

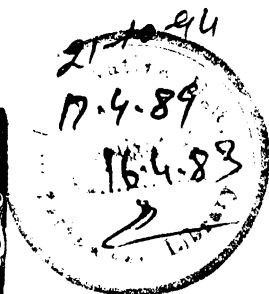
THE LEGISLATIVE ASSEMBLY DEBATES

(Official Report)

Volume III, 1938

(24th March to 12th April, 1938)

SEVENTH SESSION OF THE FIFTH LEGISLATIVE ASSEMBLY, 1938



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1938

Legislative Assembly.

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

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

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LEGISLATIVE ASSEMBLY.

Thursday, 24th March, 1938.

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

MEMBER SWORN.

Mr. Hugh Dow, C.S.I., C.I.E., M.L.A. (Commerce Secretary).

Mr. Mohan Lal Saksena (Lucknow Division: Non-Muhammadan Rural): On a point of order, Sir. May I know when he ceased to be a Member?

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

STARRED QUESTIONS AND ANSWERS.

(a) ORAL ANSWERS.

RECRUITMENTS TO THE IMPERIAL DAIRY RESEARCH INSTITUTE AND APPOINTMENT OF DAIRY DEVELOPMENT OFFICERS IN PROVINCES.

963. ***Mr. Brojendra Narayan Chaudhury**: Will the Secretary for Education, Health and Lands please state:

- (a) if Government have decided, or if it is in contemplation, to recruit from outside India, one or more heads of sections for the Imperial Dairy Research Institute as suggested on page 91 of the report of Mr. Wright; and
- (b) if the Central Government corresponded with the Provincial Governments with regard to the recommendation No. 55 on page 131 of Wright's report, regarding the appointment of a Dairy Development Officer in each Province; if not, whether they propose to do so?

Sir Girja Shankar Bajpai: (a) The attention of the Honourable Member is invited to the reply given to part (a) of Mr. Mohan Lal Saksena's starred question No. 842 on the 21st of this month.

(b) Government have not as yet addressed Provincial Governments on this subject.

Mr. Brojendra Narayan Chaudhury: Do the Government propose to address the Provincial Governments?

Sir Girja Shankar Bajpai: In all probability, yes.

ANTI-INDIAN LEGISLATION IN BURMA.

964. ***Mr. T. S. Avinashilingam Chettiar**: Will the Secretary for Education, Health and Lands state:

- (a) whether any legislations have been introduced in Burma, which will prejudicially affect Indian interests in Burma;

- (b) whether legislation which will prejudicially affect the ownership of lands by Chetty bankers, has been introduced; and
(c) what action Government have taken in the matter?

Sir Girja Shankar Bajpai: (a)—(c). Government have seen Press reports of the introduction of a large number of private Bills in the Burma Legislature but have not received representations regarding the provisions of any of them. The question of their taking any action has not, therefore, arisen.

Mr. T. S. Avinashilingam Chettiar: May I ask whether they are all private Bills or whether the Government have introduced any Bills?

Sir Girja Shankar Bajpai: I have merely seen a summary in a Rangoon newspaper, and that relates to private Bills only.

Mr. T. S. Avinashilingam Chettiar: May I ask whether the Government will put themselves in touch with the Indian Trade Agent there and know the conditions of these Bills?

Sir Girja Shankar Bajpai: No Agent has been appointed yet.

Mr. T. S. Avinashilingam Chettiar: May I ask whether the Government of India have any agency in Burma to watch the interests of Indians there?

Sir Girja Shankar Bajpai: No agency at present except the Indians themselves.

Mr. Mann Subedar: Do Government propose to wait until a representation is received or will they, in normal course, receive all Bills introduced and scrutinise them to see whether any Indian interest is being unfavourably treated?

Sir Girja Shankar Bajpai: So far as I know, there is no provision that Bills introduced in another Legislature should be transferred or submitted to the Government of India for scrutiny as a matter of course.

Mr. T. S. Avinashilingam Chettiar: The question has been misunderstood. It was not the intention that the Government of Burma should send their Bills here, but have they created any agency now so that these Bills may be transmitted to the Government of India?

Sir Girja Shankar Bajpai: I have already stated that the Government of India have decided to appoint a representative in Burma early in the new financial year. Meanwhile, I take it that seeing that the Indian community in Burma has a total of something like 13 to 15 representatives in the Legislature of Burma, if they feel aggrieved or affected or likely to be affected by any particular measure, they would themselves approach the Government of India.

Mr. Badri Dutt Pande: Is it not a fact that many Indian labourers are being turned out as undesirable?

Sir Girja Shankar Bajpai: I submit that that does not arise out of this question.

Mr. Husenbhai Abdullahhai Laljee: Have the Government made any arrangement with the non-official Members to keep them in touch until they have appointed their own Agent?

Sir Girja Shankar Bajpai: Government have not approached any non-official Members in Burma.

Mr. Husenbhai Abdullahhai Laljee: Do not the Government think that it is desirable to keep themselves informed as to what is happening in Burma by keeping themselves in touch with some non-official Members?

Sir Girja Shankar Bajpai: That is a matter for argument.

TRAINING OF "DUFFERIN" CADETS FOR THE NAVY.

965. ***Mr. T. S. Avinashilingam Chettiar:** Will the Commerce Secretary state:

- (a) whether the "Dufferin" cadets are at present qualified to serve in the navy; and
- (b) if not, whether Government have considered the advisability of qualifying them for the navy in view of the recent announcement to form a combatant naval force for coastal defence?

Mr. H. Dow: (a) I would refer the Honourable Member to the reply given by me on the 7th March, 1938, to part (c) of his starred question No. 674.

(b) Does not arise.

Mr. T. S. Avinashilingam Chettiar: In view of the fact that they are going to form an Indian Navy, is the number of cadets that are receiving training proposed to be increased?

Mr. H. Dow: I think I answered that last time. The answer is 'No'.

Mr. T. S. Avinashilingam Chettiar: May I ask why the Government do not propose to increase the number in view of the fact that we want more men now?

Mr. President (The Honourable Sir Abdur Rahim): That is a matter for argument.

Mr. T. S. Avinashilingam Chettiar: It is not a matter for argument I want to know why they are not increasing the number?

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

REPRESENTATION OF INDIANS IN THE INTERNATIONAL TEA MARKET EXPANSION BOARD.

966. ***Mr. Brojendra Narayan Chaudhury:** Will the Secretary for Commerce please state:

- (a) how many members have been allotted to India in the International Tea Market Expansion Board, Limited;

- (b) if any Indian held the position of a member or director of the International Tea Market Expansion Board, Limited, in any year; and
- (c) who nominates the member of the International Board, and on what authority?

Mr. H. Dow: (a) Two, in addition to the Technical Member.

(b) No.

(c) The Indian Tea Market Expansion Board. The Indian Tea Cess Act, 1903, and rule 2 of the Indian Tea Cess Rules, 1937, confer upon the Indian Board the power of allotting moneys from the Indian Tea Cess funds for the purpose of promoting the sale and increasing the consumption of tea generally and especially Indian tea in countries other than India. This is covered by the objects for which the International Tea Market Expansion Board has been formed.

Mr. Brojendra Narayan Chaudhury: Is there any chance of an Indian being appointed?

Mr. H. Dow: I cannot say.

Prof. N. G. Ranga: Will Government press on the Tea Market Expansion Board the advisability of appointing one Indian at least amongst the representatives of the International Tea Market Expansion Board?

Mr. H. Dow: There are two Boards. On the Indian Tea Market Expansion Board, there are a number of Indians already. This question refers to the International Tea Market Expansion Board and asks whether Government have any representatives on it. This Board is formed by representatives of the industry, and has no Government representatives on it.

Mr. T. S. Avinashilingam Chettiar: May I ask whether the Government could use their good offices and bring their influence to bear upon them to give a representative to the Indian tea producers?

Mr. H. Dow: It is a Board that works at Home and the membership of it, I believe, is unpaid. I should imagine that it would be very difficult to get a suitable Indian to work at Home on those conditions.

Mr. Brojendra Narayan Chaudhury: Is the Honourable Member aware that there are many Indians in London with leisure and with the knowledge of the industry?

Mr. H. Dow: I was not aware of that.

Mr. M. Ananthasayanam Ayyangar: Cannot the Government appoint the High Commissioner for India in London as one of the representatives of this Board if there is no suitable Indian available?

Mr. H. Dow: I have already explained that this is not an official Board at all. It is a Board the composition of which must be left to the industries concerned in the matter.

Mr. M. Ananthasayanam Ayyangar: Is it not a fact that every year a Notification has to be issued by the Government of India regarding the amount of exportable quota from year to year and that follows the amount subscribed by the Tea Board there?

Mr. H. Dow: That is perfectly true, but I submit it has no connection with this question.

MONEY SPENT ON CERTAIN RESEARCHES FROM THE FUNDS OF THE INDIAN TEA MARKET EXPANSION BOARD.

987. **Mr. Brojendra Narayan Chaudhury:** Will the Secretary for Commerce please state:

- (a) if any funds of the Indian Tea Market Expansion Board are spent or have been spent for purpose of Lead-Research at the Yale University in America;
- (b) if so, how much;
- (c) why this research could not be conducted in India;
- (d) if any funds of the Indian Tea Market Expansion Board have been spent for experiments on a beverage called "Toc"; if so, how much up to date, or the latest date for which figures are available;
- (e) what is this beverage like, how it tastes and what are its salubrities, and how it is prepared from tea;
- (f) at whose instance the "Toc" experiment was undertaken, and where and when;
- (g) if the experiment has been successful, or it has been given up; and
- (h) if successful, the amount of tea that has been absorbed in the manufacture of "Toc" in 1936-37?

Mr. H. Dow: (a) Yes.

(b) £1,648.

(c) Because the object of the research was to produce evidence which would carry authority and weight in America.

(d) Yes; a net amount of \$24,796 from April, 1934, to date.

(e) It is understood from the Indian Tea Market Expansion Board that the beverage is like tea; it tastes like tea and has the qualities of tea; it is an aerated and bottled infusion of tea, prepared according to a secret formula. I may say that I have tried, in order to satisfy the Honourable Member's curiosity, to obtain a bottle of this decoction and to invite him to drink it on the floor of the House, but without taking any responsibility for the result. I have been unable, however, to obtain the bottle of the beverage.

(f) At the instance of the India Tea Bureau, New York, in America; since 1934.

(g) Government understand that the experiment has been successful to the point of showing that such a beverage can be prepared: it now remains for private enterprise to test the possibilities of its success on a commercial scale.

(h) Government have no information.

- **Mr. Kuladhar Chaliha:** What are the reasons for not conducting a research in India?

Mr. H. Dow: I answered that before. The object of the research was to produce evidence which will carry weight and authority in America.

Mr. Kuladhar Chaliha: Will the Government say whether none of the Indian Universities will be able to conduct research?

Mr. H. Dow: I have no doubt they would be able. But it was a question of convincing American opinion, and it was, therefore, much more likely to be effective if it was conducted in America.

Mr. Brojendra Narayan Chaudhury: Will the Honourable Member say whether none of the Research Institutes or Universities in India has any reputation in America?

Mr. President (The Honourable Sir Abdur Rahim): That is too wide a question.

INTERNATIONAL TEA AGREEMENT.

968. ***Mr. Brojendra Narayan Chaudhury:** Will the Secretary for Commerce please state:

- (a) if the attention of Government has been drawn to article 8 of the International Tea Agreement, dated the 18th November, 1936;
- (b) if any agreement regarding rates of cess levy mentioned in article 8 has since been concluded; if so, whether a copy of the agreement will be laid on the table of the House;
- (c) if the Commerce Secretary will lay on the table of the House, international agreement, if any, for levy of cess for expanding markets for tea, under which the cess is being levied at present;
- (d) what are the rates at which the cess is being levied now in India, and in the producing countries which are parties to the international agreement to restrict exports;
- (e) the contribution of each of the countries to the international fund for foreign propaganda in the year 1936-37, or up to date, if possible;
- (f) the number of employees drawing emoluments of Rs. 500 per mensem or more engaged in expansion work in countries other than the contracting countries of International Tea Agreement;
- (g) how many of the number referred to in part (f) are Indians, and what salaries and allowances the Indians are drawing; and
- (h) what qualifications are required for the employees mentioned in part (f)?

Mr. H. Dow: (a) Yes.

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

(c) There is no such International Agreement.

(d) *India*—Re. 1-4-0 per 100 lbs. of exported tea.

Ceylon—Re. 1-0-0 per 100 lbs. of exported tea.

Netherlands East Indies—Government have no information.

(e)

	India.	Ceylon.	Netherlands East Indies.
	£	£	£
1936 . . .	100,262	129,682	40,590
1937 . . .	165,000	143,000	87,000

(f), (g) and (h). Government have no information.

Mr. Brojendra Narayan Chaudhury: Will the Government enquire and obtain information with regard to parts (f), (g) and (h)?

Mr. H. Dow: No, Sir.

Mr. Kuladhar Chaliha: Have the Government of Netherlands fully paid their share up-to-date?

Mr. H. Dow: I understand that they have. I have no reason for thinking otherwise.

Mr. Brojendra Narayan Chaudhury: Is the Honourable Member aware that there is a hitch at present regarding the contribution for 1938 and that it has not yet been settled, though the year will be over soon? Has the attention of Government been drawn to this?

Mr. H. Dow: The Honourable Member seems to be full of information on the subject, but just at present I am here for the dissemination and not for the acquisition of information.

Maulvi Abdur Rasheed Chaudhury: Why is this difference in cess rate between India and Ceylon?

Mr. H. Dow: I do not know the actual reasons for the difference. I imagine that Ceylon considers that one rupee is sufficient for its purpose and we have come to the conclusion that we want more. There is no obligation on all countries to collect cess at the same rate. If the Honourable Member will refer to Article VIII of the Agreement, he will find that it reads as follows:

"The Governments of the producing countries shall be asked to levy cesses therein, for the purpose of propaganda in the joint interests of their tea producers, at rates to be mutually agreed upon between the parties to the agreement."

That of course does not mean that the rates to be mutually agreed upon must be necessarily the same rates in each country. In any case, the parties have only undertaken to ask the respective Governments to levy at certain rates. I am sure that this House would resent being dictated to, say by the representatives of the Netherlands, as to what rate they should actually levy.

Mr. Brojendra Narayan Chaudhury: Have the Government laid down the principles on which this contribution should be made as required by the Tea Cess Act?

Mr. H. Dow: So far as the Agreement is concerned, the principle is laid down in the Article which I have just read out, and it is a matter for each Government to decide what actual rates it will levy.

**TECHNICAL MEMBER OF THE INTERNATIONAL TEA MARKET EXPANSION BOARD
REPRESENTING INDIA.**

969. **Mr. Brojendra Narayan Chaudhury:** Will the Commerce Secretary please state:

- (a) if there is a technical member of the International Tea Market Expansion Board, London, representing India;
- (b) if so, who is the present incumbent; whether he is a retired Indian Civil Service man;
- (c) what are the technical qualifications required for the post of the technical member;
- (d) what are the technical qualifications of the present incumbent; and
- (e) what is the annual total amount of the technical member's salary, entertainment allowances, and travelling allowances?

Mr. H. Dow: (a) Yes.

(b) **Mr. J. A. Milligan:** Yes.

(c), (d) and (e). These are matters for the consideration of the International Tea Market Expansion Board, and it has not been the practice of the Government of India in the past, nor is it their intention for the future, to concern themselves in the details of administration of the Board.

Mr. Brojendra Narayan Chaudhury: Do Government intend to take any interest in these matters?

Mr. H. Dow: The Government of India take a good deal of interest in the matter, and, under the legislation which this House has passed, the by-laws and the rules under which this body works have to be approved by the Government. There are also statutory auditors who produce a report which is published, and they are fully competent to bring to the notice of Government any irregularities which they find.

Prof. N. G. Ranga: Is it not one of the functions of the Government to see how this Expansion Board administers its affairs, whether the funds that are placed at its disposal as a result of the legislation passed in this House are properly administered or not?

Mr. H. Dow: I have no desire in this matter to emulate old Father William in his somewhat summary ways of dealing with supplementary questions, but I must appeal to Members of the House that in this matter of putting supplementary questions, they should put some restraint on their appetite for the details of administration of a body which works under rules approved by Government.

Prof. N. G. Ranga: I wish to submit for your consideration, Sir, that this Tea Expansion Board came into existence as a result of a legislation passed in this House and according to that legislation, the Honourable Member himself has stated that it is made incumbent upon the Expansion Board to submit its accounts to the Government and also an annual report of its doings. That is why, I think it is relevant for us to ask whether it is not the duty of Government to see that the funds placed at the disposal of this Expansion Board, because of the Act passed by this Legislature, are properly administered.

Mr. H. Dow: Would the Honourable Member kindly repeat his question?

Prof. N. G. Ranga: Is it not the duty of the Government to satisfy themselves that the funds placed at the disposal of the Tea Expansion Board are properly administered?

Mr. H. Dow: Yes, Sir. I have explained exactly how it is done.

Prof. N. G. Ranga: How does he satisfy himself unless he is able to obtain information as to how the employees of that Tea Expansion Board are paid and how they behave towards the public and so on?

Mr. President (The Honourable Sir Abdur Rahim): That is a matter of argument. The Honourable Member says it is the duty of the Government to see that the funds are properly utilised.

Prof. N. G. Ranga: The Honourable Member has characterised our asking supplementary questions as a sort of appetite for more and more details. I submit that when any private body like the Tea Expansion Board is given help by Government in the shape of grants, it is the duty of the Government to see that the funds are properly utilised, and that the employees of the Board do not misbehave.

Mr. President (The Honourable Sir Abdur Rahim): He has already given the answer.

Prof. N. G. Ranga: Is it open to the Honourable Member to make irrelevant remarks?

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

REDUCTION OF PASSAGE RATES AND PROVISION OF ESSENTIAL FACILITIES TO PASSENGERS BETWEEN BOMBAY AND AFRICAN COASTS.

970. ***Seth Govind Das:** Will the Commerce Secretary please state:

- (a) whether he is aware that the rates of passage between Bombay and African Coasts are excessively high by the steamers of British Indian Steam Navigation Company;
- (b) whether Government propose taking the matter up with the steamer company to reduce the fare;
- (c) whether Government are aware that a deposit of Rs. 80 is taken along with another four rupees quarantine charges, which are added to the fare and are not returnable, even if no quarantine expenses are met;

- (d) whether Government are aware that adequate facilities are not given to deck passengers, such as, good latrines, bathrooms, accommodation with good ventilation, free medical attention and similar other essential amenities of a sea voyage;
- (e) whether Government are aware of the very high food charges in these steamers, although very low quality of food is provided;
- (f) whether Government will take necessary steps for a thorough investigation in the matter; securing reduction of the passage rate and provision of essential amenities for the voyage in the steamers; and
- (g) if not, whether he will give the reasons therefor?

Mr. H. Dow: (a) This is a matter on which Government do not feel called upon to express an opinion.

(b) No.

(c) No. Government understand that no quarantine charges or deposits are taken from passengers in addition to the advertised fares.

(d) As the Honourable Member is perhaps aware, rules regulating these matters have been made under the Indian Merchant Shipping Act, 1923, and Government have no reason to believe that these rules are not being observed in respect of the British India Steam Navigation Company's ships plying between Bombay and Africa.

(e) No.

(f) No.

(g) Government are not convinced that a *prima facie* case for investigation exists.

Seth Govind Das: Are the Government aware that while the railway fares are revised periodically, no such revision takes place in steamer fares?

Mr. H. Dow: I was not aware of that. I am quite prepared to accept the Honourable Member's statement.

Seth Govind Das: Under these circumstances do Government not think it advisable to move the B. I. S. N. Co., to revise the fares because the fares have always been increased and never decreased.

Mr. H. Dow: No, Sir. I have already answered that.

Seth Govind Das: The Government have various contracts with the B. I. S. N. Co., such as mail contracts. Do not the Government think that the time has come to get the fares revised? I think the Honourable Member ought to move in the matter and get the fares reduced.

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

YIELD OF SUGAR-CANE IN INDIA.

†971. *Maulvi Muhammad Abdul Ghani: Will the Secretary for Education, Health and Lands be pleased to indicate the maximum yield of sugar-cane in any given tract in India, and the average yield of sugar-cane per acre for the whole of India during the last five years?

Sir Girja Shankar Bajpai: The Honourable Member is referred to table No. 2 of the Estimates of Area and Yield of Principal Crops in India, 1935-36, published by the Department of Commercial Intelligence and Statistics, which is available in the Library. The estimates for 1936-37 have not yet been published.

PRODUCTION AND CONSUMPTION OF GUR.

†972. *Maulvi Muhammad Abdul Ghani: Will the Secretary for Education, Health and Lands be pleased to lay on the table a statement showing the total *gur* production and consumption during the last six years, showing the average price of *gur* and the quantity of cane consumed for the manufacture of *gur*, along with the price paid to the cultivators per maund for such cane?

Sir Girja Shankar Bajpai: Information, as far as available, is given in the statements placed on the table of the House.

Statements.

1.—PRODUCTION OF Gur.

Year.	Calculated net production of <i>gur</i> . Tons.
1931-32	2,800,000
1932-33	3,200,000
1933-34	3,500,000
1934-35	3,700,000
1935-36	4,100,000
1936-37	4,500,000

Figures for net production of *gur* have been calculated from the figures for total yield of *gur* given in the 'Final General Memorandum' on the sugar-cane crop each year, allowing for the *gur* equivalent of cane used for other purposes. As regards consumption, it may be pointed out that whatever *gur* is produced in the country is available for consumption, the export and import of *gur* being negligible. As regards the quantity of cane consumed for the manufacture of *gur* the ratio for conversion is 11 to 1 for 'deshi' varieties and 10 to 1 for improved varieties. No data regarding the price per maund of cane paid to the cultivator is available. A large proportion of the *gur* produced is manufactured by the cultivators themselves.

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

II.—AVERAGE PRICE OF GUR PER MAUND.

Market.	1932.	1933.	1934.	1935.	1936.	1937.
	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
Lyallpur . . . . .	..	3 0 6	4 1 11	4 15 0	3 13 0	3 0 0
Meerut . . . . .	..	3 3 6	4 9 3	4 5 7	3 6 5	2 10 11
Siawa Bazar	2 10 5	2 9 2	3 0 3	3 7 6	2 10 6	1 7 2
Bhagalpur . . . . .	..	2 11 7	2 14 0	4 4 0	2 15 10	2 1 1
Calcutta	5 8 0	4 8 5	4 8 8	4 8 9	3 5 0	4 0 7
Dacca . . . . .	..	..	5 1 4	5 3 4	4 0 11	4 9 9
Madras	5 4 5	4 13 4	5 10 6	5 10 11	3 14 2	3 1 8
Ahmednagar	5 0 0	4 1 3	5 10 6	6 1 2	3 14 1	3 4 2

PRODUCTION OF POWER-ALCOHOL FROM MOLASSES.

