed Railways are in the Library of the House.

(c) The rules applicable to the Posts and Telegraphs staff are given in the Posts and Telegraphs Manual, Vol. II, copy of which is in the Library of the House. As regards the Railway Department the rules regulating the discharge and dismissal of State Railway non-gazetted Government servants are in the Library of the House.

(d) The leave rules applicable to Posts and Telegraphs officials, who have been in continuous employ from before the 16th July, 1931, are those in the Fundamental and the Supplementary Rules; those for new entrants are contained in Government of India, Finance Department Notification No. F-12(2)-R.I/32, dated the 14th December, 1933, published in Part I of the Gazette of India, dated the 16th December 1933. A copy of the leave rules applicable to railway staff is in the Library of the House.

(e) The circumstances of the two Departments are quite different. The only similarity is that in a sense both are commercial departments.

*Memorandum on recruitment to posts in the Indian Posts and Telegraphs Department.*

*Note.*—Posts mentioned below are filled partly by direct recruitment from outside the Department. All other posts in the superior pensionable establishment are ordinarily filled entirely by promotion.

(1) *Director General's Office.*

*Ministerial posts.*—Direct recruitment is confined to posts of clerks and assistants and is made solely through the Public Service Commission from whom all information can be obtained.

(2) *Circle Offices at Headquarters of Heads of Circles.*

*Clerical posts.*—Direct recruitment is made by Heads of Circles. Applications must be made to the Head of the Circle in whose office appointment is desired. Applicants must be natives of or domiciled in the Circle; they must have passed at least the Matriculation or equivalent examination and must not have completed 25 years of age. All applicants are subject to a test. Appointments are made as vacancies occur and with due regard to communal considerations and priority of application, and the names of a limited number of candidates are kept on a waiting list. The scale of pay varies and may be ascertained from Heads of Circles concerned.

(3) *Post Offices and Railway Mail Service.*

(a) *Superintendents of Post Offices and Railway Mail Service.*—Fifty per cent. of the vacancies in the cadre are filled by direct recruitment through the Public Service Commission which holds an open competitive examination for the purpose. Details may be obtained from the Commission.

(b) *Clerical (including sorters) posts.*—Direct recruitment is made by Superintendents of Post Offices and first class postmasters to whom all applications must be submitted. Applicants must be below 25 years of age, must have passed the Matriculation or equivalent examination and must be natives of or domiciled in the Revenue Division in which the Superintendent's Division or first class post office is situated. Applicants

are subjected to a test which includes a test in a local vernacular. In allowing candidates to appear at the test preference is given to sons and dependents of employees of the Department. Appointments are made as vacancies become available and are strictly subject to communal considerations and priority of application. All applications for such posts sent to higher authorities are merely forwarded to the appointing authority for disposal. Scales of pay vary and may be ascertained from the appointing authority.

(4) *Telegraphs (including Wireless).*

A-Telegraph Traffic.

(a) *Telegraphists and Wireless Operators.*—Direct recruitment is made as the result of an open competitive examination which is held whenever there are vacancies to be filled. Due notice with full details is given through the public press when the examination is decided to be held.

(b) *Clerks in Telegraph Offices.*—Direct recruitment is made by the heads of Telegraph offices to whom applications must be made. The conditions are similar to those in the case of clerks for post offices.

B-Telegraph Engineering.

(c) *Superior Telegraph Engineering and Wireless Service.*—Seventy five per cent of the vacancies in this service are filled by direct recruitment on the result of the competitive examination held by the Public Service Commission. Details may be obtained from the Commission.

(d) *Engineering Supervisors (General, Phones and Electrical).*—Direct recruitment is made as the result of an open competitive examination which is held whenever there are vacancies to be filled. Due notice with full details is given through the public press when such examination is to be held.

(e) *Clerical posts.*—Direct recruitment is made by the Heads of Offices concerned (Divisional Engineers, Superintendent Telegraph Workshops, Controller of Telegraph Stores etc.) to whom applications must be submitted. The conditions are similar to those in the case of clerks for post offices.

(f) *Assistant Foremen, Examiners and Instrument Testers.*—Direct recruitment to these posts is made by the Superintendent of Telegraph Workshops to whom application should be made.

(g) Further particulars as to the conditions of recruitment to any particular post may be obtained direct from the officers responsible for such recruitment as detailed above. Applications addressed to the Director-General direct are merely forwarded to such authorities for disposal, and it is in the interests of candidates that their applications should be addressed to the proper recruiting authorities and not to the Director-General or any higher authority.

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**Mr. A. K. Fazlul Huq:** No. 1594. Sir, I would request the Honourable Member to be pleased to read out his answer a little more slowly and in a louder voice. (Hear, hear.)

REPRESENTATION OF NON-GAZETTED RAILWAY STAFF ON THE INDIAN RAILWAY CONFERENCE ASSOCIATION.

1594. **\*Mr. A. K. Fazlul Huq:** Is it a fact that the establishment matters concerning the staff on the Railways in India are referred to and decided by the Personal Branch of the Indian Railway Conference Association.

Is it a fact that it is an unregistered body not incorporated under any law? If so, will Government please state:

- (a) whether non-gazetted staff is represented on the said association; if so, by whom; if not, why not;
- (b) whether unregistered Trade Unions of Railway Staff are recognised in the same manner and channel as the said association by the Railway administrations; if not, the reason for this distinction;
- (c) the number and nature of proposals made by the said association rejected by the Railway administrations;
- (d) the number and nature of proposals made by the Trade Unions of the staff on Railways rejected by the Railway administrations;
- (e) whether they are prepared to place on the table of the House a copy of the Statutory authority authorizing the use of the rules and regulations framed by the said association; if not, why not; and
- (f) whether Government propose that the non-gazetted staff be represented on the said Association by election amongst themselves; if not, why not?

**Mr. P. E. Rau:** Establishment matters are sometimes referred by Railway members who are of the Association, to the Indian Railway Conference Association, for consideration and advice. The conclusions of the Association on these matters are in the form of opinions and recommendations only and do not bind either the Government or any Company without assent of the Government or of the Board of Directors of the Company affected as the case may be. The Association is an Association of Railway Administrations and not of the staff, and, consequently, no representation of individual interests is possible.

#### OFFICERS OF THE COMMISSIONED RANKS IN THE INDIAN ARMY VETERINARY CORPS.

1595. \***Mr. Fakir Chand:** (a) Will Government be pleased to state the total number of officers of the commissioned ranks in the Indian Army Veterinary Corps?

(b) How many of such officers are Indians?

(c) Did Government in the last Assembly promise to recruit qualified Indians to the Commissioned ranks of the Indian Army Veterinary Corps in future?

(d) Did Government hold an examination for Indians to be recruited to the Indian Army Veterinary Corps at Lahore in January 1935?

(e) How many Indians passed in that examination, and how many have been employed by Government?

(f) Do Government propose to employ all the qualified and such passed Indians immediately to the Indian Army Veterinary Corps?

(g) Are Government prepared to see that non-Indians are not employed till such qualified and passed Indians are absorbed in the Indian Army Veterinary Corps?



**Mr. G. R. F. Tottenham:** (a), (b) and (d) to (g). The attention of the Honourable Member is invited to the answer I gave on the 1st April, 1935, to Mr. K. L. Gauha's starred question No. 1286.

(c) Yes.

# FLYING CLUBS IN INDIA AND BURMA.

**1596. \*Mr. Fakir Chand:** (a) How many flying clubs are established in India and Burma?

(b) In what clubs are there Indian Ground Engineers?

(c) What is the pay of Ground Engineers of Indian nationality and that of non-nationals?

(d) How many Indian Ground Engineers with A and C Licences are available in India and why could they not be appointed in the flying clubs?

(e) Are Government prepared to consider the advisability of appointing in every flying club an Indian Assistant Engineer with A and C Licences and at the same time giving him opportunities for B and D training?

(f) Are Government prepared to consider the question of immediate employment of Indian Ground Engineers with A and C Licences in all Flying Clubs where R. A. F. Engineers can be obtained to supplement the B. and D. work?

(g) Are Government prepared to appoint immediately Indian Ground Engineers with A and C Licences in all Flying Clubs and employ two English Ground Engineers with A and B and C and D Licences, to be requisitioned whenever B and D work is to be done?

(h) Are Government prepared to insist on Imperial Airways, Indian Trans-Continental Airways, Indian National Airways, Tata, and other airways employing only Indian Ground Engineers, and if necessary, train Indians for such jobs and to employ foreigners only if Indians are not available?

(i) What is the number of Indian and non-Indian Ground Engineers in the Companies mentioned in part (i) and what is their pay?

(j) Are Government prepared to consider the advisability of sending more Indian young men on a scholarship basis for training abroad for Ground Engineering?

**The Honourable Sir Frank Noyce:** (a) A list of the eight Flying Clubs now operating in India and Burma, including one in Indian States, is placed on the table.

(b) Indian Ground Engineers are employed in the Karachi Aero Club and the Delhi, Bombay, United Provinces, Northern India and Madras Flying Clubs.

(c) Government have no information.

(d) According to the information available, there are 21 Indian Ground Engineers in India holding both A and C licences. Of these five are at present unemployed. One of these was only given his licence some few days ago; another was, till recently, employed with the Northern

India Flying Club. The third was employed for a time with the Imperial Airways, Ltd., and the remaining two have only recently arrived in India.

(e) Government are not directly concerned with the appointment of personnel in flying clubs. Actually, as I have shown in reply to part (b), there are Indian Ground Engineers employed in all but one of the seven flying clubs in British India. As regards the training of candidates for B and D licences this can only be effectively done at present in a country with an aircraft manufacturing industry.

(f) and (g). As I have said before, Government are not directly concerned with the appointment of personnel in flying clubs who already for the most part employ Indian Ground Engineers, but they have brought to the notice of flying clubs that preference should be given to Indian Ground Engineers for employment when suitably qualified candidates are forthcoming. In this connection, I would invite attention to the reply given on the 30th November, 1932, to parts (a) and (b) of the Honourable Mr. Jagannath Aggarwal's question No. 1523. It is not practicable for R. A. F. engineers to be employed on civil work, nor is it practicable for two engineers with B and D licences to carry out all the appropriate work in the flying clubs in India.

(h) No. The agreements with the companies mentioned provide that they should employ the largest percentage of Indian personnel, reasonably possible, as soon as suitably qualified Indians are available, and so far as Indian Trans-Continental Airways, Ltd., is concerned, the agreement further provides for the training of Indians in all its branches, that is, as pilots, ground engineers, etc. Indian Ground Engineers are, in fact, already employed in all the companies mentioned and, in addition, also by the Himalaya Air Transport and Survey Ltd. So far as is known none of these companies employs foreigners.

(i) A statement giving the information required is laid on the table. Government have no information in regard to the salaries paid.

(j) Government have granted scholarships to certain Indian engineers who already possessed A or C licences and had proved their worth as assistant Ground Engineers in flying clubs. Five such Indians were sent to England for training in 1933 with a view to obtaining specialist experience or qualifying for the B or D licences. Four are still undergoing training. One is employed in India. Government propose to continue the policy they have always followed, as funds and suitable candidates for training become available.

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*Statement showing the Flying Clubs in existence in India, Burma and the Indian States.*

*British India.*

The Northern India Flying Club, Lahore.  
 The Karachi Aero Club, Karachi.  
 The Delhi Flying Club, Delhi.  
 The United Provinces Flying Club, Lucknow and Cawnpore.  
 The Bengal Flying Club, Dum Dum.  
 The Bombay Flying Club, Bombay.  
 The Madras Flying Club, Madras.

*Indian States.*

The Jodhpur Flying Club, Jodhpur.

*Statement showing the number of Indian and non-Indian licensed ground engineers employed by Indian Trans-Continental Airways, Ltd., Tata Sons, Ltd., and Indian National Airways, Ltd.*

	Indians.	Non-Indians.
Indian Trans-Continental Airways, Ltd., and Imperial Airways, Ltd.	2	40
Tata Sons, Ltd.	1	1
Indian National Airways, Ltd.	1	3

RECRUITMENT OF STENOGRAPHERS IN THE GOVERNMENT OF INDIA  
SECRETARIAT AND ITS ATTACHED OFFICES.

1597. \*Sardar Mangal Singh: (a) Will Government please state when they held the last examination for recruitment of outsiders as stenographers in the Government of India Secretariat and its attached offices?

(b) Why has no examination been held since then? How have the vacancies occurring in the meantime been filled?

(c) Is it a fact that Government are now contemplating the stoppage of all recruitment by means of a competitive examination for stenographers in the Imperial Secretariat and its attached offices?

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

(i) the reasons therefor; and

(ii) the method that they propose to follow in future for the recruitment of stenographers, and whether they have considered that there is not the danger of any method of selection leading to nepotism?

(e) Is it a fact that Government have adopted recruitment by an open examination in the case of recruitment to other branches of the ministerial staff?

(f) Will Government please state whether a proposal to stop recruitment by examination to ministerial staff was considered and dropped?

(g) Are Government prepared to consider the advisability of not stopping the introduction of fresh blood into this branch (Stenographers) of the service too?

**The Honourable Sir Henry Craik:** (a) In 1932.

(b) The examination was a qualifying one, and all candidates who were declared qualified had to be provided with appointments. As all of them have not yet been permanently absorbed it has not been necessary to hold a fresh examination.

(c) The method of recruiting stenographers in future is under consideration, and no final decision has yet been arrived at.

(d) Does not arise.

(e) Yes.

(f) Yes: but the proposal was only in respect of external recruitment to the First Division.

(g) Government have no intention of stopping the introduction of fresh blood into the stenographers' grade.

**Mr. M. Ananthasayanam Ayyangar:** Regarding the method of recruitment, may I ask what is the need for a change in that direction?

**The Honourable Sir Henry Craik:** I presume that the old method was not found altogether satisfactory. The question is still under consideration.

#### ALLEGATIONS MADE AGAINST TWO RAILWAY POLICE CONSTABLES AT GHAZIABAD.

**1598. \*Pandit Sri Krishna Dutta Paliwal:** (a) Is it a fact that Ch. Vijaypal Singh, Advocate of Meerut made a report at the Railway Police Station, Ghaziabad, on the 17th February, 1935, to the effect that two police constables, Hardutt Prasad (No. 566) and Sarajul Hasan (No. 551) did not allow him to enter a compartment of the Bombay Express, alleging that it was reserved for the Government Railway Police?

(b) Is it a fact that no compartment was reserved for the Government Railway Police on the Bombay Express on the 27th instant from Lahore to Delhi or between Meerut and Ghaziabad?

(c) If the answer to part (b) be in the negative, will Government be pleased to lay on the table the register in which that reservation was entered, and state the number on which that reservation was made?

(d) Is it also a fact that the Assistant Station Master of Ghaziabad told Ch. Vijaypal Singh that no compartment on the Bombay Express was reserved for the Government Railway Police?

(e) If so, will Government please state what action, if any, they propose to take against the said constables?

(f) Is it also a fact that Ch. Vijaypal Singh complained to the D. S. against these police constables?

(g) If the answer to part (f) be in the affirmative, will Government please state what action the D. S. took against the said constables?

**Mr. P. R. Rau:** (a) A report to this effect was made on the 27th February, 1935.

(b) A compartment was reserved but, through an oversight, it would appear that the "reserved" label was not affixed to it.

(c) No entry is made in any register for accommodation reserved for the Police train guard.

(d) The Assistant Station Master on duty at Ghaziabad, not finding labels, indicating that the compartment was reserved for the Train police guard on duty, believed that the compartment had not been reserved.

(e) and (g). Government are informed that the Police authorities of the United Provinces are enquiring into the matter.

(f) Yes.

**PERMISSION SOUGHT BY RAJA MAHENDRA PRATAP SINGH FOR RETURN TO INDIA.**

**1599. \*Pandit Sri Krishna Dutta Paliwal:** (a) Will Government please state if it is a fact that Raja Mahendra Pratap Singh is trying to return to his country and that he has written to the Secretary of State for India to seek the permission of Government for the same?

(b) Are Government prepared to permit him to come back to his country? If so, when? If not, why not?

**The Honourable Sir Henry Craik:** I have no information beyond the fact that he wrote an "open letter" to the Prime Minister, about a year ago, saying he wished to visit the country of his birth. In view of his activities abroad the Government of India are not prepared to extend to him any facilities to visit India.

**Mr. Sri Prakasa:** What is the nature of these activities to which the Honourable the Home Member has referred? Could he give some specific details about those activities which prevent the Government of India from considering this case?

**The Honourable Sir Henry Craik:** It is notorious that during the War he openly sided against the British Empire and spent most of his time in Berlin plotting against the British Empire.

**Mr. Sri Prakasa:** Is it not a fact that during the War, Germany actually fought against England and that now England is making peace with Germany? Is the activity of an individual, who unfortunately happens to belong to India, to go against him all along while the premier country that was responsible for the War is at peace with England?

**The Honourable Sir Henry Craik:** The person in question was, at the time he was plotting against the British Empire, a British subject. His case is utterly different from those of Germans who were our enemies.

**Mr. Sri Prakasa:** How long has he been out?

**The Honourable Sir Henry Craik:** He has not been in India since the beginning of the War, so far as I am aware.

**Mr. Sri Prakasa:** Have not many plotters since then been pardoned? Why is a special case being made against Raja Mahendra Pratap Singh?

**The Honourable Sir Henry Craik:** His own record is sufficient answer to that.

**Mr. Sri Prakasa:** What are his present activities?

**The Honourable Sir Henry Craik:** Bitterly anti-British.

**Mr. Mohan Lal Saksena:** Are we to understand that he will never be allowed to return to India so long as the present Government is here?

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

**Mr. Sri Prakasa:** What proof has the Honourable Member against Raja Mahendra Pratap Singh that he is bitterly anti-British?

**The Honourable Sir Henry Craik:** There is ample proof.

**Mr. Sri Prakasa:** Can we have at least one of those here?

**The Honourable Sir Henry Craik:** Not at the moment.

**Mr. Mohan Lal Saksena:** Is it not a fact that he has changed his views during the last three years?

**The Honourable Sir Henry Craik:** He has changed his nationality, but not his views.

**Mr. S. Satyamurti:** Do Government propose to extern all people with anti-British views from this country? If they do so, they will have to extern most of us from this country. (Laughter.)

**The Honourable Sir Henry Craik:** He has never been externed: he left of his own accord.

**Mr. S. Satyamurti:** Why is he not allowed to return to India?

**The Honourable Sir Henry Craik:** It is not certainly the intention of Government to allow any traitors to return to India.

**Mr. S. Satyamurti:** How is he a traitor?

**Dr. Bhagawan Das:** Will the Honourable Member please inform this House what is his nationality now?

**The Honourable Sir Henry Craik:** He is now a subject of Afghanistan.

**Dr. Bhagavan Das:** Are the subjects of Afghanistan liable to the same rules as to externment as apply to British subjects?

**The Honourable Sir Henry Craik:** I cannot catch the Honourable Member's question.

**Dr. Bhagavan Das:** Are the subjects of Afghanistan liable to be treated under the same rules of externment as apply to British subjects?

**The Honourable Sir Henry Craik:** If they were previous British nationals and behaved as traitors, yes. (Hear, hear.)

**Pandit Lakshmi Kanta Maitra:** Has he made any declaration to the effect that he has changed his nationality or is it a mere inference of the Honourable Member?

**The Honourable Sir Henry Craik:** He has openly stated that he has renounced his British nationality and that he has been accepted as a national of Afghanistan.

**Pandit Lakshmi Kanta Maitra:** Do I understand that he is being punished for his views?

**The Honourable Sir Henry Craik:** He is not being punished

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

#### OPTICAL GLASS FACTORIES IN INDIA.

1600. **\*Mr. S. K. Hosmani:** (a) Will Government please state if they are aware of any optical glass factories in India which manufacture optical lenses, binoculars, microscopes, etc.?

(b) Will Government please state the value of similar lenses imported from Japan, England, the United States, France and Germany, separately?

(c) Will Government please state whether there is a flat or differential rate of tariff on the lenses imported from these countries?

**The Honourable Sir Joseph Shore:** (a) So far as the Government of India are aware optical glass is not manufactured in India.

(b) Imports of optical lenses are not recorded separately.

(c) Optical lenses are assessed to duty at a flat rate of 25 per cent. *ad valorem*.

#### JAPANESE SPECTACLES AND SUN-GLASS LENSES SOLD IN INDIA.

1601. **\*Mr. S. K. Hosmani:** (a) Are Government aware that most of the Japanese spectacle and sun-glass lenses, sold on Indian markets, are made of unoptical glass (window or green glass)?

(b) Are Government aware that this type of lenses is liable to cause cataract and other eye inflammations? If so, are Government prepared to take steps, fiscal or otherwise, to prevent the import of such injurious lenses?

**Mr. G. S. Bajpai:** (a) Government have no information.

(b) Government are advised, that while unoptical glasses would afford no protection against infra-red and ultra-violet rays, it is very unlikely that it would cause cataract or other damage. The action suggested in the second part of the question does not, therefore, appear to be called for.

#### REFUSAL BY THE ITALIAN GOVERNMENT TO GIVE PERMISSION TO AN INDIAN INSURANCE COMPANY TO DO BUSINESS IN ITALY.

1602. **\*Mr. S. K. Hosmani:** (a) Are Government aware that an Indian Insurance Company was refused permission by the Italian Government to open a branch in that country?

(b) Are Government aware that the refusal is stated to be that the existing Companies are adequate to meet the requirements of the Italian people?

(c) Is it a fact that several Italian Insurance Companies have been permitted to open their branches in India even after the refusal to the Indian concern?

(d) If so, are Government prepared to take steps either to stop the working of these Italian Insurance concerns, or to see that the Indian Company is permitted to open its branch in Italy?

**The Honourable Sir Joseph Bhoré:** (a) Government have been informed that one Indian insurance company has experienced difficulty in setting up business in Italy.

(b) No.

(c) So far as Government are aware, there is only one Italian company transacting insurance business in this country.

(d) Government have already made enquiries as to the restrictions, if any, which are placed on the entrance of foreign insurance companies into Italy. On receipt of the information asked for, Government will consider what action can usefully be taken.

**Mr. T. S. Avinashilingam Chettiar:** When do they hope to get that information?

**The Honourable Sir Joseph Bhoré:** I cannot say: that is not in my hands.

**Mr. R. S. Sarma:** Is it a fact that at this very moment a high official of the Italian Government representing the Commerce Department of Italy is in Delhi and is in constant touch with the Commerce Member regarding the reception by the Government of India of the Italian Trade Delegation in this country?

**The Honourable Sir Joseph Bhoré:** Not that I know of, Sir.

**Mr. M. S. Aney:** Are Government making any effort to ascertain this information from the Company concerned?

**The Honourable Sir Joseph Bhoré:** No, Sir. We are making endeavours to obtain information from our own representative in Italy.

**Mr. R. S. Sarma:** Has there been any communication at all between the Italian Government and the Government of India regarding the reception of the Italian Delegation?

**The Honourable Sir Joseph Bhoré:** I do not quite see how that arises out of this question.

**Mr. R. S. Sarma:** If there was anything like that, opportunity can be taken advantage of for the purpose of representing to the Italian Government what they are doing to prohibit Indian Insurance Companies in Italy?

(No answer.)

**Mr. T. S. Avinashilingam Chettiar:** Has not the Indian Trade Commissioner sent any particulars about this to the Government of India?

**The Honourable Sir Joseph Bhoré:** That is the information we are getting from that quarter.



**Mr. Mohan Lal Saksena:** When was the letter addressed?

**The Honourable Sir Joseph Shore:** I cannot say when the letter was addressed.

**Mr. Mohan Lal Saksena:** Is it more than a month?

**The Honourable Sir Joseph Shore:** May be.

PENSION RULES FOR INFERIOR SERVANTS OF THE POSTAL DEPARTMENT.

**1603. \*Mr. O. N. Muthuranga Mudaliar:** (a) Will Government be pleased to state whether it is a fact that the minimum scale of pension for inferior servants of the Postal Department was fixed at rupees four irrespective of salaries they received seventy-five years ago?

(b) Is it a fact that the inferior servants are not allowed to draw pension equivalent to half their average salary according to pension rules framed seventy-five years ago?

(c) Do Government propose to revise the pension rules so that the inferior servants may get half their salary as pension?

**Mr. G. V. Bewoor:** I would refer the Honourable Member to the reply given by the Honourable Sir Frank Noyce to Mr. T. S. Avinashilingam Chettiar's starred question No. 1868, on the 3rd April, 1935.

IMPORT DUTIES LEVIED ON RAW CINEMA FILMS AND EQUIPMENT.

**1604. \*Mr. O. N. Muthuranga Mudaliar:** (a) Will Government be pleased to state the existing rates of import duties levied on raw cinema films and equipment used in film production?

(b) What are the recommendations of the Indian Cinematograph Committee on the import duties on raw films?

(c) Are Government prepared to remove the import duty on raw films in accordance with the recommendation of the Indian Cinematograph Committee?

**The Honourable Sir Frank Noyce:** (a) With regard to duty on raw cinema films, I would invite the attention of the Honourable Member to item 29 in the First Schedule to the Indian Tariff Act, 1934. The term 'equipment' is very wide and, since the Honourable Member has not stated what particular items he had in mind, I regret it is not possible for me to give an answer to this part of the question.

(b) From part (c) of the question it is apparent that the Honourable Member is aware of the recommendations of the Indian Cinematograph Committee in this respect. His attention is, however, invited to paragraph 156 of their report.

(c) No. In this connection I would invite the attention of my Honourable friend to the Debates in this House on Mr. Jadhav's Resolution on the subject on the 14th of February, 1934. As was stated by me during the Debate, Government are prepared to consider a reduction in the import duty on raw films after they are in possession of information showing the saving in revenue effected by the restrictions on the grant of

drawback, rules in regard to which are being framed. I am afraid it has taken longer to frame these rules than I thought it would, but I hope that they will soon be ready.

### CONSTITUTION OF THE BOARD OF FILM CENSORS IN INDIA.

1605. \*Mr. O. N. Muthuranga Mudaliar: (a) Will Government be pleased to state how the board of film censors, established in India, is constituted?

