

# LEGISLATIVE ASSEMBLY DEBATES

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MONDAY, 20th AUGUST, 1934

Vol. VII—No. 9

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# LEGISLATIVE ASSEMBLY.

*Monday, 20th August, 1934.*

The Assembly met in the Assembly Chamber at Eleven of the Clock, Mr. President (The Honourable Sir Shanmukham Chetty) in the Chair.

## QUESTIONS AND ANSWERS.

### GOLD EXPORTED FROM INDIA.

631. \***Lala Rameshwar Prasad Bagla** : Will Government be pleased to inform this House as to how much gold, stating the value in rupees and the quantity in tolas, was exported from India up to the 1st August, 1934, since Britain went off the gold standard ?

**The Honourable Sir James Grigg** : Approximately 206½ crores of rupees and 68½ million tolas up to the 4th of August, 1934.

### DESIRABILITY OF LEVYING A DUTY ON GOLD EXPORTS FROM INDIA.

632. \***Lala Rameshwar Prasad Bagla** : (a) Is it a fact that there has been some correspondence between the Secretary of State and the Government of India with regard to the levying of a duty on gold exports ?

(b) If the answer to part (a) be in the affirmative, will Government please inform this House as to what has been the result of that correspondence ?

(c) If the answer to part (a) be in the negative, will Government be pleased to state if they are prepared, in view of the heavy exports of gold, to consider seriously the desirability of levying a duty on gold exports from India ?

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

(b) Government are unable to disclose the correspondence which took place between them and the Secretary of State.

(c) I would refer the Honourable Member to the reply which I gave to question No. 25, asked by Mr. M. Maswood Ahmad on the 16th July, 1934.

### SENIORITY OF EAST INDIAN RAILWAY AND OLD OUDH AND ROHILKHAND RAILWAY STAFF.

633. \***Mr. Gaya Prasad Singh** (on behalf of Rai Bahadur Lala Brij Kishore) : (a) With reference to their reply to question No. 818, dated the 12th September, 1933, will Government please state why, when a separate seniority list is maintained for the old Oudh and Rohilkhand Railway and the East Indian Railway staff, the East Indian Railway staff

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is promoted to posts falling vacant in the old Oudh and Rohilkhand Railway Section, thus depriving the old Oudh and Rohilkhand Railway staff of their chances of promotion ? Are Government prepared to amalgamate the seniority list of the staff of both the sections, or restrict promotion of each to its own section, or in the alternative to fix a proportion of the posts in Grades I and II for the old Oudh and Rohilkhand Railway staff ?

(b) Is it a fact that the revised scales of pay were forced on the staff against their wishes ? If so, under what rules ? Is it a fact that it has definitely been laid down that new scales of pay will apply only to new entrants or to staff who elect to come under the new rules ?

(c) Are Government prepared to review the cases of all those men who have been brought on the new scales against their wishes and to restore them to the old grades with retrospective effect ?

(d) Will Government please explain those exceptional cases fully in which certain staff was brought on to the new scales ?

**Mr. P. B. Rau :** I have called for information and will lay a reply on the table of the House in due course.

#### PROVISION OF A RAILWAY CONNECTION TO MOURAWAN AND PURWA.

634. **\*Mr. Gaya Prasad Singh** (on behalf of Rai Bahadur Lala Brij Kishore) : (a) Will Government please state if it is a fact that they contemplate providing Railway connection to the towns of Mourawan and Purwa in the Unao districts in the United Provinces ?

(b) Is it a fact that some years back, a survey for this purpose was carried out ?

(c) What was the result of that survey ? What will be the cost of providing a railway connection ?

(d) Are Government aware that there is a large amount of passenger and goods traffic between Mourawan and Cawnpore, Mourawan and Lucknow, and Mourawan and Unao ?

(e) Are Government prepared to investigate again the commercial possibilities of providing a railway connection to Mourawan and Purwa and, if found remunerative take this work in hand at an early date ?

**Mr. P. B. Rau :** (a) No such project has yet been considered.

(b) No.

(c) Does not arise.

(d) No.

(e) Government will consult the East Indian Railway Administration on this point, but judging from the position of the places named on the map, and their close proximity to existing railway lines, it does not seem likely that railways are the most suitable means of communication for the area.

**Mr. Gaya Prasad Singh :** If the zamindars of that locality are prepared to give land free to the Government for the construction of a railway line, will Government then consider the proposal, because I am authorised by this gentleman, Rai Bahadur Lala Brij Kishore, to say that they are willing ?

**Mr. President** (The Honourable Sir Shanmukham Chetty) : The reason for the asking of a question need not be given.

**Mr. P. R. Rau** : I shall convey that information to the Agent of the East Indian Railway.

**UNSATISFACTORY ARRANGEMENTS FOR SUPPLY OF FOOD ON PILGRIM SHIPS.**

635. **\*Khan Bahadur Haji Wajihuddin** : (a) Is it a fact that Haji Muhammad Hamza of Hyderabad State and party, who performed their voyage to Jeddah and back during the last pilgrim season by S.S. "Rizwani" and "Jehangir", have stated their experience before a responsible officer of the Port Haj Committee at Bombay on his return from the pilgrimage in the following words :

"Chapatties were half-cooked, mutton dishes were of very bad taste. On S.S. 'Jehangir' people threw away their food. Hotel people also throw away the food when not taken by pilgrims. Sheep after slaughtering being cleaned by sweeper. Pilgrims were dissatisfied with food arrangement."

If so, what action do Government propose to take in the matter ?

(b) Is it a fact that the pilgrims named below have performed their inward voyage during the last Haj pilgrim season by S.S. "Rizwani" from Jeddah to Bombay :

- (1) Muhammad Din and party,
- (2) Ghulam Dastgir (with a party of 25 pilgrims),
- (3) Muhammad Esa Dare (with a party of 30 pilgrims),
- (4) Khawja Moinuddin, retired Director of Medical Sanitation Department of Hyderabad, Deccan,
- (5) Chowdhury Sirdar Khan, retired P.C.S., Ferozewalla, and
- (6) Mr. Ahmad Saood, retired Extra Assistant Commissioner ?

(c) Are Government aware that all these pilgrims were perfectly dissatisfied with the food provided to them on board the ship, and that in spite of repeated reports made by them to the master of the ship, no improvement in the supply was made throughout the voyage to India ? If so, do Government propose to consider the advisability of abolishing compulsory advance payment for food and introduce "Pay as you buy" system ?