†1973. ***Maulvi Muhammad Abdul Ghani:** Is the Secretary for Education, Health and Lands aware that the experiment started in Mysore for the production of power-alcohol from molasses for use in internal combustion engines is a success? If so, what is the objection in allowing the production of power-alcohol in British India with a view to helping the Indian sugar industry?

Sir Girja Shankar Bajpai: The whole matter is, as the Honourable Member is no doubt aware, at present under investigation by a Joint Committee appointed by the Governments of Bihar and the United Provinces.

RECIPROCITY BETWEEN INDIA AND THE BRITISH COLONIES.

974. ***Mr. Govind V. Deshmukh:** Will the Secretary for Education, Health and Lands please state:

- if he is aware of sub-section (1) of section 111 of the Government of India Act, 1935, and that it recognises the principle of reciprocity between the United Kingdom and India and gives effect to it;
- if he is aware that some of the British Colonies have put restrictions on Indians residing in those colonies in respect of trade, acquisition or alienation of land, residence and franchise and that negotiations by the Government of India directly or through the Right Honourable Mr. Srinivasa Shastri have failed to secure the desired redress in these matters;
- if he is aware that a notice of the "Reciprocity Bill" was given, and sanction for the introduction of this Bill was granted by the Governor General;
- if he is prepared to adopt the "Reciprocity Bill"; and

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

- (e) if he proposes to introduce legislation to give effect to the principles of reciprocity between India and the British Colonies which impose restrictions on the Indian residents in respect of trade franchise, acquisition of property, etc., on the lines of Chapter III of the Government of India Act, 1935; if not, why not?

Sir Girja Shankar Bajpai: (a) and (c). Yes.

(b) Government are aware that disabilities of the kind mentioned by the Honourable Member still exist for Indians resident in certain Colonies.

(d) and (e). The attention of the Honourable Member is invited to the supplementaries arising out of his starred questions Nos. 333 and 432 asked on the 7th and 10th September, 1937, respectively.

Mr. Govind V. Deshmukh: What is the definite attitude of the Government of India in this question as negotiations have failed and no legislation is to be undertaken?

Sir Girja Shankar Bajpai: The attitude of the Government of India is to treat each case on its merits.

Mr. Govind V. Deshmukh: Is it correct to describe the attitude of Government of India as Nero fiddling while Rome is burning?

Sir Girja Shankar Bajpai: I do not think the Honourable Member is quite correct in describing the position as he has done.

Seth Govind Das: The Honourable Member said that Government deal with each Colony as the question arises. Are they aware that in Portuguese East Africa there are certain very restrictive rules for immigration? And do Government propose to take any steps as far as the Portuguese living in this country are concerned?

Sir Girja Shankar Bajpai: Sir, I submit that Portuguese East Africa is neither a Dominion nor a Colony and that question ought to be addressed to the Secretary for External Affairs.

Mr. K. Santhanam: How can the Honourable Member deal with each case on its merits when he has no legislative powers to apply reciprocity?

Sir Girja Shankar Bajpai: My Honourable friend knows perfectly well that only within the last few months the Government of India have taken retaliatory action against Ceylon. It is not a question merely of legislative power; it is a question of balancing the arguments for and against retaliatory action.

PRODUCTION OF POWER-ALCOHOL ON A COMMERCIAL SCALE.

†1975. ***Babu Baijnath Bajoria:** Is the Secretary for Education, Health and Lands aware that in the opinion of the Director of the Imperial Institute of Sugar Technology, the cost of production of power-

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

alcohol is only above five and a half annas per gallon and that, therefore, it is commercially feasible to produce power-alcohol at economic rate in India?

Sir Girja Shankar Bajpai: The Honourable Member is presumably referring to the figures supplied by the Director of the Imperial Institute of Sugar Technology to the United Provinces and Bihar Government Joint Power-Alcohol Committee. The Director estimated the cost of production at five annas eleven pies excluding the cost of the denaturant and the cost of transport of the molasses. The answer to the question whether it is commercially feasible to produce power-alcohol at an economic rate must naturally wait until the report of the Committee becomes available.

PRODUCTION OF POWER-ALCOHOL FROM MOLASSES.

†976. ***Babu Baijnath Bajoria:** Will the Secretary for Education, Health and Lands please state whether his attention has been drawn to the Indian Sugar Industry, 1937 Annual, by Mr. M. P. Gandhi, where on page 109 it is stated that the Sugar Committee of the Imperial Council of Agricultural Research have come to the unanimous conclusion that molasses should be converted into power-alcohol and that they have recommended the grant of free licences for the production of alcohol from molasses?

Sir Girja Shankar Bajpai: Yes.

SURVEY ON MARKETING OF SUGAR AND SUGAR-CANE.

†977. ***Babu Baijnath Bajoria:** Will the Secretary for Education, Health and Lands be pleased to state the object for undertaking a survey on marketing of sugar and sugar-cane, the cost that will be entailed in the survey, and the date on which this report will be available?

Sir Girja Shankar Bajpai: The object is to collect complete information on all aspects of the supply and marketing of sugar-cane, sugar and gur in order to assist in placing the sugar industry on sound footing. The survey is estimated to cost about Rs. 55,000. It was begun in December, 1937, and the report is expected to be available in about two years.

SETTING UP OF A CENTRAL SUGAR CONTROL BOARD.

†978. ***Babu Baijnath Bajoria:** (a) Will the Secretary for Education, Health and Lands be pleased to state (i) whether they desire to set up a Central Sugar Control Board for the industry and (ii) if so, its constitution, its method of finance, etc.?

(b) Will this Board attempt to regulate production, to consider the question of issuing licences to sugar factories, and to fix quotas for the various sugar factories?

(c) What will be its other functions?

Sir Girja Shankar Bajpai: (a) to (c). I would invite the Honourable Member's attention to the answer given on the 1st February, 1938, to Prof. Ranga's unstarred question No. 6.

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

INDIA'S REPRESENTATIVE ON THE COMMITTEE OF INTERNATIONAL SUGAR COUNCIL.

†979. ***Khan Sahib Nawab Siddique Ali Khan:** (a) Does the Commerce Secretary propose to consider the nomination of a *bona fide* representative of the Indian sugar industry on the Committee of the International Sugar Council?

(b) Will the Secretary state the name and credentials of the present representative of India on the Committee of International Sugar Council?

Mr. H. Dow: (a) and (b). It is presumed that by the expression "the Committee of the International Sugar Council" the Honourable Member means "the Executive Committee" provided for the administration of the International Sugar Agreement. According to the provisions of the Agreement one of the nine members on the Committee is to be appointed by the Government of India or the Government of China, as mutually agreed. This right for the year ending the 31st August, 1938, has been exercised by the Government of India, and they have already appointed Sir Firoz Khan Noon, the High Commissioner for India in London, as their representative on the Executive Committee, with Sir David Meek, the Indian Trade Commissioner in London, as substitute member. The question of nominating another member does not thus arise.

SUGAR EXPORTED FROM INDIA.

980. ***Mr. H. A. Sathar H. Essak Salt:** Will the Commerce Secretary be pleased to state the quantity of foreign and Indian sugar exported from India by land and by sea showing their destination for the years 1934-35, 1935-36, 1936-37 and 1937-38?

Mr. H. Dow: The Honourable Member is referred to Volume I of the Annual Statement of the Sea-borne Trade of British India for the year ending 31st March, 1937 (pages 680-81 and 819), the Monthly Accounts for January, 1938 (pages 166 and 228), and the Statistics relating to Trade at Stations adjacent to Land Frontier Routes for the months of March and December, 1937 (page 12). Copies of these publications are in the Library.

PRODUCTION OF POWER-ALCOHOL FROM MOLASSES.

981. ***Mr. H. A. Sathar H. Essak Salt:** Will the Commerce Secretary please state whether his attention has been drawn to the publication entitled "The Indian Sugar Industry Annual 1937" by Mr. M. P. Gandhi and a suggestion made therein for the manufacture of power-alcohol out of molasses, the production of which has now reached about five lakhs tons, and the disposal of which is becoming a problem for the industry due to absence of any outlet therefor?

Sir Girja Shankar Bajpai: Yes.

Mr. Manu Subedar: Have Government examined the feasibility of the proposal made in that book?

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

Sir Girja Shankar Bajpai: The question is whether their attention has been drawn. I have answered that.

Mr. Manu Subedar: If their attention has been drawn, I want to know whether they have considered a certain matter which is referred to in the question.

Sir Girja Shankar Bajpai: If my Honourable friend will put down a question on that point, I will give him an answer.

Mr. Manu Subedar: Sir, I submit that if the Honourable Member is in a position to answer the question he should give a reply now.

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member has asked for notice of that question.

Mr. T. S. Avinashilingam Chettiar: Sir, I submit that it becomes a farce

Mr. President (The Honourable Sir Abdur Rahim): Order, order. The Honourable Member has asked the questioner to put down a question and it is not a farce to say that if notice is given he will give an answer.

Mr. K. Santhanam: May I know if there was any result of the attention being drawn?

Sir Girja Shankar Bajpai: The result was reflection and consideration.

Mr. T. S. Avinashilingam Chettiar: May I know what was the effect of that reflection?

Mr. President (The Honourable Sir Abdur Rahim): Order, order. He has answered what the result was. Next question.

LEGISLATION FOR COMPULSORY MIXING OF POWER-ALCOHOL WITH PETROL.

982. ***Mr. H. A. Sathar H. Essak Salt:** Will the Commerce Secretary please state whether Government are aware that legislation for the compulsory mixing of power-alcohol with petrol in various sugar manufacturing countries is enforced and if so, will he state whether they propose such legislation in India?

Mr. H. Dow: The question should have been addressed to the Honourable the Finance Member.

NEGOTIATIONS FOR A TRADE AGREEMENT WITH AFGHANISTAN.

983. ***Mr. T. S. Avinashilingam Chettiar:** Will the Commerce Secretary state:

- (a) whether they have begun negotiations with Afghanistan for concluding a trade pact with that country;
- (b) if so, who is carrying on the negotiations; and

(c) whether the Assembly or the Standing Commerce Committee will be consulted in the matter?

Mr. H. Dow: (a) No.

(b) and (c). Do not arise.

Mr. T. S. Avinashilingam Chettiar: May I know whether Government are aware of the Press Note that negotiations are being carried on with Afghanistan?

Mr. H. Dow: I was not aware of such a Press Note. I did not issue it myself, I am sure.

Mr. T. S. Avinashilingam Chettiar: May I know whether the Government of India received any representation to open negotiations with the Government of Afghanistan?

Mr. H. Dow: No, Sir.

PROTECTION OF CERTAIN ANCIENT TEMPLES IN ASSAM.

984. ***Mr. Kuladhar Chaliha:** Will the Secretary for Education, Health and Lands please state whether Government have taken steps to protect under the Ancient Monuments Preservation Act the following temples in Assam:

1. Thowradol—about 12 miles from Sibsagar (Assam);
2. Bishnudol—on the bank of a tank—four miles from Sibsagar town (Assam); and
3. Shiva temple—within the Neghriting tea estate—22 miles from Golaghat town?

Sir Girja Shankar Bajpai: Temples Nos. 2 and 3 are already protected monuments. Temple No. 1 has not yet been brought to the notice of the Archaeological Department but the matter is being investigated.

SALE OF RICE.

985. ***Mr. Kuladhar Chaliha:** Will the Secretary for Education, Health and Lands please state:

- (a) whether the Government have made any arrangement for selling of rice;
- (b) whether they propose to adopt any pooling system in rice centre where the cultivators may bring their produce to sell through the depots; and
- (c) whether the Agriculture Marketing Office has evolved any scheme for selling of rice and obtaining a better price for it?

Sir Girja Shankar Bajpai: (a) and (c). No.

(b) The matter is not primarily one for the Central Government.

MARKETING ARRANGEMENTS FOR ASSAM PINE-APPLES AND POTATOES.

986. ***Mr. Kuladhar Chaliha:** Will the Secretary for Education, Health and Lands please state:

- (a) whether Government have made any arrangement for standardisation and grading of pine-apples in Assam, and whether they have made any arrangement for export of the pine-apples;
- (b) whether Government have made any marketing arrangement for selling potatoes from Assam and whether they have adopted any method of standardisation;
- (c) the freight charged per maund of potato from Shillong to Gauhati, a distance of 64 miles, and the freight charged from Gauhati to Calcutta, by the Eastern Bengal State Railway; and
- (d) whether Government are prepared to ask the carrying company and the railways concerned to charge the same rate for potatoes as they charge for fruits and vegetables?

Sir Girja Shankar Bajpai: (a) and (b). No.

(c) and (d). These parts should be addressed to the Honourable Member for Communications.

DEVELOPMENT OF JUTE INDUSTRY IN ASSAM.

987. ***Mr. Kuladhar Chaliha:** Will the Secretary for Education, Health and Lands please state whether Government have made any contribution for the improvement of jute in Assam (except for the survey of the jute area) and, if so, will Government please state the amount contributed for the purpose?

Sir Girja Shankar Bajpai: A statement is laid on the table.

Statement.

(i) The Indian Central Jute Committee appointed two Inspectors and five demonstrators under the administrative control of the Department of Agriculture, Assam, to work in the jute districts of Assam for propaganda in connection with improved methods of cultivation, distribution of jute seed of improved varieties, formation of and assistance in the working of jute growers associations and propaganda for the improvement of retting, etc. The employment of this staff has, for the present, been sanctioned for five years and expenditure during the six months of the current year amounted to Rs. 2,612.

(ii) The Committee have given 30 maunds of jute seed of improved varieties for free distribution in Assam at a cost of Rs. 866.

(iii) The Committee's enquiry into the marketing and transport of jute, which is now in progress and is costing approximately Rs. 40,000 per annum, includes Assam.

(iv) The other schemes of the Committee, notably those for Technological and Agricultural Research, together estimated to cost Rs. 1½ lakhs per annum, and the collection and distribution by the Committee of information and statistics regarding the production and consumption of jute will also benefit jute growers in Assam.

(v) From the Committee's yearly estimated expenditure of Rs. 5 lakhs Assam may be considered to receive, directly and indirectly, about 1/12th, its jute area being approximately 1/12th of the whole area under jute in North-East India.

RESEARCH WORK ON PULSES AND OIL-SEEDS AND CULTIVATION OF SUGAR-CANE IN ASSAM.

988. ***Mr. Kuladhar Chaliha:** (a) Will the Secretary for Education, Health and Lands please state whether Government have done any research work on pulses and oil seeds and whether they have provided any money for such work in Assam?

(b) Are Government aware that the area under sugar-cane in Assam only supplies half the *gur* necessary for the Province?

(c) If so, will Government please state the area under sugar-cane in that Province and whether the soil in Upper Assam is suitable for sugar-cane?

Sir Girja Shankar Bajpai: (a) The attention of the Honourable Member is invited to pages 104 to 111 and 150 to 154 of the publication 'Agriculture and Animal Husbandry in India—1985-86' copies of which are available in the Library of the House. The answer to the latter part of the question is in the negative.

(b) Government have no information.

(c) The area under sugar-cane in Assam is about 38,000 acres. Certain tracts in upper Assam are believed to be suitable for the cultivation of sugar-cane.

Mr. T. S. Avinashilingam Chettiar: May I know if they have arrived at any useful results out of this research?

Sir Girja Shankar Bajpai: I think it will not be possible for me to compress into an answer to a supplementary question the result of researches which have been in progress for several years. I would invite my Honourable friend to read the pages in the publication to which I have referred.

APPOINTMENT OF ASSISTANT DIRECTOR, NUTRITION RESEARCH.

989. ***Mr. Thirumala Rao:** (a) Will the Secretary for Education, Health and Lands please state whether an advertisement was published in India and England at the end of 1986 for the post of Assistant Director, Nutrition Research?

(b) How many persons applied for the post?

(c) Who has been appointed, when, and on what salary?

(d) What were his qualifications on the date of appointment?

(e) How many assistants are there in the Nutrition Research Institute, Coonoor?

(f) Was the present Director not specifically recruited to train these assistants in Research?

Sir Girja Shankar Bajpai: (a) Yes.

(b) 32.

(c) Mr. R. Passmore in 1987 and on Rs. 750 a month.

(d) A statement containing the information asked for is laid on the table of the House.

(e) Thirteen assistants, of whom nine are employed in the Institute and four on field work.

(f) The reply is in the negative.

Statement showing qualifications of Mr. R. Passmore, an officer of the Medical Research Department at present employed as Assistant Director, Nutrition Research, Coonoor.

M. A. (Oxon. and Cantab.), B.M., B.Ch.(Oxon.). He was Senior Hulme Scholar at Brasenose College (Oxford University), and in 1931 was awarded first class honours in physiology in the Natural Science School. From 1931 to 1932, he was engaged in nutritional research in the laboratory of Professor Peters, of the Department of Biochemistry, Oxford. From 1931 to 1935, he was Medical Tutor of Brasenose College and Lincoln College, and from 1932 to 1934, Scholar of St. Mary's Hospital, London. In 1935, he was engaged in research under Professor Peters in the biochemical laboratory and at the Radcliffe Infirmary, Oxford. From 1935 to the date of his appointment, he was engaged in bacteriological research under Professor Dean of the Department of Pathology as Gwyneth Pretty Student and Mita King Scholar of the University of Cambridge.

He is a member of the Biochemical, Physiological and Pathological Societies in Great Britain and is a Fellow of the Royal Society of Medicine. He is the joint author of seven publications on nutritional problems.

Mr. Manu Subedar: Was there any Indian among these 32 applicants?

Sir Girja Shankar Bajpai: Yes. The appointment was advertised both in England and in India and, as far as I know, all the applicants in India were Indians.

Mr. Thirumala Rao: With regard to clause (f) of the question, is it not the duty of the Director to train some Indian assistants?

Sir Girja Shankar Bajpai: The point was taken up by the Governing Body of the Indian Research Fund Association at their meeting in September, and it was decided then that during his renewed contract the Director should be required to train Indians in order to replace him.

Mr. K. Santhanam: May I know if this Assistant will automatically be made Director when the present Director retires?

Sir Girja Shankar Bajpai: There is nothing automatic about a selection appointment.

INDIAN RESEARCH FUND ASSOCIATION.

990. ***Mr. Thirumala Rao:** Will the Secretary for Education, Health and Lands please state:

- (a) the annual grant made by the Government of India for the Indian Research Fund Association and the total grant so far made;
- (b) the activities of this Association;
- (c) the non-Indian staff employed by this Association, and their salaries; and
- (d) who appoints the staff of the Association?

Sir Girja Shankar Bajpai: (a) and (b). The attention of the Honourable Member is invited to the replies given by me on the 3rd March, 1988,

to parts (a) and (b) of Mr. T. S. Avinashilingam Chettiar's starred question No. 602.

(c) and (d). A statement containing the information asked for is laid on the table of the House.

Statement.

Part (c).—The following non-Indian staff is at present employed by the Indian Research Fund Association :

1. **Dr. R. W. Linton*, employed on Cholera Structural and Carrier Enquiry at the All-India Institute of Hygiene and Public Health, Calcutta.

Pay	Rs. 1,700 p.m.
House rent allowance	Rs. 150 p.m.

2. *Lieut.-Colonel G. Covell, I.M.S.*, Director, Malaria Survey of India, Kasauli.

Pay of rank	Rs. 1,600 p.m.
Special pay as an officer of the Medical Research Deptt.	Rs. 250 p.m.
Special pay as Director	Rs. 200 p.m.
Overseas pay (£30)	Rs. 400 p.m.
House rent allowance	Rs. 150 p.m.

3. *Dr. W. R. Aykroyd, M.D.*, Director, Nutrition Researches, Coonoor.

Pay	Rs. 1,450 p.m.
Overseas pay	Rs. 500 p.m.

*This officer is on leave preparatory to the termination of his contract.

Part (d).—The staff of the Association is appointed in the following manner :

- (i) Appointments to posts carrying Rs. 500 per mensem or over are made by the Governing Body;
- (ii) Appointments to posts the pay of which is above Rs. 250, but below Rs. 500 per mensem are made by the Executive Committee of the Governing Body, subject to confirmation by the Governing Body; and
- (iii) Appointments to posts the pay of which does not exceed Rs. 250 per mensem, are made by the Secretary, Governing Body, subject to confirmation by the Executive Committee of the Governing Body.

STAFF OF THE MEDICAL RESEARCH DEPARTMENT.

991. **Mr. Thirumala Rao*: (a) Will the Secretary for Education, Health and Lands please state how many workers are employed in the Medical Research Department?

(b) How many of them are Indian Medical Service and how many non-Indian Medical Service, and what are their respective salary grades?

(c) Who appoints the non-Indian Medical Service workers?

(d) How many of the non-Indian Medical Service are Indians and how many non-Indians?

Sir Girja Shankar Bajpai: (a), (b) and (d). A statement containing the information asked for is laid on the table of the House.

(c) The Governor General in Council.

Statement showing the number of officers employed in the Medical Research Department.

	Non-Indians.	Indians.	Total.	Remarks.
I. M. S. Officers	8*	7†	15	*Of these one officer is on leave, pending retirement. †Of these one officer is on deputation in Burma.
Non-I. M. S. Officers	1	8‡	9	‡Of these one officer is on leave, pending retirement.
Total	9	15	24	

The I. M. S. officers draw their time-scale of pay *plus* a special pay of Rs. 250 per mensem and overseas pay, if admissible. The scale of pay for non-I.M.S. officers is Rs. 625 to Rs. 1,350. Officers holding Directorships of first class Laboratories draw, in addition, a special pay of Rs. 200 per mensem, and those of second class Laboratories, a special pay of Rs. 100 per mensem. An additional pay not exceeding Rs. 150 per mensem may be sanctioned for particularly brilliant workers in the case of non-I. M. S. officers.

ABOLITION OF DUTY ON ATEBRIN.

992. *Dr. Sir Ziauddin Ahmad: (a) Will the Secretary for Education, Health and Lands please state whether it is a fact that Atebrin is now excessively used as a specific against malaria?

(b) Is it not a fact that the British Army is using this medicine in malaria?

(c) Is it not a fact that Plasmoquinine is used along with Atebrin in killing malarial germs?

(d) Is it not a fact that Plasmoquinine was exempted from duty from the year 1927?

(e) Is it not a fact that Atebrin is exempted from duty in every country of the British Empire except India?

(f) What is the duty?

(g) Is it not a fact that the custom duty of 85 per cent. *ad valorem* is levied on Atebrin?

(h) Do Government propose to consider the abolition of duty on Atebrin in the interest of poor people suffering from malaria?

(i) Is it not a fact that the Malaria Committee of the League of Nations in its fourth report recommended the use of Atebrin as a specific against malaria?

(j) Are Government aware that the price of 15 tablets was Rs. 2?