(b) What interests are represented?

(c) Are any representatives of the motion picture industry of India appointed? If not, why not?

**The Honourable Sir Henry Orsk:** (a) and (b). I lay on the table a statement showing the composition, so far as I am aware, of the Boards of Censors that have been established at Madras, Bombay, Calcutta, Lahore and Rangoon for the purpose of examining and certifying cinematograph films intended for public exhibition in British India.

(c) The constitution of the Censorship Boards is a matter for the Local Governments concerned. I understand that no representative of the Motion Picture Industry has been appointed to the Boards.

#### *Constitution of the Boards of Film Censors in India.*

##### *Madras.*

- (1) The Commissioner of Police, Madras (*ex-officio*).
- (2) The Station Staff Officer (*ex-officio*).
- (3) Khan Bahadur Mahammad Sadukh Ali Sahib Bahadur.
- (4) Mrs. Alamelumangathayarammal, M.L.C.
- (5) Mr. G. Solomon.
- (6) The Rev. V. J. R. Asirvatham.
- (7) Mrs. H. M. Dadhabhoy.
- (8) M. R. Ry. Diwan Bahadur P. Ranganatham Chetti Garu.
- (9) Mr. E. L. Ayyar, Bar.-at-law.
- (10) Khan Bahadur G. S. A. Karim Sahib Bahadur, M.B.E.
- (11) M. R. Ry. S. Selvaraja Reddiyar Avargal.
- (12) S. A. Shafi Muhammad Sahib Bahadur.
- (13) M. R. Ry. P. M. Balasubrahmanyam Mudaliyar Avargal.

##### *Bengal.*

- (1) The Commissioner of Police, Calcutta (*ex-officio*).
- (2) The Station Staff Officer (*ex-officio*).
- (3) & (4) Representatives of the Bengal Chamber of Commerce and Calcutta Trades Association.
- (5) A Jewish merchant.
- (6) A Muslim Principal (representing the Education Dept.).
- (7) A Hindu Lawyer (representing the Calcutta Corporation).
- (8) A European lady.

##### *Bombay.*

- (1) The Commissioner of Police, Bombay (*ex-officio*).
- (2) The Collector of Customs, Bombay (*ex-officio*).
- (3) A Member of the Indian Educational Service.
- (4) A Hindu representative.
- (5) A Muslim representative.
- (6) A Parsi representative.

##### *Burma.*

- (1) The Commissioner of Police, Rangoon (*ex-officio*).
- (2) The Assistant Commissioner of Police, Rangoon (*ex-officio*).
- (3) A Military representative.
- (4) A European Medical man.
- (5) Three Burmese gentlemen.
- (6) One Burmese lady.

##### *Punjab.*

- (1) The Commissioner, Lahore Division.
- (2) The Principal, Central Training College, Lahore.
- (3) A European representative.
- (4) A Muslim representative.
- (5) A Hindu representative.
- (6) A Hindu lady representative.
- (7) A Muslim lady representative.

**Mr. T. S. Avinashilingam Chettiar:** What interests are represented on this Board of Censor?

**The Honourable Sir Henry Craik:** The Honourable Member will see from the statement the composition of the Board, and he can judge as well as I can what interests are represented.

**Mr. S. Satyamurti:** Will the Government of India suggest to the Local Governments the inclusion of the representatives of the motion picture industry of India on these Boards?

**The Honourable Sir Henry Craik:** I am not sure that I am convinced that there is a case for representation of the motion picture industry on the Board of Film Censors.

#### FINANCIAL ASSISTANCE TO FILM PRODUCERS IN INDIA OR OUTSIDE.

1606. **\*Mr. C. N. Muthuranga Mudaliar:** (a) Will Government be pleased to state whether they have offered any financial assistance to producers of films in India or outside?

(b) If so, to whom and for what films?

(c) Do Government contemplate offering any advisory assistance to producers of educational films of a political nature?

**The Honourable Sir Henry Craik:** (a) No such assistance has been offered by the Government of India during the last ten years

(b) Does not arise.

(c) I have no information as to whether any assistance for the production of educational films is contemplated by Local Governments who are primarily concerned with the subject. No such proposal is being considered by the Government of India.

#### POSTAL VOTING IN THE CASE OF COMMERCE AND LANDHOLDERS CONSTITUENCIES.

1607. **\*Mr. C. N. Muthuranga Mudaliar:** (a) With reference to the answer to question No. 792, asked on the 9th March, 1935, will Government please state in which provinces the regulations do not provide for postal voting in the case of (i) the commerce constituency, and (ii) the landholders constituency?

(b) What is the method of voting adopted in those provinces, so far as it relates to the abovementioned two constituencies?

(c) Are Government prepared to issue instructions to such of the provinces, in which postal voting for any constituency is prescribed, to follow a uniform practice of sending the ballot papers by registered post to the respective voters?

(d) Do Government propose to adopt the procedure of sending ballot papers by registered post in the case of elections to the Council of State constituencies and the landholders' constituencies to Provincial Councils in future?

**The Honourable Sir Nripendra Sircar:** (a) (i) Bombay.

(ii) Bombay, the United Provinces and the Central Provinces.

(b) Voting in person as prescribed in the Regulations of the respective Provinces.

(c) and (d). Government are prepared to ask Local Governments to consider whether where the Regulations applicable to constituencies in which postal voting is in force do not already require use of the registered post, they should be amended so as to introduce this requirement.

**Mr. C. N. Muthuranga Mudaliar:** Why not the practice adopted in these Provinces be adopted in other Provinces also?

**The Honourable Sir Nripendra Sircar:** That is a matter in which attention may have to be given.

#### SEATS PROPOSED TO BE GIVEN TO THE ZAMINDARS IN THE MADRAS PRESIDENCY IN THE PROVINCIAL ASSEMBLY.

1608. **\*Mr. C. N. Muthuranga Mudaliar:** (a) Will Government please state whether the zamindars in the Madras presidency are proposed to be given six seats in the Provincial Assembly under the Joint Parliamentary Committee Scheme?

(b) Are Government aware that the qualifications for voters of the landholders constituency are very high as compared with the qualifications of voters for general constituencies?

(c) Is it a fact that the Lothian Committee have greatly reduced the franchise qualifications for the general constituencies? If so, are Government prepared to consider the advisability of similarly lowering the franchise for the zamindars constituency also?

(d) Are any seats reserved for zamindars in Madras for the Provincial Upper House? If so, are Government prepared to lower the franchise in the case of voters to the Upper House also?

**The Honourable Sir Nripendra Sircar:** (a) Yes.

(b) The existing qualifications for landholders' constituencies are higher than those for general constituencies.

(c) The answer to the first part of the question is in the affirmative. The point raised in the latter part of the question will be borne in mind and taken into consideration when Orders-in-Council, prescribing these qualifications, are under consideration.

(d) The answer to the first part of the question is in the negative. The second part does not arise.

#### HARASSMENT BY POLICE AND MUNICIPAL AUTHORITIES OF STREET HAWKERS AND PEDLARS IN NEW DELHI.

1609. **\*Mr. Satya Narayan Sinha:** (a) Are Government aware, that vendors, cobblers, fruit and vegetable sellers who come in New Delhi between 10 A.M. to 4 P.M. to render useful services to the residents of the quarters by supplying their needs, at their doors, at cheap rates, are harassed by the police and municipal authorities without complaint from the residents?

(b) Has there been any instance in which a hawkers has been prosecuted or convicted of any crime in New Delhi? If so, how many such cases were registered during the year 1934?

(c) Will Government please state if there is any other city in India in which hawkers are prohibited during the day time? If not, what is the justification for imposing such restrictions in New Delhi without any specific complaints from the residents of the city?

**Mr. G. S. Bajpai:** (a) No.

(b) There are no separate statistics kept of hawkers convicted of crimes.

(c) There are no restrictions on hawkers apart from those prescribed by section 173(1) and the bye-laws framed under section 197(a) of the Punjab Municipal Act.

**Mr. Lalchand Navalrai:** May I know if these hawkers are allowed to come near these quarters?

**Mr. G. S. Bajpai:** That is my information.

**Mr. Lalchand Navalrai:** May I know if on account of the thefts taking place in these quarters, the police have stopped them from coming near these quarters?

**Mr. G. S. Bajpai:** If there has been an epidemic of thefts in a particular neighbourhood and some hawkers are suspected of being mixed up with thieves, it is only natural that they should be stopped from coming near these quarters.

**Mr. Lalchand Navalrai:** That is quite right. I only want information if the police have done that on that account. I am not against it.

**Mr. G. S. Bajpai:** I am very glad to hear that we have the Honourable Member's approval. I merely gave a general answer to a general question.

#### REFUSAL OF PERMISSION TO WINTER RESIDENTS OF "D" CLASS QUARTERS TO STORE THEIR HOUSEHOLD EFFECTS DURING THE SUMMER MONTHS.

1610. **\*Mr. Satya Narayan Sinha:** (a) Is it a fact that the winter tenants of all quarters in New Delhi (except those of 'D' class) are granted permission to store their immovable and surplus household effects in the godown of the quarters for the period of their stay in Simla during the summer season?

(b) If the reply to the above be in the affirmative, will Government please state the reasons and justification for differential treatment accorded to the winter residents of 'D' class quarters?

**The Honourable Sir Frank Noyce:** I would invite the Honourable Member's attention to the reply given by me on the 21st March, 1935, to Rao Bahadur M. O. Rajah's starred question No. 928.

**Dr. N. B. Khare:** May I have the answer to the previous question referred to?

**The Honourable Sir Frank Noyce:** The question was answered so recently as 21st March, 1935. I am sorry I have not got the reply here.

**Mr. President** (The Honourable Sir Abdur Rahim): Then, he need not give it.

**Dr. N. B. Khare:** The other day, Sir, when I referred to a question which was recently answered, I was asked to read out the reply.

**Mr. President** (The Honourable Sir Abdur Rahim): This question was answered only in March.

**Dr. N. B. Khare:** I want the Honourable Member to repeat the reply to the last part of the question.

**Mr. President** (The Honourable Sir Abdur Rahim): That was not answered?

**The Honourable Sir Frank Noyce:** I can answer that. There is no differential treatment between the residents in the different quarters in respect of the storage of their household effects during the summer months.

**Mr. Lalchand Navalrai:** May I know if there are store rooms for that purpose in the "D" type quarters also?

**The Honourable Sir Frank Noyce:** The position is that the occupants of quarters are allowed to store their effects in their quarters during the summer months if those quarters are not required by anybody else, and that that rule applies to everybody. If the quarters are required by others, then they have to make arrangements for storing their effects elsewhere. That seems to me to be perfectly reasonable. As no rent is paid for the quarters during the summer months, the Government are obviously entitled to let them to others if they can do so.

**Mr. Lalchand Navalrai:** Will Government consider the advisability of leaving a small room in a quarter for the convenience of those people who want to store their effects. I say such a convenience should be allowed to them.

**The Honourable Sir Frank Noyce:** No, Sir. It is obviously most inconvenient for the occupant of the quarters during the summer months to have other people's effects in a part of his house.

**Mr. Lalchand Navalrai:** Will Government kindly consider the advisability of giving permission for the storage of the effects in case the occupant during the summer months has no objection to that course?

**The Honourable Sir Frank Noyce:** That is a matter for private arrangement.

**Mr. M. Ananthasayanam Ayyangar:** Are not fifty per cent. of the quarters left vacant during the summer months?

**Prof. N. G. Ranga:** Why, 50 per cent.; the whole of them?

**The Honourable Sir Frank Noyce:** I cannot state the exact percentage

**Mr. M. Ananthasayanam Ayyangar:** At any rate, a large portion of the houses are vacant. In that case, why not give them a portion to be reserved for giving accommodation to these people who want to store their effects?

**The Honourable Sir Frank Noyce:** I do not consider it is a matter for Government to provide storage for private effects.

#### ARRANGEMENTS IN DELHI OR SIMLA FOR HOLDING THE CAMBRIDGE EXAMINATIONS.

1611. **\*Mr. Satya Narayan Sinha:** (a) Is it a fact that there is no arrangement in Delhi or Simla for holding the Cambridge examinations?

(b) Is it a fact that the Anglo-Indian and other candidates who wish to pass the examinations have to go either to Lahore or to Allahabad for the purpose and are thereby put to great inconvenience and expense?

(c) Do Government propose to take action to have a centre for the examinations at Delhi for the December examinations and at Simla for the July examinations? If not, why not?

**Mr. G. S. Bajpai:** The question of holding the Cambridge examinations in Delhi is being considered in communication with the Cambridge authorities. So far as Government are aware, candidates taking these examinations from Delhi at present appear at the Ajmere centre. There is a centre in Simla for the Cambridge examinations held in December. The question of holding July examinations in Simla is one for the consideration of the persons or bodies concerned and for the Cambridge authorities. I understand, however, that correspondence on the subject is proceeding.

#### TRANSFER OF ATTACHED OFFICE CLERKS TO SECRETARIAT OFFICES.

1612. **\*Mr. Satya Narayan Sinha:** (a) Is it a fact that since the introduction of the revised rates of pay for the clerical establishments of the Secretariat and attached offices in 1934, new appointments are being made in both the offices on common revised rates of pay and that these rates have also been applied to all those who have entered Government service since 15th July, 1931?

(b) Is it a fact that a "new entrant" clerk (junior) in an attached office can, by the mutual consent of his own office and of a Secretariat office, be transferred to a Secretariat office?

(c) If the reply to part (b) be in the affirmative, will Government please state whether similar transfer is also permissible in the case of an "old entrant" (comparatively senior man) of an attached office? If so, will he be entitled to the old secretariat scale of pay in the Secretariat office to which he is transferred? If not, why not?

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

(b) The reply is also in the affirmative provided that in the First and Second Divisions, the vacancy to be filled in this way is one which would otherwise have been filled by promotion and not by direct recruitment.

(c) Yes, if the person is eligible for the Division to which he seeks transfer. All persons who have been in Government service before the 15th July, 1931, are entitled to the old rates of pay.

#### VALUE PAYABLE CHARGES FOR BOOK PACKETS.

1613. **\*Mr. Satya Narayan Sinha:** (a) Is it a fact that, as a result of the increase in postage rates during the last few years, the minimum charges now payable on sending a book packet of the smallest size and weight per V. P. P. are—postage 0-0-9, registration 0-8-0 and money order commission 0-2-0?

(b) What were the charges prior to the increase of rates?

(c) Do Government propose either to reduce these charges or to introduce a system of un-registered V. P. P.'s for articles of small value? If not, why not?

**Mr. G. V. Bewoor:** (a) Yes.

(b) The corresponding charges prior to the introduction of the existing rates were:

	Rs. A. P.
Postage	0 0 6
Registration	0 2 0
Money order commission	0 1 0

(c) Government do not propose to reduce these charges at present. As regards the latter part of the question, the Honourable Member's attention is invited to the reply given to starred question No. 1510 by Mr. Sham Lal on the 4th April, 1935.

#### RE-PAINTING OF TIME DISCS OF POSTAL LETTER BOXES IN SIMLA.

1614. **\*Mr. Satya Narayan Sinha:** (a) Is it a fact that the clearance time disks on most of the postal letter boxes in the suburbs of Simla are faded and show no time at all?

(b) Is it also a fact that during the last Simla season the letter box at Bharari remained uncleared for two days, and the default could not be detected by anyone for two days?

(c) Do Government propose to have all the time discs of letter boxes in Simla examined and re-painted, if necessary?

**Mr. G. V. Bewoor:** Government have no information. The matter is within the competence of the Postmaster General, Punjab, and North-West Frontier Circle and a copy of the question has been sent to him for suitable action.

#### COMMUNAL COMPOSITION OF EMPLOYEES IN THE CENTRAL STATIONERY STORES, CALCUTTA.

1615. **\*Mr. A. K. Fazlul Huq:** (a) Will Government be pleased to state the total number of employees, excluding menials, in the Central Stationery Stores, Calcutta?



- (b) How many of these are Muslims?
- (c) What pay was each of them drawing on the 1st January, 1935?
- (d) What are their respective dates of appointment?

**The Honourable Sir Frank Noyce:** (a) 79.

- (b) None.
- (c) and (d). Do not arise.

**EDUCATIONAL QUALIFICATIONS OF CERTAIN NON-MUSLIMS OF THE CENTRAL STATIONERY STORES, CALCUTTA.**

1616. **\*Mr. A. K. Fuzlul Huq:** Will Government be pleased to state if, amongst the employees of the Central Stationery Stores in Calcutta, there are non-Muslims who (a) have not passed the Matriculation Examination of any University, (b) who have passed only the Matriculation? If there are non-Muslims, will Government be pleased to state the number under sub-heads (a) and (b)?

**The Honourable Sir Frank Noyce:** There are 41 non-matriculate and 26 matriculate non-Muslims.

**COMMUNAL COMPOSITION OF THE STAFF IN THE LOWER DIVISION OF THE CENTRAL STATIONERY OFFICE, CALCUTTA.**

1617. **\*Mr. A. K. Fuzlul Huq:** (a) Will Government be pleased to state the number of employees in Lower Division, Central Stationery Office?

- (b) How many of these are Muslims?
- (c) When was the last Muslim appointment made?

**The Honourable Sir Frank Noyce:** There is no lower division in the Central Stationery Office. On the assumption that the Honourable Member refers to "clerks", "typists" and "junior clerks" of the Stationery Office proper, as distinct from the Stationery Stores, I give the following information:

- (a) Total number of clerks, typists and junior clerks—116
- (b) Number of Muslims—20
- (c) The last Muslim was appointed on the 23rd February, 1932.

**TERMS OF THE AGREEMENT BETWEEN RAJA MAHIPNARAIN AND THE GOVERNOR GENERAL IN COUNCIL.**

1618. **\*Mr. Sri Prakasa:** (a) Is it a fact that in accordance with the terms of the agreement between Raja Mahipnarain and the Governor General in Council, dated October 27, 1794, the 'remaining surplus' from the income from the tracts of land then known as the Zamindari of Benares, and which the Governor General in Council took over under the terms of that agreement, after deducting the sum of Rs. 41 lakhs (Rs. 1

lakh for the Maharaja and Rs. 40 lakhs for the East India Company), was to be annually expended in this district (of Benares) for *pathshalas*, roads, bridges and agricultural improvements?

(b) What is the annual income from such tract now as forms part of British India?

(c) How much is specifically spent out of that locally for purposes mentioned in the agreement?

(d) Do Government propose to see that the terms of the agreement are strictly adhered to in the future?

(e) Are Government prepared to wipe off the debts of the Benares Municipality and other local boards in the area and give substantial grants to them for local purposes as mentioned in the agreement?

**Mr. H. A. F. Metcalfe:** Enquiries are being made and the result will be intimated in due course.

**Mr. S. Satyamurti:** When was this question received in the office of the Honourable Member?

**Mr. H. A. F. Metcalfe:** I cannot give the exact date.

**Mr. S. Satyamurti:** May I know why Government could not have got the reply in these ten days? They had at least 10 days to get it.

**Mr. H. A. F. Metcalfe:** I may point out that it is an extremely complicated question which requires inquiries to be made from other places than Delhi.

**Mr. Sri Prakasa:** My misfortune is that I did not hear the original answer to the question: may I have it again?

**Mr. H. A. F. Metcalfe:** Enquiries are being made and the result will be intimated in due course.

**Mr. S. Satyamurti:** Will the result be placed on the table of the House?

**Mr. H. A. F. Metcalfe:** The reply will be placed on the table of the House: that is what is intended.

#### SCALES OF PAY OF CERTAIN POSTAL EMPLOYEES.

1619. **\*Prof. N. G. Ranga:** Will Government be pleased to state (i) the scales of pay of the Postmasters of Sub-Post offices, and Branch Post Offices, and (ii) the scales of pay of the mail-runners, postal peons and postmen?

**Mr. G. V. Bewoor:** A statement giving the information required by the Honourable Member is laid on the table.

The existing scales of pay of the departmental officials concerned vary according to locality as they were fixed in consideration of the cost of living prevailing at the respective places. The highest and the lowest scales of pay in respect of each of the classes of officials mentioned by the Honourable Member are as follows :

Classes of officials.	Highest scale of pay.	Lowest scale of pay.
	Rs	Rs.
Sub-Postmasters . . . . .	70—5—170	35—5—135
Branch Postmasters . . . . .	70—4—110	35—4—75
Mail Runners . . . . .	17—1/4—22	13—1/4—18
Postal Peons . . . . .	25—1/2—30	14—1/2—19
Postmen . . . . .	30—1—50	18—1—38

Revised rates of pay have been sanctioned with effect from the 1st April, 1935, for new entrants to all non-gazetted posts. A copy of the orders of Government on the subject has been placed in the Library of the House.

**Mr. President** (The Honourable Sir Abdur Rahim): The Chair passes over the next question, No. 1620, which will be put later.

#### WANT OF A SUITABLE MARKET IN NEW DELHI.

**1621. \*Mr. Ram Narayan Singh:** Are Government aware that the Members of the Assembly, the Government servants and other people residing in New Delhi have been experiencing great inconvenience for want of a market in New Delhi, and if so, are they prepared to arrange for one in a central place where fruits, vegetables and other edibles and also other materials of common use may be purchased at the same rate as in Old Delhi?

**Mr. G. S. Bajpai:** There is a municipal market at the junction of the Market Road and Lady Hardinge Road in New Delhi at which a wide range of commodities, both edible and otherwise, is for sale. I understand that the Municipal Committee are considering proposals to improve and remodel this market. Other municipal shops exist at the following centres in New Delhi:

(1) Baird Road	10 shops.
(2) Hastings Lane	5 shops.
(3) Near Western Court	5 shops.

In addition 20 new municipal shops have been sanctioned and will be completed during the next summer at the following places:

- (a) Near Prithvi Raj Road.
- (b) In the New City Extension Area.

Vendors in the municipal markets and shops are already subject to municipal bye-laws which impose upon them the obligation to sell at or below the rates published in the municipal Commodity Price Lists. These are prepared on the basis of the prevailing market rates.

**Mr. Ram Narayan Singh:** Will the Honourable Member kindly repeat his reply? I could not hear him.

(Mr. G. S. Bajpai repeated the reply given.)

**Mr. Ram Narayan Singh:** I give the Honourable Member a prize for the way he has given the reply.

**Mr. G. S. Bajpai:** Sir, I lay a copy of the price-list on the table. (Laughter.)

*Prices current in the New Delhi Market for the period ending 15th March 1935.*

Articles.	Rates.	Articles.	Rates.
<i>Miscellaneous.</i>			
	Per		Per
	Rupee.		Seer.
	Seer Ch.		Rs. A. P.
Flour (Atta) Sup.	11 8	Tomatoes	0 6 0
Flour (Atta) Inf.	12 0	Cabbages	0 1 0
Suji	10 0	Cauliflowers	0 4 0
Maida	10 8	Ginger	0 4 0
Beun	13 0	Lemons	0 8 0
Gram flour	16 0	Turnips	0 0 9
Sagu	3 4	Carrots	0 1 0
Crushed Gram	16 0	Sag Palak	0 0 6
Barley	20 0	Raddishes	0 1 0
Chhokar	20 0	Beats	0 2 0
Rice (best)	4 0	Pumpkins	0 1 6
Rice (ordinary)	8 0	Brinjals	0 4 0
Oats	10 0	Beans	..
Dal Mash	8 0	Kachaloos	0 2 0
Dal Moong	12 0	Ladies fingers	..
Dal Gram	13 0	Tindas	..
Dal Masoor	6 0	Tories	0 8 0
Dal Arhar	7 0		
Salt	11 0		
	a. p.		
Pepper	0 12 0 Sr.	<i>Fresh Fruits.</i>	
Chillies	0 6 0 "	Coconuts	0 2 0 each.
Sugar (Crystal)	0 3 4 Ch.	Walnuts	..
Sugar (country)	0 3 6 "	Monkey Nuts	0 4 0
Khand (best)	0 3 6 "	Grapes	..
Khand (ordinary)	0 3 8 "	Grapes (large)	..
Gur	0 7 0	Guavas	0 4 0
Milk (Cow)	0 7 0	Apples (Kulu)	0 10 0
Milk (Buffalo)	0 6 0	Apples (Kashmeri)	0 8 0
Ghee	0 0 14 Ch.	Pears	..
Ghee	0 0 14 Sr.	Oranges (local)	0 6 0
Curd	0 4 0	Oranges (Nagpur)	0 9 0
Cream	1 0 0 lb.	Melons	0 6 0
Bread	0 1 0	Water Melons	..
Butter	1 0 0 lb.	Musk Melons	0 8 0
Pastery	0 11 0 doz.	Pineapple.	..
		Aroo	..
<i>Vegetables.</i>		Aloochas	..
Potatoes	0 1 0	Lichies	..
Arwies	0 1 0		

Article, <i>Fresh Fruit.</i>	Rates, Per Seer.	Rs. A. P.	Articles, <i>Meat, etc.</i>	Rates, Per Seer.	Rs. A. P.
Falsas . . . . .	..	..	Heart . . . . .	0 1 6 each.	
Jamans . . . . .	..	..	Tongues . . . . .	0 5 0	
Apricots . . . . .	0 4 0		Ox tails . . . . .	0 4 0	
Khirmies . . . . .	..	..	Livers . . . . .	0 2 0	
Bair . . . . .	0 2 0		Goat's head . . . . .	0 4 0	
Kasiroos . . . . .	..	..	Goats limbs . . . . .	0 0 6	
Mangoes . . . . .	..	..	Ox limbs . . . . .	0 8 0	
Raisins . . . . .	0 8 0		Kidneys . . . . .	0 1 0	
Pistas . . . . .	2 8 0		Local fish . . . . .	0 8 0	
Almonds . . . . .	0 12 0		Sea fish . . . . .	1 8 0	
Dates . . . . .	0 4 0				
Walnuts . . . . .	0 8 0				
Chilgosas . . . . .	0 10 0				
Coconuts dry . . . . .	0 5 0				
Plantains (Country) . . . . .	..	..	<i>Poultry, etc.</i>		
Plantains (Bombay) . . . . .	..	..	Country fowl . . . . .	0 14 0	
Plantains (Calcutta) . . . . .	..	..	Chickens . . . . .	0 8 0	
Pomegranates (Kan.) . . . . .	0 8 0		Ducks . . . . .	1 4 0	
Pomegranates (Local) . . . . .	..	..	Quails . . . . .	0 3 0	
Pomegranates (Peshawar) . . . . .	0 12 0		Partridges . . . . .	0 6 0	
Mutton . . . . .	0 5 0		Pigeons . . . . .	0 3 0	
Beef . . . . .	0 6 0		Guinea fowl . . . . .	1 2 0	
			Eggs . . . . .	0 9 0 doz.	