(d) Is it a fact that Dr. M. U. S. Jung, M.A., LL.D., Bar-at-Law, of Allahabad, who performed his voyage from Jeddah to Bombay during the last pilgrim season per S.S. "Khusro" has stated, in his report as a member of the Ship Haj Committee that :

"Food was of very poor quality. Hajis were dissatisfied with ordinary food and they took special dishes at extra amount. In the price paid in advance with ticket much better quality food can be purchased, special spaces were reserved for steamer servants who sell them to passengers on payment. Owing to mismanagement of the Shipping Company at Jeddah three pilgrims fell into the sea. Steamer Company collected cooly charges but coolies again extorted money from the pilgrims."

If so, will Government be pleased to state what action they propose to take to compensate the pilgrims who suffered on the voyage and to remove the difficulties experienced by the pilgrims after the passage of Merchant Shipping Act (Amendment Act) of 1932 ?



(e) Are Government aware that Maulana Hasrat Mahani, a well-known Muslim leader, and Musammat Fatma Begum, Lady Superintendent, Municipal Girls School, also worked as members of the Ship Haj Committee along with Dr. M. U. S. Jung, M.A., LL.D., and both the members endorse the experiences stated by Doctor Jung?

(f) Have any suggestions been made by them, or any other Pilgrimage Committees, to improve the lot of Indian pilgrims during the voyage and if so, do Government propose to lay on the table of this House copies of their reports in this connection?

**Mr. G. S. Bajpai :** I would refer the Honourable Member to the reply given by me to his starred questions Nos. 594, 597 and 598 on the 14th August, 1934. I would add that some of the complaints referred to by the Honourable Member in parts (a)---(e) of the present question have not been seen by Government.

#### PREVENTION OF TRAVELLING WITHOUT TICKETS ON THE EAST INDIAN RAILWAY.

**636. \*Khan Bahadur Haji Wajihuddin :** (a) With reference to the reply to starred question No. 155, dated the 16th February, 1934, laid on the table of this House on the 9th April, 1934, will Government be pleased to state whether it is a fact that, as per reply of the Agent, East Indian Railway, the *main duty* of the present Travelling Ticket Examiners is "detection" and that of the Ticket Collectors "prevention"?

(b) Is it also a fact that, as per Agent's reply, the very same was the function of the Travelling Ticket Inspectors under the Accounts Department and the Ticket Collectors under the Operating Department, before the introduction of the Crew system?

(c) Will Government be pleased to state how the Agent, East Indian Railway, has come to the conclusion that under the old system the "notorious prevalence of illicit travelling" existed and that is why the present system (Moody-Ward) was introduced which has "certainly effected an improvement"? Is it a fact that Messrs. Moody and Ward have not said a word about the old system referred to by the Agent in his reply?

**Mr. P. E. Rau :** (a) The principal duty of Travelling Ticket Examiners is to detect passengers travelling in trains without proper tickets, and one of the duties of ticket collectors is to prevent passengers without proper tickets obtaining access to passenger platforms.

(b) and (c). The two systems may in essentials be similar; but an improvement can be effected by an increase in the staff employed and more intensive supervision.

#### EVIDENCES GIVEN BEFORE THE HAJ ENQUIRY COMMITTEE RELATING TO ELIMINATION OF MUALLIMS FROM INDIA.

**637. \*Khan Bahadur Haji Wajihuddin :** (a) Will Government be pleased to lay on the table extracts of evidences given before the Haj Enquiry Committee so far as they relate to the question of elimination of Muallims from India?

(b) Will Government be pleased to state whether they would allow the Members of this House to inspect the written and oral statements made before the Haj Enquiry Committee with regard to the control of *Muallims Sabees, Hamledars* and pilgrims guides in India ?

**Mr. G. S. Bajpai :** (a) No. The evidence has not been printed.

(b) Yes.

**ADVISABILITY OF REMOVING THE PUSA INSTITUTE TO MEERUT INSTEAD OF TO DELHI.**

638. **\*Khan Bahadur Haji Wajihuddin :** (a) Has the attention of Government been drawn to a message published in the *Hindustan Times*, dated the 5th August, 1934, on page 13 under the heading "Agricultural Institute", "Why not transfer it to Meerut" ?

(b) Are Government prepared to consider the advisability of removing the Pusa Institute to Meerut instead of to Delhi ?

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

(b) No.

**DELAY IN THE ISSUE OF RAILWAY RECEIPTS AT CAWNPORE CENTRAL GOODS SHED.**

639. **\*Khan Bahadur Haji Wajihuddin :** (a) Is it a fact that at Cawnpore Central Goods Shed, Railway receipts for goods to be carried by goods train are not generally issued at once and on the same day, to the person handing over the goods ?

(b) Will Government be pleased to state on whose responsibility and risk such goods remain at the station before a receipt is given, whether at owner's risk or at Railway risk ? If at Railway risk, why are not railway receipts given at once ?

(c) Are Government aware that this procedure of granting receipts after two or three days involves extraordinary difficulties to business men ?

(d) Do Government propose to consider the advisability of issuing immediate orders, asking the authorities concerned to deliver the receipts to the persons, handing over the goods for transportation at once ?

**Mr. P. R. Ray :** (a) Government have no information, but I am having enquiries made.

(b) As regards the first part, goods are normally at owner's risk till a receipt is given. The second part of the question does not, therefore, arise.

(c) and (d). I am asking the Agent, East Indian Railway, to enquire into the matter with a view to taking such action as may be feasible for the removal of any inconvenience caused to the trade.

**REPRESENTATION REGARDING THE INDIAN IRON AND STEEL DUTIES BILL.**

640. **\*Khan Bahadur Haji Wajihuddin :** (a) Will Government be pleased to lay on the table copies of representations received by them from various individuals and associations, regarding Iron and Steel Duties Bill ?

(b) Are Government aware that Cawnpore market is heavily overstocked with Tatas galvanised iron sheets ?

(c) Are Government aware that reduction in duty on British and Continental sheets shall mean a huge loss to the Merchants holding stocks ?

(d) When do Government propose to enforce the proposed Bill ?

(e) How do Government propose to safeguard the interests of iron and steel stockists and merchants ?

**The Honourable Sir Frank Noyce :** (a) Government are of opinion that the points raised by the very numerous representations received from various individuals and associations, regarding the Iron and Steel Duties Bill, have received adequate publicity both within and outside this House. They are, therefore, of opinion that no useful purpose would be served by laying copies of these representations on the table of the House.

(b) and (c). Government have received representations to this effect.

(d) and (e). As the Honourable Member is doubtless aware, it is now proposed that the new duties should have effect from the 1st November, 1934.