(k) Is it not a fact that by exemption from this duty the price will be lowered to one anna per tablet and two-thirds of an anna for the use of hospitals?

Str Girja Shankar Bajpai: (a) No. Atebrin is used to a moderate extent.

(b) Yes.

(c) The reference is, I gather, to Plasmoguin. Government are informed that the two drugs are sometimes used consecutively in treating malaria, but that their simultaneous use without strict medical supervision is unwise.

(d) It was held in 1927 that this drug is covered by entry 28 (12) in the Indian customs tariff.

(e) It is not exempt from duty in India. Government have no information with regard to other countries of the British Empire.

(f) 30 per cent. *ad valorem*.

(g) and (h). No.

(i) Yes, but under certain controlled conditions where medical supervision is available.

(j) Yes, approximately.

(k) If the Atebrin in the open market were exempt from customs duty, the price of tablets could be reduced to 18 pies per tablet for private use and 11 pies for hospital use.

Dr. Sir Ziauddin Ahmad: With reference to the answer to part (a), is not Atebrin a specific remedy for malaria and is the opinion of the Government otherwise?

Sir Girja Shankar Bajpai: The question of my Honourable friend was whether it is a fact that Atebrin is now excessively used as a specific against malaria. I have answered that question.

Dr. Sir Ziauddin Ahmad: Do Government think that it is a specific remedy but it is not used as the price is too high?

Sir Girja Shankar Bajpai: My Honourable friend's question, if I may submit, related to the degree of use of this particular drug and not to its therapeutic value.

Mr. President (The Honourable Sir Abdur Rahim): I think the Honourable Member meant "extensively".

Dr. Sir Ziauddin Ahmad: Is it or is it not a fact that it is considered to be a specific remedy for malaria?

Sir Girja Shankar Bajpai: Some medical experts hold that it is a specific.

Mr. K. Santhanam: With reference to the answer to part (e) of the question, are we to understand that the Government of India have no information whatever about the tariffs in the Empire countries?

Sir Girja Shankar Bajpai: I was going to say that my department has no information as to whether a duty is imposed on a particular article in some or all the parts of the Empire.

Mr. K. Santhanam: Did the Honourable Member inquire from the Commerce Department?

Sir Girja Shankar Bajpai: I doubt whether even the Commerce Department would be able to get hold of this information readily; and unless we see that any practical purpose would be served by obtaining the information, I do not see much point in troubling the Commerce Department.

Dr. Sir Ziauddin Ahmad: May I ask whether the Government will consider the question of taking off the duty, when it is admitted that it is a specific remedy for malaria?

Sir Girja Shankar Bajpai: The point is this. I have had calculations made as to the cost relatively of quinine and atabrin, and the result is that if you continue to subject it to duty, then atabrin will cost six times as much as the equivalent dose of quinine, and if you take off the duty it will cost four times as much.

Dr. Sir Ziauddin Ahmad: What is the relative importance of these two medicines? One-tenth of atabrin may be as good and as effective as a full dose of quinine?

Sir Girja Shankar Bajpai: No, that is not so. I have gone into the question of quantity and therapeutic value, both.

Mr. Badri Dutt Pande: Cannot atabrin be manufactured in India?

Sir Girja Shankar Bajpai: I do not think so. It is a proprietary medicine the formula of which is known only to the manufacturers in Germany.

FATAL ACCIDENT IN KAROL BAGH, DELHI, DUE TO BLASTING OF ROCKS.

998. ***Mr. N. V. Gadgil:** (a) Will the Education Secretary please state if he is aware that quite recently a fatal accident occurred in Karol Bagh Area, Delhi, in the course of blasting of rocks by means of blasting (gun or black) power, resulting in the loss of two human lives? If so, will he please give a short account of the accident, action taken against the party involved, and the amount of compensation given or proposed to be given to the heirs of the deceased, and by whom it would be paid?

(b) Is he aware that blasting is being done vigorously by the agents or contractors near the occupied houses in contravention of the rules?

(c) Is he also aware that explosives of blasting are so intense that, besides being most dangerous to lives and properties, they shake the buildings close by, thus reducing the life of the properties?

(d) Will he please state what precautions Government have taken to avoid shocks to houses and its occupants?

(e) Is he prepared to take immediate steps to see that the blasting is not done in close proximity of the houses, so as to avoid possible risk to lives as well as damage to the properties of small investors or owners? If not, why not?

Sir Girja Shankar Bajpai: (a) Enquiries made through the Chief Commissioner show that no fatalities have occurred in the Karol Bagh area from blasting operations nor have injuries of any sort been caused by such operations.

(b) to (e). A detailed report from the Chief Commissioner is awaited. On receipt of this, the information asked for will be furnished to the House.

APPOINTMENT OF VAIDS AND HAKIMS FOR THE TREATMENT OF CENTRAL SECRETARIAT STAFF.

994. ***Mr. N. V. Gadgil:** (a) Will the Secretary for Education, Health and Lands please state whether Government have ever considered the desirability of appointing *vaids* and *hakims* to provide the indigenous system of treatment for such of the Secretariat staff who prefer that kind of system and which moves between Simla and Delhi, on the same lines as they have got in the allopathic system?

(b) Is he aware that the staff of the Secretariat and other moving offices consist of Indians most of whom prefer the indigenous treatment of their ailments, etc.?

(c) How many Government doctors move down to Delhi, and what does it cost?

(d) Is he prepared to consider the desirability of appointing at least one Government *vaid* and one *hakim* for the moving staff, either by curtailing the number of doctors, or otherwise, and make special arrangements with the Municipal dispensaries at the stations for their attendance on the staff? If not, will he state the difficulties in detail?

Sir Girja Shankar Bajpai: (a) and (b). No.

(c) Three. The cost during the current financial year is Rs. 1,114, a figure which may be taken as average.

(d) Government have made adequate arrangements for the treatment of their employees. Those who prefer to be treated by *Vaids* and *Hakims* can use the Ayurvedic and Unani dispensaries under Municipal control in New Delhi and Simla. Government do not consider it necessary to appoint *Vaids* and *Hakims* themselves.

GRANTS-IN-AID TO THE AYURVEDIC AND TIBBIA COLLEGE, DELHI.

995. ***Mr. N. V. Gadgil:** Will the Secretary for Education, Health and Lands please state if any grants-in-aid are given by the Government of India or the Local Government, to the Ayurvedic and Tibbia College, Delhi? If so, how much is given every year and since when and on what conditions?

Sir Girja Shankar Bajpai: The answer to the first part of the question is in the negative. The second part, therefore, does not arise.

STUDENTS AND DIPLOMA-HOLDERS OF THE INDIAN SCHOOL OF MINES, DHANBAD.

†996. ***Dr. P. N. Banerjee:** Will the Labour Secretary be pleased to state:

- (a) the total number of students who completed their course of studies at the Indian School of Mines at Dhanbad and passed out on obtaining diplomas;

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

- (b) how many of the total number of holders of diplomas were Europeans, how many Anglo-Indians and how many Indians;
- (c) the number of the Indian diploma-holders according to their home Provinces, i.e., how many were Bengalees, how many Punjabis, how many Biharis, Madrasis, Gujratis, Mahrattas, Oriyas and others;
- (d) the aggregate number of students at present on the roll of the Indian School of Mines, Dhanbad;
- (e) the number of such students according to their nationality and to Provinces to which they belong; and
- (f) the date on which the admission of students into the Indian School of Mines at Dhanbad was started first?

Mr. A. G. Olow: (a) 113. *

(b) There was one Anglo-Indian: all the others were Indians.

(c) 35 were from the Punjab, 18 from Bengal, 12 from the United Provinces, ten from Madras, nine from Bombay, seven from Bihar, six from the Central Provinces, four from Orissa, two from Burma, one each from Assam, Ajmer-Merwara, Baluchistan and Delhi, and five from Indian States.

(d) 76.

(e) 18 from Bengal, 17 from the Punjab, 11 from Bihar, nine from the United Provinces, eight from the Central Provinces, three from Madras, two each from Bombay and Orissa, one each from Assam and Delhi, three from Indian States and one from Ceylon.

(f) 1st November, 1926.

EMPLOYMENT OF "DUFFERIN" CADETS BY THE PENINSULAR AND ORIENTAL STEAM NAVIGATION COMPANY.

†997. ***Mr. Sami Vencatachalam Chetty:** Will the Commerce Secretary state:

- (a) whether the four "Dufferin" cadets, whom Government were able to persuade the Peninsular and Oriental Steam Navigation Company to take up, have actually been engaged;
- (b) if so, from which date;
- (c) if not, when it is proposed that they will be taken in service; and
- (d) whether Government will inform the House the names of these candidates and the grade and salary which they are receiving?

Mr. H. Dow: (a) and (c). I would refer the Honourable Member to the reply given by me on the 21st March, 1938, to parts (a) and (b) of Seth Govind Das's starred question No. 835.

(b) and (d). The names of the cadets are Messrs. Narendra Nath and K. P. Nair. The former was engaged on the 28th January, 1938, and appointed as Fourth Officer on the s.s. "Jeypore"; while the latter was engaged on the 8th March, 1938, and appointed as Fourth Officer on the s.s. "Alipore". The pay on which they have been engaged is Rs. 160 per mensem.

WASTE PAPER THROWN AWAY IN THE GOVERNMENT OF INDIA OFFICES.

998. *Mr. Sri Prakasa: Will the Secretary for Labour state:

- (a) the average amount of paper per month that is thrown away as wastepaper from the various offices and departments of the Government of India;
- (b) if this is sold; and if so, what is the average amount received from such sales; and
- (c) if Government have considered any scheme for the utilisation of this?

Mr. A. G. Olow: (a) and (b). Only a portion of the waste paper from the Departments and offices of the Government of India, which is torn to pieces and cannot be sold, is burnt. The remaining waste paper is partly used for packing and partly sold. I regret I am unable to furnish information regarding the average amount of paper destroyed or regarding the average amount realised on sales of waste paper.

(c) The question of organising a scheme for the repulping of waste paper has been considered on several occasions in the past but the conclusion reached was that the cost of collecting, baling and transporting the paper to the mills which are situated far from the headquarters of Government would be such as to make such a scheme unprofitable.

Mr. Mohan Lal Saksena: Are the Government aware that hand-made paper can be made out of these bits of paper in Delhi itself?

Mr. A. G. Olow: Out of certain waste-paper, yes.

Mr. Mohan Lal Saksena: Will Government consider the desirability of having this waste-paper utilised for making hand-made paper?

Mr. A. G. Olow: I have already explained that we do not believe we would get any offer for the paper that would cover the costs involved.

Mr. Sri Prakasa: Are any accounts kept of the sales?

Mr. A. G. Olow: Accounts are kept of the sales, but they are scattered through the accounts of a number of different offices and departments.

FINGER PRINTS OF INDIAN VISITORS TO SOUTH AFRICA.

999. *Mr. Sri Prakasa: Will the Secretary for Education, Health and Lands state:

- (a) if it is a fact that all Indians visiting South Africa have to give their finger prints;
- (b) what fingers are chosen for the purpose;
- (c) if Seth Govind Das, Member, Legislative Assembly, was specially exempted from this;
- (d) if the Agents-General of India have also to give such prints;
- (e) if Government are taking up the question with the Government of South Africa with a view to the abolition of this system; and

(f) if Government have any intention of taking any retaliatory steps in this behalf?

Sir Girja Shankar Bajpai: (a), (b), (e) and (f). The forms of temporary permit issued under the Immigrants' Regulation Act, 1913, provide spaces for thumb impressions but Government do not know whether all visitors given such permits are required to give thumb impressions or only those who cannot sign their names. Government will make enquiries and take suitable action afterwards.

(c) Government have no information.

(d) No.

Mr. Mohan Lal Saksena: Am I to understand that the Government find that thumb impressions are also taken in the case of those who can sign? If so, will Government issue instructions that their thumb impressions must not be taken?

Sir Girja Shankar Bajpai: We cannot issue instructions to the Government of the Union: this is done under their order, but we will take up the matter with them, if necessary.

Mr. Husenbhai Abdullahhai Laljee: How long will it take the Government to get this report?

Sir Girja Shankar Bajpai: Ah! That is another question for the astrologer with whom the Honourable the Leader of the House has familiarised the House.

Mr. K. Santhanam: May I know if the Government will consider the desirability of taking the thumb impressions of all South Africans resident or coming to India?

Sir Girja Shankar Bajpai: Only if we find that this thing cannot be altered.

Mr. Sri Prakasa: Have not the Government seen Press reports that Seth Govind Das was specially exempted on representations made by the then Agent General in South Africa?

Sir Girja Shankar Bajpai: Not from putting his thumb mark on the permits, but from the necessity of taking out a permit altogether.

MEASURES TO PREVENT DUMPING OF SUGAR BY JAVA.

1000. ***Seth Haji Sir Abdoola Haroon:** Has the attention of the Commerce Secretary been drawn to the representation from the Bihar Chamber of Commerce, Patna, in December, 1937, pointing out an enormous increase in the sugar production in Java, and its possible harmful effects on India, in the event of Java deciding to unload her heavy stocks in the Indian market, irrespective of consideration of prices, due to her markets in China and Japan being restricted on account of prevalence of war conditions?

Mr. H. Dow: Yes, Sir. The subject matter of that representation was dealt with in my answer to Seth Govind Das's question No. 224 during the current Session.

MESSAGES FROM THE COUNCIL OF STATE.

Secretary of the Assembly: Sir, the following Message has been received from the Council of State:

"I am directed to inform you that the Council of State at its meeting held on the 23rd March, 1938, agreed without any amendment to the Bill to provide for the control of the export of tea from, and for the control of the extension of the cultivation of tea in, British India, which was passed by the Legislative Assembly at its meeting held on the 1st March, 1938."

Secretary of the Assembly: Sir, the following Message has been received from the Council of State:

"I am directed to inform you that the Bill further to amend the Workmen's Compensation Act, 1923, for certain purposes, which was passed by the Legislative Assembly at its meeting held on the 4th March, 1938, was passed by the Council of State at its meeting held on the 23rd March, 1938, with the amendments shown in the enclosed statement."

The Council of State requests the concurrence of the Legislative Assembly in the amendments."

Sir, I lay on the table the Bill, as amended, by the Council of State.

Statement showing the amendments made in the Bill further to amend the Workmen's Compensation Act, 1923, for certain purposes by the Council of State at its meeting held on the 23rd March, 1938.

In clause 2—

- (i) in sub-clause (a), the word "and" at the end was omitted;
- (ii) to sub-clause (b) the word "and" was added; and
- (iii) in sub-clause (c) for the words "be inserted" the words "shall be inserted" were substituted.

In clause 3—

- (i) in sub-clause (a), the word "and" at the end was omitted;
- (ii) to sub-clause (b) the word "and" was added; and
- (iii) in sub-clause (c) for the words "be added" the words "shall be added" were substituted.

THE MOTOR VEHICLES BILL.

Mr. President (The Honourable Sir Abdur Rahim): Further consideration of the motion that the Bill relating to motor vehicles be referred to a Select Committee.

Mr. M. Ananthasayanam Ayyangar (Madras ceded Districts and Chittoor: Non-Muhammadian Rural): I was submitting to the House yesterday that of all kinds of transport the motor transport gives the largest amount of income to the Local Governments and if any restriction is put on that transport that income will be seriously affected. I also stated yesterday that the revenues of the Central Government by way of imposition of customs duties and excise on petrol without spending any portion thereof on roads or on maintenance of roads, aggregate to a sum of between six and seven crores. Then I proceeded to detail the several heads of income from motor transport in the provinces and especially in the province of Madras, when my Honourable friend, Mr. James, interrupted me and said that the income has gone down on account of the abolition of tolls in

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my presidency. I find that his European section was the most clamorous to have the tolls abolished in my presidency. The Motor Transport Industry Association and a number of Europeans who are tourists were very anxious that tolls, which interrupt a motor journey almost at every two or three miles, should be straightaway abolished and that there should be a general taxation imposed so that that might take the place of tolls. Apart from this, from the motor taxation, both directly by way of taxation and also indirectly by means of licence fees, the amount my presidency gets is between Rs. 50 and 60 lakhs, whereas on the maintenance of these roads the amount that is spent is nearly 150 lakhs a year. So, at least 90 lakhs comes either from the general revenues or from the agriculturist on whom an impost is levied at the rate of one anna per every rupee of land revenue that he has to pay. The agriculturist pays a road cess which no other person pays, and, therefore, it does not stand to reason that the motor industry should complain of the taxation imposed upon it. Therefore, if there is a further shrinkage of motor transport in that presidency the income will fall considerably and the burden of the loss of income will be thrown heavily on the poor taxpayer. I have already said that the Central Government gets between six to seven crores from this motor industry, and you will simply increase the burden on the poor taxpayer in the province merely to relieve the loss of revenue on the railways.

Let us now come to what the apprehended loss of revenue on railways is going to be. The very exaggerated estimate given by the Mitchell-Kirkness Report of the total loss that is apprehended in a year is only Rs. 190 lakhs, and in my province the estimated loss for a year is 16 lakhs of rupees. Out of the 190 lakhs, Rs. 40 lakhs are got by way of transport charges on petrol and I believe it is even 50 lakhs. To that extent the apprehended loss has decreased to 140 lakhs. This is inevitable. It is not due entirely, nor are the authors of the report in a position to say, that it is entirely due to motor competition. On account of the depression, on account of various other factors, even when the motor transport does not exist, that loss might be incurred. If for purposes of trade wagons are not supplied, the trades people take their own lorries and then go. Even when the fares are exorbitant by motor, they are prepared to pay a higher fare merely to avoid various inconveniences and hardships that occur on railways. Therefore, it is idle to contend that this 140 lakhs which is going to be a loss is due entirely to motor competition or unequal, uneconomic competition with railways.

My Honourable friend, Mr. Gadgil, said that if we put restriction upon the number of vehicles it will serve to strengthen the industry as a whole. I am using the word industry in a loose way, because, as my Honourable friend, Mr. Aney, has rightly pointed out, it is not an industry over which any citizen of this country should exult, because we do not produce a single part. In place of the word industry I shall use the term motor transport service. My Honourable friend, Mr. Gadgil, said that if we reduce the number of vehicles and impose additional taxation upon the other vehicles, that would meet the loss of revenue that would accrue by the decrease in the number of vehicles and would improve the motor transport service. In my presidency, taking the working expenses to be 100, the taxation alone is 40. I am talking of the working expenses of a 20 seater bus, even if it should be run by the owner himself and there are no overhead charges, the taxation alone

comes to 40 per cent. I do not know with what grace my Honourable friend can advance his argument, for whatever loss is incurred by the decrease in the number of vehicles will be thrown on the other vehicles. Again, there is another difficulty. We are losing sight of the poor customer or passenger. It is either the railway on the one side or the motor transport service on the other, irrespective of the question whether it imposes an additional burden upon the consumer and the passenger. Why should the passenger be made to pay more, why should he not be allowed the benefit of some competition? With respect at least to some of the provinces, including my province, we have reached the most taxable limit. 40 per cent. is out of all proportion to the total amount of working expenses. I say, therefore, that if the motor transport service is sought to be interfered with either directly or even indirectly it will create a huge deficit in the provincial revenues, and the roads or even the maintenance of these roads will be very seriously jeopardised.

Honourable Members of this House would certainly ask me for a solution to avoid uneconomic competition with railways. This competition exists only on lines parallel to the railways. There are 40,000 miles of railway in the whole of India, and in the Mitchell-Kirkness Report it is said that only 22 per cent. of the total mileage of roads runs parallel to the railways. That means that 48 per cent. of the railway lines is covered by parallel roads. This will reduce the total railway mileage where motor competition exists from 40,000 to 20,000 or 19,000. Moreover this mileage is not evenly distributed in the whole of India. About 94 per cent. of railway lines runs parallel to the roads in the N.-W. F. Province. About 60 to 70 per cent. of the railway lines in the Central Provinces have got roads parallel to them. In the Madras Presidency it is about 60. In the whole of India it is only 48 per cent. Different methods may be adopted. In moving the Railway Budget the Honourable Member said that he is trying to have motor transport service in the Punjab and he expects that it would give him a return. I find various experts, who have given some attention and thought to this subject, have said that the easiest means of avoiding this unfair competition, uneconomic competition with railways by motor services on parallel lines is to run motor buses by the railways themselves. That is an experiment which the Honourable the Mover is trying in the Punjab. He might have done likewise in various other centres. In the province of Madras, out of the 4,000 miles, 60 per cent. comes to about 2,200 miles. That may be taken up by the M. & S. M. Railway on the one hand and the S. I. Railway on the other, and also by the B. N. Railway to some extent where it takes its service through. It may be distributed *pro rata* among the four companies in which case the burden would not fall too heavily upon them. That experiment has not been tried. As regards light railways and branch railway lines, not one attempt has been made to run parallel services. In these days of speed, how can you expect people to travel in the old slow method. People are tired even of motor cars. My friend, Mr. Santhanam, was the other day negotiating with Himalayan Airways to fly to Madras during the short recess we had recently. If it were possible to do so, we would even fly faster than aeroplanes. There is no justification in the interests of the railways, though Rs. 800 crores have been sunk, to ask people to go back to the old bullock cart days. There is absolutely no justification either from the point of view of passenger traffic or the industry or the general progress of civilisation in this country that these

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branch lines which were laid down in 1850 or a little later should be allowed to remain there and have a monopoly of the traffic. Therefore let them start speedy services on the roads and not kill any competition by any such restrictive measures which are sought to be introduced in this Bill. One could understand it if the Honourable the Mover had tried any of these experiments and failed and then it would have been proper for him to come and say that we must put a ban on parallel motor service. Even in England, after the Motor Transport Act was passed and after the lapse of seven years, they are still in doubt as to where this kind of co-ordination, by restricting the operation of the motor transport, is going to end. They are still in doubt whether it will be profitable to the railways or the motor transport service itself. Therefore, my suggestion is that wherever roads run parallel to the railways and the mileage is short, the railway companies or the railway administrations themselves may run the motor transport service. Let them have a monopoly for a period. Then the question will come in whether they should also enter the lists along with other competitors in the field.

On the question of monopoly I may say this. The object of this Bill may be restricted to granting a monopoly to the Central Government over certain roads which run parallel to the railways, wherever they want, for a period of five years and even then only on the understanding that the rates that are charged would not be absolutely hard or inconvenient to the passengers. After a period of five years, on account of the nice service that they give and the better control that they exercise, they must certainly be in a position to stand on their own legs and avoid any further competition even though the road might be thrown open to competition. That is the only thing that is possible and feasible.

Then, Sir, there is no need to introduce into this Bill various measures which can by rules or otherwise be regulated by the Provincial Government. The existing Act is sufficiently clear. Even under that Act rules have been framed and as regards the Presidency of Madras, the authors of the Mitchell-Kirkness Report say that all the rules which are now being contemplated under this Bill have already been passed and they are in force in the Presidency of Madras, both in the City and in the Mofussil. There may be some slackness in the working here and there and in spite of the rules being incorporated in the body of the Act itself, the slackness may continue.