# INDIA'S TRADE WITH ROUMANIA.

1620. \*Mr. T. S. Avinashilingam Chettiar: Will Government state:

- whether they are aware of Reuter's report of 18th March, published in the *Hindustan Times* of the 15th March, 1935, that 'India is among the countries which have been listed and wherefrom imports have been banned, as she does not import Roumanian goods';
- whether this is a fact;
- what is the amount of trade that will be affected by this action of the Roumanian Government; and
- what action Government have taken in the matter?

The Honourable Sir Joseph Bhoré: (a) Yes.

(b) and (d). Government have no official information but they have made enquiries in the matter.

(c) India's export trade to Roumania in the year 1933-34 amounted to Rs. 5.65 lakhs.

Mr. T. S. Avinashilingam Chettiar: Have the Government of India any Trade Commissioner in that part of the world?

The Honourable Sir Joseph Bhoré: No: the Trade Commissioner at Hamburg looks after that part of the world.

Mr. T. S. Avinashilingam Chettiar: Have they taken any pains to know whether this is true or not?

**The Honourable Sir Joseph Shore:** They have taken every pains.

**Mr. T. S. Avinashilingam Chettiar:** What are the steps they have taken?

**The Honourable Sir Joseph Shore:** The steps they have taken are to ascertain whether there is or is not any truth in this statement.

**FILLING THE DITCHES NEAR THE HILLS ON THE WESTERN SIDE OF NEW DELHI  
WITH MUNICIPAL DIRT.**

1622. **\*Mr. Ram Narayan Singh:** Are Government aware that the ditches near the hills on the western side of New Delhi, on the Rohtak Road and near the Tibbia College, are being filled with municipal slum and dirt and that a terribly bad smell is spreading therefrom all round, and if so, are they prepared to stop this practice on the ground of public health?

**Mr. G. S. Bajpai:** I am not aware that it is possible to dump a slum into a ditch. So far as filling the ditches with dirt is concerned, I am informed by the Delhi Municipal Committee that neither the ditches on the Rohtak Road nor near the Tibbia College are being filled with dirt. The unpleasant smells to which the Honourable Member refers probably come from the tanneries of Basti Raghar when there is an easterly wind.

**Mr. S. Satyamurti:** Has the Honourable Member ever travelled along the road, as I have, and has he never felt the very disagreeable smell, and has he not seen heaps of dirt heaped up just near that road?

**Mr. G. S. Bajpai:** I have not denied the existence of unpleasant smells: I have attributed them to a different cause.

**Mr. S. Satyamurti:** Has the Honourable Member any information that accumulation of dirt will not cause bad smell on the Rohtak Road?

**Mr. G. S. Bajpai:** It depends naturally on the nature of the dirt: if it were mere rubble or such like, it would not cause any smell.

**Mr. S. Satyamurti:** Has the Honourable Member any information that dirt is not being accumulated there?

**Mr. G. S. Bajpai:** I have already stated that the Delhi Municipal Committee informed me that dirt is not being dumped in ditches either on the Rohtak Road or near the Tibbia College.

**Mr. S. Satyamurti:** It is an awful smell, as I found the other day when I travelled that side.

**Mr. President (The Honourable Sir Abdur Rahim):** The best course is to inform the Municipality.

**Mr. Ram Narayan Singh:** Will the Honourable Member accompany me? I shall very kindly show it to him.

**Mr. G. S. Bajpai:** I shall be happy to accompany him on this tour of inspection, but I hope he will bring something fragrant with him.

#### SHOWER BATHS IN THE QUARTERS OF THE MEMBERS OF THE LEGISLATIVE ASSEMBLY.

1623. **\*Mr. Ram Narayan Singh:** Are Government prepared to make arrangements for a shower bath in the bath rooms of all Government quarters allotted to Members of the Assembly?

**The Honourable Sir Frank Noyce:** No. Shower baths are not ordinarily provided in Government residences, and I do not think that they can be regarded as a necessity.

**Mr. Mohan Lal Saksena:** Are they provided in the houses of the Members of the Executive Council?

**The Honourable Sir Frank Noyce:** No, Sir; I have none in my house.

**Mr. Ram Narayan Singh:** Is it not a fact, Sir, that in some quarters there is provision for shower baths?

**The Honourable Sir Frank Noyce:** I think, Sir, if I may venture to make suggestions that this is a matter which might much better be discussed by the House Committee rather than on the floor of this House.

#### POST AND TELEGRAPH OFFICES IN THE CHOTA NAGPUR DIVISION.

1624. **\*Mr. Ram Narayan Singh:** Will Government be pleased to state the number of post and telegraph offices in the Chota Nagpur Division, District by District?

**Mr. G. V. Bewoor:** Information has been called for and a reply will be placed on the table of the House in due course.

**Mr. A. K. Fuzul Huq:** In view of the fact that the reply is not ready, what useful purpose does it serve by putting the question in the question list?

**Mr. President** (The Honourable Sir Abdur Rahim): That is not the business of the Department. The Honourable Member put his question, and, therefore, it is there.

#### JORI POST OFFICE IN THE HAZARIBAGH DISTRICT.

1625. **\*Mr. Ram Narayan Singh:** (a) Are Government aware that there are no postmen in some of the post offices, chiefly that at Joni, in the District of Hazaribagh?

(b) Will Government be pleased to state how letters, money orders and other postal receipts are delivered to the addressees concerned by those post offices, specially that of Joni, mentioned in (a), where there is no post-man?

(c) What is the pay of the Postmaster of Joni in the District of Hazaribagh?

(d) Are Government aware that a money order addressed to Babu Jageswar Dayal Singh, Village Kosumbha, Post Joni, in the District of Hazaribagh, was sent from the post office attached to the Assembly on the 5th February 1985, and delivered to the addressee at the end of the month of February 1985, and if so, will they explain the delay?

**Mr. G. V. Bewoor:** (a)—(d). Government have no information. The Head of the Circle concerned is competent to deal with the matters referred to and a copy of this question is being sent to him for such action as he may consider suitable.

**Mr. Ram Narayan Singh:** Before I put this question, Sir, I want to point out that there is . . . . .

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member can only put a question.

**Mr. Ram Narayan Singh:** There is a mistake. The particular post office referred to is Jori and not Joni, as stated in the question.

**Mr. G. V. Bewoor:** (a) and (d). Government have no information. The Head of the Circle concerned is competent to deal with the matters referred to, and a copy of this question is being sent to him for such action as he may consider suitable. I have noted the correction, and I will send him the correction also.

REPRESENTATION FROM SUBORDINATE RAILWAY EMPLOYEES IN STATE  
RAILWAYS TO HIGHER ADMINISTRATIVE OFFICERS.

1626. **\*Pandit Lakshmi Kanta Maltra:** (a) Is it a fact that all subordinates employed in State Railways are entitled to represent their grievances to the higher administrative officers?

(b) Is due notice taken of appeals against the decisions of junior administrative officers?

(c) Is it a fact that sometimes the junior administrative officer himself, against whose decision an appeal is made to some higher officer, deals with such appeals?

**Mr. P. R. Rau:** (a) Subordinate employees are not debarred from making representations to higher authorities.

(b) and (c). The Railway Board have issued instructions to the Agents of State-managed Railways that it should be impressed upon all officers that extreme care should be taken in the exercise of the disciplinary powers so as to ensure that no unjustifiable penalties are adjudged and that the staff are invariably accorded their proper rights of appeal.



**APPOINTMENT OF SUPERVISORS IN RAILWAY WORKSHOPS FROM AMONGST APPRENTICES.**

1627. \***Pandit Lakshmi Kanta Maitra:** (a) Is it a fact that the practice in all railway workshops is to appoint supervisors from amongst their own apprentices?

(b) If so, is it a fact that the Deputy Chief Mechanical Engineer, Electrical, of the Eastern Bengal Railway has recently departed from this practice and has recruited nine supervisors from outside?

(c) Is it a fact that recently several persons from outside with little or no practical training have been appointed while all first class apprentices have been thrown out on completion of their apprenticeship?

(d) Is it a fact that no notice is taken of the "Final Report" of the Principal of the technical school when appointments are made after completion of training?

**Mr. P. B. Rau:** The Agent, Eastern Bengal Railway, reports as follows:

(a) Yes.

(b) and (c). Outsiders were selected because of their experience and qualifications. One of the number recruited was an old apprentice.

(d) No.

**RETRENCHMENT IN THE MILITARY ACCOUNTS OFFICE, RAWALPINDI.**

1628. \***Bhai Parma Nand:** (a) Will Government please state the policy followed by the Retrenchment Board of the Military Accounts Office, Rawalpindi in making retrenchment?

(b) Is it a fact that clerks who had passed S. A. S. tests and had done meritorious service, before and after passing that test, and who were strongly recommended by their superiors, were retrenched, while others who had not passed even the clerical tests, were retained?

(c) Are Government prepared to re-employ those who had done good service in the Military Accounts, just as other Departments are taking back their retrenched hands? If not, why not?

**The Honourable Sir James Grigg:** (a) In the lists submitted by the Retrenchment Board to the Military Accountant General in connection with the retrenchment of personnel in the office of the Controller of Military Accounts, Rawalpindi, the names of all accountants and clerks were shown in the order of their inefficiency, as determined after the most careful consideration of each individual case, so as to enable the cases of the least efficient to be considered first. In making his selection the Military Accountant General proceeded on the same principle.

(b) No.

(c) The Government servants compulsorily retired under the Retrenchment Scheme in the Military Accounts Offices had all been found inefficient. Government do not, therefore, propose to re-employ them.

**REFUSAL BY THE ITALIAN GOVERNMENT TO GIVE PERMISSION TO AN INDIAN INSURANCE COMPANY TO DO BUSINESS IN ITALY.**

**1629. \*Dr. T. S. S. Rajan:** (a) Are Government aware that Indian insurance companies are not permitted to be floated and to operate in Italy and that permission to an Indian company was recently refused?

(b) If so, are Government prepared to take the fact of the refusal of the Italian Government into consideration during the ensuing Indo-Italian trade talks?

(c) Are Government prepared to consider the desirability of reciprocal treatment to Italian enterprise in this country, pending Indo-Italian trade talks?

(d) If the replies to parts (b) and (c) be in the negative, will Government be pleased to state their reasons?

**The Honourable Sir Joseph Bhore:** (a) Government have been informed that one Indian insurance company has experienced difficulty in setting up business in Italy. They are making enquiries into the matter.

(b), (c) and (d). Government are unable to express an opinion on these matters until the enquiries referred to have been completed.

**Dr. T. S. S. Rajan:** Is it a fact that a Trade Agreement between the Italian and Indian Governments is going to be discussed shortly?

**The Honourable Sir Joseph Bhore:** It is not being discussed at the moment.

**Mr. S. Satyamurti:** Is anything being done in that direction?

**The Honourable Sir Joseph Bhore:** Yes, Sir; we are in communication with the Government of Italy on this subject.

**Mr. S. Satyamurti:** Have the Government of India addressed them recently on this matter, and have they included in their letter to the Italian Government the question of reciprocal facilities for insurance companies in either country?

**The Honourable Sir Joseph Bhore:** No, Sir, for the simple reason, as I explained the other day, in reply to a question in this House, that provision already exists for reciprocal treatment in respect of this and in all other trading and commercial matters.

**Mr. S. Satyamurti:** What are the particular matters which are now being explored as the basis of an Indo-Italian Trade Agreement?

**The Honourable Sir Joseph Bhore:** I cannot give my Honourable friend any information on that point beyond telling him that the negotiations contemplated will cover the trade relations generally between Italy and India.

**Dr. T. S. S. Rajan:** May I know the answer to part (d) of my question?

**The Honourable Sir Joseph Bhore:** I said that the answer to parts (b), (c) and (d) is that Government are unable to express an opinion on these matters until the inquiries referred to have been completed.

**Dr. T. S. S. Rajan:** Is it a matter for opinion? I want to know the reasons for it? It applies to parts (b) to (d).

**The Honourable Sir Joseph Bhore:** I have not replied to any part in the negative.

#### ALLEGATIONS AGAINST THE LOCOMOTIVE FOREMAN OF THE LAHORE SHED.

1630. **\*Mr. Sham Lal:** (a) Has the attention of Government been drawn towards the serious allegations of forced bribery, undue fines, suspensions, dismissals, collection of funds under personal name and lotteries made against the Locomotive Foreman of Lahore Shed in the issues of the Urdu weekly *Union* of Lahore, dated June 30, July 15 and August 31, 1934?

(b) Have Government or the Agent, North Western Railway, or any other responsible officer, received any representations, memorials, telegrams, etc., against the Locomotive Foreman?

(c) If the reply to parts (a) and (b) be in the affirmative what action have Government taken in the matter?

(d) Are Government prepared to institute an open enquiry into the serious allegations of corruption and malpractice against the officer concerned?

**Mr. P. E. Rau:** (a) Government have not seen the issues of the Urdu Weekly referred to in the question.

(b) to (d). Government have no information but, as apparently the matter is entirely within the competence of the Agent, North Western Railway, to deal with, I am forwarding a copy of the question to him for any action he may consider necessary.

#### REPRESENTATION MADE BY SOME FIREMEN OF THE LAHORE SHED.

1631. **\*Mr. Sham Lal:** (a) Will Government state if they have received recently any representation made by about thirty firemen of the Lahore Shed?

(b) Will Government lay this application on the table for the information of this House?

(c) What action do Government propose to take into the matter?

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

(b) and (c). The representation has been forwarded to the Agent, North Western Railway, for enquiry.

#### HARDSHIPS OF SOME TEMPORARY CLERKS IN THE RAILWAY CLEARING ACCOUNTS OFFICE.

1632. **\*Dr. P. N. Banerjee:** (a) Is it a fact that there are about 40 clerks in the Railway Clearing Accounts Office, who were originally recruited some time in 1928 but still continue to be temporary?

(b) Is it also a fact that there is no chance of these clerks being fully absorbed against permanent cadre in the near future?

(c) If the reply to parts (a) and (b) above be in the affirmative, are Government prepared to take steps to remove this hardship of these old temporary clerks?

(d) Is it a fact that most of these temporary clerks are employed against temporary posts created for terminal tax work of municipalities? If so, are Government prepared to consider the desirability of asking the municipalities to contribute for leave salary, provident fund, bonus and gratuity, and make these posts permanent instead of continuing them as temporary?

**Mr. P. R. Rau:** (a) There are 23 such clerks.

(b) No. I understand they are likely to be absorbed in the course of two years.

(c) Does not arise.

(d) These clerks are employed against temporary posts sanctioned, from time to time, for terminal tax work or for compilation of statistics by other Departments. The suggestion in the second part of the question will be considered.

#### RECONSTITUTION OF THE INDIAN LAC CESS COMMITTEE.

1633. **\*Mr. Ram Narayan Singh:** (a) With reference to Mr. Bajpai's answers to certain questions regarding the Lac Research Institute on the 3rd July, 1934, and again on the 20th August, 1934, that the question of reconstructing the Committee is under consideration, is the consideration still going on or come to an end, and if so, with what result?

(b) Are Government aware of the fact that the lac cultivators of Bihar do not look upon a high Government official as their representative?

(c) Are Government prepared to direct the Government of Bihar and Orissa to nominate on the Committee a non-official representative of lac cultivators?

**Mr. G. S. Bajpai:** (a) The question is still under consideration.

(b) No.

(c) The choice of a representative of the lac cultivators' interest in Bihar and Orissa is within the discretion of the Local Government

#### INTERFERENCE OF THE BIHAR GOVERNMENT WITH THE DECISIONS OF THE INDIAN LAC CESS COMMITTEE.

1634. **\*Mr. Ram Narayan Singh:** (a) Is it a fact that two non-official members of the Indian Lac Cess Committee addressed in the month of May, last a very long letter to the Government of India, protesting against the manner in which the business of the committee was conducted by the President, and also against the interference of the Bihar Government with the free decision of the Committee?

(b) Is it a fact that the Government of Bihar and Orissa sent a letter of recommendation through Mr. Housefield, the Commissioner of Ranchi, to the Lac Cess Committee, for the re-appointment of Mrs. Norris as the Director of the Lac Research Institute?

(c) Will Government be pleased to state their policy regarding the reconstruction of the Indian Lac Cess Committee and the Indianisation of the higher appointments in the Lac Research Institute?

(d) Why did the Government of India sanction the re-appointment of Mrs. Norris as the Director of the Lac Research Institute against Indian public opinion and protest by some of the members of the Lac Cess Committee?

**Mr. G. S. Bajpai:** (a) The letters related to alleged interference by the Local Government. There was no complaint against the President.

(b) Mr. Horsfield was authorised to make a statement on behalf of the Local Government at the meeting of the Committee held on the 28th March, 1934, when the question of the renewal of Mrs. Norris's contract was under discussion.

(c) The Honourable Member's attention is invited to the reply given by me today to part (a) of his question No. 1638 and to the reply given by me on the 14th February, 1935, to parts (d) to (g) and (j) of his question No. 254.

(d) For the reasons stated in reply to part (d) of the Honourable Member's question No. 255 on the 14th February, 1935.

#### DEPUTATION ON BEHALF OF THE CORDITE FACTORY LABOUR UNION.

1635. **\*Mr. S. Satyamurti:** (a) Is it a fact that the Army Secretary received a deputation in Simla, during the summer of 1934, on behalf of the Cordite Factory Labour Union?

(b) Is it a fact that at that time the Master General of Ordnance was at Aruvankadu on a tour of inspection?

(c) Is it a fact that on hearing of the deputation interviewing the Army Secretary, the Superintendent of the Cordite Factory questioned, under threat of discharge, several of the workmen who lent their signatures to the statement of their grievances, as to why they had signed the document at all?

(d) Is it a fact that in reply the signatories stated that they were ignorant of the contents of the document and that they were forced to sign the memorial by some people?

(e) Is it a fact that the Master General of Ordnance (on the spot) endorsing the Superintendent's version, telegraphed to the Army Secretary not to receive the deputation on the ground that the men had no grievances but that some designing people were fomenting discontent among them?

**Mr. G. R. F. Tottenham:** (a) and (b). Yes, Sir.

(c) and (d). The facts are as follows:

On hearing of the petition, the Superintendent of the Cordite Factory naturally desired to know what the grievances of the Union were. In reply to his enquiries the officers of the Factory Labour Union stated that they did not know the contents of the petition though they had put their signature to it. It is difficult to reconcile the suggestion of intimidation by the Superintendent with the fact that a little while previously he had

himself, offered the Labour Union officers an opportunity of seeing the Director of Ordnance Factories during his visit of inspection, an offer of which they did not avail themselves.

(e) No, Sir.

#### DETENTION ALLOWANCES DRAWN BY ARMY OFFICERS WHILE ON TOUR.

1636. **\*Mr. S. Satyamurti:** (a) Will Government please state whether the Master General while stopping at Aruvankadu was staying as the guest of the Superintendent of the Cordite Factory? If so, what detention allowance did he claim from Government for his expenses at Aruvankadu?

(b) Is it a fact that Army officers generally draw detention allowances when on tour, even when they are provided by their hosts, including Government Houses, with free meals and lodging?

**Mr. G. R. F. Tottenham:** (a) and (b). Government have no information, but they have no doubt that detention allowances are not claimed by Army Officers otherwise than in accordance with the rules.

**Mr. S. Satyamurti:** What I want to know is whether the rules contemplate that Army officers may draw detention allowance even when the contingencies mentioned in the question happen?

**Mr. G. R. F. Tottenham:** I imagine the rules contemplate that this is a matter that should be left to the conscience of officers both military and civil.

#### THE INDIAN TARIFF (AMENDMENT) BILL.

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member, Sir Joseph Bhore, moved yesterday:

"That the Bill, as amended, be passed."

**Prof. N. G. Ranga** (Guntur *cum* Nellore: Non-Muhammadian Rural): Mr. President, the peasants of this country have absolutely no cause to thank the Government for this mean-minded little mercy of theirs. The producers of the two most important staple commodities have been reduced to such a pitiable and helpless state by the callousness and faithlessness of their Government that they have been obliged to ask for protection against foreign competition. The sufferings of our peasants can only be imagined when I tell you that they have received only 534 crores of rupees in 1932-33 as against 1,018 crores in 1928-29, that is, a colossal loss of 488 crores per annum.

Thanks to the presence of a strong Punjabee, a real Punjabee and not a ready made one, on the Viceroy's Council, the wheat growers have received some protection in the last four years, with the result that the growth of losses had been arrested to some extent, as is evidenced by the fact that between 1928-29 and 1932-33, the fall in the value of this produce has been only round about 35 per cent. against the 50 per cent. fall in the case of rice-growers. But even this protection has not resulted in any rise

of prices, so the Crop Planning Conference has itself said. Yet the Government now propose to reduce even this little bit of protection to the wheat growers, thanks to the retirement of the Punjabee and the growing influence of the Finance Member in the Executive Council.

As for the rice-growers, the Madras Government, the Madras Legislative Council, the public and the peasants, the rice merchants and even the importers are all unanimous in saying that this duty on broken rice is not enough and that a higher duty on whole rice and broken rice is needed. The Honourable the Commerce Member's own admission that rice imports are increasing is against this proposal. The only result of this duty will be to increase the imports of rice from Siam and other countries. This partial, inadequate and wholly unsatisfactory proposal is placed before us because the Commerce Member has yielded completely to the bullying of the Finance Member and others on the Executive Council. I wonder why the Honourable the Commerce Members does not make a clean breast of it, like Sir Fazl-i-Husain . . . .

**The Honourable Sir Joseph Bhore** (Member for Commerce and Railways): Because he has got absolutely nothing to make a clean breast of.

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member is getting personally offensive.

**Prof. N. G. Ranga**: I am referring to the Commerce Member and not to Sir Joseph Bhore, and confess his failure to help the Indian producers, owing to the opposition of the Secretary of State and his favourite and latest agent, the Finance Member.

**The Honourable Sir Joseph Bhore**: I must protest against that. The Secretary of State had absolutely nothing to do with this.

**Prof. N. G. Ranga**: He is their senior, he is their principal. (Hear, hear from Congress Party Benches.) In conclusion, I have to protest vehemently against the failure of Government to afford adequate protection to our peasants and place it on record that the peasants reserve their right to open up this question at the earliest opportunity in this House as well as in the country. I would like to congratulate the Commerce Member also, before he lays down the seals of his office, on the fortunate position in which he finds himself that he need not have to stand for any election at all in this country, because, I can assure him that if he were to stand anywhere for election in this country, he is sure to be given a sound beating and he is sure to be met with the same fate that met Sir Shanmukham Chetty, not only for Ottawa, not only for the Indo-British Pact, but also for this unsatisfactory proposal . . . .

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member is absolutely irrelevant.

**Some Honourable Members**: Let the question be now put.

**Mr. President** (The Honourable Sir Abdur Rahim): The question is that the question be now put.

**Mr. G. S. Bajpai** (Secretary, Department of Education, Health and Lands): I would like to make a few observations . . . .

**Some Honourable Members:** No, no The Honourable Member cannot speak. Closure has been accepted. Is it a point of order?

**Mr. President** (The Honourable Sir Abdur Rahim): What does the Honourable Member wish to say?

**Mr. G. S. Bajpai:** I felt that it was due in courtesy to what my Honourable friends said yesterday on rice—I felt it was due in courtesy to them that I should answer some of the points which they had urged. But if they do not want that I should reply, it is a matter for them.

**Mr. President** (The Honourable Sir Abdur Rahim): The cry for closure also came from the Treasury Benches . . . .

**Dr. T. S. S. Rajan** (Tanjore *cum* Trichinopoly: Non-Muhammadian Rural): May we hear what he has got to say?

**Mr. President** (The Honourable Sir Abdur Rahim): If Honourable Members do not want closure, it lies with them. The question is that the question be now put.

The motion was adopted.

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

"That the Bill, as amended, be passed."

The motion was adopted.

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### THE INDIAN FINANCE BILL—*contd.*

**The Honourable Sir James Grigg** (Finance Member): I beg to move.

"That in clause 2 of the Finance Bill, as amended, for the words 'twelve annas' the words 'one rupee and four annas' be substituted."

Sir, this amendment is required in order to fill up a hole of more than three crores which has been made in the budget by the Assembly. Various Honourable Members have made suggestions for finding the sum of three crores in other directions . . . .

**An Honourable Member:** A little louder please.

**The Honourable Sir James Grigg:** Various Honourable Members have made suggestions for finding this sum of three crores in other directions, but none of these suggestions are immediately practicable and some of them are not practicable at all. As the Government cannot take the responsibility of coming before this House, and the world at large, with a budget which does not even pretend to balance, we have no alternative but to ask the House to reverse its previous decision. Sir, I move.



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

"That in clause 2 of the Finance Bill, as amended, for the words 'twelve annas' the words 'one rupee and four annas' be substituted."

**Mr. Bhulabhai J. Desai** (Bombay Northern Division: Non-Mulamadani Rural): **Mr. President**, it would have been the barest act of duty to those who voted for the several amendments to the Finance Bill, if only the Finance Member had considered and reconsidered the matter instead of merely adhering to his decision. The fact, however, remains that, in the exercise of the powers vested under the Government of India Act, within the four corners of which I must remind myself at the beginning of probably the last address that I shall deliver in this Session—within the four corners of that Act, there is such a thing as the present situation which has arisen by reason of the recommendation which you, Sir, read out to the House yesterday. The recommendation is that this House, notwithstanding the overwhelming vote which it gave on the several amendments amending the different provisions and clauses of the Finance Bill—this House is told that its opinion has neither any value nor any effect in the eyes of those who govern this country. To call it an insult is a hackneyed phrase, and so I won't use it. But the fact remains that we did our best not to throw out the Finance Bill at the consideration stage, and we did that advisedly, in order that it may not be said that we were—a matter which I propose to examine at a later stage—irresponsible men, not understanding either the business or the art of Government, and, it is with a view to repealing or preventing such an impression being created against us, that we thought it right to allow the next stage of the consideration of the Bill clause by clause to come before the House, so that we could give an opportunity to every Member of the House and every section of it to express its opinion as to whether it was satisfied with the provisions the initiation of which undoubtedly lies with those who are in charge of the Government.