**Dr. Ziauddin Ahmad :** May I ask whether all these opinions were laid before the Select Committee ?

**The Honourable Sir Frank Noyce :** I am not quite sure how many of these opinions were actually placed before the Select Committee, but I think they knew the purport of them all : I have not the actual representations before me.

**Dr. Ziauddin Ahmad :** May I ask whether the representations received by the Government were considered by the Government alone or were also considered by the Select Committee ?

**The Honourable Sir Frank Noyce :** I think the whole question of iron and steel protection is coming up before this House tomorrow, and I would suggest that any points the Honourable Member has to raise might be raised in the course of that discussion instead of by way of supplementary questions today.

**Dr. Ziauddin Ahmad :** Will the Honourable gentleman supply us, or me at least, a copy of the representations, so that I may make use of them in my speeches ?

**The Honourable Sir Frank Noyce :** I will pass on that request to the Commerce Department.

**Dr. Ziauddin Ahmad :** Will Government be able to supply a copy of the evidence also ?

**The Honourable Sir Frank Noyce :** That, again, I shall have to ask the Commerce Department about.

**Seth Haji Abdoola Haroon :** May I ask why the Government have fixed the date from 1st November, whereas..... ?

**Mr. President (The Honourable Sir Shanmukham Chetty) :** I think that should arise during the course of the discussion on the Bill.

**Mr. Vidya Sagar Pandya :** Not only on the Steel Bill, but on other Bills also a number of representations were made to the Government. Why should they not be made available to the members of the Select Committee and also to Members of the House ?

**The Honourable Sir Frank Noyce :** As I have pointed out, that is a question which could much more suitably be raised in the course of discussions on the Bill tomorrow.

PROCEEDINGS OF THE INDIAN TEA LICENSING COMMITTEE.

641. **\*Mr. S. C. Mitra :** (a) Will Government please state whether the proceedings of the Indian Tea Licensing Committee are always kept strictly private and confidential ? If so, why ?

(b) Why are the proceedings that concern the Tata trade, not published for the benefit of the trade ?

(c) Will Government please state the principles adopted by the Licensing Committee for deciding the applications for special treatment for export quota under Rules 4 and 5 of section 23 of the Tea Control Act, and the condition for granting permission to extend the quota ?

**The Honourable Sir Frank Noyce :** (a) The proceedings of the Indian Tea Licensing Committee are private and confidential, but copies are sent privately to the chairman of all tea planters' associations. The proceedings often deal with matters of detail connected with the working of individual estates which the Committee do not consider it desirable to publish.

(b) Circulars are issued periodically by the Licensing Committee to all tea producers regarding matters of general interest to the trade in relation to the administration of the Indian Tea Control Act, 1933.

(c) No principles capable of general application have been laid down for the guidance of the Committee in dealing with applications for special treatment. Each such application is considered by the Committee on its merits and is then submitted to the Government of India for final orders together with the Committee's recommendations.

**Dr. Ziauddin Ahmad :** May I ask whether there is any appeal from the decision of this Licensing Committee, because I have got certain representations ?

**The Honourable Sir Frank Noyce :** I am afraid that I must plead ignorance of the exact wording of the Act, but I shall be glad to find out and let the Honourable Member know.

PROHIBITION OF TRANSFER OF EXPORT QUOTAS OF TEA.

642. **\*Mr. S. C. Mitra :** (a) Is it a fact that a condition has now been provided whereby the tea gardens getting an additional crop basis, are not permitted to transfer their export rights ?

(b) Is it not a fact that in the referendum of the 14th January, 1933, taken from gardens regarding restriction of exports, it was expressly provided that the export quotas would be transferable ?

(c) Will Government please explain why the Indian Tea Licensing Committee should be permitted to frame rules prohibiting the transference of quotas in the case of gardens getting quotas on additional crop basis ?

**The Honourable Sir Frank Noyce :** (a) Government understand that when the Indian Tea Licensing Committee issues notices to tea estates advising them of the grant of additional export rights it lays down a condition that such export rights shall not be transferred. The Committee, however, makes it permissible for any estate to transfer its regulation export rights if the additional export rights granted under rule 4 of the rules made under section 23 of the Indian Tea Control Act are relinquished by the 15th September.

(b) Yes. It may be mentioned, however, that the Referendum did not provide for the grant of additional rights over and above the regulation export rights.

(a) Government are examining the legality and propriety of the steps taken by the Committee in this matter.

#### CONNECTION OF MR. SARAT CHANDRA BOSE WITH TERRORIST ACTIVITIES.

643. **\*Mr. S. C. Mitra :** (a) Has the attention of Government been drawn to the leaderette in the *Hindustan Times* of the 3rd July, 1934, wherein is stated :

“ The crime for which Mr. Bose (Sarat Chandra Bose) was clapped in prison was not active participation in the civil disobedience movement but suspicion that some of the money he gave so freely, for Patriotic objects found its way into the hands of organizations declared unlawful by the Government ” ?

(b) Is this statement mainly correct ?

(c) Have Government any evidence in their possession to prove that Mr. Bose had any knowledge that the money he gave for patriotic and charitable objects was ever misused for any illegal purposes ?

(d) Is it a fact that there is not an iota of evidence against Mr. Sarat Chandra Bose being directly connected with any terrorist activities ?

(e) Is it not a fact that the main charge against Mr. Bose is that he was an associate of his younger brother, Mr. Subhas Bose ?

**The Honourable Sir Henry Craik :** (a) I have seen an article containing the quotation in the *Hindustan Times* of the 1st August.

(b) to (e). I would refer the Honourable Member to the answers given by me to Mr. Bhuput Singh's question No. 261 and to the supplementary question thereon on the 1st August, and to my speech on August 16th, to which I have nothing to add.

**Mr. S. C. Mitra :** Relating to part (d), may I take it that my question is correct ?

**The Honourable Sir Henry Craik :** No ; certainly not.

#### MEMORIAL SUBMITTED BY THE STAMP VENDORS OF THE RANGOON GENERAL POST OFFICE.

644. **\*Mr. S. C. Mitra :** (a) Has the attention of the Director General of Posts and Telegraphs been drawn to the memorial submitted by the Stamp Vendors of the Rangoon General Post Office and its T. S. Os.

for raising and restoring their status from the "inferior non-pensionable to superior pensionable" ?

(b) Is it a fact that formerly this class of Government servants was treated in cadre like the 'sorting and overseer postmen' and not like ordinary 'postmen' ?

(c) Is it a fact that their scale of pay was always higher than that of the postmen and was exactly on the same footing as that of the 'sorting and overseer postmen' who are ranked superior ?

(d) Do Government contemplate classifying their service as 'superior pensionable service' ?