I shall now refer to one or two provisions of the Bill which are intended to eliminate this competition. The wording of the clauses may not expose the real intention of the authors. I shall take the private carrier first. The private carrier is a person who carries goods for his own purposes. What is the object of restricting the area of the operations so far as the private carrier is concerned. Take the case of Chittoor which is 98 miles from Madras. Take the case of a private carrier who is a *bona fide* carrier of his goods for his own purposes. He does not let out the vehicle on hire. Now, for that trader, it is very difficult to get a wagon to Madras. He will have to make an application to the station master along with the fee. They have to pay something to the station master himself. There is lot of difficulty in loading and unloading on the way. There is theft in the railway yards for which the railway company will not take the responsibility. Finally, the goods may be

rotting in the rain without any protection and also the whole process takes a lot of time and involves a lot of inconvenience. He could avoid all this by taking the goods by motor transport, straight from one place to another. Why should there be any objection. This is one of those things which should be taken note of by the Select Committee. I say, this is a serious handicap. It stands in the way of all progress of the industry in this country. As regards the public carrier, it must take goods from one place to another and pick up whatever goods come in the way. They should not put a restriction on a public carrier and say "you shall carry only for a particular individual". If it is a public carrier, what is the object in saying that "he shall carry goods only for one individual. He may take chillies from Chittoor to Madras but come back empty". In those circumstances, I say that you are making it impossible for that man to ply. That is with respect to the goods. So far as the railway companies are concerned, it is an old complaint that you cannot get a wagon unless you pay something to the station master. Even then a man may not get the wagon easily and lot of inconvenience arises. Is this the way of trying to maintain the revenues of the railways. The author of this Bill has never addressed himself to the improvement of the general trade and industries at all. Again and again repeated questions have been put as to what concessions have been shown for the transport of agricultural products by railways and nothing has been done.

I will now say one or two words in regard to passenger transport and bring my remarks to a close. As regards passenger transport, the subject can be divided under two heads, the stage coach and the contract coach. As regards contract coach, I do not propose to deal with it but some of my friends will take it up. As regards the stage coaches, I say there is no need to restrict the stages even beyond the limits of municipal towns. Whenever there is a competitor in the field, the railway service will come and say that no permit should be given to a motor or a stage coach to run along that line. In those circumstances, it would be impossible for any stage motor to run a service either profitably to itself or profitably to its passengers. I request Honourable Members not to be taken away by the fact that there are very useful provisions in this Bill regarding safety. Nobody denies that provisions should be incorporated in the Bill for the safety of passengers, the maximum speed and maximum fares and so on. As regards the minimum, if the rates are different in the case of the motor transport and the railway transport, it is a highly dangerous provision. So far as the safety provisions are concerned, the matter can be easily left to the Provincial Governments. The provinces can enter into them in detail and pass it through the Legislature instead of merely leaving it to the rule-making power, for the executive to frame those rules and not bring them before the Legislature. Shorn of one or two such provisions, I think this Bill aims at suppression of competition. Let this Bill be amended suitably in order to empower the Central Government to create monopolies for the purpose of avoiding competition with the railways, with this condition that in a short time, in one or two years, the railways will take up the running of parallel services. Let the other provisions be removed.

Maulana Shaukat Ali (Cities of the United Provinces: Muhammadan Urban): Sir, I crave your indulgence to allow me to sit down and make the few remarks that I desire to make, as I have got a sore on the sole of my foot and I am afraid if I have to stand in order to make my speech, that will put a strain upon me. . . .

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member can address the House sitting.

Maulana Shaukat Ali: Sir, I have been so far a very silent spectator while this discussion was going on but I am personally interested in it very much because in my old age I am engaged in sending the fruits of my orchards to different markets and I have got to consider that I must make it a profitable business. So I have been studying the question a little bit practically. I am afraid unlike my Honourable friend, Mr. Sri Prakasa, I do not know the difference between a gear and a brake. I know nothing about a motor car and luckily also for me—I think ignorance is bliss in this case—I do not get nervous at all on their account. As a Mussalman I believe in *kismet* and I am a fatalist. When my time comes I shall of course go but I will take jolly good care to try and live up to the age of ninety. I have still twenty-five years to make up and I shall try and see that I do not go before my time. Sir, during my wanderings I have used a number and variety of motor buses. Some of them were fairly good, but others carried me just a few miles and then dropped me there. It may be I was not very careful in choosing my bus driver so that in many cases in spite of his getting a lot of money out of me he left me in the lurch as he said something was wrong with the gear or the brake and I have had lots of difficulties. Sir, I have had experience of being driven thousands of miles during my wanderings. In America, for instance, travelling from coast to coast, I probably did about fifty thousand miles by motor car. The most extraordinary thing in my travels in America was that the road traffic there played a very important part—unlike India where our railway trains are full of people—and while on our trains we see huge crowds of people, in America I found there was very little traffic by rail. The railways there belong to them and the road traffic is also theirs. They have got fine big roads, and you will find every five minutes four or five motor cars going one way and a similar number going the other way and there were all sorts of conveniences, for instance there was a petrol station every mile or so, there were places for refreshments, and places where you could stop for the night and so forth. I could not understand how was it that those railways there paid all right, and there was no excitement over the matter such as we see here. I would like to ask my friend, the Honourable the Communications Member, if his measure is meant to profit the railways at the expense of the road traffic. Sir, I personally have a great respect for my Honourable friend and I think the whole House is convinced that he is sincere and impartial, and therefore we want him first to study the conveniences of the people of this country. I would like him to let us know how is it that in a country like America—which is a huge country three times bigger than India—there is more traffic by road. On the main roads between Chicago and New York and Chicago and San Francisco you will find every minute four or five cars going one way and a similar number going the opposite way.

Mr. F. E. James (Madras: European): Petrol is cheap there.

Maulana Shaukat Ali: Well, I hope Burma is not very far off, and I think we must find petrol for this purpose. My friend, Mr. James, is a business man but I do feel that the duty of the Government, which is a *ma bap* Government here, is that they should help to provide us with cheap petrol or some substitute for it; they must employ some scientific men on research in any case to secure if possible that petrol becomes cheap. But I ask—how is it that the American railways, in which millions

and millions of dollars have been invested, and are very efficient railways have no complaints against road traffic. I must of course pay a compliment to the Honourable Member for Communications that in no other country is railway travel relatively more comfortable than in India. (Question.) (An Honourable Member: "In every class?") Well, if you compare the fares you pay there and the fares even in Palestine and Egypt you will find that the Indian third class passengers are better off here. Sir, I have travelled in upper classes abroad though sometimes when I wanted to save money and did not pay extra for a sleeper, I assure you I had not a wink of sleep. On one journey from Paris to Nice and Monte Carlo I found that six people were jammed up and none of them had a wink of sleep. I had the experience of getting no sleep though there were two very interesting ladies on each side of me who were sleeping over me.

Mr. Sri Prakasa (Allahabad and Jhansi Divisions: Non-Muhammadan Rural): Excepting the ladies, the conditions are equally bad here.

Maulana Shaukat Ali: My friend hails from the city of Benares and I think he has had similar experience and as I know he is a truthful person, so next time when he goes abroad perhaps he will tell me what kind of travelling he had in London and elsewhere in Europe. Sir, we do want a Bill of this kind: we do want that this traffic should be properly controlled, but I do not want this new industry, this very convenient industry, which has helped the people a great deal in moving about the country and in carrying on their business and in saving time also. We do not want it to be killed, especially when we remember that railway timings, as my friend, Mr. Sri Prakasa, said, are often so bad, when we remember that often trains have no connections, and there are lots of other inconveniences. Therefore, we do want this road traffic to be regulated and to function as a convenience to the public and provide for it a cheap transport. Also as paying to the poorer people who have invested their money. We want that they should make it a success but at the same time we want that there should be none of the short-comings,—viz., poor gears, poor brakes, bad lights and inefficient drivers, we do not want badly finished bodies, which tear your clothes and hurt you. You will see that my *aba* is torn and patched up, that misfortune is due to my travelling on buses. Therefore, I want good machines, good buses, good cars. I want drivers to be good, which means they must be of good character, sober, good drivers who understand something about mechanism and who would offer all courtesy and conveniences to passengers. Therefore, I say a good machine and a good driver must have every kind of encouragement offered to him.

I want to say it very frankly and I think the Honourable Member in charge knows it that it is not the policeman alone who is responsible for our troubles. Wherever the democracy comes in, "Tammany Hall" and Caucuses also come behind it. We often find that a man of my Party if he wants a licence, he cannot get it because the people who have got power and influence want to handicap him and they want their own protégés to get these licences. Sir, the rules about the grant of these licences should be such that no man with a good machine and a good character should have any difficulty in getting it. Therefore, I am very keen on developing the road traffic and I do hope that both the road traffic and the railway traffic will go hand in hand competing with each other and trying to provide comforts and each cutting down the expenses so that the whole country may get the proper benefit.

[Maulana Shaukat Ali.]

I was very suspicious yesterday when my little young friend, Mr. Chettiar, brought in my name and that of my Honourable friend, Mr. Kabiruddin Ahmed, about the space allotted to third class passengers. We are "weighty important and big people". I wish he had also included the name of another old boy of Aligarh, Mr. Abdul Qaiyum. I also hope that Mr. Sri Prakasa has also good prospects of joining our ranks very soon. When he mentioned us, I cooked up my ears and said to myself: What does it all mean? We, big Mastiffs, are sometimes worried by these little "Terriers". I know Mr. Chettiar is very kind to me but at the same time he is very brainy fellow. He wanted that men like myself and my friend, Mr. K. Ahmed, should be charged according to our weight and I think he wanted to go half rate himself. Sir, I was very much impressed by the speech of Mr. Sri Prakasa when he said why the railway is at fault and why people prefer to travel by bus. He mentioned a number of things. As a fruit farmer, I know that we cannot get wagons at the proper time and therefore cannot despatch our precious fruits in time. These buses therefore play a very important part in the carriage of these perishable fruits. We can hire these buses in the morning and pack them with mangoes in about two or three hours' time and then the buses leave the place and reach their destination. There is no shuffling of the baskets and there is no danger of pilfering. I have very often sent mangoes to my friends in Hyderabad and Bombay and by the time the baskets reach them, there is nothing left in them except the mango stones and ordinary stones to make up the weight. So, if you really want to help us, then you must extend to us all the conveniences. You should make an arrangement between yourself and your staff that there should be a sufficient number of wagons available for carrying our things. If the Honourable Member will give me facilities to send my goods at the cheapest possible rate consistent with safety, I shall certainly prefer the railways. Why should I then bother myself with the responsibility of either hiring a bus or buying one for myself and carrying my things about? I would sooner take the cheapest and the safest carrying agency. But if I find that my fruits are ready at 10 o'clock in the morning and the wagon is not available for another 24 hours, that would mean that by the time my fruits reach the other end we would lose a great deal. I think a loss of 10 per cent. or even 5 per cent. of mangoes or oranges or fresh vegetables is a great loss in every possible way and leads to a great rise in the temperature of our tempers. We cannot approach the Railway Member; we cannot approach the Railway Agents; we cannot approach the Commercial Divisional Officers or other District Traffic Officers; nor can we approach even the Station Masters. But in the case of the lorries and buses we can sometimes take the law in our own hands if the lorry men misbehave themselves. We know that some buses are rotten and yet we have got to go in them.

In this connection, I would like to say that my Honourable friend must see that there is absolute impartiality in the granting of these licences. Sir, our country is very unfortunate. In no other part of the world there is so much communalism. I am myself a communalist because I have the interests of Muslims at heart. I have also the interests of the country at heart. Sir, we have got to live next door to each other. Whatever may be the cause, there is a trial of strength or it may be that the new power has come to

us and given us a new awakening. Perhaps the wine of power has gone to our heads. Whatever may be the reasons, it is no use denying the fact. I am myself suffering from the disease and I think every member in the House, barring none, suffers from that disease. It is very easy for us to make scape-goats. Our friends to the right (Congress) always make scape-goats of those who are sitting in front (Government). Now, that they have got power themselves in seven provinces they should behave. They used to call the former Government "satanic" and if they themselves behave in the same fashion they will also be dubbed "sons of satan". I heard a very eminent man telling me yesterday in the lobby: "Look at these poor unfortunate men on the Government benches". They cannot keep awake while sitting inside the House. It is so dull. You can at least get out in the lobbies and chat with each other. All this is due to the fact that the Congress have become a part of this Government". Things were not like this before.

Mr. President (the Honourable Sir Abdur Rahim): I think the Honourable Member is going beyond the scope of the Bill.

Maulana Shaukat Ali: They have become a part of the Government machinery and they want to make us scape-goats. They want to put all the blame on my Party. If you see the report of the debate of yesterday in the United Provinces Assembly you will know what I am driving at. What I mean to say is this that so far as patriotism and nationalism are concerned, they are not the monopoly to any community. We are all communalists at heart unless God Almighty gives us grace to cleanse our hearts. This is truth, it may not be palatable to us. But it is a fact and unless this country makes up its mind to be fair and just in the matter of giving licence for motor cars or in giving licence for the erection of petrol pumps and in a hundred little ways, then it will go hard with it. If power is given to a certain group and that group uses that power in a way detrimental to any particular community—be that group Hindu or Muslim or Sikh—then it is hard for the country. I want the Honourable Member to make the law so clear that no one will be allowed to play any mischief. I want no "Tammany Hall" methods. Therefore, I give my qualified support to the Bill and when the time comes for details to be discussed after the Bill emerges from the Select Committee, I will have something more to say. In the meantime, I want to assure the House that I have no intention of picking holes in anybody and I am one of those who are all for an amicable settlement. Let the country have a truce for ten years. I am afraid my voice is a cry in the wilderness. I am an optimist and I hope the time will soon come when we will settle all our differences and work for the common weal.

Prof. N. G. Ranga (Guntur *cum* Nellore: Non-Muhammadian Rural): Sir, I do not think really we have to make any choice between roads and railways. I am quite sure even if this Bill is passed into an Act, we will be left with roads and motor traffic. Therefore, I do not propose to go into the respective merits of these two means of transport. I wish to address myself to the effects that this Bill is likely to have upon our peasants or agriculturists. How, will they fare under this particular Bill? As it is, they have very little to choose between the railways and roads. We know that their troubles as far as the railways are concerned are enormous. I think my Honourable friend, Mr. Gupta, brought out yesterday one or two facts to show what troubles we are having with re-

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guard to these motor lorries. After the advent of these motor lorries, the bullock carts have been hard hit. Years ago, when Mahatma Gandhi used to say "down with motor cars", some of us, westernised people, used to wonder whether after all Mahatma Gandhi was not speaking non-sense. We now know, Sir, that after all the old man had spoken absolute common sense. When Mahatma Gandhi raised this slogan of "down with motor cars", we did not realise its full significance. I am all in favour of railways and motor cars and motor vans. At the same time, I do not want that this latest machinery should be so used in the country as to kill the peasants or what you might call kill the goose that lays golden eggs. Sir, I submit the bullock cart drivers are at present thrown out of employment. We are even quite prepared to exchange the bullock cart for the motor van provided the motor van is owned by the State and provided the profits come back to the villager. As things are at present, the motor van is not even owned by the State, but it is owned by a corporation or a company whose profits naturally go to the members of the corporation or the company. We should have a body controlling this business which will be amenable to the taxation of the State or the local authorities. The peasants ought to be provided with greater facilities than are proposed to be given in this Bill. Some businessman purchases a motor car or van for a few thousands of rupees and hires it for his own benefit and he gets the benefit of a public carriage, at the same time escaping the liabilities of a public carriage. I do not want that to happen. It is really these carriages that come in competition with our bullock carts. What is happening now? Lakhs and lakhs of drivers of these bullock carts are thrown out of employment. First provide some employment for them and then think of the advancement of this particular kind of transport afterwards. Even then, I would be quite prepared to have them provided, I know what you are going to pay for these drivers. This Bill seeks to put so many restrictions on drivers, once they obtain a license. It is very difficult to obtain licence and these difficulties have been explained to some extent by my Honourable friend, Maulana Shaukat Ali. That is why I want these Provincial Transport Authorities to be constituted in a representative fashion. I submit there is no mention here of any representation being given to the peasants who, after all, will be the majority of users of motor cars and motor vans and who contribute greatly to motor traffic. I want provision to be made for their representation. In addition to that, I do not want this to be put in a sort of juxtaposition, that is the tribunal and the Provincial Transport Authorities. I want both of them to exist, one after the other to function. The Provincial Transport Authority should go into all these questions, pass the necessary regulations and regulate motor traffic and if anybody feels aggrieved by the decisions or action taken by this authority, there should be an impartial tribunal, a judicial tribunal to which appeals can be made and from which justice can be obtained.

Now, let us come to the question of drivers. So many obstacles are put in their way. They are to qualify themselves in driving. Where are they to be trained? A suggestion was made by my Honourable friend, Mr. Gupta, that schools should be established for their training. Do Government propose to adopt that course? There is no proposal here in the Bill to establish such schools for the training of drivers. If there were not private schools at present in existence, do Government propose to give

grants and encourage such schools being opened for the training of drivers? I submit this proposal ought to be seriously considered. If they are trained, they should undergo training for a proper period and they should undergo apprenticeship before they are given license for driving. Suppose, after undergoing a costly apprenticeship course, the drivers get employed, where is there any security of employment for them? They are at the mercy of the employer, they are to be at the beck and call or the dictates of the employer. If they do not accept the dictates of the employer, they are liable to be sacked; on the other hand if they disobey the law, they are in danger of not only losing their employment, but also liable to a sentence of fine and imprisonment. I, therefore, submit that this state of affairs is not at all reasonable. There should be some provision guaranteeing security of employment. If they are to be dismissed at all, there should be sufficient cause shown for which they are to be thrown out of job. Unless there is security of employment, it is not worth while going through the costly course of an apprenticeship with the gloomy prospect of being thrown out of employment at any time.

I also want some provision to be made for a minimum wage for these people. You want to fix maximum and minimum rates for fares in motor cars and vans, I think it is also desirable that you should fix the minimum wages for drivers. It may be impossible for any particular limit to be laid for the whole of India. But you can give power to Provincial Governments making it incumbent upon them to investigate into local economic conditions and fix the minimum salary for these people below which nobody should be paid.

Then, there is the other question of hours of labour. It is quite true that you have fixed the maximum hours of labour per day, but why don't you fix the maximum hours for a week also? After all in regard to all other kinds of employment, you have fixed the hours of labour according to the Factory Act. Am I to understand that the Factory Act is to be made applicable to this also? If so, why don't you make it so? If not, why do you make this invidious distinction? After all, these people risk their lives every day, and it is, therefore, not enough that the maximum number of hours should be fixed for the day, it is necessary that you should fix for the week also. Then again, what about overtime? Suppose they are made to work even for 11 hours a day. Properly speaking they are to be employed on this work for not more than seven hours a day or even less because of the great risk involved in it.

Mr. M. S. Aney (Berar: Non-Muhammadan): In a majority of cases, they are their own employers.

Prof. N. G. Ranga: They pay themselves and the question of security of employment does not arise. It is only when the employer is different that the question of security of employment comes in. I submit that when this Bill becomes law, many of these small owner proprietors of cars will vanish and bigger companies will be floated and these bigger companies will begin to employ a large number of people under their employ. What I am contending is that such people should be assured of their legitimate wages for overtime employment also. Just as you have special payment to be made for certain kinds of work, so also you should pay these drivers for night shifts also. After all if the poor driver is to be employed consecutively for more than three nights in a particular work, he should be considered to be entitled to some overtime allowance: Then, there is no provision for provident fund even. Are they not to have any provident fund?

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There is going to be unemployment as a result of this Bill because many cars will go out of employment and many more vans will be driven out of trade, and so many people will be unemployed. What is to happen to them? I do not want that all of them should be maintained by the State or by the Provincial Government or anything like that. But there should be a sort of waiting list, so that all those who pass out of these schools or all those who are going to be unemployed today will be kept on the waiting list and only those at the top will come to be employed as more and more demand arises for more drivers in this particular trade, so that everybody will know how long he has to wait in search of an employment. Supposing there are already one hundred people and he is the hundred and first person and the re-employment of these unemployed people is proceeding very slowly, then 80 or 90 of them in that particular list will not be hanging on in the hope of getting employment in this trade but will rather put their hand to some other job and then carry on until their opportunity also comes to be called upon and then to take to driving.

Then when it comes to private owners, I am also opposed to these officers being allowed to drive their own cars. There should be a condition that every private owner, if he is a gazetted officer, should employ a properly qualified driver. That is the only way in which you can really ensure the public safety on our roads.

Then I come to the police. Very much is said about the corruption that prevails in the ranks of the police. I am also of the same opinion that the police have to be checked. I do not find any particular provision here and I do not know whether these Transport Authorities are going to dictate to the police or are going to be dictated to by the police. I am afraid sufficient precautions have not been taken in this Bill to see that the police are properly checked and the Transport Authority itself will not become a corrupt body. I want some stringent provisions to be incorporated in this Bill to see that these particular authorities, the police and the Transport Authority, will behave themselves and will not unnecessarily harass and illegally tax the consumers, the peasants and the drivers. Then, Sir, I want another thing. I want an assurance, if this Bill were to be passed, that the affairs of the railways are going to be put in proper order, because if this competition with the railways by motor traffic were to be minimised, the railways are going to get a further lease of power. The railways also belong to us; they are ours. We may have to go on paying these dividends to these foreigners but we are paying dividends also to the motor-car manufacturers and the motor cycle manufacturers and all those people. So, I do not see that we have any choice in the matter. But we are obliged to pay that money. We can, if we choose, refuse to import any more motor cars, motor vans or lubricants or tyres, but we cannot refuse to pay to these foreign investors, merely because of the existence of a Parliamentary Act on the Statute-book. Therefore I want the railways, but I do not want the railways to take advantage of this particular Act only to persecute the consumers, the peasants and the users of the railways. It is for that reason that I want an all-India railway advisory authority to be established, on the same lines as there is here to advise the Railway Board and the Communications Member. I also want a Communications Board to advise my Honourable friend, the

Communications Member, and the railway advisory authority to be established to advise either the Railway Authority to come into existence or the Railway Board that we have today. Similarly, I want similar organisations to be set up for every province and also for every railway. The present local railway advisory committees do not have sufficient powers. Their powers should be increased and their constitution also should be liberalised so as to make it possible for the railways to get into greater and more intimate contact with the public and so as to enable the public also to influence the policy of these railway authorities.