I should like, at the outset, to inform the House of the vast majority by which the amendments, which we are now asked to take back in the Bill in the form of a recommendation, were passed by the House. We are asked to swallow the opinion that we deliberately came to and every section of the House owes it to itself to think aloud, to put its hand on its conscience, its categorical imperative which is not awakened merely occasionally, but which, I hope and trust, will stand by every man during the time at all events that this Session lasts, that it shall not be a case of the conscience awakened once and laid at rest whenever a behest came from other quarters. Let conscience assert itself irrespective of the consequences, irrespective of cold steel glass, irrespective of cynical smiles, irrespective of assertions, irrespective of assumed frowns. Let me assure every Member of this House that none of those considerations have any value against the conscientious opinion which he has voluntarily and willingly given in support of the amendments to the Bill.

Sir, the amendment to the salt clause was carried by a majority of 68 against 55, the income-tax clause 73 against 42, the two pice postcards by 79 to 44, the one anna envelope 88 against 35, and a reduction of the pattern and sample and book post by 84 against 39, so that it cannot be said that it is only those whom I represent, the Communistic caucus as it is described, who have succeeded in turning the vote of the House against the proposals of Government. It is my duty indeed on this occasion at all events,

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to justify and vindicate the position we stand for, not merely in terms of generalities, which sometimes is a charge levelled against us, but in such definite terms as I can command, in order that our position may be appreciated, and in order that those who supported us in the measures we took, notwithstanding the earlier measures in which they did not join, may continue their adherence first to their conscience and next at all events to the truth of what they have voted for. (Hear, hear.) The matter on which I wish to lay a few observations is not so much in the matter of the description that has been applied to my Party, because I am one of those who, during a somewhat long and arduous career at the Bar, have been accustomed to a considerable amount of strong language. It has never affected me in so far as my nerves are concerned, of which I wish to give an assurance to my Honourable friends opposite, but when the description is of a nature which may perhaps reflect on the quality of the men or the opinions which they represent, I think it is up to me to present such vindication, as I can, both before this House and the larger world to which it has gone forth in the name of the Government of India. With the present, not merely coquetry, but almost wooing, of the only Communist State in the world by the Britisher, it was a somewhat ungracious remark to make on the part of my learned and Honourable friend. I call him learned, because I respect his learning, and that is the phrase also to which I have been most accustomed than the phrase "Honourable". He has both learning and honour, and if he preserves them for the purpose of the consistent policy of the Government which he represents here, I have not the smallest doubt that he would have thought over several times before at all events he thought it fit to brand us with a mark which in the world we could not go out with. Let him consider and his principles consider that times arise always in the history of men, and it will soon arise in the history of this country as well as in others, when all these epithets will recoil in the manner of, what is called in the language of a certain type of sportsmen, a boomerang by which they themselves are hit, and I hope and trust that, as a mere matter of description, the other side will consider carefully and weigh the words which they use, in order that there may be mutual respect for our respective positions. That is the least that I could expect of them. Their conduct, their attitude, all have shown where the caucus exists. I have heard of cabals, of juntas. I have also heard the word caucus, but let them remember that the use of that word applies in an infinitely greater measure to that irresponsible bureaucracy which they represent. (Hear, hear.)

It is not so much as a mere matter of returning word for word that I have used that expression, though even there I am justified by what my Honourable friend Sir James Grigg said—Am I not to hit out when I am criticised?—Am I merely to speak in measured terms of cold logic, in order that you may understand? Let me remind him that sometimes a cold steel cuts different from a brand of the type that he is using, and he may remember, during the time that will lapse before we meet again, that there is a little better description that we deserve than that which he has attempted to give of us. Indeed Communist we may be if the meaning of that is one for which Governments from time to time change their attitude. I know very well that a thing which is an offence one day becomes a friendly act in another and, therefore, these are things which, in the varying circumstances of time, have different values and different attributes. I would not be surprised if, after a time, the Honourable the

Home Member himself is obliged at the behest of his principles to release every man who has been accused of Communistic views, for they could not very well be allies of a Communistic Government of the world and yet punish those very principles in another light. If that is their attitude, all I can say is that they will have to answer not only to us, but to the rest of the world. Their petty power will last for a time, but that is not a matter which affects us, for ours is a case of conscience. Ours is not a case of expediency.

Therefore, it is, that I appeal to my friends on the opposite side that we claim to represent our countrymen a little better than they pretend or profess to represent them and lose as their trustees. We shall, therefore, never degrade ourselves to a position of vituperation, not of even of hitting back. Ours, at all events, will be a position of vindication as I said before, and that is how we shall part during this Session. I declare openly that even if the term has a punishable meaning, it would not terrorise me. If it means that I represent ideas, policies and principles for the more beneficial progress of the community to which I belong, then I am indeed proud of being branded a Communist. If Communism merely means that, we are proud to be Communists, for, after all, we stand not so much for words as for deeds, not so much for mere ideas punishable at convenience, but for ideas enforceable for the common weal of the greatest number of my people. It is that for which we stand; and if we stand for that, any designation, any description, is not only not humiliating, but it is a description, of which, I hope and trust, we shall ever be proud. As regards the caucus, if it means that we have maintained discipline, that we have had solidarity, that we have had strength, that we have had intelligent co-operation, and not only so, but, by reason of our sincere and honest and straightforward attitude, obtained the co-operation of all the other sections of the House as indeed I have shown by the votes I have recounted, I am glad to be able to say that, in so far as that is concerned, we also stand guilty of the charge. In no other sense are we a caucus. Generally speaking, caucus is a term which is related to people who use, and, in due course of time, abuse power. Power, Sir, creates fumes in the brains of those who possess it, and particularly where they are not accountable for it. Those fumes ultimately get into a toxæmia which is the situation that we have reached in which they are unable to see themselves as others see them, as they would themselves have liked in a little less unclouded situation to look at themselves. Then, perhaps, they may have appreciated that, out of a long budget of crores and crores and crores, a sum of some five crores could not, after all, be impossible to be reduced if the Finance Member were under our behest, if we had any power, if he had been our servant, if he had been utilising his knowledge, not for the purposes to which he has placed himself, but for the purposes for which we stand. After all, what did we do? Why should every single Department of Government have everything they want up to the last pie, but the poor man not even that? The army must have it; I take the description of my Honourable friend, and again apply it. He says it is an army of occupation, and they cannot do it with anything else. "The Commander-in-Chief", he says, "has told me that anything else will not be sufficient for quelling internal disorder and for external protection. So he must have it". The services,—they cannot stand a cut of five per cent. Poor devils,—and I am not using language in any sense which is not thoroughly parliamentary,—poor individuals that they are, they seem to imagine that a five per cent.

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cut out of their salary could not be maintained. It means two crores roughly speaking, combining the railway budget with the rest of the budget; two crores of rupees, when the standard of prices has fallen by 40 per cent.

The other day, I asked a question of my Honourable friend to which I have never received an answer. He was fond of the phrase that he used. He said that, by calling a penny tuppence, you do not create wealth. But indeed he calls our penny a ha'penny and takes it out of us. His salary represents  $1\frac{1}{2}$  times the quantity of raw material which the poor man has to pay in the shape of taxes in the name of the same denomination of money which he continues, or would not allow, as he said, to be manipulated, but which, according to me, requires a manipulation for the benefit of the poor man in this country. But the fact certainly remains,—and I am dealing with the assertion that is made for the purposes of recommending this matter to us,—that Government find themselves unable to balance their budget. Poor Government of India! It will lose its credit in the world; and, therefore, in your own name, for your own good, for your own advancement in other lands, who look up to you and lend you money and who are willing to lend you money, please preserve our credit there. And what credit? That you must touch a single pie of the rupee that we have voted to ourselves, because you know a part of the budget is non-votable. And it is my duty, therefore, at all events, as briefly as I can, to indicate that if there was the smallest desire, the very smallest desire, to meet the opinion represented by those of us who are here at all events elected by all classes and communities, I have not the smallest doubt that the Government of India would have reconsidered their position, would have accepted the amendments even at a certain amount of risk. But we are not to be met there.

I am using the words of one of the most honourable men and a prince among men who was my predecessor in this place and spoke some 11 years ago. He said we are always charged,—and I am afraid the same charge is levelled at us today,—we are always charged as being irresponsible men. He said: "I have learnt a little English",—so fortunately have I,—and I understand the meaning of words. A man responsible for his words, for his acts and deeds,—that responsibility I possess. But it is you who initiate measures of taxation, it is you who vote yourself even if you do not wish it, it is you who raise the money, it is you who spend it; and yet even when we raise a little cry of difference, we are irresponsible. Our responsibility is that we must go and agree." [We are invited here, Sir, to a prepared programme to which if we assent, we are responsible; if we dissent, we are irresponsible. If that is the meaning of the word "responsibility", I know only one responsibility, I recognise only one responsibility, both in the sense of fitness and otherwise. I am responsible to those who have sent me and responsible to my land; and, above all, I hope and trust, in fulness of time, I and they are responsible to Providence. And I trust they will bear that in mind. They cannot bear responsibility to us but they undoubtedly bear responsibility in the account they will give in fulness of time.] Therefore, it is, Sir, that I am referring to the two crores of rupees which were restored on a pledge, if you please. And what sort of pledge? A person promises himself that he wishes to take a certain thing and he says, "Now I have given myself a pledge, and if I do not fulfil it this

year, what shall I do?" That is the meaning of the word "pledge". I wish to analyse every single word, every single name, every single formula, every single phrase, by which they have created this delusion and this deception. It says, "We are only fulfilling a pledge. We pledged ourselves that though it was unwillingly taken from us in the force of circumstances, as soon as circumstances permit, we will fulfil the pledge." This, Sir, is a kind of selfishness, another illustration of which it is difficult to find. It is the strongest instance of an unenlightened selfishness, particularly considering that, from the tax-payer's point of view, they were really getting  $1\frac{1}{2}$  times their salaries, and five per cent. out of that they could not and will not forgo. I am one of those who stand here and say that if the Government of India had the smallest sense of any decency, any honesty, any genuine desire for the good of the people, any respect for this House, they would have voluntarily produced five crores of rupees without the smallest difficulty by the very smallest cut in the salaries of their bloated administration. What is the difficulty? There is no difficulty in balancing the budget. Of course the difficulty is as is created. I first start it, then I say I have not got it. Of course, it is the easiest thing to argue. It is irrefutable logic, but it is the logic of selfishness which we cannot bear and will not tolerate. Why is it impossible to produce five crores of rupees? As we understood it, five per cent. represents two crores. So five crores would mean  $12\frac{1}{2}$  per cent. of salaries. Supposing it was cut down, the heavens would not have fallen. My friends would have been in the same comfort and luxury perhaps a wee bit less, but what does it matter? But it matters to them; what does not matter to them is the well-being of the people. And, therefore, it is that this deception comes in,—and it is in the purely legal sense that I use that expression. This deception that this situation is forced upon the Government of India by the irresponsible vote of this House is the very worst deception that I have ever heard spoken in any public assembly. (*Cries of "Shame, shame."*) For what is it that they say? "We cannot produce five crores of rupees to meet your demands." This is the substance, this is the gravamen of the complaint and the pitiable complaint with which they have come here: "Please restore the budget, but if you do not, we will call you irresponsible people." I would rather be irresponsible and take the responsibility for doing what I did, and call upon the Government in the name of their own conscience to produce five crores from all possible sources that they can, in order only that our respect and our vote may be vindicated and the people's relief to that extent may certainly be forthcoming. Of course, we shall have to tell so to the Government. It may be our misfortune to have to stand out, to be barred out, but we shall have to tell the Government that though they look powerful when it comes to a question of a small grant, yet, when we ask them to do a particular thing by a vote of this House, an overwhelming vote, in which every section of the House joins us, they are at least in such a measure so niggardly, so narrow and so cowardly as not to listen to the unanimous vote of this House. For what does the vote of "84" represent except this, and there I will not give any further description. That is the position in which they stand. Of course, you can stand, you can stand mute, you can look powerful, but your power will be a real power, only if you use it for the purposes for which you call yourselves trustees. It is no power, if you simply take advantage of the position in which you stand naked. In fact, I congratulate the Honourable the Finance Member on the very short and

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brief statement he made. He realised the case he had. (Hear, hear.) He had no speech to make, he had nothing to offer; all that he had to say was: "If we take away everything you have voted down, then we have no money, and, therefore, as we have no money, you please go home and tell your constituencies, 'we have spent all their money and, therefore, we have nothing to give you by way of relief'." Is that what we can ever expect? Is that the manner in which this House can ever expect to be treated? Here I should like to call attention to the description that Lord Durham gave, so that my Honourable friends may remember the situation in which they stand here today as the situation was in Canada just about 100 years ago from today. This is the description that Lord Durham gave:

"It is difficult to conceive what could have been their theory of Government who imagined that in any colony of England a body invested with the name and character of a representative Assembly, could be deprived of any of those powers which, in the opinion of Englishmen, are inherent in a popular legislature. It was a vain delusion to imagine that by mere limitations in the Constitutional Act or an exclusive system of government, a body, strong in the consciousness of wielding the public opinion of the majority, could regard certain portions of the provincial revenues as sacred from its control, could confine itself to the mere business of making laws, and look on as a passive or indifferent spectator, while those laws were carried into effect or evaded, and the whole business of the country was conducted by men in whose intentions or capacity it had not the slightest confidence. Yet, such was the limitation placed on the authority of the Assembly of Lower Canada....."

—Precisely the constitution of which I was reminded both when I came, and I shall always remember it both when I go—

"It might refuse or pass laws, vote or withhold supplies, but it could exercise no influence on the nomination of a single servant of the Crown. The Executive Council, the law officers, and whatever heads of departments are known to the administrative system of the Province, were placed in power, without any regard to the wishes of the people or their representatives; nor indeed are there wanting instances in which a mere hostility to the majority of the Assembly elevated the most incompetent persons to posts of honour and trust."

What a truth 100 years afterwards as applied across the Continents. [The only qualification for the supporters of Government today and those honoured by them is the qualification of hostility to us who represent the vast majority of the people of this country. That is the only thing that stands as a mark of honour for those who get the honour from this Government: all honours to them. All our honour is the simplicity of our own names, our own private personal fame, names known to our men, known to our brethren, and that is the greatest honour we want to enjoy. Indeed it is here shown how it is that the same set of Government, the same set of ideas, the same set of circumstances governing the same set of narrow minds, but a time does come when individuals may pass, but the system will have to be altered, and the sooner it alters, the better for your honour and the better for our self-respect.] Let me continue what Lord Durham says:

"However decidedly the Assembly might condemn the policy of the Government, the persons who had advised that policy retained their offices and their power of giving bad advice."

**Mr. S. Satyamurti** (Madras City: Non-Muhammadan Urban): Always.

**Mr. Bhulabhai J. Desai:** I say with a full sense of responsibility that the advice tendered on this occasion by the Cabinet to His Excellency the Governor General was positively a bad advice.

**Mr. S. Satyamurti:** Mischievous advice.

**Mr. Bhulabhai J. Dersi:** Indeed the Government could have easily found five crores, indeed they could have allayed and pacified the people. It might not have been any measure of real advance, but certainly it would have prevented this Assembly over which they spent millions for the purpose of election, or at least made people do so, from being a mockery in every sense of the term. Why should the forms of law and the forms of Constitution be abused if they are going to frame like that? The Government of India Act does not say that, because we vote, therefore, like a shrew in the Taming of the Shrew they must refuse that. I have not a word in the Government of India Act to that effect. I think the Government of India Act was that if we voted, they would respectfully consider our vote and give effect to it. That is what I think was the intention of the Government of India Act, unless the Government of India Act is read in this way, that because we vote, they must refuse. (Laughter.) If that is their conception of the Government of India Act, that at least is not mine. (Hear, hear.) Then, the quotation from Lord Durham goes on:

"If a law was passed after repeated conflicts, it had to be carried into effect by those who had most strenuously opposed it."

I am presently going to state a few words as to what law means in your eyes and what law means in our eyes:

"The wisdom of adopting true principle of representative government and facilitating the management of public affairs, by entrusting it to the persons who have the confidence of the representative body, has never been recognised in the government of the North American colonies. All the officers of the Government were independent of the Assembly; and that body which had nothing to say to their appointment, was left to get on as it best might, with a set of public functionaries, whose paramount feeling may not unfairly be said to have been one of hostility to itself."

Sir, 101 years after the time this was written by Lord Durham in respect to Canada, it is only too true of this land, not only too true, but you may almost substitute the word "India" wherever the word "Canada" or "American Colonies" occur. You cannot have a truer picture of the situation. Undoubtedly there are those of us who, by reason of supposed loyalty to office, are undoubtedly bound to echo their sentiments, and I have nothing to say about them. I have all my sympathies to them, because they are my countrymen, and I give these sympathies to them whether they take them or repel them.

The position of law in these matters is this. If a law merely means this as I have understood in the definition of Austin, the command given by a Sovereign Authority who has sanction behind it, then you may be quite certain that everything that this Government does is law, for, indeed, it affects on what it gets. The more power it has, as soon as the smallest resistance occurs, it abuses what it calls "laws", because it has sanction behind it. For what purpose? In order only to enhance and strengthen the power and use or misuse of their powers. That is not how I understand law in the broader and the larger and the more judicial sense of the term. I understand law to be a course of conduct for the guidance of men—whether it be the Statute of an Assembly or even a law passed by a despot,—a course of conduct for the guidance of men, in order only that the best interests of society may be served. That is what I call "law",



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because, if I accepted their definition of law, I would always fall—which they wish me to do—into a vicious circle and have to obey anything in order only that their power may be preserved. It is in that sense that Lord Durham said that it has fallen to those to administer laws to people who oppose those laws. That happens, but once in a way in this Assembly. We rarely succeed in passing laws which they have to administer, by reason of the position which they have adopted. Sir, this is the culmination of the events of some eight or ten weeks of desperate effort on our part to do everything that we could do, everything that we wished to do, everything that we wished to assist, everything that we wished to produce, but I wish to state next as to what our position in this matter is, so that our vote may be clearly understood. We are of those who believe that, if we cannot do anything else, we will certainly prevent a preventable mischief. As to those preventable acts of mischief other than the amendment of the Act, we will leave them to their power. But I am glad to say that they will have to wait for Nemesis if they go on in the manner in which they are going on in the headlong exercise of power, without regard, without sympathy—I do not mean sympathy in the sense of pity,—but I mean sympathy in the sense of an intelligent understanding and conscientious effort to meet it. If even that is wanting, even then we shall not let them rule, at least by laws, as they pretend to do today in the name of the representatives of the people. (Hear, hear.) Sir, if we serve no other purpose, we shall serve a still higher and better purpose; we will make it clear to our countrymen, every time we are repelled, and almost ingloriously repelled, most humiliatingly repelled, that every time when we are so repelled, we shall go back to them and say: "Don't be deceived by the forms which they have invented from time to time. There is no reality of the devolution of power, neither in this Constitution nor in the next one to come, and only grasp it when the reality comes." Their attitude reminds one of people who, as was said by another British statesman, bury their head like ostriches in sand and bury themselves into the smiles of those who are their supporters—who never tell them the bitter, unpalatable truth that my countrymen desire. Why, so that they shall change their course and conduct. There are those who come and say to them—"Carry on, there is no strength in the country, you are perfectly free in the exercise of your will and power". I will make a present to you of those supporters of the Government.

Sir, in so far as this particular amendment which we are asked to restore is concerned, we do not do so, first on the ground that there is enough money to be found if they only look for it. Of course, if they say: "I have taken all that I have, and, therefore, there is nothing", the answer is: "You ought to have", secondly, on the ground that we all feel that, in the matter of the selection of the relief from taxation. I suppose it will be admitted, and I hope it will be admitted as a decent test, that we should begin at the lowest, the broadest foundation. (Hear, hear.)

Sir, it was admitted the other day by the Honourable Mr. Lloyd that salt, after all, must be admitted to be just that one commodity which is consumed by every man and every living animal and even every living tree in this country. Even the vegetable kingdom uses salt. And that is the reason why we feel that this particular commodity, this particular



article is one which we have made it as part of our creed, which we have made it as part of our programme to get freed at the earliest moment we can. Sir, I do not pretend to have all the arts of government which my friends on the other side possess, but, after all, I may remind them that there are few among even in the Heavenborn services who can say for years together, and there are others too who probably belong very much to the lay public as I do, that they yet have the prescience, at least that claim to govern the country and to cast their vote in their favour. May they not take a word of advice from us, that, if they are fit to advise on measures for the purposes of good government of this country, we at all events have a double right to do so,—first because we have the same and, I am prepared to recognise, greater abilities; I am not entering into any invidious distinctions, I am not trying to play the part of the deceitful oracle, because I am quite certain we will not live, and while this Government lasts, no knighthood is in store for me. (Laughter.) If my Honourable friend had called me an oracle, he should have expected, as he called me Sir Oracle, I am bound to protest, I am bound to point out to him that that honour is not likely to be conferred on me, and, if it is, it will be my respectful duty to have to refuse it with great thanks, of course appreciating the honour that is intended to be conferred, so that oracles we do not claim to be, but may you always be oracles all the time? If not, utilise us for once—you might have allowed us the self-satisfaction, the paltry little satisfaction of saying—"let these amendments stand". But you do not find it in your heart or in your reason to do so, and I protest, and I maintain, and I insist that it was possible for you, you could have done it, but you did not do it for a reason to which I shall presently come.

Some months ago, a gentleman, a highly influential member of the Conservative Party—and I call it a "Conservative Party" because I do not think they are entitled to the title of "National Government" Party given to it—came to me to discuss a matter which is not confidential in any sense—namely, my attitude in the matter of the policy of the Government of this country. I sincerely and honestly analysed the whole position, and I asked him whether there was any devolution of power, and it must be said to the credit of that Englishman that he had the honesty to say frankly that he thought there was none. Then, I asked "why?" He said: "I will tell you why. We resist it, because it shall not yet be known to the psychology of the Indian mind that we will yield to any demand of theirs, because, once we begin to do that, it is the beginning of the end; that is why we resist it". Sir, I know that psychology, I know that state of mind, but I also know, having read history for a good long time, that that state of mind is always the last failing of any Imperial Power that has had sway in this world, that feeling is the undoing of those who think that that is their assertion of strength, when, really, it is an assertion of growing weakness. (Hear, hear.) That self-consciousness is not yet present before them. But the fact remains that it is from that they suffer most in refusing what is quite feasible and quite possible.

Sir, about ten years ago, Pandit Madan Mohan Malaviya and others said: "You have no right to collect any tax in this country." You may do so against our will, but our willing assent is required to any form of taxation. It shall be on the principle that those who pay taxes shall, through their representatives, have at all events a predominant voice in these matters, and indeed expressions have been used employing now hackneyed maxims which I do not propose to use now.

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I have heard an Englishman—a man whom they ought to respect for, what is virtue in them cannot be crime in us—that in England it is public opinion that counts. If the bulk of us assert one view, it must be respected, and, what is more, it must be respected on the ground that the voice of the public, the voice of the people, is the voice of God. Here the voice of the people is the voice of a beetle, I presume. That is quite true. In other words, when there is a public opinion in this country, that public opinion is the creation of the misguided agitators, whereas, in England, public opinion selects a National Government out of almost a deceptive feeling of insecurity, and it is still public opinion. Public opinion here is merely to be trampled upon; public opinion there is to be obeyed, respected and to make Governments. That is the public opinion, and that is the difference in the value of public opinion. I will not, therefore, detain the House any longer, but I will say this, in conclusion, that we oppose this motion, not in any sense of irresponsibility, for we understand what we are doing, and we know the consequence of what will follow, but because it will give me satisfaction that I have respected myself in not assenting to what I think was wrong. After all, if nothing more is given to a man than his conscience, the right of assertion of what he thinks to be true, and if, in the doing of that, Sir, we struggle and we die, we should not have died in vain. I oppose the motion. (Loud Applause from the Opposition Benches.)

**Mr. A. K. Fazlul Huq** (Bakargunj cum Faridpur: Muhammadan Rural): Sir, I came to this Assembly equipped, I believe, with a certain amount of self-respect, but my membership of two months of this House has knocked all self-respect out of me, and what little self-respect now remains in me makes it impossible for me to obey the mandate which has come from His Excellency the Viceroy and the Governor General. I realise, Sir, that the position is a very serious one. At the same time, the question is not whether the mandate has come from such a high authority or not, but the question is one between me and my own conscience. As the Leader of the Opposition has made it abundantly clear, I do not think there is any self-respecting Indian Member of this House, who voted on that occasion with the consequences fully before him, who can now go back upon his vote, especially because in the speech that has been delivered by the Honourable the Finance Member we do not find any justification for coming to this House and asking us to swallow our own votes. (Hear, hear.)

Now, Sir, I submit that the situation has been created by the Finance Member himself. Long before he placed his budget proposals without consulting the wishes of this House, and regardless of all consequences, he restored the salary cut. Although we have made it also abundantly clear that, in the case of salaries above Rs. 200 a month, this restoration was perfectly unjustified, no attempt was made by the Government to see that the finances are put on a proper footing by the restoration of these salary cuts.