**The Honourable Sir Frank Noyce :** (a) and (d). Eight Departmental Stamp Vendors of the Rangoon General Post Office have submitted identical petitions, dated the 10th July, 1934, to the Director General of Posts and Telegraphs, in which they pray that the status of their service may be raised from "inferior non-pensionable" to "superior pensionable". The petitions are under the consideration of the Director General.

(b) and (c). The Departmental Stamp Vendors in the Rangoon General Post Office and its Town Sub-offices were and are on the same scale of pay as sorting and Overseer Postmen, but they have never been included in the cadre of such Postmen. In the case of all men appointed after the 20th November, 1923, as Departmental Stamp Vendors, service is inferior and non-pensionable.

#### DEVELOPMENT OF SALT MANUFACTURE IN BENGAL.

645. **\*Mr. S. C. Mitra :** (a) Will Government please make a statement regarding the steps already taken by the Government of Bengal to develop the salt manufacture there ?

(b) What are the further measures that they contemplate to take in the near future ?

(c) What amount of money they propose to spend on their schemes ?

(d) How many ware-houses are going to be built, and when ?

(e) How many littoral districts there are in Bengal ? Will ware-houses be built in each such district ?

**The Honourable Sir James Grigg :** (a) and (b). The Honourable Member will find a full statement of the steps taken by the Government of Bengal to explore this matter in the speeches of the Finance Member of that Government in the Bengal Legislative Council on the 16th of March, 1933, and the 13th of March, 1934. I wish to add that since the debate in the Assembly on the 28th of March, 1934, we have been in communication with the Government of Bengal on the subject, and the Government of India are satisfied that the Government of Bengal have fully complied with the terms of the Assembly's Resolution of the 1st of April, 1931, and that they have been well advised not to waste money on schemes which hold out no prospects of success. At the same time, the Government of Bengal have been pursuing further enquiries into the possibility of developing salt manufacture in Bengal. They referred the question to their Board of Industries and they recently received their report which is at present under consideration.

(c) As no scheme has yet been approved, there is no question at present of any expenditure.

(d) The Government of Bengal have under examination a scheme for establishing two warehouses as an experimental measure.

(e) Seven. The scheme under examination provides for warehouses in two districts only.

**Mr. K. C. Neogy :** Is the Honourable Member aware, with reference to his statement that the Government of Bengal has fully carried out the terms of the Resolution of the Assembly, that his predecessor in office held a contrary view ?

**The Honourable Sir James Grigg :** Yes, Sir.

**Mr. K. C. Neogy :** What has happened since the predecessor of the Honourable Member made that statement in the House to change the opinion in the matter ?

**The Honourable Sir James Grigg :** That is contained in my answer to Mr. Mitra's question :

“ I wish to add that since the debate on the Assembly on the 28th March, 1934, we have been in communication with the Government of Bengal on this subject.”

**Mr. K. C. Neogy :** Do I take it then that the mere fact that the Government of India have been in communication with the Government of Bengal establishes the point that the Government of Bengal have carried out the terms of the Resolution of the Assembly ?

**The Honourable Sir James Grigg :** That is not the effect of my answer. I stated that the Government of India are satisfied that the Government of Bengal are carrying out the terms of the Resolution of the Assembly.

**Mr. K. C. Neogy :** Will the Honourable Member give the House an idea of the steps that the Government of Bengal have taken and which have led the Honourable Member to say that the Government of India are satisfied ?

**The Honourable Sir James Grigg :** That will take too long. It is a matter for debate, and not for a reply to a question.

**Mr. K. C. Neogy :** Will the Honourable Member be pleased to lay on the table of the House a statement about the matter ?

**The Honourable Sir James Grigg :** The information is fully contained in the speeches of the Finance Member to the Government of Bengal to which I have already referred.

**Mr. K. C. Neogy :** Is the Honourable Member aware of the fact that those speeches were made before the statement of his predecessor in this House to the effect that the Government of Bengal had failed to carry out the terms of the Resolution of the Assembly ?

**The Honourable Sir James Grigg :** Yes, I am also aware that the Government of Bengal took the strongest exception to the statement of my predecessor.

**Mr. K. C. Neogy :** What has happened actually that has gone to satisfy the Honourable Member that his predecessor was wrong ?

**The Honourable Sir James Grigg :** I have investigated the matter myself in consultation with the Government of Bengal.

**Sir Cowasji Jehangir** : Does the Honourable Member disagree with his predecessor ?

**The Honourable Sir James Grigg** : The Honourable Member can draw whatever inference he likes from my answer.

**Sir Cowasji Jehangir** : I am not here to draw inferences. I am here to get information. Does the Honourable Member say that he disagrees with his predecessors ?

**The Honourable Sir James Grigg** : Yes, Sir ; I do.

**Mr. K. C. Neogy** : On what grounds ?

**The Honourable Sir James Grigg** : On the ground that I have conducted an investigation myself in consultation with the Government of Bengal in this matter.

**Mr. K. C. Neogy** : Will the Honourable Member take the House into his confidence and give us the facts ? It is not sufficient if he merely says he has investigated the matter and has satisfied himself.

**Mr. Gaya Prasad Singh** : When the Honourable Member's predecessor made this statement, did he make it in his personal capacity or as representing the views of the Government of India ?

**The Honourable Sir James Grigg** : I could not answer that. I was not here.

**Mr. K. C. Neogy** : Does the Honourable Member realise the seriousness of the position when a responsible Member of the Government states that he disagrees with his predecessor in office ?

**The Honourable Sir James Grigg** : Perfectly.

**Mr. K. C. Neogy** : What is the Honourable Member going to do for the purpose of satisfying this House that the Honourable Member is correct and his predecessor was not ?

**The Honourable Sir James Grigg** : If the Honourable Member will put down a question on paper, I will answer that.

**Mr. Gaya Prasad Singh** : There is no time now for giving notice of questions.

**Mr. S. C. Mitra** : With reference to part (e) of my question, may I take it that the two warehouses that are going to be built are only as an experimental measure, and that if they are successful, there will be seven more warehouses built in the seven littoral districts of Bengal ? Am I right ?

**The Honourable Sir James Grigg** : I am sorry, but that was not the effect of my answer. If the Honourable Member will refer to part (d) of the answer, he will see that the Government of Bengal have not yet come to any final conclusion, even on the scheme for establishing two warehouses which they have under consideration.

#### DEVELOPMENT OF SALT MANUFACTURE IN BENGAL.

646. **\*Mr. S. C. Mitra** : (a) Will Government please state if the Bengal Government are going to bring any salt expert from Burma and Madras to Guide the Salt Manufacture in Bengal ?