Then, Sir, we know the agriculturists have fared very badly from the railways. Only recently from Bombay a proposal was made to the Railway Board that these railway freights on the exports of cotton should be lowered. As usual the Railway Board has refused to interfere, and this thing is likely to happen more consistently in future specially when the railways get more and more power. I do not want a repetition of this. I want the railways to become more responsible I want the railways to take a more active interest in the welfare and the advancement of our industries, and particularly our agriculture. Until now the railways have not agreed to shoulder their responsibility. Unless the railways come forward to shoulder their responsibility and offer to take the necessary steps, I do not think it is so very easy for Members on this side of the House to accept this Bill as it is, although we are very much in favour of regulating this road transport also.

Then, there are the third class passengers, and very little is being done there. There were more than two crores of rupees which were contributed to the general revenues. I am all in favour of contribution from the railways to the general revenues, but yet at the same time it should not be done at the cost of the third class passenger. These people are being treated very badly and are not given any sort of comfort at all. Only yesterday the Honourable Member said that they are not to be given reclining opportunities on the railways. If they are not to be given reclining opportunities on the railways, I am afraid, they have to launch upon a campaign of converting the whole lot of us into 370 lifeless statues. And I can assure my Honourable friend that they can never succeed and the only result will be that in spite of the control of road traffic or what you call the motor traffic, motor traffic is bound to grow and that all the departments of the railways and the community as a whole will suffer at the end. Therefore, Sir, I do not want that the motor traffic should go unrestricted. I want it to be controlled, but I do not want it to be controlled in the interest of a particular community or particular persons. I have got a suspicion that my European friends in this House are also in favour of this particular Bill because they think that it is possible for them to float big companies and start buses and then obtain monopolies and so on. It may be that they are hoping that at least in the non-Congress provinces, they will be able to obtain these monopolies through the Provincial Governments, or even in the Congress Provinces, by showing to the satisfaction of these Provincial Transport Authorities that they alone have got the necessary financial stability, they alone have got the necessary cars satisfying all these conditions, and so on. It may be because of that that my Honourable friend, Sir Thomas Stewart, is also enthusiastic about this Bill. But that is not the proper way of looking at it. I do not want them to do anything only in the interest of a particular section of the community. I want

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them to consider the interests of the community as a whole. They can assure us of that fact only when they are prepared to give an assurance that very soon they will bring forward an equally comprehensive Bill and through it take the necessary steps to ensure the interests of the users of the railways as well as the community as a whole in this country.

Mr. Manu Subedar (Indian Merchants' Chamber and Bureau: Indian Commerce): Sir, I am very glad that the occasion has been taken to introduce this Bill after 24 years have passed since the last measure which controls motor traffic was put on the Statute-book. I would be very glad if Government made it a rule, every time 20 or 30 years have passed, to overhaul the law, because in these times the law has a way of getting inadequate. But I will record a small complaint before I go further, that Government have chosen to bring this Bill in a hurry: they have had several conferences, they have organised public opinion to get this Bill in: but they have given the deaf ear to the request of the commercial community that the Indian Railways Act should be revised. Its revision has long been overdue and for the last 12 years we have been asking for its revision and Government have been giving very evasive replies. We have asked for that revision in order to secure to the public better insurance against negligence of the carrier: we have asked for it in the interests of trade and in the interests of the public which uses the railway. The Government have failed to bring that in. I trust the Honourable Member will remember that very soon after this Bill is passed, the other thing is overdue.

Now, Sir, I very much sympathise with Sir Thomas Stewart in his task. There are so many considerations and he himself is unfortunately tied down by so many limitations, constitutional and otherwise, that a measure of this kind is really difficult to negotiate, and the course of the debate must have indicated that he seems to be treading on the corns of so many interests and so many sections of the population. I do not know in what form this Bill will emerge from the Select Committee, but I can foresee that it would have to be radically revised, if it is going to be a useful measure.

I want to dwell for a few minutes on the question of uneconomic competition between the road traffic and the railway traffic. While the Honourable Member has not put any emphasis on this in the course of his speech, he put himself behind the recommendations of the Wedgwood Committee on this subject, which he said were embodied in the Bill. Those recommendations were that roads are seriously competing with railways and something should be done. It is now an open secret that the Bill has been brought quickly and some of its provisions are unduly oppressive, because the railways have been losing in the past and if they are not careful, they might lose more and more traffic in the future. Now, I would like to ask one or two questions in connection with this. Surely the Government were aware that in advanced countries of the West, in America, in the United Kingdom and the Continent, road traffic was assuming more and more important proportions. As these increases in road traffic went on in those countries, various measures were taken by transport authorities who were put in control jointly of the road and rail traffic, and various other measures were taken by the railways themselves. I ask whether the railways here

have taken all those measures themselves or whether they are contemplating taking those measures. Speaking as a merchant and as a user of every form of transport, I say that we seek the cheapest and the most convenient; and I say this, that it is no use sleeping in the comfortable belief that motor traffic is uneconomic and that the railway traffic is being run economically. We asked for a financial inquiry into the working of the railways; we were given the Wedgwood Committee. It was not adequate, nor representative. I say again that the railways must search their hearts and that the financial affairs of the railways have to be put on a basis where the assistance from oppressive measures of this kind to the railway traffic need not be sought to the extent to which it has been sought. As a merchant I want to place before this House one supreme advantage which motor traffic has over the railway and which the railways cannot overcome by any method except adopting the same methods themselves, namely, the carriage of goods from door to door and from destination to destination. The necessity of not having to unload at the stations and of not having to unload anywhere except at destination exactly where it has got to be landed, is a facility which any merchant would be very glad to pay for. Apart from the despatch and the relatively smaller risk and the greater courtesy and accommodation which the motor traffic offers, we have this advantage in using motor lorry traffic: I put it to the Honourable Railway Member for serious consideration that at those points where the competition is extremely severe, they ought to adopt without any undue delay composite rates for point to point delivery—carrying the goods from one warehouse or one station right to the other warehouse or the other station, wherever it may be.

I put another consideration before the House with regard to this rail-road competition and that is this: Are you sure that the rates are always cut? Are you sure that the motor lorry man when he carries goods at a particular rate is not considering all his total charges and in some way providing for the recoupment of all of his out of pocket expenses? I am not quite sure whether this aspect of the question has been seriously considered and whether the rates taken by the railway for the same traffic and taken by the lorries for the same traffic have been always properly compared. If we compare the most favourable case of the motor traffic with the least favourable case of the railway traffic, of course the contrast will be very marked. I emphasize the desirability of watching out as to whether it is not circumstances other than the cost of carriage which have increased motor traffic against the railways. One more point on this subject which I wish to place before the Government Benches for their serious consideration is my personal opinion as a business man, and that is this: that I want them to show more flexibility and more adaptability in their rates policy and to take down their rates at least on those points where the motor traffic is giving them the greatest difficulty by diverting what was legitimately the railway traffic. I think the Provincial Governments, who have got a long range interest in the increase of railway earnings, so that they can get their provincial distributions, may not be averse, if the Government of India were to approach them and say that at certain points, we shall either reduce the rates and fight them or we want complete prohibition of certain types of traffic altogether. Now, Sir, I know that this is a very drastic measure: I think for the next three or four years the Government might possibly get for the railways anything between 25 to 75 lakhs more

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in their revenue by adopting these methods; but I say that it is necessary to adopt such a measure directly, instead of an indirect measure which carries a tremendous amount of oppression, on the entire motor trade and on the entire community which is served by the motor trade?

Sir, I want to show how this Bill is oppressive. I do not want to detain the House too long by going into the variety of clauses; many Members have already spoken on it and I will be very brief and I will say this, that this is going to lead to the concentration of the motor lorry traffic in the hands of a few firms. I am not speaking altogether from imagination. Such a thing has occurred in the United Kingdom and it has occurred a lot more in the United States. There have been large firms monopolising traffic at various points and oppressing the smaller men: they oppress the small men even to the extent of causing deliberate accidents both to the lorry and to the man himself, so as to get him out of the way. There have been rackets in this line, and I want the Government to provide that such a thing does not occur, when the detailed measures have been considered. Now, Sir, I agree that it is necessary to test the man as to his technical knowledge, I also agree that it is necessary to test the machine as to its efficiency and safety, but there is a provision, clause 45(d)(1), which lays down the obligation for regular service; then there is another section for character and financial stability, then another which says that unremunerative service, if it is done jointly with remunerative service, would force a man to forfeit his license. What is unremunerative service? If a man is forced to maintain a service regularly from one place to the other, some times he does not find traffic or passengers, he goes empty, he will lose, and it is called unremunerative. Or, is it meant that this is so if he only carries at unremunerative rates. Then, let us consider for a moment unremunerative rates. You want to fix maxima and minima. I maintain, Sir, that no transport authority in India would have adequate information at its disposal with regard to all the factors, which go into the making up of this traffic, to enable it to come to any just conclusions as to what the maxima and minima should be. For one thing there are variable factors. One of these would be the cost of petrol which, Sir, is fixed by a monopoly, it is fixed by a pool, by petrol companies joining together and saying that this shall be the price. I have tried, Sir, to raise this question in my interpellations to the Treasury Benches in order to ascertain whether the Government of this country have in their hands adequate legal powers to check any monopoly against public interest, whether they have all the powers which the Board of Trade has in the United Kingdom. I am not certain whether legislative provisions are adequate at present, but if they are not, it is necessary that they should be strengthened, and I think it is necessary, now that concentration of business is increasing in this country, that there should be some authority who should examine and scrutinise every event in order to see that there is no combination in restraint of trade, which will be opposed to public interest and which will exploit the consumer. Sir, apart from Government's inability to control petrol prices which may be increased automatically and arbitrarily against the public and therefore against the user of motor lorries, there is the effect of insurance rates. I shall deal with the question of insurance duty, but in the meanwhile I want to deal with it here in order to show that the insurance rates are also fixed by an association of insurance companies,

which arbitrarily fixes its rates, rates which leave the companies good and great profits. They may rig up their rates at any moment to secure greater profits. Has the Government of this country any power to control this? Are they entirely helpless? That is the question I put to the Honourable Member, and I want him to give me a specific answer in his reply. These are variable factors. Then take the motor car import duties, take the question of freight from overseas, take the question of cost of spare parts the price of which is fixed by combines in other countries. I say again that the question of fixing maxima and minima rates would be extremely difficult, and as has been stated over and over again, if you are trying to fix maxima and minima for one class of traffic, then why don't you do so for all traffic? Why do not you have a general transport authority which will supervise all transport, to which none of us could object? That supreme authority must have considerable power to choke off traffic, which is creating nuisance to others. Why do not you have a common Federal Transport Authority? Then alone you can fix maxima and minima for all classes of traffic, but that, Sir, cannot be, because the constitutional arrangements, by which the Honourable Member who has introduced this Bill is completely tied down, are that there shall be a Statutory Railway Authority, which it is proposed to take away from the purview of this House and the control of this Assembly, although because the railways have not been working well in the past, they should on the contrary, have a considerable amount of supervision over them which we demand. Then, Sir, there will be provincial Governments, and there will be a kind of Central Government in the future. Between these three powers I do not know what degree of co-operation there will be. We are told that there would be a representative of the railway on the Provincial and Regional Transport Authorities. The Central Government or the Federal Assembly could never feel certain of or have confidence in the representative of the railways over whose working their control will be small and indirect. We feel, I repeat, Sir, that these provisions which provide for the fixing of maxima and minima rates are provisions of a dangerous character, and unless adequate precautions are taken, they might either be fruitless, or they might come down with such terrible severity on the different classes of people engaged in this trade—different classes of merchants, drivers, capital engaged in this trade and labour engaged in it and the public—as to create a hue and cry, and compel this House again to change the law which it would have passed without serious forethought.

Now, Sir, I want to deal with the question of insurance. The expert whom the Government brought to this House and who presided over the Committee, has himself emphasized more than once in his speech the necessity that insurance rates should be low. I am very glad that Government are conscious that it is necessary that insurance rates should be as low as possible. If any suggestion is made that insurance must be compulsory, then, Sir, it is a clear obligation of the Government to see that the rates at which insurance is effected are reasonable and are not excessive rates. In order to make sure that the insurance rates shall be reasonable, that there shall be no exploitation of the owners of motor vehicles in this country through this means of compulsory insurance, I would suggest, Sir, a serious examination of the question as to whether such insurance cannot be effected by the State. I should seriously suggest that any surplus out

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of this insurance should be retained by the State itself for the cost of administration or it should be used for return to the users in the form of reduced rates in the following years, starting in the first year with commercial rates. As there are five years during which this compulsory insurance is not coming into operation, is it unreasonable to expect even of this Government that this aspect of the question, which I am referring to, should be considered by them, and that they should have on foot a scheme, which will provide for the examination of the proposition that the State runs the third party insurance involved in the compulsory insurance, as a State scheme. Sir, speaking again as a merchant, I must say that it is our interest to have low freights, and if rates are lowered down on the railways on account of the competition from the motor trade, we want such a reduction. We are not unmindful, however, of the other aspect that the Indian tax-paper has invested a huge sum which, on account of lack of proper financial management, is not giving an adequate return. For the time being, however, we may agree to a course which involves either the maintenance of the present railway freights or the maintenance of the restrictive clauses here by which motor trade is deprived of its opportunities to carry on its traffic. But let me warn this House that, as Prof. Ranga said for his peasants and Maulana Shaukat Ali for his fruits, the entire body of producers of India will not submit for a long time to any unnecessary burdens in the form of heavy transport charges. Sir, the other burdens which I am thinking of, and which we may have to bear as merchants if this Bill comes in the form in which it has appeared before this House, are the increased charges in connection with licenses, in connection with insurance and in every other connection which will be imposed through this Bill. The full cost ultimately falls on the producer, it falls on the farmer and the factory owner, and I say it is the duty of this House to scrutinize very carefully every clause in order to see that such costs are not unnecessarily increased.

Sir, with regard to the question of a composite transport authority which I have mentioned, I will again say that this Bill is a piecemeal measure, that it does not deal with transport as a whole, which it should in order to remove the evils which are found. It should provide for the control of transport as a whole in a manner acceptable alike to the Centre and to the provinces, which it does not unfortunately do. Sir, many interests are involved in the final settlement of this Bill. There is the Central Government and its interests in the import duty on motor cars and motor parts and in the excise duty on petrol. There are the Provincial Governments who are also interested in the excise duty on petrol of which a part goes to the Road Fund. There is the capital engaged in the trade either in the importation or the repair or the sale of motor cars, motor lorries and motor parts. There is the capital engaged in the transport. Lastly, there is the labour of every description employed in connection with this trade. All these interests are being affected in different degrees, and it would be the duty of the Select Committee to see that none of these interests is oppressed by the clauses which have been put down in the Bill. With regard to the transport trade may I mention one or two clauses? You want to fix the destination to which alone a man's lorry will go, you want to fix the route by which alone that man's lorry will go, you want to enforce the necessity of having a regular and proper service, you

want to insist on his having a time table. In other words, you are catering for the big man. I say that against the provisions which provide for an examination of the man and the machine, those which are meant for safety, no voice will be raised in this House, but with regard to the provisions which are restrictive in an economic sense, which impose restrictions which do not appear to be necessary, whose sole object is to discourage capital and labour engaged in this industry, there is going to be a tremendous outcry in the country. Now, Sir, what is the figure the Provincial Governments will cut in the whole scheme of things? Provincial Governments, in order to improve roads, would be receiving some grants with restrictions which are going to be mandatory: in other words Provincial Governments are going to be told, if you do not do this, the money going to you will be held back: if you are negligent to the extent even of delaying the carrying out of this programme, you lose the money, and the money will be distributed to those provinces who have been "good boys". That mandatory provision seems to be unacceptable. For one thing, it will not apply to Indian States, for another, it is a direct attack on the discretion which Provincial Governments should have in order to decide which road is necessary, which road should be widened, which should be completed first and which should be held up. It is a question of somebody sitting in the Government of India Secretariat saying, "you do this, you don't do that". Then take the effect of these provisions with regard to that part of the motor traffic which competes and that which does not compete with railways. The Bill seems to strike with the same vigour and with the same devastating effect that portion of the motor trade and traffic which competes with the railways, and that portion which does not compete but actually feeds railway traffic. For example, inside a city and a little outside a city, many cities are prone to overflow, there are going to be restrictions, interferences, which I say it is not right for the State to introduce in ordinary trade and traffic unless a very serious necessity therefor has been shown. You penalise equally and without discrimination traffic which is hurting you and traffic which is not hurting you. It is directly for the sake of penalising. You do not care what happens to the capital engaged in this trade, what happens to the labour, what happens to the public which is served by it. Now, with regard to Provincial Governments, Sir, if they help the railways,—such is the arbitrary dispensation,—they will get whatever is going to be distributed according to Sir Otto Niemeyer, and if they do not help the railways, if they ignore the provisions which you make, if they encourage roads or traffic, however much these may be necessary and demanded by the public, but which will compete with the railways and the railway revenue goes down, they will not get it. In other words, the railways appear to be seeking somebody on whom they can put the blame. They want to say "we are very efficient, we are working all right, but somebody in the provinces has made a mistake, they have made a road which competes with us, they have allowed traffic which competes with us, and therefore what can we do?" I say this sort of charge is going to come against the railways in due course if something radical is not done with regard to several provisions of this Bill.

Sir, there is another aspect in which I am interested, and on which I looked in vain for some information in the speech of the Honourable Member which I heard very carefully, and that is the cost of administration of all these authorities which is going to fall on the public. There are various

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costs which are going to fall on the individuals, on the drivers, on the owners. They have to produce photographs, they have to produce the certificate of a doctor and various other things. There are various costs which are going to fall on every section of the population. I want to know what is the position with regard to the cost of administration of this measure, whether it is going to add very seriously to the cost at present incurred by the provinces, whether it is going to eat up any material portion of the Road Fund grant which is being given to the provinces and will continue to be given to them as provided in this Bill. I want to know whether any estimates have been made, and if so, wherefrom the money is coming. That is important in this sense that a measure of this type, however excellent it may look on paper, is going to cost the public treasury a good deal. It is going to cost the public a good deal directly, and if I am to believe the cries of corruption which have been raised in various parts of the House, indicating serious misapprehensions in this direction, then I say it is going to cost the public a good deal and a good deal more. I do not want to delay the business of the House by going into further details. Many other points I would have liked to mention, but all I say now and I will content myself with saying is that I hope that the Select Committee will carefully examine the various aspects which have been mentioned, will take those aspects which have been mentioned as not exhaustive but as illustrative only, and that if they can then feel that they can recommend the measure to this House we shall be very glad to welcome such a measure. The Honourable the Communications Member has given to us accounts of the various committees which were sitting, conferences which sat, conferences to which in some cases nominees and in some cases representative men were called. He has given us the history in justification of the measure, and as I said in the beginning of my speech he has all my sympathy and anything that I have been saying does not mean that he on his part has not taken sufficient pains over this measure. But the measure itself is so complicated, and as I said, it trades on the corns of so many people that unless it were very carefully examined, at the present moment the feeling of this part of the House appears to be that they would rather not have this measure than take it in the form in which it has been introduced. But as we know the process of legislation, we trust that the provisions which are oppressive will be taken out. We know and we trust that the provisions which are restrictive—the safety provisions may remain, but the restrictive provisions almost sound as if there was some venom, there was some kind of malice somewhere, towards the poor and the rich section engaged in the transport trade. I should like to know if that is so. I am sure it is not, but a public assurance from the Honourable Member would be very helpful in clearing misunderstanding in certain quarters. If there is no malice and if there is no venom against a competitor who has grown up, who has shown enterprise, then let us demonstrate, by a revision of the various clauses of this Bill, that Government are not actuated by anything except public interest and have no desire to save the railways wrongfully. Sir, a little competition is good in this world for everybody, and I say, leave the motor trade in such a condition that it is not crushed. Leave it in a condition where the railways will continue to feel all the time the pinch, and let us trust that this pinch will make them more efficient. . . :

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member can continue his speech after lunch.

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

The Assembly re-assembled after Lunch at Half Past two of the Clock, Mr. Deputy President (Mr. Akhil Chandra Datta) in the Chair.

Mr. Manu Subedar: Sir, owing to difficulties in regard to the distribution of time, I shall take another occasion, when the Bill comes back from the Select Committee, to deal with the rest of the points I want to make.

Mr. Badri Dutt Pande (Rohilkund and Kumaon Divisions: Non-Muhammadan Rural): I am talking to an empty House more or less and I am the 28th speaker. All the points have been exhausted by the previous speakers and I was revising my notes every day coolly, calmly and in a collected manner. This Bill affects my part of the country more than any other. It is to the Himalayan regions that the motor has brought comfort. Except two railways one to Simla and the other to Darjeeling (where motors compete with the railways), all the other parts of the country from Kashmir to Assam are served by motors. Any encroachment on our rights we will resent greatly. I am speaking not only for my own constituency but also as President of the All-India Hill Peoples Federation. The Bill is a very bulky Bill and we have not had enough time to go through the whole of it. The railways are like a big bully which has been defeated in competition. When in a racing course or the field of sports a pigmy or a small man defeats a giant, he is cheered, he is given a medal and *inam* but instead of doing that, you are, as it were, bringing the Punjab Mail which runs at 50 miles an hour to crush the motor which has brought comfort to the agriculturist, the small man and the villager. This is a time of suppression. Italy suppressed Abyssinia. Japan is suppressing China and Germany has suppressed Austria. In the same way our railways are suppressing our motor business, which is mainly in the hands of Indians. It is a nice time to suppress each other. There is no co-ordination even in the League of Nations. This Bill will be resented by the small man. Both the railways and the motors have come with the advent of the West. They have come to stay here, as Mahatma Gandhi said, "as necessary evils". (An Honourable Member: "Do you want to get rid of the railways?") No. It is they who are in a fix what to do:

*"Idher Railon ka majma hai udher motor ki Mahfil hai,
Kahan le jaon dil dono Jahan men iske Mushkil hai"*

That is what they are doing. The railway, the big bully, bullies the small bull dog, the motors. The motor was brought for our exploitation. When the railway became powerful, it became unmindful of public opinion and of the comforts of third class passengers and was intoxicated with power. It had power, prestige, personality and purse. So, it squandered our money on the comforts of a particular class of people neglecting others. Motors were manufactured by a Frenchman in 1770. Later on

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in 1895 they came to be prepared in America and in England. In 1903, companies were floated. Between 1909 and 1912, they came to be exported. In 1910, the motors first came to India. (*Voices*: "No, no".) Then you can correct me later on in your speech. That is what I have found. In my part of the country they came after 1918, i.e., after the war. It is the disbanded soldiers and army people who brought motors. They made a little fortune in Mesopotamia and other places. Instead of blessing them, this Bill curses them and tries to eject them. We went out to the colonies and created all those smiling fields in South Africa, Mauritius, Trinidad and other places and now our countrymen are being ejected from there. That is what is being done to the motors in the interests of railways. Everything pertaining to the railways and motors comes from foreign countries, England and America and we have no factory here. Sir M. Visveswaraiya wanted to establish a factory but because capital in this country is shy he could not get capital. We gave protection to sugar and sugar has now become self-supporting; so if the Government gave protection to motor cars, we could establish a few factories here and be prosperous. Otherwise all the money practically goes to foreign countries only eight to ten crores is made here by way of motor excise, petrol excise, etc. We import all parts and accessories of the motors and the poor man who runs a motor has not amassed any fortune. All that they get is rice and *dal*, and there is nothing more in this business.