Now, Sir, as has been pointed out by the Leader of the Opposition, the best way to have met the situation would have been not to restore the cuts, because, after all, it is a matter of a few crores which would have been affected if the vote of this House had been accepted. There are various ways by which the situation could have been met. In the

First place, the salary cuts could have been retained. Secondly, I refer to that allocation of a crore of rupees which the Government of India want to make over to the Provincial Governments for rural reconstruction and rural improvement schemes. In that matter also, we have made it abundantly clear that the chances are that that money will be absolutely misspent and will not be fully utilised for the purposes for which it is meant. That would have given the Government a crore of rupees. After all, there was no urgency in making over that money to the Provincial Governments. What improvement can there be in the condition of the village people when the Government of India and all the Local Governments in India are playing ducks and drakes with public money? This very morning, in answer to a question of mine, Government have admitted that they spent about 26 lakhs of rupees in building the "India Gate". I submit that I would not spend even 26 hundred rupees for a gate like that.

**The Honourable Sir Frank Noyce** (Member for Industries and Labour): Sir, Government have never admitted that 26 crores have been spent on New Delhi.

**Mr. A. K. Fuzlul Huq:** What was the amount?

**The Honourable Sir Frank Noyce:** I have said several times in this House that the amount was 15 crores. (Laughter.)

**Mr. A. K. Fuzlul Huq:** I am talking of the "India Gate", and if it has cost 15 crores, so much the worse for it. (Laughter.) Whatever that may be, it shows the manner in which the public money is wasted according to the schemes of those who are in power. I submit that, instead of coming to this House and asking us to eat our own votes and go against our own conscience, there were various other methods by which the situation could have been met. The least that can be said is that the Government have been very ill-advised in taking the step they have taken. It shows, without the least manner of doubt, that all these reforms are a sham and a farce, and people, who have reposed some confidence in the future, can take a lesson from this as to the futility of the reforms that are coming. I submit that, considered from all points of view, the best that the Government can do is to respect our votes at least to some extent, and, as regards any balance that may remain, there are other ways of meeting the situation. I do not wish to take up the time of the House, but I may tell the Members on the other side that their speeches are not going to improve the situation in any way. It is no use telling us that the Bill should be restored. We are perfectly convinced that it should not be restored, and I do hope the House will once again vindicate itself and reject this motion by the same majority by which the former motions were passed. (Applause.)

**The Honourable Sir Frank Noyce:** I rise on a point of personal explanation. I am afraid, I misheard my Honourable friend. (Laughter.) I now understand that he said that 26 lakhs have been spent on the War Memorial. That, Sir, was the reason I misheard him. He merely multiplied the correct figure over four times. The actual amount spent on the "War Memorial", as I explained in my reply to a question this morning, was six lakhs. I think, therefore, I had some justification for misunderstanding what he said.

**Mr. A. K. Fazlul Huq:** Even then it was extravagant.

**Sir Cowasji Jehangir** (Bombay City: Non-Muhammadan Urban): Mr. President, we are now discussing not merely the amendment that has been placed before this House by the Honourable the Finance Member. We are really discussing the constitutional powers of this House *vis-a-vis* the Government. Sir, I trust I will not be considered audacious when I say that I am in a particularly strong position to discuss this point. I was one of those who voted against the amendment of my Honourable friends to lower the salt tax and I had occasion to warn the House that it was in the power of the Government to take advantage of any very big and serious cut in the budget such as three crores. I warned them that it was in the power of the Government to do so. But I join my Honourable friend, the Leader of the Opposition, in expressing my sincere and honest regret that Government should have acted as they have done. If they believe that they cannot spare these three crores of rupees out of the salt tax, there were other amendments moved by Honourable Members in this House, passed by very large majorities, which they could have and should have, accepted; and, therefore, the constitutional position, as I understand it, is that where this side of the House passes Resolutions and amendments by large majorities—majorities which consist of the whole of the Opposition, including the European Group—such Resolutions should be treated with greater respect than they have been treated by the Government. Therefore, I join with my Honourable friend, the Leader of the Opposition, in stating openly in this House that I am one of those who believe that the Members of Government in advising the Governor General to do what he has done, have acted in a spirit of complete irresponsibility. (Opposition Cheers.) The Act under which we work was never intended to have been taken advantage of by Government, as has been done. I will give you one or two examples to bring it home to Honourable Members of Government. We expressed a definite opinion—it may be only by a majority of one—on skins: it may be that there was a great difference of opinion in this House: it was a question of policy, it was not a question of finance: that amendment put seven lakhs of rupees into the pockets of Government. How did they treat that opinion on policy expressed by this side of the House? Complete rejection. We may have disagreed with the Honourable the Finance Member on that question of policy. I will tell my Honourable friend what made me vote, as I did, on that proposition with the majority. It was the language he used in his speech in moving and asking this House to adopt his proposal. (Opposition Cheers.)

**An Honourable Member:** Habit.

**Sir Cowasji Jehangir:** It was his language in that speech, and I would ask him to read that paragraph again; and may I tell him that the amendment was carried due to the language he used in his speech: for I know that more than one Member of this House voted against the Government on account of the few lines in that speech. We also moved an amendment, and carried it by a very large majority that a one anna stamp should carry one tola instead of half a tola as hitherto: it would have cost the Government 16 lakhs of rupees: it was supported by, shall I say, nearly every non-official elected Member of this House. With what respect was it treated? Rejection.

Then, we asked that incomes between 1,000 and 2,000 should not be taxed by way of income-tax. That was a measure that came into existence by certification: we asked Government to relieve that class of people of the burden which they placed upon them by certification. It would have cost about 36 to 40 lakhs. How did they respect that vote of the House? Complete rejection. There were other amendments we moved. Leaving aside this salt tax, the amendments moved and carried by this House would have cost Government according to my calculation, about 140 lakhs. Taking for the sake of argument that the Finance Member believed he could not afford 140 lakhs, can he contend that he could not have afforded 14 lakhs, or 30 lakhs, or 40 lakhs or 50 lakhs? He cannot contend that. He himself admits, and he has admitted, that there is scope for difference of opinion as to his estimates of revenue. . . .

**The Honourable Sir James Grigg:** I have not.

**Sir Cowasji Jehangir:** No scope for difference of opinion at all?

**The Honourable Sir James Grigg:** I have said that you might have differences of opinion on some of the items but that, on the estimates as a whole, I say there is absolutely no reason for assuming that there is any substantial margin for pushing them up as the Honourable Member wants.

**Sir Cowasji Jehangir:** I thought the Honourable Member gave us an assurance that if he proved to be wrong he would learn the lesson next year. That is what he actually said: that if he proved to be wrong and we proved to be right, he would learn the lesson next year, and I, on my behalf, told him that if he proved to be right and we proved to be wrong, I would take off my hat to him and allow myself to be taxed; but, if I proved to be right, I asked him what his position was: I got no answer to that. Now, under these circumstances, I think this side of the House has got strong grounds for complaint and I think they ought to express their opinion in no indefinite terms, that the advice tendered by the opposite Benches to His Excellency the Governor General was the worst advice that they could have tendered (Opposition Cheers) at this present juncture. If ever they gave evidence, if ever they proved conclusively that a radical change is required in the present Constitution, that evidence has been supplied by the Benches opposite yesterday and confirmed today. (Opposition Cheers.) I will again repeat that when this Constitution was enacted, it was never intended that the powers that were given to the Government should be abused. Now, what about these safeguards that are coming in? Are they going to be used in the same way?

**Some Honourable Members:** "Of course", and "Worse".

**Mr. N. V. Gadgil** (Bombay Central Division: Non-Muhammadan Rural): I think they will be used, not the Act!

**Sir Cowasji Jehangir:** I have contended all along that these safeguards will prove to be the greatest hindrance to Government in the future; and I am more convinced than ever that these so-called safeguards can be taken advantage of, most unnecessarily taken advantage of, by an irresponsible Government; and the worst of it all is that we, who are moderates, we, who are really loyal to the British Government, are deprived

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of every argument that we can place before our constituents (Opposition Cheers) by the very Government whom we support. I will tell you that after the announcement made by you, Sir, yesterday, not one but two of my friends came to me and said: "What answer have we got to give to our constituents? Will not they say that they made a mistake in sending us to this House, and that they should rather have sent a Congressman?" The answer that Government have given to the country is that they were right in sending Congressmen: they were wrong in sending men like my humble self. No amount of pleading, no amount of argument, seems to be of any use. Surely, Government could have accepted one small amendment, but they did not. With what heart can I go with the Government against this salt tax now, after they have defied the House including the European Group, (Hear, hear.) What did they ask? They asked for two or three things. They asked for a little relief in postal facilities, they voted for a one anna one tola letter. What did you give them? A big zero. (Loud Laughter.)

1 P.M.

Now, Sir, the argument that Government have is the argument that I warned these Benches the Government would use, and that is, if we made a very big hole in the budget, they would be justified in certifying the whole. That is the argument, the only argument they can use. It is a poor argument, and it is an argument, if I may say so most frankly and sincerely, of a weak Government, of a Government that is not able to discriminate between the several amendments and make a choice. Under the Constitution under which we work, it is for us, by passing amendments, to tell Government how we believe the Finance Bill ought to be amended. It is then for Government to consider our amendments and tell us which one of those that we have passed, they will accept. The final discretion is in their hands. They have taken advantage of the fact that there were many amendments to state that they could not make any choice at all. Surely, they could have applied their minds a little more carefully to these amendments if they wanted to, and they could have openly said, as I would have said, if I had been one of them, that they could not accept just now the salt tax reduction as that would make a big hole in the Budget but they would certify it and would consider all the other amendments. I would again ask the Government Benches—what right had they to advise the Governor General to certify their proposal on skins? It is a question of policy—it is not a question of finance.

**An Honourable Member:** They are thick skinned.

**Sir Cowasji Jehangir:** There are so many of my friends who voted with the Government and who believed that Government acted rightly—I am not talking of the question on merits,—I am talking on the constitutional aspect of the case,—what right had the Government to mislead the Governor General, what right had they to defy us in this small matter? Did the Constitution contemplate that the Government should defy us in this matter,—they can defy us on the question of big cuts, but in a matter like this, can they defy us? If I were on the Government Benches I would refuse at this stage to lower the salt tax, but on the other hand I would rather tender my resignation as a Member of Government (Hear, hear) than allow myself. . . .

**An Honourable Member:** Note Sir Nripendra Sircar!

**Sir Cowasji Jehangir:** . . . . to be made an instrument to defy the whole of the Opposition at the present stage of our political position in this country. Sir, Honourable Members opposite have played into the hands of their enemies, they have played into the hands of our opponents, they have weakened our hands, they have weakened the hands of men who have come here to help the Government, to do what is right in the interests of India, to take advantage of the Constitution as it stands, both for the advantage of Government and the people. Sir, Government have weakend our hands, and let me tell them that they will realise their mistake, much more, in a short time to come than they are able to realise today. I say without hesitation that they have not grasped the real mischief they have done. Sir, they will rouse the country to a sense of indignation. There may be some Honourable Members on the opposite Benches who may not yet have gained sufficient experience of political life in India, but there cannot be any excuse for others who are well conversant with the political position in this country, and who ought to have been still better conversant than they have proved to be on the present occasion. Mr. President, although, under other circumstances, I would have gone into the lobby with the Government against a lowering of the salt tax, under present conditions, yet, on the present occasion, since every one of us has been defied, since the opinion of every one of us has been turned down . . . .

**An Honourable Member:** Including the opinion of the European Group.

**Sir Cowasji Jehangir:** . . . . I propose not to go into the Government Lobby (Hear, hear and Applause), but I will remain neutral (Laughter),— I will not go into the Government Lobby. This vote, I take it, Mr. President, is not on the narrower issue of whether the salt tax should be re-instated in the budget or not, it is a vote on our opinion on the conduct of Government and the advice they have tendered to His Excellency the Governor General. (Cheers.)

**Mr. M. S. Aney** (Berar Representative): Sir, I was considerably surprised this morning when the Honourable the Finance Member came with a most unusual proposal, namely the present amendment without even a word in support of it. (Hear, hear.) I thought he had at least realised that he was coming with an uncommon proposal and he had to perform a most unpleasant and difficult duty, and, therefore, he had to make at least an apologetic speech in defence of that uncommon motion. That motion amounted to nothing short of defiance of the entire vote of this House, and, therefore, he should have been prepared to make some kind of defence, to show some plausible ground, which necessitated him to come with a proposal of that kind.

**An Honourable Member:** He has no defence.

**Mr. M. S. Aney:** Possibly that is true, he has no defence, and, if that is so, he should not have given that kind of advice to His Excellency the Viceroy. He did not care to think what impression, in adopting the defiant attitude he did, his motion was going to produce on this House, he did not mind the consequences it might have upon the attitude of this House, by putting a motion of that kind before the House, without even



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making a plausible defence about it. Now, Sir, what are the grounds on which the Government can come with a motion like this? The only ground to which reference was made by my friend, the Leader of the Opposition, was, not one of merits, but the ground that they have a technical right of doing a thing like that. That is all they can say. The Leader of the Opposition did not care to examine even this plea very carefully, because he probably thought beneath his dignity to get into the technical questions, but I myself doubt whether they have got even a technical plea in their favour in bringing forward a motion like this. Sir, the right to bring in a recommended Bill is clearly specified in Legislative Rule 36A. With your permission I would draw the attention of the House to the terms of that rule. It says:

"When a dilatory motion has been carried in either Chamber in respect of a Government Bill or either Chamber refuses to take into consideration or to refer to Select Committee or to pass any Government Bill, and, thereafter, the Governor General recommends that the Bill be passed in a particular form, a motion may be made in either Chamber for leave to introduce the Bill and . . ." and so on.

The motion for leave to introduce the recommended Bill in the Chamber can be made under certain conditions. I want to say that the Finance Bill was before this House. No dilatory motion regarding that Bill was passed. No motion to refer it to a Select Committee was made and no such motion was defeated, and, I say, the Finance Bill was not rejected also by this House. It cannot be said that it was not passed by this House. It was at that particular stage when the House could have expressed its final opinion, that the passage of the Bill has been intercepted by the Finance Member. So, none of the conditions under which the Governor General would have been justified in signing and sending a recommended Bill and asking the Member to ask for leave of this House to introduce it, has been fulfilled so far as the present Bill is concerned. It may be said that under Legislative Rule 36B (3):

"Where during the passage of a Bill, in either Chamber, the Governor General makes a recommendation in respect thereof, and any clause of the Bill has been agreed to, or any amendment has been made, in a form inconsistent with the form recommended, the Member in charge of the Bill may move any amendment etc."

I want to suggest that the words "during the passage of the Bill" in this rule are controlled by the conditions which are mentioned in Legislative Rule 36A, and those conditions lay down the specific procedure which the Governor General has to adopt or the Finance Member has to adopt for the initiation of the recommended Bill in either Chamber. The conditions which are laid down in Rule 36A have to be literally fulfilled. You cannot interpret them in any other way except most strictly to the very letter in which it is mentioned there. I want to know which of the above conditions has been fulfilled so far as the present Finance Bill recommended by H. E. the Viceroy is concerned. Was any dilatory motion regarding the Finance Bill carried in this House? Did either Chamber—the present Chamber where it was introduced—did this Chamber refuse to take it into consideration, or did it refuse to refer it to a Select Committee, or to pass it at all? A motion for consideration was before the House, it was carried and the Bill was being considered clause by clause. Whether the Bill would have been passed or not was a thing that could have been known by the Government only if the third reading of the Bill had been



removed. It was at the stage, *viz.*, if the motion for third reading had been rejected and the House had, therefore, failed to pass the Bill—it was at that stage alone that the Government could have constitutionally come forward with this recommendation. In that case the Governor General could have been possibly justified in using the powers that are given to him under this rule 36A. But, so long as none of these conditions are fulfilled, I say even the legal ground on which the motion is justified is taken off from below their feet. They are without any ground either on merits or on law. I wanted to raise a point of order at the very beginning on this point, but I did not want to waste the time of the House because I know what is going to be the ultimate fate of this Bill after all. I wanted the time of neither Honourable Members over there to be wasted nor of those on this side, which is more precious than the time of the Honourable Members on the Government Benches. For every minute they sit there they earn their wages, but for every minute we sit here we lose and do not get anything more than Rs. 20 per day. So far as the time of the House is concerned, we are more anxious to save it. My point is that even the legal and technical ground on which they could have brought a motion like this with some justification does not exist there in regard to the recommended Bill before the House. About the merits, Mr. Fuzlul Huq and Sir Cowasji Jehangir have analysed the position very clearly and shown that it could not reasonably be said that Government would have been unable to make up the amount that is deducted on account of the reduction of revenue which we have effected by virtue of the amendments we have carried. If the Government wanted to give relief to the taxpayer and if that idea had been present in their minds from the very beginning, as soon as they saw that they were going to have a surplus budget this year, I am sure they would have been more prudent and more cautious in arranging their measures and not plunged headlong into all those methods which made it impossible for the Government to save anything for giving any relief to the poor taxpayer. They were determined not to give relief to the taxpayer this year on the ground that this was only a temporary surplus in their hand. The plea of temporary surplus, the plea that the saving was of a non-recurrent nature was all the excuse on which the Finance Member harped all these days. He gave no other excuse. I heard his speeches very carefully, and all he was saying was that we could not give any relief to the taxpayer because the surplus was of a non-recurrent nature. On that point we join issue with him, but this is not the time to argue that question and enter into an examination of all the points that have been discussed before in this House. I only want to urge on the House that a Bill which can be defended neither on the ground of law nor on the ground of merits is one which, apart any question of prestige of the House, must be summarily rejected. And, so far as we are concerned, there is a third ground which is also a ground of extraordinary importance to us. We all of us have considered every proposal contained in the Finance Bill very carefully. After a great deal of cogitation and deliberation and long and anxious discussion we have recorded our votes. Now, the Government say, "your vote may be there, but we do not care for it". What is our reply to it? "We know what we have done and we do not care what you want to do. We refuse to sanction anything that you bring before us in defiance of our votes which we have already recorded." That is the only honourable course and I have no doubt that my non-official friends on this side also with whom I have now the privilege of sitting and coming

[Mr. M. S. Aney.]

into close association, and whose co-operation I do value most—I plead most earnestly—only the other day on the floor of the House I appealed to them and my appeal did not go unheeded—I hope that they will also resent the rebuff that they have received and join with us in recording a joint, combined and consistent vote by rejecting this Bill. (Cheers.)

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

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

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### STATEMENT OF BUSINESS.

**The Honourable Sir Nripendra Sircar** (Leader of the House): With your permission, Sir, I desire to make a statement with regard to the probable course of Government business during the remainder of the Session. So far, Sir, we have not asked you for any direction as to the days in next week on which the Assembly should sit, and I would suggest that your direction should be that the Assembly will sit on Monday, the 8th, and, thereafter, as the state of business may require. I venture, however, to express the hope that Members on all sides of the House will co-operate with Government to dispose of the outstanding business as expeditiously as may be.

On Monday, if the Finance Bill has been disposed of today, the first business will be the consideration of two Supplementary Demands,—one in connection with Pusa and the other in connection with the Jubilee celebrations. If the Finance Bill is not finished today, that Bill will naturally have precedence on Monday. After the disposal of the Supplementary Demands it may be expected that the remaining business already announced will be brought forward.

**Mr. President** (The Honourable Sir Abdur Rahim): The House will sit on Monday.

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### THE INDIAN FINANCE BILL—contd.

**Sir Leslie Hudson** (Bombay: European): Sir, the particular amendment now before the House relates to the salt duty and restores it to the level at which it stood in the original Finance Bill. When the amendment to the original Bill was carried by this House we voted against it and were this now the sole issue we should vote for the recommended amendment which is before us but the procedure on a recommended Bill is such that should this amendment be rejected there would not be, I believe, another opportunity of stating our general attitude to the position taken up by the Government. We are frankly disappointed that the Government have not seen their way to accept some at any rate of the amendments supported by this Group and accepted by this House and that, as

yet, the Honourable the Finance Member has given no explanation of the reasons which have led him finally, on review of all the amendments, to take this view. We believe that some at least of these amendments might have been accepted without detriment to the budgetary position and that such action would have been in the interests of this country. We recognise that Government are alone responsible for the consequences of their policy. We also are responsible to our constituents for the fullest expression of their views. Government cannot, therefore, expect us to shirk those responsibilities and share theirs when they have not heeded our representations. In these circumstances, and in order to express our disappointment, we propose to remain neutral on this side.

**Mr. N. M. Joshi** (Nominated Non-Official): Mr. President, I supported by speech, and voted in favour of, the reduction of the salt duty. It is true that as regards the reduction of the postal rates and of the income-tax on lower incomes, I was not in favour, but, Sir, today, on account of the threat which the Government of India are holding over our heads, I propose to enter my emphatic protest over the action of the Government of India in thwarting the will of the Legislature. The justification which the Government of India plead for their action is the deficit caused by the action of the Legislature amounting to four or five crores of rupees. I hold, Sir, that this justification is not sufficient. The main argument given by the Government of India is that this deficit will shake the credit of the country. I think that the investors who are likely to invest money in India know the fact very well that the budget of the previous year has closed with a surplus of three crores of rupees and, if they know this fact, I am quite sure the credit of the country is not likely to be shaken, when we are not reducing the taxation to a large amount. Moreover, the Government of India themselves, it is true, with the consent of the House, have disposed of this surplus instead of carrying it over to the current year. To carry over the surplus to the next year is not a financial practice unknown in the world. Moreover, I feel that when the Assembly reduced taxation, the vote of the Assembly cannot be construed as a denial to give money to Government by alternative sources of revenue. I construe the vote of the Assembly as a demand for readjustment of the scheme of taxation. If, after the salt duty was reduced, the Government of India had brought forward alternative proposals the Assembly might have accepted them. I think the Government of India failed in their duty to the Legislature in not giving it an opportunity to vote for an alternative scheme of taxation. I wonder, Sir, why the Government of India, instead of trying to give effect to the wishes of the Legislature and placing before them an alternative scheme of taxation, should have insisted upon an extraordinary course which is sure to lead to the powers of certification being used. It may be that the Government of India feel that the monopoly of financial knowledge is theirs. May I very humbly suggest that a little more modesty might do them some good and might save the country from a great deal of harm? Moreover, Sir, the implication of the statement issued in favour of the proposal which the Government of India is making—that they care for the peace, tranquillity and interests of British India much more than the Members of the Legislature—is unnecessarily offensive. I feel, Sir, that the attitude of the Government of India towards this Legislature is fast developing into an attitude of contempt. We have seen during this Session that our vote on the

[Mr. N. M. Joshi.]

Joint Parliamentary Committee Report was not heeded. Our vote on the Indo-British Treaty had no effect on them. Leaving aside these big issues, Sir, you have seen, and we have all seen, how the Government of India are trying even to prevent a discussion by raising points of order. Sir, to my mind, this is a tendency to preventing a proper form of constitutional and parliamentary government developing in this country. (Hear, hear.) I suspect, Sir, that the doctrines of Mussolini and Hitler are gradually taking possession of the Members of the Government of India.

**The Honourable Sir Nripendra Sircar** (Leader of the House): They do not raise points of order!

**Mr. M. S. Aney**: The point of the bayonet, I believe

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

**Mr. N. M. Joshi**: Sir, the action of the Government of India is irresponsible. Why should they place the Finance Bill before the Legislature if no consideration is to be shown to the views expressed by the Legislature? (Hear, hear.) I feel, Sir, this attitude of irresponsibility to the Legislature, this attitude of contempt for the Legislature, this attitude of contempt also for the parliamentary form of government is a crime in any system of responsible government. Mr. President, it is said that the Governor General has recommended this Bill in the interest of the peace, tranquillity and of safeguarding the interests of British India. May I say, Sir, that, if there is any danger to the peace, tranquillity and the interests of British India, there is a greater danger in the attitude which the Government of India have taken in ignoring the will of the Legislature than in the action taken by the Legislature itself. It is said, Sir, that the action of the Legislature has mutilated the Finance Bill. I hold that the course which the Government of India have taken today is an outrage on the Constitution. (Hear, hear.) I feel, Sir, that the course which the Government of India have taken does not augur well for the future of this country. I, therefore, propose to vote against the amendment moved by the Honourable the Finance Member. (Loud Applause.)

**Mr. S. Satyamurti**: Mr. President, it is impossible to speak with restraint on the situation which has been created in the House yesterday, and continues today. But my Leader, Sir, in his magnificent speech this morning, if I may say so respectfully, has set such a high standard of restraint and dignified resentment against this Government, that I propose humbly to follow his example and state our position. Before I do so, Mr. President, I should like to acknowledge, if I may, the partially friendly attitude of the European Group of this House, on this matter. I wish they had gone the whole hog, and gone into the Lobby with us against the Government, but I am willing to wait. They are beginning to learn that the colour of the Opposition in the House makes no difference to this Government. (Laughter.) The Government are so full of their own sense of power and authority, they are so full of the soundness of their financial doctrines recently imported from Whitehall, they are so full of the feeling

that, whatever they do not know in "financial wisdom" is not worth knowing, that they will turn down all our recommendations, without any hesitation whatever. But still, Sir, it is a good beginning for my Honourable friends to remain neutral. I hope by our friendly co-operation in this House and outside they will begin to see that we are the men who represent the people of this country, and that their future lies in friendly co-operation with us, and not in co-operation with a dying Government. (Laughter.)

As for the procedure, which has been followed in respect of this Bill, Mr. President, I had almost raised a point of order. (Laughter.) But, Sir, unfortunately for me, there is a ruling, and that by President Patel, and, therefore, I gave it up but I should like to point out to the House the extraordinary procedure followed in respect of this Finance Bill. Section 67B of the Government of India Act provides that, where either Chamber refuses leave to introduce a Bill or omits to pass a Bill in a recommended form, etc., I should have expected, Sir, that the Government of India, if they felt that the Finance Bill, as introduced by the Honourable the Finance Member, from A to Z, was sacrosanct, including the removal of the export duty on skins, causing a loss of about Rs. 7 or 8 lakhs to the Government,—that all the clauses of the Bill are essential for the purpose of the peace, tranquillity, safety and interests of the country, would have come to this House and said at the very beginning: "we give you this Finance Bill with a clear notice that we shall accept no amendment whatever, even if you present us with Rs. 7 or 8 lakhs, and we must stand by this Bill." They did not do so. I submit, Mr. President, that unless the Honourable the Finance Member convinces this House that within the twenty-four hours or less between the last vote on the amendments on this Bill in the House and the recommendation, some new facts emerged which made him change his views, he misrepresented the position to the House. When he presented the Bill, listened to our arguments, gave counter-arguments, voted against our amendments, the whole thing was a farce, because the Government had made up their mind that, whatever the vote here was going to be, they were going to recommend the Bill, exactly as they introduced it. Then, I ask, why in the name of common sense did they not come before this House and say: "We consider the Bill essential for the purposes of the Government of India Act? Therefore, you shall not touch the Bill in any single comma or semi-colon." That, Sir, made us feel that the Bill would take its normal course. What happens is this. The Finance Bill is introduced, amendments are moved, some are defeated, most are carried, and suddenly the Honourable the Finance Member gets up and says: "I will not move the third reading of the Bill." So, the Finance Bill hangs in mid-air, and next morning we hear that there is a new Finance Bill, that old Finance Bill in a new form, the recommended form.