(b) Is it a fact that demonstration factories were started in Burma some years ago by Government where salt manufacture was first taken up?

(c) Do Government contemplate establishing some such demonstration factories in Bengal? If not, why not?

(d) Do Government propose to send some officials from Bengal to visit Burma and Madras to acquire experience of local salt manufacture?

**The Honourable Sir James Grigg :** (a) The Government of Bengal have a proposal of this nature under consideration.

(b) Only one such factory was established and that has now been closed.

(c) Not at present. The enquiries made by the Government of Bengal into possible methods of salt manufacture have not disclosed any facts which would justify the establishment of demonstration factories in that Province.

(d) Not at present.

**Mr. S. C. Mitra :** With reference to the reply to part (b) of the question that there was only one factory established and that that has now been closed, may I take it that this was due to the fact that it had already fulfilled its purpose? If so, are Government ready to open such demonstration factories in Bengal also after satisfying themselves about the necessity of such factories?

**The Honourable Sir James Grigg :** As far as the first part is concerned, I believe that is so.

**Mr. Jagan Nath Aggarwal :** May I know if any attempt has been made to supply powdered salt from Khewra to Bengal?

**The Honourable Sir James Grigg :** I believe I have some recollection of its having been mentioned during the proceedings of the Public Accounts Committee that one or two experimental consignments had been sent to Bengal, but that they were not sold. At any rate, it was quite clear that Khewra salt could not be supplied at an economic price.

#### LOCAL GOVERNMENTS SHARE OF THE ADDITIONAL SALT DUTY.

647. **Mr. S. C. Mitra :** (a) What amount of money is now lying at the disposal of the Government of India which they may distribute to the Provinces for encouraging local salt manufacture?

(b) Have Government already distributed to the Local Governments their share of the additional salt duty? If so, when, and how much?

**The Honourable Sir James Grigg :** (a) About 1½ lakhs.

(b) I lay a statement on the table.

I wish to add that in connection with my Honourable friend's question, that my attention has been drawn for the first time to the undertaking given by my predecessor, in reply to a supplementary question on the 20th April by Mr. Neogy, that no distribution to Provinces should be made until the House had had an opportunity of discussing the Resolution. I have, of course, enquired why in view of this undertaking a

distribution has been made, and have ascertained that it was due to an oversight for which I must express my great regret.

*Statement showing the distribution of the additional import duty on foreign salt made on 29th May, 1934, for the latter half year of 1933-34.*

	Rs.
Burma ..	1,11,700
Bengal ..	93,900
Bihar and Orissa ..	49,600
Assam ..	11,300
Bombay .. ..	2,900
United Provinces ..	1,500
Central Provinces ..	100
Madras ..	100
Total ..	2,71,100

**Mr. S. G. Jog :** May I know if the amount is being distributed to all the Provinces or only to a few ?

**The Honourable Sir James Grigg :** That information is contained in the statement I have laid on the table.

**Mr. K. C. Neogy :** When did this distribution take place, please ?

**The Honourable Sir James Grigg :** I believe in April. No, I am sorry, it must have been in May, for it was certainly after my arrival.

#### DISCUSSION OF THE SALT RESOLUTION IN THE LEGISLATIVE ASSEMBLY.

**648. Mr. S. G. Mitra :** (a) Do Government propose to convene a meeting of the Salt Committee before the present Assembly is dissolved ?

(b) Do they propose to call the Commissioners of Salt, or their representatives, to be present during the discussions of the Salt Committee ?

(c) When are Government allotting a day during this Session to discuss the Salt Resolution ?

**The Honourable Sir James Grigg :** (a) No. There is nothing at present to put before the Committee.

(b) Does not arise.

(c) I understand (my Honourable friend, Mr. Neogy, will be able to correct me if I am wrong) that, as a result of informal discussions after the debate on the 28th March, it was arranged that Members interested in this matter should try and arrive at an agreed formula for the amendment of the Resolution and that, when this was done, Government would give facilities for its discussion. I do not know what progress has been made in this direction, but if notice is given of any such amendment to the Resolution, Government will of course try to arrange for its discussion in accordance with the promise given by my predecessor. I am afraid, however, that it will not be possible to arrange for a day until after the Government business of the Session has been disposed of.

**Mr. K. C. Neogy :** Do I take it then that the Government of India intend to set apart some time for the discussion of this Resolution whenever it is ?

**The Honourable Sir James Grigg :** No, Sir ; I do not want anything to be assumed from my answer that is not contained in it. The proposal was that there should be a discussion during this Session, and if there is a demand for a discussion in this Session, Government will certainly try and meet it.

**Mr. K. C. Neogy :** Does the Honourable Member realise that when the matter came up before this House in April last, its consideration was postponed on a motion made by myself ? May I also tell him that without a discussion of the Resolution, Government will not be justified in making the distribution ?

**The Honourable Sir James Grigg :** I shall have to look into that. When I enquired about this point, I understood that, in the absence of any further action, distribution would go on in accordance with the old Resolution.

**Several Honourable Members :** No, not at all.

#### KEEPING OF STATE PRISONERS AT ONE PLACE.

649. **\*Mr. S. C. Mitra :** (a) Will Government please state how far the policy of keeping all the State prisoners, now detained in various jails in the Punjab, Madras and the Central Provinces, at one place near Nasik, has advanced ? By what time are they likely to be taken to that central detention camp ?

**The Honourable Sir Henry Craik :** As regards the first part of the question, no such proposal is under the consideration of the Government. The second part does not arise.

#### ILLNESS OF STATE PRISONER MR. JIBON LAL CHATTERJEE.

650. **\*Mr. S. C. Mitra :** (a) Is it a fact that State prisoner, Mr. Jibon Lal Chatterjee, detained in the Central Jail at Rajahmundry, Madras, has been suffering from tuberculosis and appendicitis ?

(b) What is his present weight now ?

(c) Is it a fact that he has lost one-fifth of his weight when he was first detained ?

**The Honourable Sir Henry Craik :** (a) Yes, he is suffering from an early stage of tuberculosis and has been recommended to undergo an operation for appendicitis when his health, which is indifferent, has improved.

(b) and (c). When first detained under the Regulation in 1931, his weight was 112 lbs. In June last, it was 91 lbs., and in July, 89 lbs. But since his transfer to Bellary, following the recommendation of the medical authorities at the Tuberculosis Hospital, Madras, who examined him in May last, he has gained eight pounds, his present weight being 97 lbs.