Now, the lorry-man, a poor man, purchases a lorry with Rs. 3,000 on the hire-purchase system. When he goes to the sergeants, who are the licensers, two bottles of whisky and Rs. 25 are demanded. I speak from personal knowledge,—because I am connected with a lot of Motor Associations. (*A voice*: "You will be prosecuted".) I have been prosecuted three or four times. I do not care, I am speaking the truth. Rs. 25 is the *nazarana*. To every *thana* through which a lorry passes and there are eighty miles of road from Almora to Kathgodam—and to every police *chauki*, the poor driver has to give some *nazarana* on festivals. Every *thanadar's* monthly income is settled,—thus, "that you will give me one hundred or two hundred rupees per month, or I will *chalan* you". All the grain, sugar, ghee, etc., of themselves and their friends and relations have to be carried free, otherwise they will be *chalaned* and the magistrate fines them heavily. Now, under this Bill, in addition to all this, there will have to be a certificate from the civil surgeon costing Rs. 16. Then two photographs are required, costing Rs. 2, then the license fee Rs. 5, then tax Rs. 600 per annum, then insurance will cost him Rs. 360 per year at least,—and what is the life of the motor? Twenty-thousand miles,—that is the average life of a motor. So, Sir, there is very little saving in this industry. The railways are running at a loss, and motors are said to be competing! Now, when you have mismanaged the railways, you say you are going to manage those motors? When you have mismanaged the railways, where is the guarantee that you will manage the motors all right? Sir, we had a Naini Tal Motor Transport Company managed by the British India Corporation of Cawnpore with a fleet of cars, lorries, etc. Now they had managers on Rs. 2,000 and Rs. 1,600 a month, but that company has been liquidated now. All their niceties and luxuries had been going free and fast and even their families were travelling free, and fine and beautiful six-cylinder cars were running on that road free for them and their friends. That was a big company with

four lakhs of capital which the British India Corporation managed. They also had other cars running all over those beautiful roads in the Naini Tal and Almora district. Now, in spite of that big capital of four or five lakhs and in spite of the fact soldiers have been constantly travelling from Bareilly to Ranikhet in buses and in spite of the fact that they had big contracts, they collapsed. What happened? There were no T. T. Cs. to control them, the managers were their own masters, they were having dinners and dances and they were *maja-making*, and the drivers were having their *moorghies*. The passengers were not checked at intermediate stations, the drivers were fattening on the *moorghies*, which are illegal passengers, taken a few steps off the station and left at a certain distance. In this way they smuggled all the money. We know in the railways also most of the T. T. Cs. pocket all the money themselves and they tell people, "give us so much money or we will hand you over to the police". So, all these instances in both cases, rail and motor, tally. That is why this Government-managed business will have the same fate as the lorries. The railways have gone wrong. How can it be that when the railways, the tiger, have gone astray, the cat, i.e., the lorry business, will also not follow suit? What has become of the Railway Bill for the control and better management of railways but that Bill is still in the air! We do not know where that Bill is.

They talk of co-ordination. What is co-ordination? Co-ordination is between parties equal in status, class, rank and dignity. Are we equal in status and rank? Where is the co-ordination in the Legislature, in the Judiciary and in the Executive? Are we all free here? Here are excluded areas, partially excluded areas, tribal areas: and the new Railway Authority is going to be a secluded area. There is no Indian there, and it is a sort of *purdah* club where we have got no voice. While they will not allow us to enter the precincts of the "railways", and while they preclude the railways from the evil eye of the politician, yet they want to manage or rather mismanage our small business,—the motor transport business. Why are the railways running at a loss? Because of the top-heavy Department. You are paying heavily for all your services there. Look at our Ministers, how they are managing splendidly on Rs. 500 a month. Our Ministers have proved to the hilt that they can run the administration efficiently, economically and politically, and in every way in higher plane, on modest salaries. They can compete with all the services on lesser pay than others are getting.

Sir, I will not take up much time of the House and my Whip is on me. But I say we have to go very cautiously; when going downhill we have to take the lorry very cautiously and we have to go down calmly, otherwise the lorry will go down the *khud*. So let the Government also go forward cautiously by taking the people into their confidence. Have you discussed the provisions of the Bill with the Provincial Ministers? Have you got their opinions? The Nizam, who is the richest man in the world, has asked his railway to run 300 buses and my information is that he is losing on them. That is not a paying concern. Can you assure us that these buses which you propose to run will be a paying concern? Sir, we have not been taken into confidence by the Government. We do not know whether the provinces have agreed to it. If there is anything objectionable in this Bill, I am sure my Leader the Honourable Pandit Govind Ballabh Pant will reject it and, as you know, he always keeps his resignation in his pocket. I know the Honourable Member in charge of

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this Bill is going to be the Governor of our provinces, but still he will find in the Honourable Pandit Govind Ballabh Pant a hard nut to crack. Up to this time you defended the railways and now you are going to bug the buses to your bosom and what is going to happen to you is described by this couplet:

*"Na Khuda hi mila, na wisali sanam,
Na idhar ke rahe nah udhar ke rahe."*

So, I tell you: Beware!

Mr. M. S. Aney: Sir, at this fag-end I do not think it is possible to make any useful contribution to the debate now, because the question has been discussed from all points of view and much of what I wanted to say has already been touched upon and very ably touched upon by some of my friends who preceded me today and yesterday. I would like to begin a few observations which I want to make with the same complaint which my Honourable friend, Mr. Gadgil, made at the time when he made his speech, a speech which I feel great pleasure in acknowledging as one of the best pronouncements made on this debate. It was a speech which showed that the speaker had made a deep and careful study of the problems and that he had examined the question from all possible points of view. I think it was a very valuable contribution to the debate. He rightly complained that there is a paucity of information without which it is really not possible to come to any satisfactory conclusion upon most of the problems involved in the consideration of this Bill. The paucity of information about which he complained is a cry that has come down from the days when the Mitchell-Kirkness Committee was appointed. That Committee also made a similar complaint and that complaint was approvingly echoed in the Wedgwood Committee Report also. I need not quote that portion of the report but I can only say this much that any real statistics that could have been useful are wanting for the proper consideration of the Bill that is now before us. Even in this Bill I do not find that any arrangement is made with a view at least to collecting for future use and guidance such information without which the question cannot be properly studied. You must know precisely what is the kind of traffic, what is the quantity of the traffic, what is the number of passengers and what kind of passengers travel between different places and so on. That information is necessary before we can think of effectively and scientifically controlling the road traffic as well as the railway traffic. However, we are now proceeding on the basis of the information that is available to us. The speech which the Honourable Member in charge of the Bill made was an admirable one. Even in his speech I did not find the facts backed up with the necessary statistics. That portion, according to me, was really wanting although in other respects, such as the historic retrospect of the whole problem, we were given very useful information in a connected form, but that statistical basis which really appeals to a man who wants to reason and calculate, and who cannot be satisfied with anything else was already wanting. (Mr. B. Das: "That was the weak point of his speech.") I do not blame the Honourable Member for that because he is also probably suffering from the same defect from which everyone of us is suffering. He has probably also not got the data. However, I must confess that he has given us all the information that was available to him and on the basis

of that he has asked us to consider the proposition before the House and give our considered judgment on it.

Now, Sir, it has already been pointed out by our friends that the question has assumed considerable importance on account of the road and rail competition that is going on. Some of my Honourable friends have characterised it as an unholy motive on his part, but I do not think the question of motive is really of any importance. If there is road-rail competition going on, it is a matter for us to consider seriously as to what are the proper ways to eliminate it as far as possible without destroying either the road or the rail. That is the spirit in which we have to consider that question. Although there is a considerable prejudice and a deep-rooted prejudice against the railways, none of us ought to feel that we can do away with the railways or with the roads. Both have come to stay and both have to be guaranteed somehow or other that they are not to annihilate each other. In my opinion, that is a problem which we cannot avoid. First of all, during the discussion that took place during the last three days, very conflicting points of view have been placed before us and for the time being at least it appears that none is satisfied with the Bill. At least, I am not satisfied with the Bill. At the same time, I am of opinion that the Bill is not brought before us a day too soon. It is time for us to take stock of the present position and see, even in the interests of the road traffic itself, that some serious attempt is made to introduce such regulations by which some danger to that traffic can be avoided as well as a danger that is likely to ensue to the other traffic can be eliminated. It will be admitted that Government ought not to be neglectful about the importance of the road traffic. In the report of the Road Development Committee the importance of the road traffic has been considerably explained and a remark from that report will be worthy of the consideration of the House. They say:

"Our conclusion is that the development of the road system of India is desirable. It is especially desirable because it will make for the economic, social and political advancement of the rural population on which the future of the nation so much depends."

This was the opinion of the Road Development Committee which sat and published its report in the year 1927-28, not a very old document. Within 10 years from the present day, a Committee was appointed which came to the conclusion that it is necessary for the Government of India to seriously consider the question of the development of roads and the road development traffic was considered as one of the essential conditions for the benefit and advancement of the rural population on which the future of India so much depends. So, in approaching this Bill, I want

3 P.M. this House to bear certain fundamental principles in mind of which the most important is that the Government of India are committed to the improvement of road development. The Government of India must also look at this question from this point of view. They cannot ignore that or neglect that in their zeal to protect the particular industry or the particular concern of which the Honourable Member happens to be in charge today. I, therefore, submit that in their zeal for railway improvement, they cannot neglect their primary duty of developing roads to which they stand committed and on a proper development of which largely depends the advancement of the rural population of India. That is one of the fundamental principles.

[Mr. M. S. Aney.]

The second thing which I wish the Honourable Member in charge as well as other Honourable Members to bear in mind is this. In the Kirkness-Mitchell Report the question has been considered at great length, particularly the Committee investigated into the question of road-rail competition and as regards the position of taxation with regard to roads traffic, they came to certain definite conclusions. I now take the opportunity of reading a short extract on that point. The Committee says:

"The taxation on motor transport is higher in India than in any other part of the world. An excessive taxation through the diversity of taxes and lack of co-operation between the taxing authorities has strangled its development."

That is the second point which I wish those who will have to deal with the Bill to bear in mind. In the year in which this report is published the learned authors of the report are of opinion that the road traffic is already labouring under a heavy incidence of taxation, inordinately heavy and heavier than it obtains anywhere else.

An Honourable Member: Is there any list of taxes given in that report.

Mr. M. S. Aney: There are a number of taxes mentioned there in the report. Yesterday some of the figures were quoted by my Honourable friend, Mr. Ananthasayanam Ayyangar. He spoke of the taxes, particularly in the Madras Presidency. I do not want to go into those details at present. Suffice it for me to confine myself to the salient points which we must bear in mind in approaching this question before us. The complaint is made often that these motor or lorry or taxi drivers are lightly taxed. I submit they are more than sufficiently taxed. That thing also has to be borne in mind by us. Now, taking these two things into consideration, namely, the necessity of the development of road traffic to which the Government of India stand committed as well as the fact that there is already an excessive taxation existing, handicapping their proper growth and development, so to say, bearing these two things in mind, we have to see other proper ways of approaching the present problem which is placed before us for consideration today by the Honourable Member in charge of the Bill. Now, as regards that, what is the remedy? Are we to leave the problem there? Are we solely to depend upon the chance that this traffic might automatically grow and so on? Now, Sir, if we examine the statistics on that point, if we peruse the opinions which have been so laboriously collected by these two gentlemen which have now been embodied in this report, we find that if we allow it to drift as it is, the position with regard to motor traffic will be anything but enviable. Not only that. I now confine my attention particularly to that Chapter which deals with the condition of traffic in Central Provinces and Berar. What do I find? On a careful investigation of the problem made by them, the authors have come to the conclusion and rightly so that the matters cannot be allowed to drift and cannot be allowed to rest where they are. Their conclusion is this: that on account of the cut-throat competition that is going on amongst them, it has become impossible for them to make really any profit at all out of this traffic. That is the position. By taking the figures available for a very

important motor station between Nagpur and Amraoti called Thalegaon and working out the average for a lorry man, the authors of the report have come to the conclusion that he can make Rs. 20 per week on an average. But the expenditure on mobiloil, petrol and other things comes to Rs. 17 so that he is barely left with Rs. 3 for his maintenance and that of his cleaner. What remains for him after meeting these necessary repair charges, to make repairs to his machine. Yet the man goes on in this motor business. But how long does he continue? Until the man who originally advanced money for the purchase of the lorry wakes up and demands payment of his debt. The moment he sees that, all means of his livelihood is gone. No doubt we find that the number of lorries remains constant. But on a careful investigation, we find that we do not see the same man standing there. We see probably the same number of machines, the same number of buses or motor cars, but the owner is not the same person whom we saw previously. It is not the same friend whom we met before that is the owner of the lorry. That means that a number of families is going to ruin as long as they do not understand the economic implications of the profession in which they are launching.

Mr. N. V. Gadgil (Bombay Central Division: Non-Muhammadan Rural): The financier is the same.

Mr. M. S. Aney: I have not made any enquiries about that. I accept the position as stated by my Honourable friend. The position is this. If we have really the interest of anybody in mind, who is that man for whose interest we stand? When we ask the Government not to make rigid rules or stringent rules, whose interest have we in mind for protection? First, the interest of those who drive these buses, or the interest of those who own these buses, or is it the interest of anybody else? On account of cut-throat competition, it is possible that the passenger is now travelling at a much cheaper rate than before. This may be true. In 1911 and 1912 when motor traffic was first inaugurated, I had to pay something like Rs. 4 for a distance of 30 miles between Dhamangaon and Yeotmal. Now, it is four annas. Whenever the driver sees my *pugri*, he takes me for respectable man and offers me the front seat for four annas without charging anything extra. That is the position. I do not know how these drivers or bus owners manage to maintain the car and maintain their families and children when they run buses at such low fares. What I find is this. That they somehow or other want to make some little money at the end of the day and, therefore, they want to catch as many customers as possible without looking into the economic or financial difficulties into which they are landing themselves. Now, it is true that those who are getting the benefit of travelling at the rate of four annas, naturally they will say, "let it remain there". I ignore the question of railways altogether for the time being from my consideration. I am looking at it only from the point of view of those who take up to this profession for the sake of their maintenance and for the sake of their livelihood. Should we, in the interest of those very men, allow this cut-throat competition to continue for ever? Is it not our duty to save them from landing themselves ultimately in misery and ruin out of which they can never escape once they are allowed to enter this profession? Can we remain apathetic and allow this intolerable state of affairs to continue for ever? If

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that is not so, then in the interest of those men themselves, whose interest is paramount in our mind, it is necessary that we must concede one point namely, that the time has come when the question of regulation of motor traffic must be handled carefully and with a proper deliberation of all its implications. Sir, it is not with a view to eliminating competition with railways only that I have approached this question, but I approach this question particularly from the point of view of the motor men themselves who have taken to that profession for the sake of their livelihood. We say, "Well, you are doing something here which may create a kind of unemployment and thousands of people will be thrown out of employment and so on".

My point is this. Allowing a man to be employed for a short period only to find himself hopelessly unemployed later on for the rest of his life is not a good state of things. Would it not be better for us at least to think of some kind of plan so that he may continue for a longer period, though less comfortably, and would not be altogether an unemployed man at all? If there is a problem like that before you, I think every reasonable and sensible man would think that the second may not be ideal for a man to live on but at least much better than the first which is nothing but great misery to him and to those who depend upon him. These are humanitarian considerations in my opinion. They are economic but there is a consideration of humanity also about it. From these considerations we have to concede that the time has come when this motor traffic development ought not to be left to drift like that but there should be a considered plan along which it must be made to move hereafter, if any tangible good is to be expected for those who depend upon the profession. I admit that there is a prejudice against these railways and, therefore, when we find that Government are doing it with a view to save the railways, other considerations for the time being go to the background. They dwindle into insignificance; and the railways which on account of long mismanagement have already become unpopular have become now a bone of contention, particularly on account of the new Constitution which is going to take the railways entirely out of our control. The spectre of the coming Statutory Railway Authority has cast its shadow on the railway administration, and whenever a question relating to railways arises we feel that it is something which is detestable and we feel no sympathy for it. That is the position, but these are not matters which are to be decided and looked at purely from the sentimental point of view. It is true our control is going to be eliminated; it is true that whatever we have done for them up to this time has not yet borne fruit because of a certain attitude taken by the Railway Board. But we cannot forget one fact. If these railways cease to be a profitable proposition altogether or even to pay their own way, what will be the position? That is a thing which must be borne in mind. Whatever capital we have sunk there is given as a charge on the revenues of India, and if they cease to be a paying proposition by themselves who is going to pay? It may be that the passenger who pays four annas to the motor and runs away may not feel the pinch at that very moment, but those of us who are sitting here can certainly understand the difficulty better. It is the Indian taxpayer who shall have to pay all the interest which is due on the capital already sunk. Eight hundred crores of capital is there and we have to pay crores of rupees by way of interest.

An Honourable Member: Repudiate.

Mr. M. S. Aney: That we can do when we are in power, but in the meantime we shall be fleeced. If I get power tomorrow I can probably think of repudiation, but I am not quite sure how long we have to wait for that. I also do not know whether we shall settle this question of our self-government on the condition of repudiation or on some other understanding. That also is a matter of doubt. So, today I will not make any prophecy but let us take the facts as they are today. We cannot allow the railways to be a losing concern altogether: that is another matter which I want Honourable Members of this House to bear in mind. Otherwise you will at once create a heavy liability which can be paid only by adding all our taxes and by nothing else. If we do not pay in the form of railway fare we shall have to pay in the form of direct taxes in order to make up the deficit that will be created there. So, that is another proposition which I want the House to bear in mind. Then, when we speak of unemployment that is likely to be created on account of certain restrictions being imposed upon motor traffic, we have also to consider that if the railways become a losing concern altogether and these good men in a moment of generosity think of winding up the whole affair and sitting idle, what will be the extent of unemployment that will follow? That is also a proposition to be considered. Of course, they will not do that, in their own interest, but let us remember the number of people employed on the railways. It is, of course, true that the control is not in our hands and we resent foreign control. But considering that a large population of India—and particularly the middle classes—is living upon that industry, it ought to make us look on the railways from a different point of view altogether in spite of all the handicaps and difficulties that exist today.

Mr. Suryya Kumar Som (Dacca Division: Non-Muhammadian Rural): Have the railways exhausted all processes to be economic?

Mr. M. S. Aney: That is a question of bringing pressure upon them and not ruining them. My point is that these are the various problems and considerations which we have to take into account in approaching the Bill before us. All that I want to urge is this. We do not oppose this Bill because we find that probably the restrictions imposed may be somewhat unnecessary or excessive. All that is necessary for us to consider at this stage when a motion for reference to Select Committee is placed before this House is to see what is the principle underlying it. What is it after all that the Honourable Member is asking us to do? If we feel there is no case for us to consider at all in regard to these matters, there is no problem of a real nature in order to consider the question of co-ordination between the two,—if we feel like that we shall be justified in voting against the motion. But if we feel otherwise, there is only one way open to us. We have to grapple with the problem and for that allow the Bill to go to Select Committee for consideration.

In the meantime, I am quite well aware of the various difficulties which the Bill as it stands at present is likely to create, but I do not at present want to go into details. I will give an example. Having read the very able report written by one of our Honourable friends,—and I have great pleasure in mentioning it because Mr. Roughton comes from C. P. and Berar,—I still feel doubtful whether the introduction of a scheme

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of compulsory insurance is really a feasible proposition in the conditions under which the motor traffic industry stands at present. But that is a matter of detail which can be discussed across the table more coolly and with better information than on the data available to us at present. I feel some doubt about that. Secondly, I also feel that it is a legitimate charge brought against the principles on which the Bill is based, namely, that we find that an attempt is made to set up a Regional Control Authority and Provincial Authority. There are two authorities created there. I do not find that the relation between these two authorities have been clearly stated anywhere, for no definite indication is given as regards the exact composition of these two bodies, though some suggestion is made of the fact that there must be representation of the railway authority if a body like that is to be constituted. My point is that the railways are claiming representation upon any controlling body that is to be set up under the Act. Now, if the railways admit that they are a rival body to the road transport body, then there must be some reciprocity in the matter. People naturally ask what the representation of the people of India is going to be,—I am not talking only of the Road Transport Authority but of the people of India as a whole,—in the coming Statutory Railway Authority which is contemplated in the Government of India Act. Without knowing anything as to the amount of control which the people can exercise in regard to the management which shall come into the hands of the Statutory Railway Authority later on, people naturally feel that we shall not be justified in conceding the right of the railways to have any representation in a body which shall control the road traffic. It is a question of a principle of reciprocity. If the railways want to have a voice in determining everything about the management of road traffic, it must also think of making proper and adequate rules for representation of the people on the ultimate body which shall govern everything. Otherwise in the matter of control of road traffic the railway authorities will be there to give their advice: but so far as they are concerned, the Railway Authority that will be set up will have its own way and nobody can control the way in which they like to run the railways themselves. So what we urge here, particularly for the consideration of the Honourable Member, is this, that if you want co-ordination then both the interests must feel that they have a mutual opportunity of advising each other in the interests which concern them both. There should be some arrangement like that, if not, at least an announcement of policy by the Government of India, before the people can be asked to consider proposals for the composition of Regional Transport Authorities or Provincial Transport Authorities. I know it is not possible for the Honourable Member today to come forward with a Bill like that; but the Government of India must be told distinctly that they must seriously consider that proposition and they must seriously make up their minds on this point before they can claim any representation in regard to the interests which unfortunately or fortunately are threatening to be a rival to the railway system in this country. I hope the Honourable Member will bear that point in mind and that he will be prepared to make some definite statement of policy when the discussions will arise across the table of the Select Committee.

There is one point to which I wish to make a passing reference. There are many restrictions put down in the Bill and one of them strikes me as being very important, namely, the definite provision forbidding

men to go on the running board of a motor vehicle. I appreciate it very much because I have recently gone through a thrilling experience in my life which I shall never forget. I had to go for about a distance of 16 miles on the running board of a fast passenger train between Amgaon and Gondia Stations on the 30th December last after midnight and for 30 minutes I had to travel on the running board: I do not blame the railway authorities for that and I have already made a clear statement absolving all the railway authorities of all blame in regard to the matter: but I had to travel like that and I then realised what it was: you feel death staring you in the face every second, and for thirty minutes like that I had to travel. So, when I read that particular clause I thought this was something, which from my own experience, was a most salutary restriction. So, there are restrictions here which are necessary, because nowadays when I travel I do find sometimes that they allow passengers to stand on the running board when the car is running at 20 or 25 miles per hour; sometimes it is allowed by these much-maligned police constables and at times by others. Some of the accidents are due to this. Therefore the need for vigilant control of the traffic should be considered by the House and if the House concedes that, then the other matters are all matters of detail into which they can very well go and find out how much of the present Bill should remain and how much seriously modified or radically modified even. (Interruption.)