Now, Sir, they have made a series of rules under the rule-making power. Rule 36B is the rule under which this Bill is sought to be placed before this House. Rule 36B, sub-rule (8) says:

"Where during the passage of a Bill in either Chamber the Governor General makes a recommendation in respect thereof, and any clause of the Bill has been agreed to, or any amendment has been made, in a form inconsistent with the form recommended, the Member in charge of the Bill may move any amendment which, if accepted would bring the Bill into the form recommended."

[Mr. S. Satyamurti.]

I ask, whether the Bill which was originally introduced by the Honourable the Finance Member is in the stage, which can be called accurately, "during the passage of the Bill". I submit not. The Bill can be said to be, "during the passage" either at the time of the first reading, that is the introduction stage, or the second reading, that is the discussion and voting on amendments, or when the third reading stage is in progress. In the case of this Bill, the first and second reading stages are over, and the third reading stage is not reached. The Bill, therefore, is in a state of suspended animation. Therefore, there is no Bill in respect of which it can be said that the Bill is in the course of passage.

But, Sir, I am not going to press that objection because we want to convince this House and the public outside that the vote against this procedure of Government is not on a technical matter but on a high moral issue, that is, whether the people of this country will have any voice in the Government of this country, or only naked autocracy shall rule in this country. It seems to me that, although I have no desire to speak for the other House, a bi-cameral Legislature cannot be more grossly insulted if, before you take it to the other House, you recommend it and certify it and tell the Council of State: "No, whatever we may do, we shall certify it here and now." I suggest that normal course would have been for the Bill to be placed before the other House, and for a joint meeting of both Houses being summoned to get the verdict of the people of the House, as represented in both Houses. But, ever since this Government of India Act was enacted, to the best of my recollection and information, no such joint sitting has ever been convened. It seems to me that it is a procedure which, besides being irregular, is also an insult to the other House.

Now, Sir, I also want to draw the attention of the House to the difference in the wording between section 67 and section 67B of the Government of India Act. Section 67 which deals with the general budget procedure gives the power to the Governor General if he is satisfied that any demand which has been refused by the Assembly is essential to the discharge of his responsibilities, to act, as if it has been assented to. This is a much more comprehensive phrase, which says that the Governor General can assent to any demand turned down by this House, if he considers that it is essential to the discharge of his responsibilities. Now, Sir, turn to section 67B of the Act. The only position in which the Governor General can recommend the Bill is that the passage of the Bill is essential for the safety, tranquillity, or interests of British India or any part thereof. My Honourable friend, the Finance Member, referred more than once in his speeches to the credit of India. On that matter, I want to draw the attention of the House to the fact that, in the Government of India Bill, which is now being passed by the House of Commons, for the first time the words "credit of India" have been introduced. They are not included in "the interests of India", for if they were, there was no need to introduce the new phrase "credit of India". In any case, my point is that the phrase "safety, tranquillity or interests of British India" is much more restrictive in its scope than the phrase "necessary for the discharge of his responsibilities". I, therefore, think and I ask the House to consider whether the Governor General's powers under section 67B are not very much more restrictive.

Now, Sir, there is one curious feature about this certificate or recommendation. I wonder if copies of the Oxford English Dictionary are avail-

able in sufficient number in Delhi. I do not know, because I find the Honourable the Finance Member began by saying that the Finance Bill is mutilated, and the Governor General ends by saying that the Finance Bill is mutilated. Unless it is a case of great wits jumping together and hitting at the same phrases, it seems to me that not even a fresh mind was brought to bear upon this question, let alone fresh consideration. It is the Griggian formula which has held the field. He said that the Finance Bill had been mutilated and here comes the recommendation that the Finance Bill has been mutilated. Secondly, he said that it is part of a policy to apply the surplus to non-recurring expenditure. Exactly the same words appear in the recommendation. Now, Sir, may I ask my Honourable friend, the Finance Member, to tell me and this House, if he be good enough, how the safety, tranquillity or the interests of British India are likely to be adversely affected by cutting down all the demands for taxes to the tune of about 4 or 5 crores? My Honourable friend, the Leader of the Opposition, mentioned that, and I want merely to repeat it. There was a ten per cent. cut in salaries, not very long ago. Supposing the Government re-imposed the ten per cent. cut in salaries, they will be able to get, on the calculation they have placed before the House, roughly about 4 crores, almost the entire amount required to accept all the amendments practically unanimously carried by this House. May I ask my Honourable friend whether it is essential for the safety, tranquillity or interests of British India that every single vote of this House should be trampled down, and the services should not have a ten per cent. cut in their salaries? Did he apply his mind to it? Will he kindly tell this House how it is better for the safety, tranquillity or the interests of British India that the people's representatives in the House should be so grossly insulted, and the services should not have a single pice cut off? Is that a position which he can justify, if he has any knowledge of the procedure in the House of Commons? Will any responsible Chancellor of the Exchequer tell the House of Commons: I do not accept a single vote and I won't have a single pie reduced in the pay sheet of the services of the Government?

**An Honourable Member:** This is not the House of Commons.

**Mr. S. Satyamurti:** I know this is not the House of Commons, but often times he reminds us of the House of Commons, of his hitting back when he is hit. I will come to that presently. I am merely putting it, because he says: "I am a responsible man and you are not." I am asking him whether his responsibility means the turning down of every demand of this House, which may be supported, as my Honourable friend, the Baronet from Bombay, said, by Europeans and by the independent vote of every Member of this House. And what is the explanation for saying: "I won't take seven lakhs of revenue"? Can any inconsistency go further? My Honourable friend says that his budget cannot be balanced, but he won't take seven or eight lakhs because it is not in the interests of the agriculturist. This shows the concern of the wolf for the sheep, so that they may fatten and live upon it. What became of these agricultural interests between the 1st April and yesterday? Why did they not pass an Ordinance, imposing the duty on wheat and rice, for the protection of those interests? They have got Ordinances galore for postal rates, income-tax and other things, but when it comes to agriculturists there is no Ordinance. It can wait for months.

[Mr. S. Satyamurti.]

Then, Sir, so far as last year's surplus is concerned, if I understood the

3 P.M.

Honourable the Finance Member aright, it seems to me that the vote of the House for a crore and odd for Civil Aviation and Broadcasting is a mere token vote. The Honourable the Finance Member is going to come here with further demands, either in the form of token demands or demands for schemes which have been completed, and he will come for further grants of money. Why should he not suspend them for the next year, and take that money also for this purpose, and ultimately why should not the Finance Member contemplate with equanimity a possible deficit in the next year? This is not the first time that the Governments have to face deficit budgets, nor even the first time for the Government of India; and after all, Sir, if his calculations prove to be wrong even on the side of excess estimates, I do not think, Sir, the country will come to a critical situation. On the other hand it seems to me, taking all relevant expert opinion on the matter into consideration, that there will be no deficit at all, even if the Government accept all these reductions which the House has made. So far as the salt tax is concerned, the Congress position is that we should abolish the tax altogether, but, out of deference to the opinion of non-Congress Members in this House, we agreed to concentrate on the reduction by eight annas of the salt duty. That, therefore, was a vote, not of the Congress Party alone, but of all the other independent Parties in this House, who are willing to work and vote with the Congress, wherever we can find points of agreement. It, therefore, seems to me that, in this matter of salt tax, the Government cannot long resist this demand. They will have to accept it sooner or later, and I suggest they accept it at once.

I do not want, Sir, to take more of the time of the House in suggesting more ways of making both ends meet, for, as my Honourable friend reminds me, if it is a case of accepting arguments, they should have yielded long ago. But, if I am giving a few more arguments, I am doing so in order to expose more and more thoroughly the real position of the bureaucracy, in the eyes of my people. I am quite content that they should know that these are autocrats who have no use for any kind of advice, and who are determined to rule this country with the naked sword.

I only want to say just one or two things about the Honourable the Finance Member's concluding speech on the first stage of the Bill, in disposing of our suggestions for making both ends meet in this country. He said referring to me:

"Mr. Satyamurti's method is typical of the early stages of all extremist Left-Wing parties. Knowing that they will never have to undertake the responsibility of carrying out their promises or putting their wild cat schemes into effect, they, with bacchanalian abandon, promise everything to every-body."

Now, Sir, I put it to my Honourable friend that this is literally adding insult to injury.

**The Honourable Sir James Grigg:** It was not intended to.

**Mr. S. Satyamurti:** You do so many things which you do not intend to. But you have never done one thing which you ought to have done. You



have never done anything to listen to the views of this House. Whatever else you do is unintentional, and the one intention my Honourable friend has is not to listen to the views of this House. "Knowing that they will never have to undertake the responsibility of carrying out their promises or putting their wild cat schemes into effect" is saying, what he ought not to have said. He says, "we will not take responsibility". Will my Honourable friend oblige me by going out of that Bench? And I will oblige him by crossing over and taking his seat. Why does he often repeat that we do not want to take responsibility? We should govern this country from this very evening much better than he can ever hope to govern. Why does he say that we will not take responsibility? Will you walk out? Why do you stick on there? (Laughter.) That is not right. The other day my Honourable friend said, "if he is hit, he will have to hit back". I say, by all means hit back, but play the sportsman. What is the use of fighting, without conforming to the rules of the game? My victories are my defeats and your defeats are your victories. Is that not our position here? I win all the time against you, but yet every time you are defeated, you consider that you have won every time. Is that a sportsman's game? Why do you want to say that you want to fight? If you want to fight, come out. I will show you what fight is. (Laughter.) I make a sporting offer to my Honourable friend. Let him resign his seat and stand for any constituency anywhere in this country, in the Punjab or in Madras or in Sind, or even in any of the European constituencies. I will give him a thumping defeat, which he will not forget the rest of his life. Therefore, it seems to me to say that we have no responsibility is nonsense. We have a full sense of responsibility. We speak with our people behind us. We speak with the knowledge that we have to govern this country sooner than my Honourable friend imagines. We know *Swaraaj* is coming, we know we are going to govern this country, and we shall fulfill all the promises that have been put forward from this side of the House. There is no use saying that we are people who have no sense of responsibility. No, Sir, the boot is on the other leg. (Hear, hear.)

My Honourable friend, the Finance Member, has been quoting a lot of German and of French authors. I do not know any of those languages. But I know of one Indian language, Sanskrit, and I wonder if he has heard of it.

**The Honourable Sir James Grigg:** Yes, I have heard of it, but I do not know it.

**Mr. S. Satyamurti:** I will give my Honourable friend a quotation in Sanskrit.

**An Honourable Member:** But do not translate it.

**Mr. S. Satyamurti:** I will give the quotation in Sanskrit which is, "*Prajānāmeva Bhūtyattham Śrī Thabhryo Balimagrahit*".

Let my Honourable friend learn its meaning and digest it, till we meet in Simla again. Let him get it translated by somebody. It is a quotation which will stand my Honourable friend in good stead, if he is to remain here for the next four years. That is the ancient Hindu principle of taxation, and your principles are all wrong.

[Mr. S. Satyamurti.]

Sir, there is one phrase which is often used about Government's action, that is, melancholy meanness. It is a hackneyed phrase, and so I will not use it; but the Government's action today in respect to the Finance Bill is a policy of petty vindictiveness. I am glad that they have become vindictive, for it denotes a consciousness of their weakness, and a consciousness of our growing strength. They have now realised that they must be vindictive, and that is why they cannot or will not accept any one of our suggestions.

Sir, my Honourable friend, the Finance Member, belongs to a Government, of which I believe the Honourable the Home Member is also a respected Member. The Honourable the Finance Member calls us a "communist caucus". The Leader of the Opposition replied to it, but may I quote what the Honourable the Home Member said about the relation of the Communist party to the Congress? This is what the Honourable the Home Member says:

"I may state that the Communist party in India hates the Congress and all its works even more bitterly than it hates the Government and its works."

May I ask who is right? Sir James Grigg or Sir Henry Craik. I leave it to them to solve this riddle. I do, however, suggest to my Honourable friend, not to make these statements without the book. (Interruption.)

I am so happy that my Honourable friends of the European Group are not going to vote with the Government. I am so happy that my Honourable friend, the Baronet from Bombay, is not going to vote with the Government. I am so happy that we are going to inflict a defeat on the Government again, and I am so happy, above all, that we shall not hear any more of the Honourable the Finance Member's gibes and cheap sneers.

In conclusion, I need not say very much more; but I do suggest to the House, most respectfully, that we, on this side of the House, are thoroughly satisfied with our work in this Session. We have inflicted not 18 but nearly 20 defeats on this Government; we have exposed them in their naked autocracy before our people. We want our people to feel that there is no chance of anything good being done for them by this Government, and the only remedy for that is Swaraj, that is to say, Government of the people, by the people, and for the people.

Sir, my Honourable friend, the Finance Member, quoted Abraham Lincoln. If there is such a thing as a man turning in his grave, I am sure Abraham Lincoln must have turned in his grave many times, to hear Sir James Grigg quote him. You can fool some people all the time,—he cannot; you can fool all the people some of the time,—he cannot; but you cannot fool all the people all the time. I agree. We, on this side, know that this Government has been found out. Our people know that there is nothing doing with this Government; and this latest act of Government, in turning down every amendment, reasonable or unreasonable, according as Government looks at them, is proof positive to us, that we have no use for this Government, that we must replace it, as early as possible. And, I hope, Sir, that this House, by a significant vote, will make it clear that the remedy for our ills lies in *Purna Swaraj*, and nothing else.

**The Honourable Sir James Grigg:** Sir, it is only by your permission and by the courtesy of the House that I may speak again on this amendment; and having been given this indulgence I do not intend to trespass long on the courtesy of the House and I will do my best to preserve a sense of moderation and high seriousness, even in the face of the somewhat provocative challenge of my Honourable friend, Mr. Satyamurti, to give him another dose of gibes and sneers before he gets to Simla. May I first try and place this constitutional question in proper perspective by reading a short passage from a speech by my predecessor on a precisely similar occasion five years ago:

"Sir, the other general line of argument to which we have listened is that by taking the action which we took we were denying to the Opposition any chance of feeling a real sense of responsibility."

I may say here that to the best of my recollection this was the certification of a Finance Bill to restore a cut of 65 lakhs on salt:

"I think, Sir, it must be admitted on all sides that the present stage of Government and of the constitution is a very difficult stage. We, here on our side, are responsible for carrying on the business of the country; and we cannot put that responsibility on other shoulders. We are all of us anxious to get such advantage as we can from Honourable Members on the other side, and, where we consider it consistent with the public interests, to give effect to their views. But my Honourable friend, Mr. Srinivasa Iyengar, has told us that we are not to expect help from the other side, that they are out to oppose the Government and to make things difficult for us; and, in that state, Sir, it is very difficult for us to share responsibility with the other side. Moreover, however, much we wish to put responsibility on the other side, we are at present confronted with this limitation, that whatever arguments are advanced from that side in the present stage of the constitution, there is no chance of Honourable Members opposite being called upon to come over here and make good their policy."

And now, Sir, my Honourable friend, Mr. Lalchand Navalrai, comes in:

"*Mr. Lalchand Navalrai:* But when is the better Constitution coming?"

**Mr. Lalchand Navalrai** (Sind: Non-Muhammadan Rural): That will be my question still.

**The Honourable Sir James Grigg:** Then, it goes on:

"That is the position today, and as I argued in an earlier speech in the course of this debate on the budget, it is our duty here to carry on the Government as best as we can under the present constitution; and in taking the action which we have done, in adopting an unusual course in dealing with the amendment and cut on the salt duty, we have done no more than that. Sir, I do not think that the Government could have taken a more straightforward and honest course than the course which they have taken. It was taken only after very careful consideration and I feel confident,—and we all of us feel confident,—that in taking that course the Government was acting in the best interests of the country."

Now, Sir, the Leader of the Opposition, in his speech, said,—he was, I think, playing a little on the word "responsibility",—that their responsibility was to their own conscience and that they should not be deterred from carrying out that responsibility and expressing their honest opinions. But, Sir, I do not read the word "responsibility" quite in that

[Sir James Grigg.]

sense. No man can be obliged to swallow his own opinions; nobody wishes anybody to swallow his own opinions. But when you support your own opinions by a vote and if you wish effect to be given to your votes, it seems to me that the vote must be given and the opinion must be expressed in the light of the possibility of having to assume immediate responsibility for carrying on the business of the country; and no vote which is not given under that shadow, no opinion which is not expressed under that shadow can be said to be a fully responsible opinion. And I think that is the criterion under which we have got to examine the question under discussion.

**Sir Cowasji Jehangir:** Which question are you alluding to? Is it salt or everything put together?

**The Honourable Sir James Grigg:** Now, Sir, may I give, I hope, an unprejudiced resume of the debate as it has taken place? The Leader of the Opposition says: "We have made a cut of four to five crores in your budget; we will tell you one way by which you can replace that five crores. But if you do not like that way you can anyhow easily find others. There are lots of ways of finding five crores and, anyhow, you just go and find it." The Honourable the Baronet from Bombay took a fundamentally different view. He says, "We will express our opinions on a considerable number of things. Of course we do not expect you to take all of them, but you take your choice and come back to us and tell us which of them you like best." Well, Sir, there is, as I say, a fundamental cleavage there, but, in any case, these two points of view have one thing in common, that neither of them is actuated by any fear or hope of being called upon immediately,—it is not a question of in course of time,—immediately to come and take our place and to put their own policies to the test of immediate adoption. Is it really practicable for Government, at this stage of the Session, to go away and find ways and means of finding five crores of new revenue? The Honourable Member who represents labour in this House took very much the same line as the Leader of the Opposition; he generally does. (Laughter.)

**Mr. Lalchand Navalrai:** Perhaps you are questioning why he is nominated!

**The Honourable Sir James Grigg:** He said: "You ought not to raise revenue from salt: you can raise it by increasing the income-tax"; and he put this suggestion of getting money by increase of income-tax to the arbitrament of the Assembly and it was hopelessly rejected. What is the good of making all sorts of suggestions that you know perfectly well could not command a majority in this House and which you know perfectly well you do not have the slightest chance under the present Constitution of having to assume responsibility for? (Interruption.)

**Mr. President (The Honourable Sir Abdur Rahim):** Order, order: let the Honourable Member go on without interruption.

**The Honourable Sir James Grigg:** The Leader of the Opposition says that if you make an all round cut on Government servants' salaries by

12½ per cent. you can find five crores. He realises, I have no doubt, that a measure of that sort would have an effect far beyond the comparatively narrow circle of well-paid people whom he dearly loves to bait and who, under the present Constitution, are fair game for him. But it covers a very large number of poorly-paid civil servants in the Railway Department, in the Posts and Telegraphs Department and in the administration generally, and I am quite certain that if he had the responsibility of carrying on the Government, however much he might go for the higher paid officials, I am absolutely certain he would not dare to come to a democratic assembly and propose a cut in pay of 12½ per cent. in the pay of every official from top to bottom.

Has the Honourable the Baronet from Bombay suggested anything more practical? What in effect he says is this: "We suggest to you a large number of things to choose from, we allow you to make a selection from this large number of amendments and to decide which of them you should adopt (a) considering what is in the interests of the country and (b) considering what is most likely to represent the general views of the House." As he admits it is a question of making a choice between these alternatives and we have already made our choice. Why should we determine upon another choice? But of course the Honourable the Baronet has slightly shifted his view-point. He says this morning, "You could select some of them, even if you cannot do all." But throughout the debates up till now he has been taking up a different point of view—one in which he is having it both ways: he says, "You have plenty of money there if you know your business how to estimate: you have plenty of money: but anyhow if there is not, what does a deficit matter?" He would not have done that if he were responsible for bringing forward the budget—I am absolutely certain he would not.

Mr. Satyamurti has taken the same line: he says: "There is plenty of money there: but if there is not, what is all this bugaboos about a deficit budget? Who cares anything about it?" Neither of them, if they were really responsible for the business of the country could come forward and proclaim to a democratic assembly: "We are not going to bother about balancing our budget: it does not really matter: no harm will ensue." With that principle you can carry a very long way. It was adopted in Germany in 1923, with the results which we saw. To come back to this theory of responsiveness, the only question that we have to act upon is whether the Opposition or the House has, during this Session, desired to put forward their suggestions, in the hope and belief, that they were practical and could be adopted: in other words, whether their intention and desire was to co-operate in the business of working for the welfare of the Indian people.

Let us look back a bit. Has there been no consistent plan of raising—I was going to say vexatious, but as we are all in a charitable mood, I will say, complicated points of order, which were debated for an hour at a time: and, incidentally, attempts were made to get round the vigilance of the President and to raise the same point of order over and over again. Has there not been a consistent policy of trying to move the adjournment of the House every day of the week, or very nearly every day—some of them on points of substance, I admit, and some of them which may be proper subjects for adjournment motions, but many of which are pure

[Sir James Grigg.]

matters of caprice and of no substance whatever? Have we enjoyed the co-operation of the Party opposite in carrying out our financial business by the appointed time? Have they been willing to facilitate the disposal of public business by the due date? Is it not the case, again, that the disciplinary rules of the Party opposite are drawn with a view not to facilitate Government business? I seem to recollect having been told that one of the main objectives of the Party opposite was to throw out every motion, every vote or demand, financial or otherwise, which was intended to preserve the position of the present form of the Government.

**An Honourable Member:** Quite right.

**The Honourable Sir James Grigg:** Let me now come to Mr. Satyamurti's speech on the 7th March, 1935. He said:

"But there is a higher purpose in our being here. We believe that the strength of this Government today, in this country, is not in the British army or in the British navy, but in the prestige that they still have in this country."—(That is an admission.) "We want to destroy that prestige. We want to show to the country that this Government is irresponsible. (Interruption by Lieut.-Colonel Sir Henry Gidney.) I am glad to be assured of my Honourable friend's co-operation, and I hope with his co-operation we will destroy the prestige of this Government soon. Some of our people still believe that this Government is capable of giving good government to this country, that this Government is here with good intentions. We want to snatch away all these trappings from this Government and expose this Government in its naked autocracy to the people of this country. If we succeed in doing that, we have won our object. Positively we want to increase our prestige with the people. We want to solidify and strengthen our position in the hearts and affections of our people."

Now, Sir, what is the implication of that? That they were going to take a course of action which was to force the Government to use its emergency powers, and, therefore, to stand forth in the role of autocrats.

Let me give the House another instance. I took his words down this morning—I do not know whether he did it in the fulness of thought or not—but Mr. Satyamurti made an extraordinary statement this morning in the course of supplementary questions. If I have not got the exact form of his words, I am absolutely certain about the sense of them and I showed them to three of my colleagues at the time to verify them: "Do Government propose to extern all anti-British persons? If so, they will extern most of us." Well, Sir, there is the creed of co-operation. Can it really be seriously denied that the object of the Opposition has been to make the conduct of public business as difficult as possible? Is it then unreasonable to hold that so long as the policy of the Opposition is obstructive and destructive, so long must Government resort to the special powers conferred upon them by law, and in the absence of any clear indication of an alternative policy which is both generally acceptable and practicable. . . .

**Pandit Govind Ballabh Pant** (Rohilkund and Kumaon Divisions: Non-Muhammadan Rural): Then you have adopted this attitude because of political motives.

**An Honourable Member:** That is clear enough.

**Pandit Govind Ballabh Pant:** The cat is out of the bag.

**The Honourable Sir James Grigg:** I am giving my account or my conception of the position under the present Constitution which, quite shortly, is this. When there is a clear evidence of a change of heart ("Oh, Oh," from the Opposition Benches), when we are satisfied that they are prepared to co-operate with us in promoting the true interests of the people, then, Sir, but only then, are we prepared to consider and meet their views to the maximum extent that is consistent with the faithful discharge of our own responsibilities. So much for the actual controversial part of the discussion.

But may I conclude on a rather different note? It is quite true that both the Opposition and the Government are inextricably bound in the trammels of the present Constitution and there is, for the present, no escaping from it. It is no good talking about irresponsible Government. If the Finance Member, under any other democratic constitution, brings forward financial proposals, he does so with a very fair assurance that by the use of the ordinary rules of party discipline he will be able to carry them through Parliament. But here he has no such assurance. We have no party of our own.

**Some Congress Party Members:** You are doing injustice to Nominated Members.

**The Honourable Sir James Grigg:** We have no means of assuring ourselves of the support of the silent Members who tramp through the Lobbies, not even by nominating them. (Laughter.) And, Sir, if the Opposition are deprived of their full share of an ordinary Opposition in shaping the policy of a country, so are the Government deprived of a certain amount of the machinery which they normally have to carry their policy into effect. We can, therefore, all agree that the present Constitution is most unsatisfactory . . . . .

**Several Honourable Members:** The one that is coming is much worse.

**The Honourable Sir James Grigg:** . . . . and if the Opposition find,—I am afraid what I am about to say will fall on deaf ears,—if you find the present Constitution so unsatisfactory, are you quite certain that you are doing a wise thing in rejecting the new one which is offered to you? . . .

**Mr. S. Satyamurti:** It is much worse.

**The Honourable Sir James Grigg:** Whatever shortcomings it may have, however much it may disappoint you, it is one which will ultimately relieve you of the necessity and pleasure of coming down here and making speeches as you have been able to make today. . . .

**Mr. Lalchand Navarai:** Will our finances be safe then?

**The Honourable Sir James Grigg:** The new Constitution will place a very large measure of responsibility. . . .

**Mr. S. Satyamurti:** Question.

**The Honourable Sir James Grigg:** . . . . on Ministers who are answerable to the Legislatures, and that is after all. . . .