#### DIET ALLOWANCE OF STATE PRISONER MR. JIBON LAL CHATTERJEE.

651. **\*Mr. S. C. Mitra :** (a) Is it a fact that the Medical Officer of the Rajahmundry Central Jail is under the impression that the cost of

diet of the State prisoner, Mr. Jibon Lal Chatterjee, should not exceed the diet allowance of Re. 1-4-0 per diem ?

(b) Is it not a fact that prisoners are entitled to hospital diet that may be more costly than ordinary prisoner diet ?

(c) Are not the State prisoners entitled to a diet that is prescribed by experts for their health during treatment, though it may exceed the ordinary diet allowance ?

**The Honourable Sir Henry Craik :** (a), (b) and (c). The diet allowance of the State prisoner Jibon Lal Chatterjee has recently been increased from Rs. 1-4-0 to Rs. 2 on account of the special diet prescribed for him by the medical authorities.

# ILLNESS OF STATE PRISONER MR. JIBON LAL CHATTERJEE AND HIS TRANSFER TO THE NASIK JAIL.

652. \***Mr. S. C. Mitra :** (a) Is it a fact that State prisoner, Jibon Lal Chatterji, was examined by experts in the Madras Hospital and his case has been diagnosed as suffering from tuberculosis and appendicitis ?

(b) Did the experts prescribe any medicine and special food ?

(c) Is it a fact that when an item in the prescription was not available in the jail hospital, the local Medical Officer to avoid extra costs of purchasing from the market, substituted other inferior medicines without consulting the experts ?

(d) Is it a fact that Mr. Chatterjee has lost four pounds more under the treatment and diet prescribed by the Medical Officer of the Rajahmundry jail ?

(e) Is it a fact that the experts advised that Mr. Chatterjee should be transferred to a colder climate ? Do Government propose to get him transferred to the Nasik jail ?

**The Honourable Sir Henry Craik :** (a), (d) and (e). I have already answered these parts of the question.

(b) No medicines were prescribed by the expert beyond a daily colon lavage. The special diet prescribed by the Medical Officer of the Jail was approved by the Superintendent, Tuberculosis Hospital, Madras.

(c) No.

# MONTHLY CONSOLIDATED ALLOWANCE FOR MEMBERS OF THE LEGISLATIVE ASSEMBLY.

653. \***Mr. S. C. Mitra :** (a) Is it a fact that Government contemplate fixing a consolidated monthly allowance for the non-official Members of this house in place of the daily allowance ?

(b) Will it apply to the case of officials also ?

(c) Is it a fact that the official Members now receive the usual daily allowance in addition to their full salary, and all other emoluments, including sometimes the travelling allowances of their peons also ?

(d) What are the reasons for this additional payment of daily allowances ?

(e) How many speeches were delivered by official nominated Members, on an average, daily during the last four Sessions of this Assembly ?

(f) Do the officials of the Government of India headquarters who are nominated to the Assembly also get an additional daily allowance ? If not, why, and what is the reason for this discrimination ?

**The Honourable Sir James Grigg :** (a) and (b). Government have had under consideration the question of replacing the present system of daily allowances, by a fixed annual payment, in the case of non-official Members only.

(c) and (d). Official Members, whose headquarters are elsewhere than at Delhi and Simla, receive the same daily allowance as non-official Members and for precisely the same reason, namely, to compensate them for the extra expenditure involved in living elsewhere than at their usual place of residence. If an official Member, serving under a Provincial Government, continues in charge of his ordinary duties during his period of Membership of the Assembly, a peon accompanying him in connection with his ordinary official duties receives the usual travelling allowance from the Local Government concerned. The official Member receives no benefit from the travelling allowance paid to the peon.

(e) Government do not consider that the value of the information sought would be commensurate with the labour involved in extracting it. If the Honourable Member thinks otherwise, it is open to him to extract the information from the Official Debates.

(f) No ; because the reasons for paying the daily allowance which have been explained in the reply to parts (c) and (d) have no application to such official Members.

**Mr. Gaya Prasad Singh :** Is it not a fact that if the official Members do not contribute by their speeches, they at least contribute by their votes ? (Laughter.)

**The Honourable Sir James Grigg :** I believe that is so. (Laughter.)

**Dr. Ziauddin Ahmad :** With reference to part (e) of the question, did Government consider a proposal that the official Members coming from the Provinces should meet in this House once a week and review the speeches of the Opposition, and the Members of the Opposition should be allowed to sit in the galleries then ? (Laughter.)

**The Honourable Sir James Grigg :** I do not know anything about that.

**Sir Gowasji Jehangir :** Is the Honourable Member aware that, on more than one occasion, from this side of the House the Government were informed that economy could be effected by dispensing with the services of these Honourable Members who come from the Provinces drawing their usual salaries, some of which amount to Rs. 3,000 and more, and by substituting them by dummies who could vote ? (Laughter.)

**The Honourable Sir James Grigg :** I daresay further economy could be effected if a large number of Members were replaced by non-talking machines.

**Mr. Gaya Prasad Singh :** But the non-official Members are obliged not to the Government, but to their own constituencies for the seats, but so far as the official Members are concerned, Government might seriously

consider the question of replacing high paid officials who draw large amounts of salaries by clerks and others who could merely come and give their votes ? (Laughter.)

**The Honourable Sir James Grigg :** That is a new suggestion. The Honourable Member may, if he likes, put a question on the paper.

**Mr. Vidya Sagar Pandya :** Is it not a fact that on one occasion a Member from the Government side sent a note to the Leader of the House and asked permission to speak, but the note was returned with the remark, " I want your vote, and not your speech " ? (Laughter.)

**The Honourable Sir James Grigg :** The Honourable Member is giving me information and not asking for it.

**Mr. S. G. Jog :** Is it a fact that the provincial officers have made a complaint that the Government of India officials do not give encouragement to the provincial officers to make speeches ?

**The Honourable Sir James Grigg :** That also is giving me information and not asking for it.

#### APPLICATION OF THE NEW CONDITIONS OF SERVICES IN THE ARMY HEADQUARTERS.

**654. \*Mr. S. C. Mitra :** (a) Is it a fact that the new conditions of service, recently introduced in the Army Headquarters offices, have been applied to those civilian clerks too who entered service as a result of the competitive examination held by the Public Service Commission in November, 1932, notwithstanding the fact that they received no warning from the Public Service Commission, either at the time of holding the examination or at the time of their appointment, that there was any possibility of their being governed under the Indian Army Act ?

(b) Is it a fact that all those persons who entered similar services as a result of the competitive examination held by the Public Service Commission in February, 1931, have been confirmed on old rates of pay on account of the fact that they were not specifically warned before or at the time of examination that the rates of pay of the posts for which they were candidates, were under revision ?