I do not myself know whether a maximum or minimum rate can be prescribed at all, but not having all the available data before me I do not want to give my final opinion at present. I feel a doubt as to whether it is possible to fix maximum and minimum rates: at any rate I know my friends in the European Group, who are better business men, at one time strenuously opposed the suggestion of fixing maximum and minimum rates when that was made by my Honourable friend, Mr. K. C. Neogy, in regard to inland traffic going on in the Brahmaputra and other rivers in Assam and Bengal: it was strenuously opposed and it was thought to be an impractical proposition and an uneconomic proposition. I believe we shall have the benefit of their actual and mature experience when this question is discussed in the Select Committee and probably they may find some way out of it; and if they cannot find a rational method, I hope they will join with us in opposing the whole clause and dropping the matter altogether.

I find that this Bill creates all kinds of authority: we are making the law here, and at the same time there are certain sections under which the rule-making power is given to the Central Government, particularly as regards motors arriving from outside British India and so on. Then there are clauses in which power is given to the Provincial Governments. There is no doubt that certain portions of this Bill do seem to transgress upon the field which in our opinion ought to belong to the provinces and not to the Central Government. As regards these matters I hope the Members will be vigilant in the Select Committee about the interests of Provincial Governments and see that there is no unnecessary encroachment by the Central Government on the rights which properly ought to come within the purview and jurisdiction of the Provincial Governments themselves.

There is only one more matter to which I should like to refer: it is a part of the Bill which the lawyers should look at very carefully. There are not only clauses to control these things, but the Bill has created

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offences and it has created presumption. I find in clauses 79, 80 and so on that presumptions have been stated which indicate that if a servant is found to have committed an offence, it should be presumed that he had done it with the consent of the master. The presumption is there. Now, the law of agent and principal with regard to criminality is certainly different from the principles on which these clauses seem to have been based, but these are matters which the lawyers will have to look into very carefully.

These are some of the suggestions which I wanted to make for the information of this House and for the information of those of my friends who have the privilege of going to Select Committee and working for the necessary modifications of this Bill in the interest of all the interests concerned—the motor bus-man, the railways who in my opinion should be the last consideration, the passenger, as well as the Provincial Governments and the Central Government. All these conflicting interests have to be reconciled. Inevitably, the lot of any man who goes in for the sake of compromise is difficult: he is liable to be abused by both sides—there are extremes on either side and he represents neither the one party nor the other: so, there is bound to be some amount of trouble; but statesmanship consists in finding out a workable reconciliation of what appears to the layman in the street as conflicting and irreconcilable interests. If we fail in that we shall be lacking in statesmanship. But I have faith in the statesmanship of my friends whose names have been proposed for the Select Committee and in the Honourable Member in charge, and if they are inspired by a spirit of exchange and give and take, I feel confident that the Bill will emerge from the Select Committee in a much less objectionable form hereafter. With these few observations, I support the motion before the House.

Mr. Bhulabhai J. Desai (Bombay Northern Division: Non-Muhamadan Rural): Mr. Deputy President, I am glad that we are at a stage of the Bill when possibly the apparent conflicts of opinion may be expressed or may be believed to exist, but if they are properly considered they are not so conflicting as they might appear; and I say this for this reason that it is not uncommon in this House to be told by one or the other Member of the Treasury Benches, particularly where the discussion has ranged over three or four days and many speakers have taken part, that A cancels B, C cancels D, E cancels F and so on, and he is a happy man. That is the kind of criticism which I have often heard in this House, sitting down with complete self-satisfaction that he has nothing to meet. The only fortunate man in this respect I met was a Judge of the Bombay High Court. He had lost the bulk of his eyesight very early in life, but he preserved fortunately for himself, between his two eyes just one cone in which he could just look about and see Sir Thomas Stewart or Sir N. N. Sircar or somebody else there and when he was doing it he was blind to the rest. It was a fortunate faculty that he possessed because he could concentrate on what he liked and quite easily ignore the rest that he did not like. Fortunately for ourselves or unfortunately, we cannot have this single track eye or single track mind. Therefore, it is important and I respectfully call the attention of the Honourable the Mover of this motion to the fact that exaggerated though he may find according to his estimate some of the points of view urged by those on this side of the House, they cannot be merely rejected,

because there is always a substance of truth wrapped up perhaps with a considerable amount of what he may consider chaff. This I say advisedly because more often than not the tendency is to sweep the chaff with all the grain that it contains and I hope that that would not be the manner in which the suggestions which have been thrown out on the different aspects, the different parts of the Bill would be regarded. So far as I am concerned, I need not necessarily agree with everything that is said by everybody on the points of view that I am going to put forward in order that they may be considered by the Members of the Select Committee. That is why I say that this stage is somewhat more fortunate than when it comes to voting or giving directions for voting on specific clauses of the measure. I am more free, or at least consider myself more free without intending to criticize anybody adversely, to take a line of my own in calling the attention of all the parties concerned who will sit for the purpose of discussing in the Select Committee over this measure. I shall confine myself to the individual concrete points to which I shall call attention.

I divide this Bill for the purposes of my observation into what I may call safety provisions, economic and political provisions, as though it may not be easy to separate them very clearly. As regards safety provisions which consist of, for example beginning from the commencement of the Bill itself, licensing of the vehicle in order that it may be road-worthy, to merely change the expression from sea-worthiness, in order that the vehicle may be road-worthy, and in order that the man who drives it may at least have sufficient qualification and sobriety to be entrusted with the lives of those who travel in the vehicle, so far, therefore, as the safety provisions are concerned, in these two and the third aspect also which is dealt with in the Bill, namely, what are called the road signs provisions and also obedience by those who drive the car, to the directions of those who are in control of the traffic, because, more often than not, after the hilarious night either on the 31st December and some others I could name, whenever I go towards the Fort from my house I see either a lamp post broken or a tree uprooted

Mr. F. E. James: That is St. Andrews' night.

Mr. Bhulabhai J. Desai: Therefore, in so far as the Bill deals with the licensing of the machine or the licensing of the driver or the duty of the driver to obey the directions with reference to the traffic,—on those points I think the House would be unanimously of the view that having regard to the nature of the vehicle itself, regulation by law is essential and necessary. The more we progress in material sciences which serve to eliminate speed and time, the more regulation for the safety of those who use it as well as for the safety of the public at large is essential. Therefore one need not take the Bill as a whole either for the purpose of condemning it or accepting it. You must look into the provisions of the Bill to see the aim and the purpose and once you are able to see that, you might easily be able to draw a line between what you object to and what you do not. I shall, therefore, not detain the House at all on these parts of the Bill except to point out this that even in the licensing of vehicles, particularly the vehicles that would be used for public transport either of passengers or of goods, it is easy to have provisions so stringent that you may unnecessarily and wrongly discourage this legitimate means or method of transport. That caution is I think not only necessary

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but it is to my mind paramount, for under the cover of safety you might easily destroy the utility of the thing itself by so restricting it as that the burden cannot be borne. Equally these observations apply to the licensing of drivers. While, on the one hand, certain minimum qualifications either of skill, of mechanical knowledge, or of sobriety is needed in order that you may be allowed to handle dangerous things, among others a motor car, you may not so lay down provisions that you may make it expensive and thereby again render difficult the means of transport—and in this case I am particularly referring to what I may call the public conveyance dealing with transport either of goods or of passengers. In the course of what I intend to put forward before the House I will call them public conveyance notwithstanding the highly useful technical words which have been used in the drafting of this Bill and for the purpose of construction I consider they are quite useful. From that point of view, therefore, my submission to the members of the Select Committee is this. That while they may regard safety first, I hope they would not be merely obsessed with the idea of safety and try so to find qualifications either of the machine or of the man as to unnecessarily hamper the public means of transport. About private means of transport I won't say very much, for more often than not, in hiring a driver or driving himself the owner usually looks after himself. Therefore it is on the public means of transport that I will lay particular emphasis and say that, without trenching on safety, please do not overdo the idea of safety so as to destroy the very thing itself or so hamper it as to amount to that.

But when you come to Chapter IV, I begin to find myself in a somewhat more difficult position than the position which was easy and at the same time possible to define with a certain degree of confidence. I would not have much difficulty, sitting on the Committee or with my friends, in coming to a conclusion as fair *via media* when dealing with the question of safety in regard both to the machine and the man. I am deliberately omitting in this context what is put towards the end of the Bill, namely, the insurance part of this particular Bill which is before the House. When I talk of safety I am only confining myself, as I said, to the man and the machine and the obedience to the rules of traffic for serving that end. But when I come to Chapter IV I find myself in a position of serious difficulty on which I think it is useful to pay more attention than either the extreme criticisms from one or the other points of view which have been levelled. It is important to remember that it might really happen that a single authority either as the result of a State management or as the result of private ownership would necessarily be the owner at the same time of the two different means of transport, that is to say, the motor transport and the rail transport and that inherent difficulty will always remain so long as there are two different entities of owners of the two means of transport. The problem becomes still more difficult in India because (in a sense it is more important) the owners of one means of transport, at all events, those who have the obligation to pay for it and pay interest on it, happen to be the Indian taxpayers. Supposing there are not two different entities who are the owners of railways and the owners of the other means of transport, the State or a legislature, I think, it is in an easier position to decide the issue and make provision about their co-ordination than when the taxpayer is the owner of one means of transport and there is another entity who is the owner of a competing means of transport and that presents a some-

what difficult problem because it is easy for some of my friends to say "Nationalise everything" and that is a solution. It may be that when they actually get within their own means the power of running the Government in this country according to their lights and in the best interests of the country that may be an easy solution and it is with that preface that I call the attention of the House to the consideration of the problem which is attempted to be dealt with in Chapter IV. I will confess without any intention of conveying thereby any blame, that I am by no means satisfied at all with the provisions there made and the attempt at solving the problem. I wish to call attention here to a book, of the contents of which I am sure the Honourable Sir Thomas Stewart and his colleagues have knowledge or at all events might be fully conversant with it. It is called 'Railways and Roads in Pioneer Development Overseas'. It is a book written by Edwin Holmstrom. He has attempted to lay down by concrete instances an examination as to the data for the purpose of co-ordinating rail and road transport, of course with the added problem which we have here, namely that the owner of one means of transport is the taxpayer. This is what he says:

"Clearly these things are not susceptible to measurement but they are real enough and if the decision between railway and road development is to be decided by reference (*That is the test which I propose to apply*) to the ultimate benefit of the whole country, they must be taken into account. That can be done only by personal judgment; it is a problem not for the economist, still less for the engineer, but for the statesman. All we can do here is to enumerate some of the many considerations proper to be taken into account."

Among the points of view to be considered is one which I think has not hitherto received attention. It is item No. (iv) on page 274 of this Book. It is this:

"The necessity of using material which cannot be produced within the country will usually be regarded as a disadvantage, from the national point of view, to be weighed against the form of transport that requires it."

I have attempted to get information for the purposes of this Bill and I find that on the 1st January, 1937, among the motor vehicles in operation there are 23 thousand buses and 20 thousand lorries. There was a lakh and 54 thousand vehicles in operation at that particular point of time. I have also got figures dealing with the price that is to be paid in addition to the capital value of these vehicles and the motor spirit which can be easily measured in a rough and ready way by reference to the ten anna duty which is levied upon it. The estimated duty in the Budget for 1938-39 is 685 lakhs. The duty in the year 1937-38 is 635 lakhs. That is merely motor spirit and I have added roughly, after my own calculation as far as I can judge about it, 25 per cent. more with reference to lubricants and other oils and a larger percentage may easily be added with reference to what you may call the more consumable parts of a motor machine. They are the tubes and tyres. There are other consumable parts too. That is the way I calculate and taking roughly therefore, I take it that about 18 crores are spent on what you may call recurring expenditure on motor vehicles in India. I make it in this way, and I will show you exactly my calculations. I know that in some parts motor spirit is certainly much more costly than in the ports but that is due to the internal transport system. When you come to a place like Bombay, even taking the ten annas, the price, irrespective of the duty upon it, is roughly ten and ten, making it Rs. 1-4-0, because that is roughly speaking nearer the price that is charged in areas in the port towns. Therefore, taking the 635 lakhs, which is, say 6½ crores, I make that into 13 crores and I add 25 crores more. I have thus estimated 17 crores. That is the

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recurring cost on all the motor vehicles. I am not making the mistake in suggesting that that is the cost of what I may call the lorries and the buses, and so again I have to make necessarily a very very rough estimate in the absence of any data, and knowing the way in which these are driven, the amount of weight and load that they have to carry, and the amount of power which is usually in them or has to be in them, I would not be far out if I suggested that about ten crores out of the 17 crores really belonged to the lorries and buses. Therefore, the entire capital cost of that much wanted industry has to be paid, every pie of it, to the foreigner, and all the running costs, every pie of it, have also to be paid to the foreigner. On the other hand, the only persons who are the problems to be regarded—taking the 41,000 lorries and buses—are purely the driver and the owner, and I think we are exaggerating the problem when we are talking of the road transport industry as it is called. In my view it is an exaggeration and it is a wrong perspective which is applied to it. I am not, therefore, suggesting to the House that even if we have got to buy our materials elsewhere in the world that therefore this means of transport is not to be used. But I would certainly, considering it from the point of view of the country as a whole, be very careful before I exaggerate its importance to the extent to which it is done, lest I am killing something of such gravity and such importance and such incalculable, exclusive good to my country that I must go very slow. It is a problem which you have got to consider. I am not surprised if some of my friend look at it from the point of view only or mainly of those who sell oil and those who sell cars and use this very legitimate, very useful means of transport and say, "the fixing of rates is wrong, regulation is quite wrong and still worse", because they have an eye to their annual total sales and therefore they say "we must go a little slow in this matter until we begin to manufacture this means of transport ourselves". Therefore let us not merely be led away by the forty-one thousand owners and the possibility of their being out of employment.

But the problem as regards those forty-one thousand is also complicated by the fact that we have been told by at least two reliable authorities, and I have some knowledge though I do not pretend to have acquired much data and I do feel that there is not merely uneconomic competition. That is nothing. That may happen by more people running into a trap than is desirable or possible in the first instance, but as the result of ignorance people are led to believe that this is an easy means of making a lot of money, only finding themselves after a time in a position in which, who pays? I will illustrate that to you by a single example with which I am personally acquainted. There was a company which had three hundred motor cars which they could not sell, at least at profitable rates. So another company was formed for the purpose of taking it over. A third company was formed for the purpose of letting them out on hire-purchase system, and the company which acquired them, for the purpose of letting them out on a hire-purchase system, having let them out on hire to a fraternity which was much discussed here, in a well-known town of India, there was a fidelity insurance of many lakhs. The cars of course did not pay, it was never believed they were going to pay, and they came back on the hands of the supposed owner company. The fidelity insurance people had to foot the bill of the hire and it could not and would not pay the amount of money for which the amount of fidelity was insured against—some twenty odd lakhs of rupees, so that I illustrate

this only for the purpose of pointing out that we become easily enthusiastic by having the vision of the learned judge whose illustration I gave. You sometimes merely look to the fact that you pay four annas on a route—chief enough—and why not? Sometimes you simply notice a neighbour of yours owns a motor lorry—and why not? You sympathise with him. But I think a problem like this cannot be considered in the way in which it has been approached. Remember this and I ask you to go very cautiously in killing this very great industry of yours,—at least you should not kill it unless you have produced a motor vehicle in your own country so that what you may lose under one head may at all events be made up by the industry. That is the first part of the factors that will go at all events to enable me to judge which of these provisions are to be assented to and which not.

Now I come to the next problem. I quite agree that if this Bill were merely designed in the interest of creating a monopoly for the railways, I should certainly entirely support Chapter IV because if what is called the biggest investment of India is to be efficiently managed so as to make it pay its own way at a small profit for the State also. Now, if they would be State-owned in a very short time, though there is now a somewhat wasteful and arrogant administration of that particular asset of ours, there would be some profit from this industry for the State. I think, however, it is very much better that they should be compelled to so economise, to so efficiently manage the concern, to treat passengers as customers to whom to sell their goods and not as cattle whom they wish to yoke, that the railways may be run on sound lines. That should be the attitude which I think the Railway Administration in this country should acquire. To create a monopoly and make it still worse and run it by means of extravagant and arrogant management is a thing I should not assist in at all, even though I may be told that the loss on that the tax-payer has got to pay, because the remedy for it is not to create a monopoly for them but to replace it by a better administration. That is the proper remedy and it is no remedy merely saying, "we will make men pay more by having no other alternative means of transport."

[At this stage, Mr. President (The Honourable Sir Abdur Rahim) resumed the Chair.]

It is not as if these forty-thousand odd lorries and buses put together are really such an alternative means of transport as is sometimes imagined. I do not deny that in the places in which they do run they are a good alternative means of transport and are really a useful and healthy check on the methods of the other means of transport and their administration.

4 P.M. In fact, we have not reached a stage where it is a really alternative means of transport. That it is a competitive means of transport in areas in which they operate, I quite agree. I am, therefore, humbly of the view that the larger traffic should be reserved for the railways and any man who hopes to carry passengers from Abbotabad to Calcutta is, I think, living in a fool's paradise. It is not going to be remunerative and it is going to be an idle spot out of which he will get nothing.

I respectfully agree that it would be very much better if the Government did it and I will tell you soon why, according to my humble judgment, they will not do it, that, in spite of the beautiful trunk roads, the approach roads to villages have not developed by now. They are not

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developed because nobody bothers about the villager. The road as well as the rail, beyond being the carrier of passengers and goods, is also a means of transport for the army and there is no pretence about it. When you approach the Frontier nearer and nearer you have a visible and practical demonstration of what I am now stating to you. Therefore, the road development has taken the line which it ought not to have. If the roads had been developed on what is now said, it would have been better to have feeder roads well developed because in that case you would make the village more accessible from your main lines of transport, which may be the railway. In that case, you serve both the villager and prevent the competition, but in most cases I am painfully aware that the road development has merely gone along the line of more or less that which serves or comes under the eye of what you may call the district officials. That, at all events, is my experience after travelling many many thousand miles on the roads in buses or in small ramshackle cars. Therefore, the position to which you are reduced is this, that if we are merely going to cut out transport in order that the railway administration may either show more efficiency, that is to say, having cut out a competitor, you will show better results. I am entirely against it. But if it is for the purpose of guaranteeing the two means of transport for the benefit of the community, I am for it. And it is because of this that you find it difficult to understand the Regional Transport Authority and its composition. I wish to call attention in particular to the proviso to clause 41 to which my Honourable friend, Mr. Aney, also drew attention in a different context though he made more or less the same point that I am making. Clause 41, which deals with the Transport Authorities, has this important proviso:

"Provided that, where such representatives are included, equal representation shall be accorded to the business of motor transport, railway transport and, where necessary, inland water transport."

With great submission, I do not call this co-ordination. I call this domination. In other words, the inland water transport man is going to dictate to the Road Transport Authority as to how they are going to regulate it in their interest whereas so far as the railway transport is concerned, the other two means of transport have nothing whatsoever to do with it. On the other hand, we are going the other way about. I am not going to deal with it except to say in passing, though to state it in passing is to state what I may call one of the most predominant factors in the decision. There is the Federal Railway Authority which will sit and regulate the railway transport. I am not talking of its relation to this House. That is an entirely different matter. But it is this which makes me suspicious of the whole of this Chapter IV, that it is going to be manipulated in the interests of the other means of transport. Otherwise, I cannot see what place they have on this unless they were conceding a corresponding place to the representative of the other means of transport on the road. I, therefore, feel that Chapter IV is not so innocent as it looks. The Regional Authority sounds rather a pompous sort of expression and it is going to be composed of men from the Local Governments. Many of my friends, who are enamoured of Provincial Autonomy, may think that their Government will be represented on this Regional Authority but you must remember what little power your Government has because of this proviso in framing the Regional Authority as it is called.

Sir, I do not wish to detain the House by an exhaustive examination of the Bill. I shall deal with only one or two clauses more which I consider to be important. The House must remember that in a legislation of this type a great deal of patience is necessary and it requires a little careful examination in order to find out in some corner concealed something which is really important. My friend saw many transport signs and got enamoured of them and others got enamoured of something else and so on and I am not surprised at it because that is how a clever stage-manager manages the thing. I think it is perfectly legitimate in certain circumstances. But when it comes to a matter of this kind, then I say that that proviso should go entirely out of this Bill if it is going to remain on the Statute-book at all, because if that proviso or anything like it is going to remain in this Bill, it cannot be called a co-ordinating Bill but it will be what I may call a purely dominating Bill. Why should the railway representative come and tell me, the Local Government which formed the Regional Authority, as to how he is going to regulate the transport by means of motors? I cannot see it myself. He may do it in his own interest; he may think that it is useless to allow a futile or even a mischievous competition; but that is a matter for him to consider. It is not a matter for the man representing the alternative means of transport to consider. I certainly make bold to say this that when the House has seen the importance of this, whatever may happen to this Bill, I hope it will not pass this proviso for, it is one of the most dangerous things that I see in this Bill. I will come to the next which is not so dangerous and which may be a matter of adjustment, for what I feel is this. The Honourable the Mover of this Bill told us definitely and he did not conceal it and I think it was extremely good of him to have done it that that is going to be the composition of the Regional Authority. He called our direct attention to this matter. It is not because he called our attention to it that I am also referring to it. If the road transport is to be controlled I have no objection to its control, because I am one of these who honestly believe that this particular means of transport even as between one bus-owner and another bus-owner requires regulation. It is being run now on uneconomic, dangerous and losing lines. From that point of view, I have no objection to the Local Government forming the Regional Transport Authority. If there was one single Transport Authority which was managing the railways, which was controlling the road transport and the inland water transport and the manner in which the three are to be co-ordinated, I can understand that, because then he would be in a position to take into consideration the relative value of all and come to a conclusion in the interest and for the general benefit of the community. But this is somewhat of a tall order. "You fellows are running buses, I have been running a railway there. What right have you to run that except under my direction." That rather gives me a suspicion that it is intended more in the interest of railways than what it would be otherwise even merely regulating the particular means of transport. I submit, Sir, that if the other two interests have anything to say, they are always entitled to come to an agreement with the Regional Authority. They may make representations to the Regional Transport Authority, but to form part of that authority and sit over it is not a matter to which we can easily lend ourselves or give our consent. Therefore, it is that I say that though in a large sense it is true, as it must be true in most laws, that the Bill is non-contentious in principle and so it is. So it is in respect of every law that regulates things that are necessary to be regulated, but you have

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eliminated the safety part of it and when you come to what is called the co-ordination part of it, there it ceases to be purely non-controversial and it ceases also to be what my Honourable friend described as a Bill on the same lines as the Insurance or the Companies Amendment Bill. I regret I cannot agree with him there, in so far as Chapter IV is concerned. Nor can I agree with him on the ground that this matter is being left to the Provincial Governments, because it is easy for you to leave it having already decided what you are going to do. If that is the way in which he leaves it, well, we might have had a bolder provision that the Regional Authorities would not be formed by the Central Government. That is a different matter altogether. I, therefore, feel that while I recognise the necessity of so regulating the motor vehicle transport that the railways will not unduly suffer, there are two propositions which I cannot agree with, firstly, that the railway should be propped up by monopolies or that its administration should not be improved and the appearance of improvement should arise by the creation of monopoly. That is a proposition to which I will not agree. However plausible it may appear that if the railways lose, you will have to pay, I will say that I will see that the railways do not lose and I will not pay. I will not accept the false hypothesis behind it that the railways must lose and we must therefore pay. It is these two propositions which are plausible and taken for granted. Really what is concentrated by the banker's mind is the loss. Yes, if the railways lose, I will have to pay and therefore let me prop it up. But he does not take enough trouble and analyse it sufficiently. If he analyses it properly, he must see the defect in the railway and try to remove the defect in the railway either in the administration or in the finances and not by merely enabling it to go its own way, as it does at present and assist it only by preventing competition. Therefore, I consider this part as a matter of grave economic import and, also to a certain extent for the reasons that I have given, economic not merely from the internal point of view but also from the external point of view. I have pointed out that this means of transport costs us something like 18 crores a year of which not a pie returns except the transport service, of course, which is rendered and exhausted. Take the average figures given in Sir M. Visveswarayya's book: some 55 crores of capital value has been already paid, and taking the average life as seven years it will have to be repaired over seven years. Therefore, as regards the problem of co-ordination, I am not one of those who say that it should not be controlled. I think it requires to be controlled both from the point of view of the public and from the point of view even of those who rush headlong into this in ignorance and without proper economic ideas of the matter. While that is to be controlled, I hope we will not lend ourselves under that plausible form of control to allow ourselves to be entirely controlled for a different purpose or at all events with a different result. I am not here to suggest that the Honourable Sir Thomas Stewart or anybody has done it with an object, that is to say he was concealing behind this Bill a nefarious purpose. That is not my suggestion. Far be it from me to suggest that. But I do say that whatever may be the motives with which this provision is made, the fact remains that the consequences of that provision would be that you would prevent the growth of efficient and skilful management, courtesy, custom inducing methods of dealing with the means of transport which was meant to pay. That, I say, Sir should not be allowed. Therefore, I take grave exception to the provisions of clause 41.