(There were some interruptions at this stage.)

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member is expressing his view and not of the other side.

**The Honourable Sir James Grigg:** After all, that is the burden of complaint of the Opposition. In present circumstances you can neither make us do what you want nor can you turn us out. Well, under the new Constitution you will at least be able to do the second, and I suggest that the real moral of this discussion is that the Opposition instead of blindly rejecting a very definite advance on the present position should think again not once, but twice or three times, before they adhere to their present attitude. (Cheers.)

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

"That in clause 2 of the Finance Bill, as amended, for the words 'twelve annas' the words 'one rupee and four annas' be substituted."

The Assembly divided:

AYES—41

Abdul Aziz, Khan Bahadur Mian,  
Ahmad Nawaz Khan, Major Nawab.  
Allah Bakhsh Khan Tiwana, Khan  
Bahadur Nawab Malik.  
Ayyar, Rao Bahadur A. A. Venkata-  
rama.  
Bajpai, Mr. G. B.  
Bewoor, Mr. G. V.  
Bhore, The Honourable Sir Joseph.  
Chatarji, Mr. J. M.  
Clow, Mr. A. G.  
Craik, The Honourable Sir Henry.  
Dalal, Dr. B. D.  
DeSouza, Dr. F. X.  
Drake, Mr. D. H. C.  
Gajapatiraj, Maharaj Kumar Vijaya  
Ananda.  
Gidney, Lieut.-Colonel Sir Henry.  
Graham, Sir Lancelot.  
Grigg, The Honourable Sir James.  
Jawahar Singh, Sardar Bahadur  
Sardar Sir.  
Kirkpalani, Mr. Hiranand Khushiram.  
Lal Chand, Captain Rao Bahadur  
Chaudhri.

Lloyd, Mr. A. H.  
Mehr Sah, Nawab Sahibzada Sir  
Sayad Muhammad.  
Metcalfe, Mr. H. A. F.  
Mukerjee, Mr. N. R.  
Mukherjee, Rai Bahadur Sir Satya  
Charan.  
Nayar, Mr. C. Govindan.  
Noyce, The Honourable Sir Frank.  
Owen, Mr. L.  
Rajah, Rao Bahadur M. G.  
Rau, Mr. P. R.  
Row, Mr. K. Panjiva.  
Sarma, Mr. R. S.  
Scott, Mr. W. I.  
Sher Muhammad Khan, Captain  
Sardar.  
Singh, Mr. Pradyumna Prasad.  
Sinha, Raja Bahadur Harihar Prasad  
Narayan.  
Sircar, The Honourable Sir Nripendra  
Sloan, Mr. T.  
Swithinbank, Mr. B. W.  
Tottenham, Mr. G. R. F.  
Yakub, Sir Muhammad.



## NOES—64.

Aaron, Mr. Samuel.  
 Abdel Matin Chaudhury, Mr.  
 Aney, Mr. M. S.  
 Asaf Ali, Mr. M.  
 Ayyangar, Mr. M. Ananthasayanam.  
 Azhar Ali, Mr. Muhammad.  
 Bajoria, Baba Bahynath.  
 Banerjee, Dr. P. N.  
 Baqui, Mr. M.  
 Bardaloi, Sriji N. C.  
 Bhagwan Das, Dr.  
 Chhattopadhyaya, Mr. Amarendra Nath.  
 Chettiar, Mr. I. S. Avinashilingam.  
 Chetty, Mr. Sami Vencata-hetam.  
 Das, Mr. B.  
 Das, Mr. Basanta Kumar.  
 Das, Pandit Nilakantha.  
 Datta, Mr. Akhil Chandra.  
 Desai, Mr. Bhulabhai J.  
 Essak Sait, Mr. H. A. Sathar H.  
 Fuzlul Huq, Mr. A. K.  
 Gadgil, Mr. N. V.  
 Ghulam Bhik Nairang, Syed.  
 Giri, Mr. V. V.  
 Govind Das, Seth.  
 Gupta, Mr. Ghansham Singh.  
 Hidayatallah, Sir Ghulam Hussain.  
 Hosmani, Mr. S. K.  
 Jedhe, Mr. K. M.  
 Jogendra Singh, Sirdar.  
 Joshi, Mr. N. M.  
 Khan Sahib, Dr.  
 Khare, Dr. N. B.

Laichand Navalrai, Mr.  
 Maitra, Pandit Lakshmi Kanta.  
 Mangai Singh, Sardar.  
 Mudaliar, Mr. C. N. Muthuranga.  
 Muhammad Ahmad Kazmi, Qazi.  
 Muhammad Nauman, Mr.  
 Murtuza Sahib Bahadar, Maulvi Syed.  
 Nageswara Rao, Mr. K.  
 Paliwal, Pandit Sri Krishna Datta.  
 Pant, Pandit Govind Ballabh.  
 Parma Nand, Bhai.  
 Raghunir Narayan Singh, Choudhri.  
 Rajan, Dr. T. S. S.  
 Raja, Mr. P. S. Kumaraswami.  
 Ranga, Prof. N. G.  
 Saksena, Mr. Mohan Lal.  
 Satyamurti, Mr. S.  
 Sham Lal, Mr.  
 Shaikat Ali, Maulana.  
 Sheodass Daga, Seth.  
 Siddique Ali Khan, Khan Sahib Nawab.  
 Singh, Mr. Deep Narayan.  
 Singh, Mr. Ram Narayan.  
 Sinha, Mr. Anugrah Narayan.  
 Sinha, Mr. Satya Narayan.  
 Sinha, Mr. Shri Krishna.  
 Som, Mr. Surya Kumar.  
 Sri Prakasa, Mr.  
 Thein Maung, Dr.  
 Varma, Mr. B. B.  
 Vissanji, Mr. Mathuradas.

The motion was negatived.

**The Honourable Sir James Grigg:** Sir, I have to request, under Legislative Rule 36B (5), that you will be good enough to endorse on the Bill a certificate to the effect that "the Chamber has failed to pass the Bill in the form recommended."

**Mr. S. Satyamurti:** On a point of order, Sir. I submit that Rule 36B (5) is *ultra vires* of the Government of India Act. I invite your attention to section 67B of the Government of India Act, which is the governing section in this respect. That section really must control all rules made under the Government of India Act for this purpose. It says:

"Where either Chamber of the Indian Legislature refuses leave to introduce, or fails to pass in a form recommended by the Governor General, any Bill . . . ."

The other words do not matter now. The governing words of the section of the Government of India Act are, "the Legislature fails to pass in a form recommended by the Governor General". The passing of a Bill is a well-known thing, and I need not detain you with stating the various processes which have been prescribed in the rules and standing orders; before a Bill can be said to be either passed or not passed by this House. Rule 36B (5) says in form that:

"When a Chamber . . . makes any alteration therein which is inconsistent with the form recommended or refuses to agree to any alteration or amendment which, if accepted, would bring the Bill into the form recommended, the President shall, if so requested by the Member in charge of the Bill, endorse on the Bill a certificate to the effect that the Chamber has failed to pass the Bill in the form recommended."

[Mr. S. Satyamurti.]

It is really a rule asking you to say, what is not a fact, to be a fact. That is to say, you must now say under that rule that the Chamber has failed to pass the Bill in the form recommended. No rule-making power can alter a fact into an absence of fact, or an absence of fact into a fact. If you come to section 67 of the Act, which really lays down the power of the Government of India to make rules, sub-section (1) says:

"Provision may be made by rules under this Act for regulating the course of business and the preservation of order in the Chambers of the Indian Legislature, etc."

The other words do not matter. You will find no words in that sub-section making provision for rules to the effect that when a Bill is not passed, it shall be said that the Chamber has refused to pass the Bill. Now, sub-section (5) of section 67 is rather important as illustrating my point. Sub-section (5) says:

"Rules made for the purpose of this section may contain such general and supplemental provisions as appear necessary for the purpose of giving full effect to this section."

It does not refer to section 67B; it refers only to "this section", that is, section 67. The only power under which they can make rules, is in two sections, 67 (1) and 129A of the Government of India Act, which really is the general section prescribing the authority which shall make rules. Section 129A provides that:

"Where any matter is required to be prescribed or regulated by rules under this Act, and no special provision is made as to the authority by whom the rules are to be made, the rules shall be made by the Governor General in Council, with the sanction of the Secretary of State in Council, and shall not be subject to repeal or alteration by the Indian Legislature or by any Local Legislature."

My point is this. The rules made under sections 67 (1) and 129-A (1) contemplate the regulation of procedure in this House, the maintenance of order, the persons to preside and so on.

**Mr. President** (The Honourable Sir Abdur Rahim): Regulating the course of business.

**Mr. S. Satyamurti**: But, Sir, this merely asks you to regulate the course of business and cannot, in the very nature of the words used, include a direction that you shall endorse on the Bill a certificate to the effect that the Chamber has failed to pass the Bill in the form recommended. I ask you, as a matter of fact, to decide here and now whether the Chamber can be said, at this stage, to have failed to pass the Bill in the form recommended.

**Mr. President** (The Honourable Sir Abdur Rahim): Supposing the House passes the other recommended amendments, then what happens?

**Mr. S. Satyamurti**: Then, there will be a motion, there should be a motion, by the Honourable the Finance Member that the Bill be passed.

**Mr. President** (The Honourable Sir Abdur Rahim): Supposing that motion is carried?

**Mr. S. Satyamurti:** Then nothing happens. It goes to the other House.

**Mr. President** (The Honourable Sir Abdur Rahim): This amendment has been rejected, but if the other amendments are accepted by the House and the motion for third reading is also passed, then would it be a Bill in the form recommended?

**Mr. S. Satyamurti:** It will not be a Bill in the form recommended; but, at that stage, you will be able to say that the Chamber has failed to pass the Bill in the form recommended, not before then.

**Mr. President** (The Honourable Sir Abdur Rahim): Why not now? The vote is conclusive, so far as one amendment is concerned. It destroys the form recommended.

**Mr. S. Satyamurti:** In one respect, I agree, but then this is a most extraordinary provision. It is a very difficult provision.

**Mr. President** (The Honourable Sir Abdur Rahim): The Chair finds no difficulty.

**Mr. S. Satyamurti:** There is no ruling on this matter.

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

**Mr. S. Satyamurti:** The rule is *ultra vires*.

**Mr. President** (The Honourable Sir Abdur Rahim): Then, what happens to the Bill?

**Mr. S. Satyamurti:** How are we concerned with it? What does it matter what happens? How are you concerned, Sir? You are the custodian of the rights of this House, and you will say that the Bill has not been passed in the form recommended, only when. . . .

**Mr. President** (The Honourable Sir Abdur Rahim): It is the duty of the Chair to see that every business brought before the House is properly concluded and disposed of.

**Mr. S. Satyamurti:** It can be finished in other ways also. My Honourable friend can withdraw the Bill, can accept our suggestions, and move that the Bill be passed. The Chair cannot state, as a fact, what is not a fact.

**Mr. President** (The Honourable Sir Abdur Rahim): Supposing the other amendments are accepted and the motion to pass the Bill is carried, would the Bill be in the form recommended?

**Mr. S. Satyamurti:** No.

**Mr. President** (The Honourable Sir Abdur Rahim): The Chair is making all this supposition in the Honourable Member's favour. Even then the Bill cannot be a Bill in the form recommended. What has happened now is conclusive.

**Mr. S. Satyamurti:** My point is that, at this stage, no one can honestly say that the Chamber has failed to pass the Bill in the form recommended. My second point is that the extent to which this rule says that it shall be done by the President in a particular form is *ultra vires* of the rule-making power. They cannot make by a rule, what is not provided by the Statute, which says that the Chamber must fail to pass the Bill in the form recommended.

**Mr. President** (The Honourable Sir Abdur Rahim): There are two points of order, firstly that the rule 36 (b) (5) is *ultra vires*, because section 67 does not authorise the making of such a rule. The Chair holds that the words "regulating the course of business" are wide enough to cover a rule of this nature. Then, the second point of order has been raised that the Bill before the House cannot yet be said to be passed, because no motion has been made for passing the Bill, and, therefore, it is premature, at this stage, to ask the President to certify that the Bill has not been passed in the form recommended. But as the Honourable Member himself, who raised the point of order, had to admit, even if the other recommended amendments were carried by the House and also the motion that the Bill be passed, even then, as the recommended amendment, upon which the vote of the House has been taken, has not been adopted, the Bill, if passed, would not be a Bill in the form recommended. Therefore, the Chair is in a position to say now, and at this stage, that the Bill has not been passed in the form recommended. The President will give a certificate to that effect in due course.

### THE INDIAN TEA CESS (AMENDMENT) BILL.

**The Honourable Sir Joseph Bhoré** (Member for Commerce and Railways): Sir, I beg to move:

"That the Bill further to amend the Indian Tea Cess Act, 1903, for a certain purpose, be taken into consideration."

\* This, Sir, is a small Bill and it is unnecessary for me to make any lengthy explanation of its single operative provision. The Tea  
4 P.M. Cess Act was originally passed in the year 1903, for the purpose of creating a fund to promote the sale and increase the consumption of tea in India and elsewhere. This fund was administered by a committee appointed under the Act. In 1921, the Act was amended to permit of the levy of a cess up to a maximum of eight annas per hundred pounds, though it was not until 1933 that the cess was levied at the maximum rate. The cess is levied on tea exported by sea from British India and the levy of cess at the maximum rate was largely the result of the restriction of exports under the international control scheme. The Indian Tea Association have now approached Government with a request that they should put forward proposals to increase the maximum cess to be levied from 8 annas to 12 annas a hundred pounds. The reasons are that the restriction alone cannot help the industry in their difficulties. It is necessary to increase consumption and this can only be done by costly propaganda. It is intended that the additional proceeds of the cess should, in the first instance, be spent in India itself, where there is every prospect of enlarging

the demand for Indian tea. It is noteworthy that India's rivals in the industry, viz., Ceylon and Java, are taking, or have already taken, similar action to provide larger funds for propaganda purposes, and India, if she wishes, to maintain or improve her position, cannot afford to lag behind these other competitors of hers. The proposal now put forward has the whole-hearted support of the industry itself. Ninety-five point five per cent. of the industry, in terms of acreage, are in favour of the increased maximum, and 4.5 per cent. have expressed no view one way or the other, but no section of the industry has declared itself as opposed to the proposal. The industry is proposing to tax itself for the improvement of its own markets, and that, I submit, is sufficient justification for the measure. Sir, I move.

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

"That the Bill further to amend the Indian Tea Cess Act, 1903, for a certain purpose, be taken into consideration."

**Mr. Abdul Matin Chaudhury** (Assam: Muhaimmadan): Sir, I want to say a few words in support of the motion moved by my Honourable friend, Sir Joseph Bhore. This Bill proposes to increase the Indian tea cess from eight annas per 100 lbs. to 12 annas, and I shall very briefly explain the reasons for which I support this motion. Some years ago, the Indian tea industry was passing through a heavy period of depression because of over-production, and, because of the accumulation of stocks in the London markets, there was a tremendous fall in the price of the Indian tea. In the year 1930, the tea that used to be sold at nine annas per pound, came down in 1932 to four annas, and, in some cases, the tea was sold at below the cost of production. Then, Sir, the leaders of the Indian tea industry in all the tea-producing countries devised a scheme according to which they restricted the export to foreign countries, and, by mutual agreement, they assigned fixed quotas to different countries. It is by these means that they were able to restore the equilibrium between supply and demand and increase the prices, and the situation was partially saved in that way. But, Sir, the quota that was allotted to India for the current year amounts to about 311 million lbs. The capacity, however, for the production of tea in the Indian tea gardens is about 500 million lbs. Now, the problem with which the Indian tea industry is faced is how to find a market for this surplus over the export quota, because the maximum consumption in India is about 65 million lbs.; and if the Indian tea industry is to survive and flourish, there must be a considerable expansion of the market. And here comes the necessity for a vigorous propaganda by the Indian Tea Cess Committee for creating an enlarged market and for pushing the sale of tea in this country and in foreign countries. The Imperial Economic Committee on Tea found out that in India there is a considerable scope for expansion of the market for tea and the Indian Tea Cess Committee, of which I am a member, has adopted a very comprehensive scheme for pushing the sale of tea in India and outside. They want to carry on a very vigorous propaganda and a publicity campaign for pushing the sale of tea in India and in the United Kingdom and the main proceeds from this tea cess will be devoted to that purpose. As my Honourable friend, Sir Joseph Bhore, pointed out, the planters, both Indian and European, have agreed to the imposition of this increase. The only criticism that has, I think, been made by the Indian planters is with regard to the constitution of the Indian

[Mr. Abdul Matin Chaudhury.]

Tea Cess Committee. The Indian planters demand that on the Indian Tea Cess Committee their representation should be increased, and I think that is a very fair and legitimate demand,—because those who contribute to this fund can legitimately demand that they should be increasingly represented on that Committee. This Tea Cess Act was passed long, long ago, and it was based upon conditions which have considerably changed since then. Formerly Indians had not much interest in this tea industry, but in recent years they have acquired a considerable interest, and it is their demand that their representation on the Tea Cess Committee should be correspondingly increased. I hope, Sir, that Government will find it possible to amend the Indian Tea Cess Act to provide for increased representation of Indians on the Tea Cess Committee. Sir, I support this motion.

**Srijut N. C. Bardaloi** (Assam Valley: Non-Muhammadan): Sir, it is now admitted on all hands that the tea industry is a very important industry of India and that it supports large numbers of Indian labour, and, in a way, it contributes towards the general revenues also by way of railway freight, revenue on lands, and in many other ways.

Regarding this question of the tea cess, in order to come to a proper conclusion as to whether this should be increased to twelve annas or not, there are several factors to be taken into consideration. The first factor is whether this money is necessary for the intensification of the propaganda work; and secondly, in the light of past experiences, whether the money which will be so raised will be properly used or not. Sir, who will pay this money? Firstly, it is not only European planters who will pay, but the Indian planters also who are about ten per cent. of the European planters, as the Indian planters also pay on account of the tea cess. Sir, the system of realising the tea cess, up till now, is that on the tea that is exported, after being sold by auction in Calcutta, the agent collects the amount of cess from the sale proceeds, and that money is spent by a Committee called the Indian Tea Cess Committee. This Committee have got a general administrative committee and an executive committee. This Tea Cess Act came into operation in 1903. In 1903, the cess was one-fourth pie per pound of tea exported, and then propaganda work went on till 1916-17, and, in the meantime, the War broke out. The propaganda was carried on in America, in the United Kingdom and in France. From 1923-24, this cess was raised to six annas from four annas during 1921-22. From 1921-22 up to 1923-24, the Tea Cess Committee spent about Rs. 23,61,000 for propaganda in America. Up to 1916-17, this propaganda had been carried on, and then, after the War, the propaganda was restricted in America on account of the difficulty of transport in those days. Then, after the War, the propaganda began again in America, and, in that propaganda, much money was spent. Later on, it was found that much headway has not been made in that propaganda and much good result did not come out even by spending large amounts of money. Then the Tea Cess Committee placed the propaganda in the hands of an Advertising Committee in England who had their branches in London as well as in New York. From 1923-24 to 1929-30, Rs. 87,56,594 were spent on this propaganda. But we did not see much effect of that propaganda, in spite of the newspaper advertisements, lectures, and all that. In France they spent in 1922-27, Rs. 10,50,000 without achieving any good results. So,

they stopped all that propaganda. As a matter of fact, this money was not the money of European planters alone; it was also contributed by the Indian planters. The strangest part of the whole thing is that it is the closest preserve of the Europeans. There is an Executive Committee of which not a single Indian is a member. A huge amount is placed in their hands and we do not know how they spend it. So far as the different European Associations are concerned, they are all right because they can rely upon their fellow planters but so far as Indians are concerned they have nothing to do with them. There is a Tea Cess Committee of which my friend, Mr. Abdul Matin Chaudhury, was made a member only a year ago. Before that, there was and still is another Indian member, Rai Bahadur Siba Prosad Barooah and another. In the General Administrative Committee, there were 20 members, and I will mention their names:

Indian Tea Association:

Mr. J. Jones,  
Mr. J. S. Graham,  
Mr. E. G. Abbot,  
Mr. Abdul Matin Chaudhury, M.L.A.  
Mr. T. Lamb,  
Rai Bahadur Siba Prosad Barooah,  
Mr. E. J. Nicholls.

Bengal Chamber of Commerce:

Mr. T. T. K. Allan,  
Mr. T. H. L. Brown,  
Mr. J. A. Milligan,  
Mr. J. C. Surrey.

Assam Branch, Indian Tea Association:

Mr. J. M. Kilburn,  
Mr. R. G. Boyle,

Surma Valley Branch, Indian Tea Association:

Mr. F. J. Heathcote,  
Mr. S. A. Pearson.

Darjeeling Planters' Association and the Terai Planters' Association jointly:

Mr. F. J. Durnford.

Dooars Planters' Association:

Mr. D. H. Barnes,  
Mr. J. Edmond.

Indian Tea Planters' Association, Jalpaiguri:

Mr. Biraj Kumar Banerjee.

United Planters' Association of Southern India:

Mr. A. W. F. Mills.

[Srijut N. C. Bardaloi.]

All these gentlemen sit in the General Committee, but the Executive Committee does not consist of a single Indian member. For purposes of carrying out their propaganda they are employing the services of very highly paid Europeans, who are generally retired military or civilian men, and who travel in first class, draw allowances, and have a host of subordinates to really work. I have not seen much good work done by them. I understand that now my Honourable friend, Mr. Milligan, has taken up the work, it is being put in shape. He is quite welcome to put the whole thing in proper shape under his management, but let us also have a share of the management. Everybody knows here that Broken Orange Pekoe tea is now being sold in the Calcutta market for 8 annas, 9 annas and 10 annas, at the highest, but if you go to buy a tin of tea of the same quality in the market, you have to pay Rs. 2 to Rs. 2-8-0 per pound. The reason is that all the tea is exported to England, and the tea which is left here is put into packets labelled "Brookbonds", "Lip-tons", etc., and sold at a high price.

Now, what is the propaganda which this Tea Cess Committee is doing? They want more money and I do not object to it. Let them have more money so that they may get along with the propaganda and help the tea industry. But if the price of tea goes up like this, even in India, how can they sell it? May I ask what propaganda are they doing to sell good teas cheap? They have got only tea shops and experimental propaganda shops just as you have got one here in the Industrial Exhibition. They have got such tea shops in different places of Bengal and the United Provinces and in other parts of India where people are asked to have a cup of tea free. In that way lot of people take tea and get habituated and by that means more tea is expected to be sold. If that is the idea, this propaganda will not succeed. There must be other factors in it. In the first place, good tea must be obtained and it must be sold cheap. That should be one of the duties of the Tea Cess Committee. Tea, which is sold for eight or nine annas in Calcutta, should not fetch more than 14 annas when put in tins. Why should it cost Rs. 2 or Rs. 2-8-0? That is a point which is lost sight of. In this way the Tea Cess Committee is doing its propaganda which may not come up to the ideals of the Indian planters.

Now, Sir, it must be admitted that the tea market is in a very bad state at present and I am also one of those who are interested in tea. I want that tea should fetch good prices and more tea should be sold. But so far as propaganda goes, I should like to say that it should be carried on in the interests of those who pay the piper. It is not only the Europeans who pay towards the propaganda but Indians also pay. We do not know what principles they are following. So far as this four annas is concerned, it will not come from the ryots, but from tea producers. It is the tea producers who shall have to pay this four annas so that their tea propaganda may be carried on. In that way we are all interested in seeing that this propaganda work is done properly. So far as that goes, I do not object to increase this rate to 12 annas provided we get an assurance that we should also have some hand in the management inasmuch as we also pay something towards its maintenance. A coterie of planters Agents sitting at Calcutta are now on the Executive Committee and are managing all these affairs. They spend all the money which is raised from the tea growers. Why should they alone do it behind the Purdah as it were? That is what I object to. Nowadays I find that some of the big



tea planters seem to be more sympathetic towards the small tea growers of Assam. But, as a rule, small tea growers are almost smothered by the bigger ones whenever they get a chance. I will give only one example.

The other day, I put a question to the Honourable the Commerce Member and asked him how many Indian gardens have been inspected by the Tea Control Committee. The reply was that 226 gardens have been inspected by Agents of the Tea Control Committee. Now, Sir, what is this Tea Control Committee? The Tea Control Committee of Calcutta is composed entirely of Europeans except two Indians, one of whom represents Assam and the other represents Jalpaiguri. This Committee had 226 gardens inspected, and not a single one of them is a European garden. They have got about 3,000 gardens and they have inspected only 226 Indian-owned gardens. European gardens have not been inspected. Somebody goes to inspect these Indian gardens and generally a European tea planter or somebody belonging to his coterie who says, the figures are all wrong, and not properly kept and thus the small Indian gardens sometimes do not get their quota. I can give the instance of one of my most respected friends, one of the leaders in Assam, Mr. K. Chaliha, who suffered from this trouble, and he had to come all the way to Simla and to appeal to the Government of India so that he could have his grievances redressed. Why was it? There was a tea control committee. Some of the Members of the Tea Control Committee did not like him because he was one of the leaders of the country and he was a Congress man. He had to spend a lot of money and file an appeal and come to Simla and the Government heard his case and his grievance was redressed. I submit, Sir, that although some individual members of this Committee may have some sympathy but there are others. Generally the European planters who, whenever they can, smother the smaller Indian concerns. Because if the Indian concerns are killed, and many of them have been killed in the last depression, then the European planters will have better chances of cultivation and the growing of tea will be automatically restricted to the benefit of the Europeans only. That is their idea. But, in the present instance, I have to refer to my esteemed friends, Mr. Hockenhall and Mr. Milligan, both of them I know are very sympathetic towards Indians and they try their best to do justice by us. All I want from the Honourable the Commerce Member is an assurance that if this duty of eight annas is increased to twelve annas, Indians will have proper representation on the executive committee and they will have their proper share in the administrative committee as well and if such an assurance is forthcoming I have no objection to this Bill. In the absence of any such assurance this side of the House will oppose the Bill.