(c) If the answer to part (b) be in the affirmative, will Government be pleased to state why the new conditions of service have been applied to those individuals who were not warned at all about the same, either before or at the time of examination or even at the time of appointment, and why the same policy has not been followed in these cases ?

(d) Is it a fact that the persons concerned made representations to the Public Service Commission for exemption from the revised conditions of service in the month of January, 1934, and that the views communicated by the Public Service Commission on those representations to the Government of India were in favour of such exemption ?

(e) Will Government be pleased to state whether they propose to ask the Public Service Commission to transfer such persons to Civil Secretariat and Attached Offices on the occurrence of vacancies in those

offices and appoint new persons in their places who, after receiving due warning before appointment, may be willing to accept enrolment under the Indian Army Act ?

(f) Will Government be pleased to state what other action they propose to take in the matter ?

**Lieut.-Colonel A. F. R. Lumby :** (a) and (b). Yes.

(c) The attention of the Honourable Member is drawn to the reply given in the Legislative Assembly on the 2nd March, 1934, to Mr. Uppi Sahab Bahadur's starred question No. 304.

(d), (e) and (f). The attention of the Honourable Member is drawn to my reply to his starred question No. 467 in the Legislative Assembly on the 7th August, 1934, to which, I am afraid, I am not yet in a position to add anything.

#### MANAGEMENT OF THE LAC RESEARCH INSTITUTE.

**655. \*Mr. Gaya Prasad Singh :** (a) Is it a fact that the Indian Lac Cess Act of 1921 was passed for a period of ten years in the first instance with the object of taking measures to improve the cultivation and manufacture of lac with a view to its industrial utilization, and check the competition from synthetic substitutes, and for this purpose a cess on all exports of lac was imposed ?

(b) Is it not a fact that the management was entrusted to the Committee of the Indian Lac Association for research which was subsequently replaced by the Indian Lac Cess Committee, created under the Lac Cess Act of 1930, which runs a Lac Research Institute, established in 1923, at Nankum, near Ranchi ?

**Mr. G. S. Bajpai :** (a) The operative sections of the Indian Lac Cess Act, 1921, were to remain in force for five years. These sections were subsequently extended in 1926 for a further period of five years. The object of the Act was to take steps for the promotion of the methods of cultivation and manufacture of lac by means of scientific research. At that time no synthetic substitute which could be commercially utilized had been discovered, but considerable progress has since been made towards discovering such substitutes.

(b) Yes.

#### MANAGEMENT OF THE LAC RESEARCH INSTITUTE.

**656. \*Mr. Gaya Prasad Singh :** (a) Is it a fact that the Lac Cess Committee consists of a President, who is the Vice-Chairman of the Imperial Council of Agricultural Research, and sixteen members, nominated in such a way that there are nine *ex-officio* members, two non-official Europeans, and only five non-official Indians on it ?

(b) Is it a fact that the lac cultivator has been invariably represented on the Committee by the Commissioner of Chota Nagpur, or the Deputy Commissioner of Ranchi ? Could not Government find a suitable Indian zemindar, or any other non-official Indian to represent the interests of the lac cultivators ?

(c) Is it not a fact that Bengal and the Central Provinces have sent non-official representatives on the Committee ?

(d) Do Government propose to re-construct the Committee on a more satisfactory basis ?

**Mr. G. S. Bajpai :** (a) Besides the President, there are 16 members of the Committee, of whom six and not nine are *ex-officio* members. Of the five members to be nominated by Local Governments, two are officials. There are in all eight non-officials on the Committee of whom six are Indians. I would add that the present constitution of the Committee was designed to secure the representation of scientific experience and of special interests.

(b) The cultivators' interest in Bihar and Orissa has been represented in the manner mentioned in the question. Under the Act the nomination rests with the Local Government.

(c) Yes.

(d) The question of re-constructing the Committee is under consideration.

**Mr. Gaya Prasad Singh :** May I know how the Commissioner of the Division, an official, is expected to represent the interests of lac cultivators in Bihar ?

**Mr. G. S. Bajpai :** I presume for the reason that he is in intimate touch with the cultivators.

**Mr. Gaya Prasad Singh :** Oh !

**Mr. B. V. Jadhav :** May I know from the Government whether the competition from the synthetic lac is growing stronger or weaker now ?

**Mr. G. S. Bajpai :** It was the growing strength of the competition from the substitutes that led to the appointment of research workers in England.

**Mr. Gaya Prasad Singh :** Do I understand my Honourable friend to say that the question of the composition of this Committee is under consideration ?

**Mr. G. S. Bajpai :** I have already said, that the question of re-constructing the Committee is under consideration.

#### INDIANISATION OF THE LAC RESEARCH INSTITUTE.

657. **\*Mr. Gaya Prasad Singh :** (a) What is the total strength of the Superior Staff of the Lac Research Institute, and how many of them are Europeans and Indians, and on what salaries ?

(b) What steps do Government propose to take to Indianise the staff ?

**Mr. G. S. Bajpai :** (a) Twelve, of whom three are Europeans. A statement showing their salaries, etc., is laid on the table.

(b) The Honourable Member's attention is invited to the answer given to Mr. Neogy's question No. 5 on the 16th July, 1934.



*Statement showing salaries, etc., of the Superior Staff of the Indian Lac Research Institute.*

Name.	Designation.	European or Indian.	Salary.
Mrs. Norris ..	Director and Biochemist	European ..	Ra. Pay Rs. 1,800 per mensem. Entertainment allowance Rs. 100 per mensem. Car allowance Rs. 50 per mensem.
Mr. Thakur ..	1st Assistant to the Biochemist.	Indian ..	Rs. 280 (on leave ex-India.)
Mr. Murty ..	2nd Assistant to the Biochemist.	Do. ..	Rs. 170.
Mr. Venugopalan ..	1st Field Chemist ..	Do. ..	Rs. 325.
Mr. Ranganathan ..	2nd Field Chemist ..	Do. ..	Rs. 230 plus Meteorological allowance Rs. 20.
Mr. Clover ..	Entomologist ..	European ..	Rs. 850.
Mr. Negi ..	Assistant Entomologist..	Indian ..	Rs. 260.
Mr. Misra ..	1st Field Assistant ..	Indian ..	Rs. 210.
Mr. Gupta ..	2nd Field Assistant ..	Indian ..	Rs. 210.
Dr. Aldis ..	Physico-Chemist ..	European ..	Rs. 800.
Mr. Rangaswami ..	1st Assistant to Physico-Chemist.	Indian ..	Rs. 325.
Mr. De ..	Analytical Chemist ..	Indian ..	Rs. 140.