Then, I come to clause 44 (2). I am not dwelling at present on any question of construction of the language, how it is expressed and what its scope is, it is a matter which will come at a later stage, it is the principle of it which has got to be considered and its consequences also have got to be considered. Clause 44 (2) says:

"If it appears to the Regional Transport Authority,"

—Remember, Sir, that the Regional Transport Authority has equal representation of railway on it; see what is intended. If it was the intention to prevent cut-throat competition, so that this uneconomic ignorant business of going into some other industry may be saved, I have no quarrel with that. I can agree that sometime or other people go free for the Haj with a porridge added to it. That is not the matter, that cannot last long. I understand now that people go to the Haj and come back on almost next to nothing by way of fare for the transport. This information was elicited during the course of many questions in this House. Therefore, that kind of competition, that kind of mutually destructive rate war may have to be prevented. But that is *inter se*, that is to say, between the owner of one transport and the owner of a similar type of transport. That is a different proposition. It may be said and it can be said that this covers it, as much him as it covers more. It covers more than what may be claimed for it. Now, Sir, I will read the clause:

"If it appears to the Regional Transport Authority that it is necessary or desirable,"—

Then mark the words,—

"in the public interest,"

That is very much like the language of the Criminal Law Amendment Act, because it is so wide that there is no means of questioning all relevant factors considered as necessary, a thing with which we have become quite familiar and, therefore, generally I never ask questions which will only elicit that. The clause continues:

"That the Regional Transport Authority should fix the maximum or minimum fares for any service which the applicant proposes to provide under the permit, the Regional Transport Authority may, after due enquiry, fix such fares and make it a condition of the permit that fares shall be charged accordingly :

Provided that in no case shall the maximum or minimum fares be so fixed as to be unreasonable or so as, having regard to the cost of operation and the facilities provided, to give one permit holder or one form of transport any undue preference over another permit holder or another form of transport."

Sir, I have read the whole clause deliberately because something may be made of that proviso. I do not think that it is a sufficient safeguard against the obvious danger which that clause involves. As I said, if the clause was only intended for the purpose of preventing rate-cutting at the Delhi station between two men who are ruining themselves in order to carry passengers that day so that my Honourable friend, Mr. Badri Dutt Pande, may have a good ride and a very cheap one,—that, I say, has to be discouraged even at the cost of Mr. Badri Dutt Pande. But what I do not want and what does appear in the Bill is a manipulation of that provision for the benefit of another transport authority, namely, the railways. The result is that the railways need do nothing. They need not reduce the rates but put up the minimum rates of the other man. That is not the process to which I look for the purpose of a genuine economic

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solution of co-ordinating the two means of transport. There are other provisions in Chapter IV on which I would have detained the House, but I do not feel that it would be proper having regard to the stage at which we now are. But even at the risk of repetition I wish to point out that those who sit on these Committees, while they may waste an undue amount of time easily on sign-posts and licenses and certificates, etc., will please bear in mind that very often a good deal of energy is wasted on trivial sections of the Bill, and the result sometimes is that in a moment of exhaustion real points in the Bill remain where they are. It is for that reason that I call attention to these two sections which, to me at all events, are the very crux of the matter in this co-ordination. It is not co-ordination, I again repeat; it is domination. And if this is the way in which this Bill is going to be through, I have no objection to the rest of the Bill going through. But by all means let all safety be granted by every provision in the earlier part of the Bill; but when you come to co-ordination of transport, be very careful, be very cautious. And I tell my own friends on this side of the House, do not call this a great transport industry; remember that all the capital and all the recurring charges for it go to the foreigner. Therefore, you must be very careful before you land yourself into an imaginary problem that does not exist, of a resulting great unemployment.

Then, Sir, I have little or nothing to say upon Chapter V. My only single observation on that Chapter is that it ought not to contain provisions of such a nature as to unduly hamper, as I said, the growth of this transport, because you may easily lay down conditions beyond the means of those who are likely to engage themselves in this type of work or employment and thereby you may lay a very undue burden rendering also this means of transport less useful than it otherwise might have been.

Then I come to Chapter VIII which relates to insurance. I have read with very great care this report and when I read the words "99" and "every ten thousand", I must confess that not having the word "ten thousand" followed by the word "vehicle", I was wondering what was the proportion between them; because, you may easily again misunderstand the perspective of the matter. If you look at page 14 of the report you find a map on the other side (page 15) which is staggering. It might appear to show as if nothing has happened in this India and the only cause of death is the motor vehicle. And, of course, I understand that this is what an expert and a specialist generally produces. He wants to catch your eye and very strongly arrest your attention. He says that in India casualty by death is 93 for ten thousand vehicles as against seven in New Zealand and 59 in Italy and 50 in Switzerland. In other words, twice the number have met with death as a result of motor accidents. But the number of people who have died during the whole year in this country is 1334. Therefore, very often this percentage reminds me of the answer we frequently get from the other side. The officers in the army are six thousand. "Has there been any progress in Indianisation?",—is the question asked; it is a question which I do not generally ask because it is offensive to ask it, offensive to myself. They say, "Oh, yes, 100 per cent. increase", meaning from 50 to 100. Of course it is 100 per cent. increase, and, therefore, it is correct as to percentage, but it is entirely wrong as to perspective. Therefore, while on the one hand I am humanitarian enough to believe that there is no reason why a single one out of the 1,300 should

be allowed to die or at all events without some sort of compensation to those whom he leaves behind, I am not very much frightened into this insurance idea by this very bulky and useful report. I am not a bit frightened by that at all. After all whether the 1,300 and odd people will be compensated or not, it is a great tragedy with regard to every single individual concerned or those whom he leaves behind. But you may easily walk into the parlour which may be a trap. Sir, at the time the Insurance Bill came up this question of general insurance was discussed. I do not wish to go into the questions which were then discussed but it was, I think, fairly admitted that India has made little or no progress in the matter of general insurance which includes this accident insurance. And I should rather go slow both from the point of view of the burden which is likely to be imposed on the owner and from the point of view of the considerable amount of premia that will be paid for the purpose. And for the moment at all events I may say this that I am not so much frightened by this report as one is likely to be frightened if he did not see it in its proper perspective. As this report is confined to British India, out of a population of 350 million, 1,300 people have died. Not that I do not want to prevent a single one of them dying. But how much I shall pay in order that those whom he leaves behind may be compensated as compared with what all the bus-owners will have to pay is the problem to me. And it is a problem which I am not going to answer so glibly as to say, "Oh, yes!, what a horrid thing ! You must insure, the rule of the road", and all the rest of it. Sir, I have a sense of proportion. My country is a poor one. There are many means of draining it and my friends may or may not see its implication in all its aspects. I am not blaming them because it may not be possible to see all the aspects of the issue. But to me these compulsory insurance provisions are not of such a nature as to be enforced within a period of five years, which is intended.

These, Sir, are the main provisions of the Bill to which I have called attention. But I stress again that even more important than this insurance provision is the provision in Chapter IV, and on that we should be very much awake and very wary, and not say that it is a very nice Bill. It may be a very nice Bill, but you can have a very good sugar-coated small arsenic pill also. Do not run away with the idea that there are 10 grains of sugar and 100 per cent. grains of arsenic. Take care of the arsenic, you can do without the sugar all right. Therefore, what I like you to be very careful about is to see that while every impetus is given to the railways and those in charge of the railways to improve it as an industry in and by itself for which we are paying, let us not prop it up by means and methods so as to handicap another transport industry, reasonably maintained, reasonably controlled, and of which I am not particularly enthusiastic until I manufacture the means of that transport.

Sir, these are the main points which will be borne in mind when the clauses of the Bill are discussed before the Select Committee.

The Honourable Sir Thomas Stewart (Member for Railways and Communications): Sir, we are coming to the end of a debate which has been most remarkable for the number of speakers who have taken part in it. Naturally with so many speakers the speeches have varied as regards content and as regards weight. There were certain speakers in whose case it was obvious that they had very carefully studied their case and the provisions of the Bill before they spoke. There were other instances in which the processes were reversed and the speeches were made first in anticipation of careful

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consideration of the Bill later; and there was one rather remarkable case—at least I suspect it to be so—of a gentleman who endeavoured to combine the two processes—deliver his speech and carefully to consider the Bill simultaneously. Now, very many points of view have been expressed in the past three or four days; and most of them had reference to points of detail which might better be left for discussion later on, the more so as I think that some of the view points put forward were based on an insufficient reading of the provisions of the Bill to which they have reference. And curiously enough, one of those provisions which I was going to cite as the pre-eminent example was the very one to which the Honourable the Leader of the Opposition has drawn so very much attention in the speech that he has just concluded: but I shall refer to that later on, not as an example of a mere mistake, as I should have liked to have treated it, but on its merits. I, therefore, propose to deal with some points of principle and matters of general interest and though they are mainly in connection with Chapter IV—the Co-ordination Chapter—there has been put forward in regard to safety regulations (Chapters II and III) the consideration that regulation may go too far, that however desirable safety may be, it is possible to regulate an industry out of existence. That is a proposition that I am perfectly prepared to accept; it would be useless to put into force regulations which would prevent the operation of the industry which we are seeking to control. But it is a question of fact whether or not the particular regulations which we have proposed in regard to licensing and in regard to registration are of that nature. I think the Honourable Leader of the Opposition will agree with me that this is a question of fact which may be debated in the Select Committee. Mr. Gadgil and Mr. Aney complained that they were handicapped in their consideration of this problem by the absence of adequate statistics. This is a matter in which they have my entire sympathy, and I trust that long before this House has to consider any further problem connected with motor transport we shall have in existence something more adequate in the way of statistical information. That is a matter in regard to which we have already taken steps: we have been in correspondence with Local Governments and it is one of the duties which we have kept for our technical sub-committee of the Transport Advisory Council that they should devise a statistical form on which these statistics should be built up.

Dr. Banerjea expressed his apprehension lest the provisions of this Bill would lend themselves to oppression by the police, and Mr. Sri Prakasa emphasized what those evils might be. Now, there is in existence now motor transport control and even though I tore up this Bill this afternoon there would still require to be control. So it really cannot be urged against this particular Bill that it is creating an evil which does not exist and will not continue to exist. He and I may take comfort from the information that we got two days ago that under present regimes the conduct of the police is improving. I trust that it may continue to do so.

Mr. B. Das and I think Mr. Manu Subedar were rather concerned at the strain that our proposals would put upon Provincial Governments; and Mr. Das was very anxious to know where the provinces would get money from in order to buy weighing machines and such like apparatus. He seemed rather surprised when I told him that we had already excepted liabilities in that respect and that we actually had agreed to debits to the

Road Fund of certain monies. I may inform him that we have already agreed to the expenditure by Madras of over a lakh of rupees for weighing machines and by the Central Provinces and Assam of Rs. 14,000 and Rs. 17,000 respectively. We have also agreed to a debit of expenditure on traffic staff in two of the provinces which have made application in that respect—Assam Rs. 9,000 per year and the Punjab 12,000 per year. Mr. Das of course may tell me that the amounts that have been proposed for weighing machines are hopelessly inadequate in view of the fact that there are so many important towns and roads and district headquarters. Perhaps he is thinking in terms of stationary weigh bridges to be set up at these places. He may be interested to know that the control officers make use of portable weighing machines so that it is possible for one weighing machine—and that not a very costly one—to cover a very large area of the country.

Now, I should like to turn to Chapter IV. Two or three days ago, I had thought that in dealing with this Chapter it would have been necessary for me to produce a very considerable justification for what we have done. I have been saved that trouble by the very admirable speech of Mr. Gadgil which set out the problem with remarkable lucidity. Mr. Aney has proved a further support and I do not propose to elaborate the need for control which, shall I say, even the Honourable the Leader opposite has admitted this afternoon. I would add only two words to what Mr. Gadgil has said. It is one of the evils of this uneconomic competition that it positively holds back one form of road development that is perhaps the most desirable of all. If there is uneconomic competition, the competitors must necessarily concentrate on the most populous and the most paying routes, and the result is that little developed parts of the country, the village tracts that have most need to be developed at this stage of India's history, are being entirely neglected. There was a plea put forward for the bullock cart, namely, that the place of the bullock cart in India's economy should be maintained. That is a position with which we are in entire agreement, and it may interest the House to know that we are financing experiments at the present moment with a view to evolving a type of road on which the bullock cart will be able to move at any season of the year, which as Honourable Members know, it cannot do now. We have also allotted money for experiments in the segregation of traffic—the provision of separate roads for fast moving traffic and for the slow moving bullock cart. But, then, of course, it was said,—it was very widely said,—that the whole design of this Bill and of this Chapter was such that the railways might put a stranglehold on an inconvenient rival, and the protagonist of that point of view was the Honourable Member from the North-West Frontier Province. He gave to his speech a sort of similitude of reasonableness by going clause by clause through Chapter IV. I really wondered whether he was in earnest. I came to the conclusion that he had his tongue in his cheek because to this Honourable House he quoted as an example of this dastardly move by the railways the astounding proposal, which he put forward as a new one,—the proposal that the Regional Authorities should fix legal fares for taxicabs. Backwoodsman as he may be from that far province, has he never heard of a device called the taximeter which is a mechanical way of showing to the passenger what has been the legal fare fixed for his journey by control authorities in the past.

Mr. Abdul Qaiyum (North-West Frontier Province: General): I never said anything about taxicabs fares. I do not think I ever mentioned taxicabs. I know such a thing as a taximeter. What I said was that the railways will have a say in fixing motor bus fares.

The Honourable Sir Thomas Stewart: I can give the Honourable Member the reference to what he said. He was referring to clause 48, sub-clause (b) and he quoted these words, "fixing in the case of motor cabs the fares which may be charged." That was the point to which he took exception. If the rest of his arguments were on those lines I do not think I need waste much more time on him. But I should like to refer to the argument against Chapter IV which was used by the Leader of the Opposition. I rather gathered from what he said that, had the proviso to sub-clause (3) of clause 41 not been in the Bill, he would have regarded with much less suspicion the other provisions. I am sorry if I have misunderstood him, but if I had not read the Bill myself and if I had had to judge of the significance of this proviso from listening to him, this is what I should have understood. Clause 41 makes it incumbent upon the Local Government to constitute a Regional Authority which must contain representatives of railway interests, and I should further have understood that the function of the Regional Authority was really to administer motor transport business. Now, is that perfectly true? The Honourable the Leader of the Opposition shakes his head and I quite agree with him, because the meaning of the clause to me is this. The regional authority may be either an official body or a mixed body. If it is a mixed body and if it contains representatives of one form of transport then these must be counterbalanced by the representatives of the other

Mr. Bhulabhai J. Desai: On a point of personal explanation, Sir. It is obvious that if the present explanation is correct if there is one of motor transport, there must be one of railway.

The Honourable Sir Thomas Stewart: I take it that the Honourable Member will admit that there is a possibility that there may be neither; the Honourable Member's objection would then entirely disappear.

Mr. Bhulabhai J. Desai: At least the last is no answer.

The Honourable Sir Thomas Stewart: I understood also from what he said,—again I may have been wrong—that it was the function of this Regional Authority to control motor transport. That may be a perfectly good way of putting it. But it is to control in the sense that it would adjudicate on conflicting claims between different forms of transport, in which case it is only reasonable that there should be a representative of those forms which might be at variance one with the other. The Honourable Member may not agree with my reading, but again I do not agree with his.

Prof. N. G. Ranga: Why do you not have the same thing for the railways also? Why do you not allow the roads to control the railways also? It does not suit you.

The Honourable Sir Thomas Stewart: My Honourable friend, Mr. Abdul Qaiyum, agreeing with his Leader, regarded the Regional Transport Authority as a body designed to work in the interests of the railways and

for the railways only. I do not deny for a moment that if those constituting the Regional Authorities were bigoted supporters of the railways, chosen by the railways and determined to wipe out motor transport, they could, under the provisions of Chapter IV, do so. But the Regional Authority is nothing of the sort. The Regional Authority is a body to be chosen by the Local Governments whom I think we may safely leave to defend the interests of motor transport within their jurisdiction. It was said that the Bill has been designed to strangle motor transport. If that were the case, I think we who have been responsible for its preparation deserve little respect from this House because there are easier ways of doing it than drafting an enormous Bill. Is it any evidence of our malevolence that since 1929 we have distributed from our own sources of revenue more than Rs. 8 crores for road development, that we are distributing each year from Rs. 1½ crores to 1¾ crores for that purpose and that we are prepared to do so so long as we are ensured of the co-operation and co-ordination of the provinces? We would also be guilty of the most colossal foolishness if we attempted to do any such thing because, as pointed out by Mr. Ayyangar this morning, we should be killing the goose that lays golden eggs to the value of 7 crores of rupees a year. The fact is that the Railways and the Government of India,—it is impossible to separate the two—are not out to kill motor transport. They recognise the usefulness of its function in developing the trade of India but they believe that the railways and motor transport can live best together and to the best advantage of the country if their activities are co-ordinated. They are not afraid of competition, if it is fair competition. We may argue as to what constitutes fair competition but I am myself persuaded that in many places the railways have not been working under fair conditions.

I come now to the Compulsory Insurance Chapter in regard to which the Honourable the Leader of the Opposition made play of statistics. It is very easy to make statistics show whatever one wants (Congress Benches: "Hear, hear.") unless one gives them (I want you to listen to this qualification) some sort of physical interpretation. Now the physical interpretation of the statistics I have given you is this, that a motor car in the hands of an Indian driver is twice as lethal an instrument in India as it is in any place elsewhere in the world. That is the physical interpretation. That requires no diagram. There has, I think, been no dispute throughout the course of the debate that those who are the victims of accidents are not only the paltry 1,800 to which reference has just been made but their dependants and all those who have been injured. No one has ventured to say that the claims of these people for relief should be ignored. It has been suggested again and again that to provide that relief would be an unconscionable burden.

Mr. M. S. Aney Not unconscionable but unbearable.

The Honourable Sir Thomas Stewart: I accept the correction—would be an unbearable burden on the industry. I gave an estimate of what that burden would be and I do not regard it as unbearable. No one has endeavoured to controvert those figures, though a certain Member has suggested that there might be an alternative method of providing insurance. I should be glad to see any practicable scheme put up by him.

Finally, apprehensions have been expressed in this House as to whether the Bill did not constitute an invasion of Provincial Autonomy and here

[Sir Thomas Stewart.]

again I go for reinforcement to one of my friends across the House, Mr. Santhanam. He considered that aspect of the question and his only criticisms, as I understood him, were these: firstly that the rule-making power under Chapter VIII was reserved to the Centre. Now, that does not mean that there has been a greedy pouncing by the Central Government on the preserves of the provinces. It is a matter of practical convenience in that insurance business would be an impossibility if it were carried out throughout India under varying conditions from province to province. Mr. Santhanam's other criticism was that too great a rule-making power had been left in the hands of the Provincial Executives. Now, this question of rule-making power has been debated on the floor of the House before now. One of the strongest arguments that was used against delegating to the executive a rule-making power was that whereas in the province, where there are responsible Governments, delegation was harmless, here, where we are not responsible, delegation is objectionable. Surely he cannot now go back on his previous argument.

I have covered to the best of my ability such matters as I felt myself able to discuss in the limited time that was left to me. When I made my motion for reference to Select Committee, I expressed the hope that this House would come to the consideration of this Bill in a spirit of co-operation, with no considerations of Party. I am encouraged by what I heard in the course of the last four days to believe that such a spirit has been introduced into our discussions and that it will be carried forward into the Select Committee. In that hope I again commend my motion.

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

"That the Bill to consolidate and amend the law relating to motor vehicles be referred to a Select Committee consisting of Mr. J. A. Mackeown, Sardar Bahadur Captain Dalpat Singh, Lieut.-Colonel M. A. Rahman, Mr. F. E. James, Mr. P. J. Griffiths, Sir Muhammad Yamin Khan, Mr. Suryya Kumar Som, Mr. Muhammad Azhar Ali, Khan Sahib Nawab Siddique Ali Khan, Mr. Sham Lal, Mr. Satya Narayan Sinha, Mr. K. Santhanam, Pandit Sri Krishna Dutta Paliwal, Mr. N. C. Chunder and the Mover and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

The motion was adopted.

The Assembly then adjourned till Eleven of the Clock on Friday, the 25th March, 1938.