I wish to say a word about propaganda. The propaganda work in America has failed, but the propaganda work in the United Kingdom has succeeded, not because of the efficacy of the propaganda, but because the English nation is a tea-drinking nation. In France the propaganda has failed. But in India they are doing this propaganda now. Well and good. Is it not a fact that now-a-days Indians generally take to tea and no propaganda is necessary. If you go to Bengal, you will find every one of the gentleman class drinking tea. The poor classes imitate the gentleman class and drink tea but of a very inferior quality. The same is the case in Assam. The well-to-do class drink superior quality of tea and the poor people imitate them and drink tea, but of the inferior quality. If you go

[Srijut N. C. Bardaloi.]

and inspect the tea that is drunk by these poor class people, you will find that their tea is the most rotten and the most contaminated kind of tea which the Marwaris supply these poor people at a cheap cost, in fact the sweepings are sold to these poor classes. It is said that the Committee is trying to provide people with better class of tea. I submit if they provide the people with better class of tea and at a reasonable rate, then this propaganda will be successful. These are my suggestions and there may be a hundred and one suggestions. What I want to submit is that if the Honourable the Commerce Member gives us an assurance that this money which will be raised will be properly used and we will have a chance of examining the methods and we will have a hand in the composition of the executive committee and that some Indians will be taken on the executive committee as well as in the administrative committee, then we on this side have no objection to this Bill. Another suggestion is that in the propaganda work carried on in America and England, some Indians should be associated in that work also. With these assurances, if they are forthcoming, so far as I am concerned, I have no objection. Otherwise I have got my objections to this measure.

**Mr. Sri Prakasa** (Allahabad and Jhansi Divisions: Non-Muhammadan Rural): Sir, I rise to oppose this Bill, and I do so both on personal and on social grounds. A great English writer has said that "the only necessities of modern life are superfluities", and tea is one of the most superfluous things which has become almost a necessity now. Unfortunately, Sir, I myself am a victim of the tea habit, and, therefore, I am in the best position to say that it is a harmful habit, and that it should be given up.

So far as I can see, this Bill seeks to make tea cheaper in India and seeks also to make it more difficult to export. Moreover, what I am most frightened at is that the Government intend to spend all the money that they can make out of this extra four annas of cess, on propaganda in favour of tea. Tea is one of those things which it is very difficult to give up when once you imbibe the habit. I have no objection to such habits which when they cannot be satisfied, do not give any trouble. When I was sent to jail and my obliging District Magistrate put me in "C" class, I was deprived of all tea, and, as long as I lived in that "C" class, it was a great torture not to have the usual supply of morning and afternoon tea to which I had been used for the last 25 years. I felt then that when I came out, I should give up tea habit, but unfortunately, now, after my release, that wretched habit has come back, and I look forward with the greatest amount of fear to the next movement which my Leader almost threatened to launch this morning, for I felt that once more I might be put to the test. I, therefore, feel that tea should be discouraged; that it should be made more expensive, as expensive as possible in India, and that export of tea should be made as easy as possible. Belonging to Benares, I must confess, I have a bias in favour of dear old drinks like *sharbat*, and *thandai*, or perhaps even *bhang*. If, instead of this new tea drinking habit, we go back to the old habits, I believe the Government also will be happier because if Members on this side of the House took *bhang*, they would not be able to give so much trouble to the Government. In fact, if one takes tea, the brain is stimulated and one gets into the mood to be troublesome to Government. On the other hand, if we took

*bhang*, we would be inclined to go to sleep; and I recommend that drink to the Honourable Members opposite.

Then, Sir, I have another objection to tea. The difficulty is that tea in itself is not such an important part of the afternoon tea functions. For all tea functions, cups and saucers, tables, table cloths and other accessories are necessary, and these are much more important than the tea itself. It is the misfortune of modern civilisation that the arrangements for a function are more important than the chief object of the function itself. Now, all that is an encouragement to foreign trade. Japan is flooding our markets with very nice, delicate, pleasant looking and attractive goods, pots, cups and saucers at very cheap rates. You say you propose to add to your income by levying a cess of four annas; but I am afraid this will be an inducement to send away for every four annas scores of rupees to Japan in order to import these extra cups and saucers. I, therefore, think that if we discourage this tea drinking, we will also be able to discourage this unnecessary influx of foreign crockery in our market.

Then, I have a medical objection to tea. Those who are well off can take tea costing Rs. 2 or Rs. 2-8-0 a lb. But as my Honourable friend, Mr. Bardaloi, said, most people in this country are poor and consequently they go in for very cheap tea which is often very bad in quality. If you go to Bombay or Calcutta, you will find everybody taking tea. In fact the hackney-carriage *wallahs* will stop for a couple of minutes before a tea shop and despite all your protests that they should proceed, straight to your destination, they would get down for their cup of tea. If you only look at the tea they drink, you will find that it is most dirty and really unfit for human consumption. Mahatma Gandhi has said that the only good parts of tea are the sugar and milk; but in this bad tea that these hackney-carriage *wallahs* and other poor people drink there is no milk or sugar worth speaking of. After all, these poor people are our brothers, and we want to save them from this bad habit. Instead of saving them from this bad habit, this Government is going to encourage tea drinking and they want to embark upon a widespread programme for the encouragement of tea. I think that should be avoided. I am also given to understand, Sir, that tea dust, that is very often passed for tea and which poor men take, is not really tea dust but saw dust.

**Mr. Lalchand Navalrai** (Sind: Non-Muhammadan Rural): How can we have tea parties then?

**Mr. Sri Prakasa:** You can have *bhang* parties!

**Mr. Lalchand Navalrai:** That will be worse.

**Mr. Sri Prakasa:** That cannot be worse; in the name of Benares, I must protest against that!

I, therefore, think, Sir, that for the sake of decency, of public health, and if my friend, the Home Member, were present, I would be almost inclined to say, even in the public interest, it would be best to discourage tea. I think we should reject this Bill, and we should also make up our minds, before we part this afternoon, not to take tea ourselves and to refuse all invitations to tea parties. Tea parties do no good at all; and I am sure this House will support my motion. And if no other ground

[Mr. Sri Prakasa.]

appeals to this House, at least this simple ground should appeal to them that the spread of tea means the spread of Japanese cups and saucers and other crockery which is draining the wealth of this country. For personal safety, for the safety of one's pockets and for the general well-being of our people, poor and rich alike, I oppose this Bill.

**Dr. Ziauddin Ahmad** (United Provinces Southern Divisions: Muhammadan Rural): The question may now be put.

**The Honourable Sir Joseph Shore:** Sir, I do not think that any lengthy reply is required from me as a rejoinder to the speeches which have been delivered on this subject this afternoon. As regards my Honourable friend, Mr. Bardaloi, I gather that he has no objection either to the increase of the cess or to the Tea Cess Association embarking on a larger propaganda to popularise the consumption of tea in this country. I think the two points that he made were, firstly, that Government should give some assurance in regard to the manner in which this extra receipt from the enlarged cess would be spent, and secondly, that the Indian element on the Tea Cess Association Committee would be increased. Now, as my Honourable friend knows, the actual expenditure of this cess is not under the control of Government, but I understand that the Tea Cess Association are considering and hope to put forward comprehensive proposals to the Government of India. I can give him, my friend, a very definite assurance that the point that he and my Honourable friend, Mr. Abdul Matin Chaudhury, made in regard to the proper representation of Indian interests on that Committee will be most carefully borne in mind by the Government of India.

**Mr. N. C. Bardaloi:** Not only on that Committee but on the Executive Committee also.

**The Honourable Sir Joseph Shore:** That also will undoubtedly be borne in mind by the Government of India when these proposals are submitted to them for their consideration.

As for my friend, Mr. Sri Prakasa, he reminded me of Satan rebuking sin. If I may say so, physically he is an excellent advertisement of the virtues of tea (Laughter), and, in any case, I propose to leave him to the tender mercies of his fellow consumers of tea in this House. I do not think he really intended to suggest that because people in this country were attracted by the cheapness and by the appearance of Japanese china-ware, therefore tea should be penalised in any way. My suggestion to him is to utilise Indian earthenware, which, I understand, is very largely now being made in the country.

Sir, I do not think there is any other point that remains for me to answer and I would ask the House to accept my motion.

**Several Honourable Members:** The question may now be put.

**Mr. President** (The Honourable Sir Abdur Rahim): The question is that the question be now put.

The motion was adopted.

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

"That the Bill further to amend the Indian Tea Cess Act, 1903, for a certain purpose, be taken into consideration."

The motion was adopted.

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

"That clause 2 stand part of the Bill."

**Pandit Nilakantha Das** (Orissa Division: Non-Muhammadian): Sir, I am surprised to find that because many of our friends here want a cup of tea, we are apt to forget that we do not represent ourselves here, but we represent the people in the villages whose interests are more important in this House than our own needs. My friend, Mr. Sri Prakasa, has made out a clear case that such a Bill should not be countenanced in this House. For obvious reasons, Government are planning as to how more and more tea could be sold in our villages, but there is no consideration as to whether it should be at all encouraged in this fashion. As a matter of fact, we do not know if there is any medical opinion in favour of this tea habit. The Honourable the Commerce Member ought to have quoted expert opinion to convince the House that our villagers ought to take tea and that it is for the good of their health, or at least that it is not bad for their health. So far as we know, laymen as we are, tea contains. . .

**The Honourable Sir Joseph Bhore**: I will ask the Honourable Member to look at Mr. Sri Prakasa. (Laughter.)

**Mr. Lalchand Navalrai**: That is because he takes *bhāng*. (Laughter.)

**Pandit Nilakantha Das**: I know he did not touch on this aspect of the question, and I am not really putting it in any humorous sense. I am serious when I say that tea contains some of the worst poisons; and specially in our street corners the tea which our *tongawallas* and similar other people take, and which sometimes some of us, on account of our habit, may be compelled to take, is not tea at all but cups of decoction, and it is generally in that decoction state that our ordinary people take it. That decoction is nothing but poison so far as I have learnt from medical men; the habit is also a vice, mild may it be like smoking. My Honourable friend must convince the House that it is not so and that it is a necessity. I shall even be satisfied if it is a real necessity even for improving the standard of life or culture. Unless it is a necessity in any sense of the term it is not at all proper that this House should pass a measure like this by which we are giving sanction to a vast amount of money being spent in this country for propaganda, for practically pushing this tea habit into the very village corners. Of course, if today some Bill comes for making propaganda in favour of *bhāng* or *thandai*, I know some of us may approve of it.

[At this stage Mr. President (The Honourable Sir Abdur Rahim) vacated the Chair which was then occupied by Mr. Deputy President (Mr. Akhil Chandra Datta).]

**Mr. M. S. Aney** (Berar Representative): What will you do?

**Pandit Nilakantha Das:** To speak the truth, I will not support it. Any intoxicant must not be made available so easily to our village folk. I come from a constituency where tea was unknown in my childhood. Even now our gentlemen folk in the villages do not have that bad habit; but I belong to an unfortunate land where many people go to the tea gardens of Assam and to other labour centres where they contract this bad habit; and, when they come back to their villages, they do not get the milk and sugar which you take with the tea to make it a pleasant drink—but they go to the ordinary village grocer's shop and buy some tea refuse for a pice a packet, or some infected dust which goes by the name of tea—they put in hot water and add some salt and they drink it: this is how our people are being gradually accustomed to drinking tea.

**An Honourable Member:** Salted tea is better than sugarred tea.

**Pandit Nilakantha Das:** I do not know: I wish my friend would give some medical or expert opinion that that tea is better.

**Mr. N. V. Gadgil** (Bombay Central Division: Non-Muhammadan Rural): Tea is always good: I drink 12 cups a day, and my weight is 145 pounds!

**Pandit Nilakantha Das:** My point is that it is not a necessity: it is a luxury: at least it is a luxury to the people whom I represent here—60 lakhs of them: I speak for my constituency, and I think in India in the villages the conditions are the same everywhere: in the villages, the people have not been accustomed to tea yet, as we have been in our anglicised and Europeanised habits in the cities like Delhi and Calcutta. Our people have not yet come to this occidental urban state of civilisation; and, at a time like this, we are spending money—lakhs of money, to push tea into the very corners of the villages, and make the poor man spend money, not for his health, not for his necessities or sustenance, which he wants so badly, but for giving some impetus to the sale of some commodity, which is necessary for some people basking in the favour of Government and unconcerned patronage of a section of our representative people. What I say may not be liked by some of my friends—I see the temperament of the House: I do not go into the question of the tea labour or tea plantation.

**An Honourable Member:** Why not?

**Pandit Nilakantha Das:** Whatever that be, plantation produce should not be considered first of all as agricultural produce as such in this country. Plantation has a good many drawbacks which my Honourable friend opposite knows better than I can describe. If they are to make any profits out of this inebriating material, this intoxicant, this poison, which is not a necessity, but which is at least a careless luxury, and, therefore, a vice; let them push the export of the commodity, or even the internal consumption if they can, but why should the Government or the House be a party to it? Suppose tomorrow a Bill comes for introducing tobacco in our villages.

**An Honourable Member:** It is already there!

**Pandit Nilakantha Das:** It may be there already: but suppose the tobacco-growers want to sell their tobacco more and want that those that are not taking tobacco now should be made to do so—for example, children do not take it—but if Government likes that money should be spent like this in making children smoke tobacco. . . .

**An Honourable Member:** As if they have not taken to it!

**Pandit Nilakantha Das:** Suppose they have. Then why Bills and measures for propaganda? Or are we here simply to pass measures in disgust and helplessness? Tobacco is a luxury, not a necessity: probably the next stage will be for the Provinces to propose taxing tobacco—it is in the air, on the horizon already—shall we then propose to collect a tobacco cess and introduce tobacco in the villages in every home for children and women and everybody? Our women do not smoke tobacco yet. . . .

**An Honourable Member:** Don't they?

**Pandit Nilakantha Das:** Generally our women do not. I am reminded here of my Bihār and Orissa Minister's Resolution, and he put it in practice, to give one pice toddy and liquor bottles to our people, making those bottles available at the door of each man: last year he did it, and, in his reply to criticism in the Council, he supported this measure as giving much needed relief and refreshment to the poor man at his door giving him some solace after his day's tiresome labour: and, in this way, by the by, excise money is being collected and the budget is being balanced in our Province of Bihar and Orissa.

That, apart, I consider this a similar measure and I appeal to my Honourable friend at least to postpone the third reading of the Bill, to the Simla Session by which time we may get some medical or expert opinion and some statistics, as to whether tea is good for the health or whether it is a luxury and how many people in the villages take tea and what kind of tea they are taking and whether it is good for their health. I see the temperament of the House (Laughter) and it really pains me. I am really serious on this question, and if I had any power I would never allow any such measure to be passed without the consideration it deserves. How can one think of it without getting statistics and without getting medical and expert opinion on the various aspects of the question. I should be the last person to support a Bill like this; and so, I again appeal that this third reading should be postponed till the Simla Session and this House should be supplied with all the material necessary. . . .

**An Honourable Member:** With tea?

**Pandit Nilakantha Das:** Yes: of course, my Honourable friend, Sir Joseph Bore, might invite me to tea, but there are other considerations which I need not narrate here: I shall be very happy to accept it whether I take tea or not: invitation to tea does not actually mean taking tea: as my friend, Mr. Sri Prakasa, has described, there is some paraphernalia—some good table cloth, some bright saucers and cups—and perhaps much less is spent on tea than on the appendages and paraphernalia, so absurdly considered in a country like this, to be marks of civilised standard of life.

[Pandit Nilakantha Das.]

and of better cultural outlook; and we have been perpetual victims to imported fashion just as readily as to imported articles of daily use. So, whether I take tea or not, if I get an invitation from a fashionable and respectable gentlemen, who lives in a good house, who owns good motor cars and who commands all the modern luxuries, I shall very gladly accept an invitation to tea, but this measure, I say, in spite of all this, may not be for the good of our people. So far as I can say now, it is not for the good of our people. You must, therefore, first of all, try and collect enough statistics and obtain expert medical opinion to convince the House that this measure is for the good of the people. Sir, with this appeal, I oppose the motion.

**Some Honourable Members:** The question may now be put.

**Mr. Ghansham Singh Gupta** (Central Provinces Hindi Divisions: Non-Muhammadan): Sir, I only want two minutes. Sir, I must protest against the haste with which this measure is sought to be got through this House. There has been practically no discussion on this Bill. Sir, I am neither a tea taker, nor am I a *bhang* taker, but my humble submission is this. I object to this Bill on two grounds. My first ground is that it has not been proved that the habit of taking tea is not sufficiently spreading and that it, therefore, needs stimulation and help of the Legislature so as to induce people to go in for the tea habit. I know that no Honourable Member of this House is just now in a mood to listen to anything that I say against tea. . . .

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

**Mr. Ghansham Singh Gupta:** . . . because I see that almost every Member in this House is addicted to tea taking. I never take tea and have never taken tea, almost never. (Laughter.) Not only have I not taken tea, but when it lay in my power to prevent the spread of tea I did everything possible to check the evil. Sir, when I was the President of the Municipal Committee of Drug, some gentleman of the Tea Cess Committee came to our place and painted all over the building "Take tea, Take tea" and all that sort of thing without my permission. I wrote to them asking them that it should not remain on the walls of the municipal building and that the building should have to be white-washed, and I recovered the entire cost of whitewashing from them, because I said I did not want this sort of advertisement of a thing which I considered to be an evil. Sir, doctors may differ, or we may differ here. Some may hold that the extent of the evil is not so great as to prevent its spread, some may say it is on a par with smoking, but there is no doubt that the habit of taking tea is admittedly an evil. It may not be an evil to those gentlemen who have enough money to pay for, but it is positively an evil to those who have very little income and who cannot get even a cup of milk or good water to drink. I would rather ask the Government and my friends here who support this measure that instead of this Bill they should bring forward a Bill by which we could give a cup of milk to the poor villagers, bring forward a measure by which we can give a cup of milk or even a *chatak* of milk to the poor babies in the villages. I do not understand why the Government is so anxious to push tea even in the farthest



villages particularly as it is admittedly not a virtue. It may not have been demonstrated to be a vice, but I consider it a vice, and there are many doctors who consider it to be a vice. I do not protest when I see gentlemen taking tea, but I protest against your attempt to push on tea to the villages. I ask my friends here—have you gone and seen the villages? Do you know that in the villages children do not get even a cup of milk which is so essential to them? It is unfortunate that you don't bring forward any measure which will benefit the poor children in the villages, but you bring on measures to push forward tea and such other intoxicants. Probably some of you may be interested in it, anyway I say that I oppose this measure on two grounds. The first ground is this, that it has not been proved that the use of tea is not sufficiently expanding even as it is and that it needs further inducement, and my second ground is that it is an evil, and we should see, therefore, that the use of tea is checked rather than encouraged.

**Several Honourable Members:** The question may now be put.

**Mr. Deputy President** (Mr. Akhil Chandra Datta): The question is that the question be now put.

The motion was adopted.

**The Honourable Sir Joseph Bhore:** Sir, I am afraid I have very little to add to what I have already said. I am afraid that most of those who are opponents of the habit of tea drinking are in the same position as Mr. Casey Jones:

"Said Casey Jones, Before I die,  
Two more drinks I should like to try,  
Oh, Casey Jones what may they be,  
A glass of water and a cup of tea."

Sir, being a partaker of what my friend called the intoxicating poison known as tea, I am afraid that any advocacy of the case for tea would be regarded as emanating from a partisan. I, therefore, Sir, prefer not to put forward the views of a partisan and leave the House to decide between my friend, Mr. Nilakantha Das, and myself, in this matter.

**Mr. Deputy President** (Mr. Akhil Chandra Datta): The question is:

"That clause 2 stand part of the Bill."

The motion was adopted.

[At this stage, Mr. President (The Honourable Sir Abdur Rahim) resumed the Chair.]

Clause 2 was added to the Bill.

Clause 1 was added to the Bill.

The Title and the Preamble were added to the Bill.

**The Honourable Sir Joseph Bhore:** Sir, I beg to move:

"That the Bill be passed."

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

"That the Bill be passed."

**Pandit Govind Ballabh Pant** (Rohilkund and Kumaon Divisions: Non-Muhammadden Rural): Sir, before you put the question, I would like Mr. Milligan to speak on the various points that have been raised. There is a lot of substance in those points and we cannot be a party to such indecent haste in passing whatever legislation it may be.

**Mr. J. A. Milligan** (Bengal: European): It was not my intention to take up the time of the House unless it should appear to be necessary. 5 P.M. So many points were raised by various speakers that I thought perhaps it would take up a very great deal of time to answer them. I shall endeavour to deal with the principal points as quickly as possible. The principal point which my Honourable friend, Mr. Bardaloi, made relates to the composition of the Committees. In the first place, let me say, that the Executive Committee is not a statutory body at all. It was only formed for its own convenience by the General Committee and there are no rules or principles whatever which regulate its formation. It is formed annually at a meeting of the General Committee. Its powers are very strictly limited. It cannot sanction any expenditure above Rs. 2,000, and even the expenditure that it does sanction has to be referred to full Committee. There is no provision in the Act as it stands for making the Executive Committee a statutory body, but that can be considered when the Act comes before the House again. As the Honourable the Commerce Member told the House, it is the intention of the Indian Tea Cess Committee to bring this question up again. Last June, a general comprehensive proposal was sent up to the Government of India, but for various reasons that could not be proceeded with. It is, however, our intention to send that proposal up again as soon as the Government of India are willing to consider it. When that proposal is before the House, all these questions about the composition of the Committee and other matters that may interest Honourable Members will be open for discussion. There are one or two specific points about which I should like to give a definite opinion. Some Members seem to be under the impression that the money which is to be raised by this piece of legislation is public money. This is money raised from the growers of tea for their own purposes. These are not public funds. Though the Government of India are entitled to exercise a control over the operations of the Tea Cess Committee, the money is not public money. (Interruption.) This Bill is merely to permit the growers of tea to tax themselves by an extra four annas for every 100 lbs. of tea which they export. . . .

**Mr. Ghansham Singh Gupta**: Is it merely permissive, or is it compulsory?

**Mr. J. A. Milligan**: It is compulsory, but it is raised only from the people who grow tea, and not from the public. Another important point raised was regarding the effect of tea drinking on health. Well, Sir, had I realised that that point was likely to be raised, I could have brought with me conclusive evidence that a vast majority of the medical profession is of opinion that the drinking of tea, particularly, in a country like India

where water is very often of a bad quality—and the making of tea necessitates the boiling of water—that the drinking of tea is a very healthy beverage indeed.

**An Honourable Member:** What about hot climate?

**Mr. J. A. Milligan:** In a hot climate it has a very cooling effect on the body. (Laughter.) I may say there are various ways of drinking tea. Besides the way in which we see it drunk in the Assembly sector, it is drunk in America as iced tea. They make it into a very pleasant cold beverage indeed. The Tea Cess Committee in America have perfected—that is too strong a word, I may say they have brought to a high stage. . .

**An Honourable Member:** Is cold tea better than hot tea in India?

**Mr. J. A. Milligan:** The trouble about introducing cold tea in India is this. You have not got here the supply of ice everywhere as you have in America. In America ice can be got in unlimited quantities even in the smallest villages. Had we got that in India, all this period of the year, from now for the next six months, we would be trying to interest people in iced tea. But merely cool tea is not a particularly attractive beverage.

**An Honourable Member:** What about boiling water for making tea?

**Mr. J. A. Milligan:** Boiling water is an essential ingredient of a cup of tea.

**An Honourable Member:** Is it necessary to boil water in order to have cold tea?

**Mr. J. A. Milligan:** The tea is first made in the ordinary way with boiling water and then it is chilled and mixed with lemon and other things and then drunk as a cold beverage.

**An Honourable Member:** Give us a cup of tea. What is the use of talking? (Laughter.)

**Mr. J. A. Milligan:** I shall be only too pleased.

To continue what I was saying, in America, we have, after 12 years of experiment, discovered a way to make a really good tea syrup. That tea syrup can be used for making a carbonated drink which is exceedingly good and refreshing, and also for making a cup of tea by the mere addition of hot water or boiling water or whatever you like. We believe that there is a great future in that branch of the tea propaganda. I do not want to take up the time of the House any more. . . .

**Mr. Ghansham Singh Gupta:** Is it not expanding of its own accord? Does it need any further inducement by the Legislature?

**Mr. J. A. Milligan:** Tea undoubtedly is expanding of its own accord, but not at a very rapid rate. In the last 20 years the expansion of tea consumption in India has been comparatively small. Even now, for the year which is just ending, we calculate that the consumption of tea in

[Mr. J. A. Milligan.]

India is only about 70 million lbs. About 10 or 15 years ago it was somewhere about 50 million lbs. That is a very slow rate of increase, and those of us who do not share the views of some Honourable Members who consider that tea drinking is a poisonous habit. . . .

**Mr. Ghansham Singh Gupta:** Not poisonous but that it is bad.

**Mr. J. A. Milligan:** I think some Member used the word "poisonous". We think that the drinking of tea would be beneficial to the health of the rural population of India, in addition to which it is the cheapest possible drink next to water because for one pice you can get five cups of tea.

**An Honourable Member:** Is not milk necessary?

**Mr. J. A. Milligan:** No. Milk is quite unnecessary. If you want to appreciate the flavour of a cup of tea, you take no milk in it.

**An Honourable Member:** No sugar too? (Laughter.)

**Mr. J. A. Milligan:** No sugar if you like.

**Mr. Sri Prakasa:** I am willing to support the Honourable Member if he introduces it in jails.

**Mr. J. A. Milligan:** I thank the Honourable Member for that suggestion. Also various other suggestions were made by my Honourable friend, Mr. Bardaloi, which I have carefully noted. I think there was one other point made by the Honourable Member from Drug. I am glad to hear that he recovered the money for the defacement of his municipal walls and I will only add to that my apologies for the discourtesy of my subordinates.

**Some Honourable Members:** Let the question be now put.

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

"That the Bill be passed."

The motion was adopted.

The Assembly then adjourned till Eleven of the Clock on Monday, the 8th April, 1935.