#### RESIGNATION OF RAI BAHADUR C. S. MISRA FROM THE LAC RESEARCH INSTITUTE.

658. \*Mr. Gaya Prasad Singh : (a) Is it a fact that Rai Bahadur C. S. Misra, with high qualifications and twenty years' experience of lac cultivation, joined the Lac Research Institute in January, 1926, but had to resign in April, 1927 ?

(b) What are the circumstances that led to his resignation ?

Mr. G. S. Bajpai : (a) The dates of appointment and resignation mentioned by the Honourable Member are correct.

(b) Mr. Misra gave no reasons for his resignation.

#### APPOINTMENT OF THE HEAD OF THE ENTOMOLOGICAL SECTION.

659. \*Mr. Gaya Prasad Singh : Is it a fact that due to advertisement in England only, a young man from Leeds, who took his B.Sc. degree

in 1926 was appointed as the head of the Entomological Section to guide the work of first class M. Sc.'s of the Indian universities with many years of post-graduate experience ?

**Mr. G. S. Bajpai :** Mr. Glover, the officer referred to, holds a B.Sc. (Hon.) degree, and was appointed on an advertisement issued in England. The three assistants are M.Sc.'s of Indian Universities but no information is available as to the classes they took in the examinations and the length of their post graduate experience.

**Mr. Gaya Prasad Singh :** Do I understand my Honourable friend to say that this gentleman was appointed as a result of the advertisement which appeared in England only ?

**Mr. G. S. Bajpai :** I answered a question on the subject some time ago, when I said that both the Chemist and the Entomologist were appointed after advertisement in England only and not in India.

**Mr. Gaya Prasad Singh :** Then why was an advertisement not made in India as well in order to find out whether any suitable Indians were available ?

**Mr. G. S. Bajpai :** I explained the position at the time, that the Government of India were not responsible in any way for these appointments at the time that they were made.

**PRACTICAL RESULTS OBTAINED IN THE FIELD OF RESEARCH, CULTIVATION OF LAC, ETC., IN THE LAC RESEARCH INSTITUTE.**

660. **\*Mr. Gaya Prasad Singh :** (a) Is it a fact that over two lakhs of rupees are being spent annually over the Lac Research Institute ?

(b) What practical results have so far been obtained in the field of research, and the scientific improvement and cultivation of lac and its industrial utilization ?

**Mr. G. S. Bajpai :** (a) The average annual expenditure on the Institute is about Rs. 1,21,000.

(b) Attention is invited to the answer given to question No. 563 on August 14th.

**DIRECTOR OF THE LAC RESEARCH INSTITUTE.**

661. **\*Mr. Gaya Prasad Singh :** (a) Is it a fact that the Director of the Lac Research Institute, who is a lady Bio-Chemist, draws a salary of Rs. 1,700, an entertainment allowance of Rs. 100, a car allowance of Rs. 50 per month, with large rent-free quarters, and free supply of water and electricity ?

(b) Is it a fact that her contract of service is due to expire on the 31st December, 1934, and is there any proposal of renewing her contract ? If so, why ?

(c) Is it proposed to advertise for the post in India ?

**Mr. G. S. Bajpai :** (a) Attention is invited to the statement laid on the table in answer to question No. 657 today.

(b) Yes. The question of the renewal of her agreement is being considered by the Government of India.

(c) Attention is invited to the reply to question No. 657 (b).

**Mr. Gaya Prasad Singh :** May I know why this entertainment allowance is paid to this lady ?

**Mr. G. S. Bajpai :** We had a series of supplementary questions asked on that subject last March. I explained then that this was part of the agreement which was entered into with this lady by the Committee at a time when the appointment was not subject to the approval of the Governor General in Council. The question whether the entertainment allowance should be continued will come up for consideration when the question of renewing the agreement is decided upon by the Government.

**Mr. Gaya Prasad Singh :** My question was, what is the meaning of this entertainment allowance ? Is it for the entertainment of friends ? I want to understand how this money is being spent ?

**Mr. G. S. Bajpai :** I believe the idea is that she should be enabled to meet the expenses of entertaining members of the Committee when they visit Nankum.

**Mr. Gaya Prasad Singh :** Have the members of the Committee drawn travelling or halting allowances for the days for which they have been called to attend those particular meetings ?

**Mr. G. S. Bajpai :** I could not say whether they draw travelling and halting allowances for those days or not.

**Mr. Gaya Prasad Singh :** Does the Honourable Member realise that there is a serious point involved in this ? If this entertainment allowance has been given to this lady in order to entertain members of the Committee when they come to attend to their official duties, then if those members have drawn halting allowances for those days, it would be very unjust and inequitable. Will Government kindly make inquiries into this matter in view of the answer just now given ?

**Mr. G. S. Bajpai :** My information is that the amount of the entertainment allowance is Rs. 100 per mensem. There are actually 17 members of the Committee, and I think my friend will agree that even if they stayed for three days, Rs. 100 will not cover the cost of maintaining them.

**Mr. Gaya Prasad Singh :** I take my Honourable friend to say that this entertainment allowance is not intended to meet the legitimate expenses of the members of the Committee when they go there to attend to their official duties, but for other purposes ?

**Mr. G. S. Bajpai :** I did not express any views as to the expenses being legitimate or illegitimate. The point is that this amount is intended to enable the Director to entertain members in the ordinary way.

**Mr. K. C. Neogy :** Will the Honourable Member be pleased to inquire and find out to what extent the social amenities of Ranchi have been improved by the appointment of this lady ?

**Mr. G. S. Bajpai :** When I answered a number of supplementary questions on the last occasion, I was informed that since the Institute came into being, the amenities of Ranchi have greatly improved.

**Sir Cowasji Jehangir :** Did not the Honourable Member, in reply to one of the supplementary questions he has referred to, inform the House that this allowance was for the purpose of entertaining visitors who come to this place which, being an out of the way place, has no social amenities.

**Mr. G. S. Bajpai :** Certainly. My Honourable friend is not exactly correct as regards visitors—I said members of the Committee and visitors. It is perfectly true that I said on that occasion that the entertainment allowance was given by reason of the lack of amenities. I was corrected on that point by my Honourable friend, Mr. Gaya Prasad Singh, to whose local knowledge I bowed.

**Mr. Gaya Prasad Singh :** I did not claim any local knowledge in this matter. (Laughter.)

**Mr. G. S. Bajpai :** I am sorry to have attributed to my Honourable friend a qualification which he disclaims.

**Mr. Gaya Prasad Singh :** May I know why this lady is being given rent free quarters ? I understand that, under the rules of the Government, a Government servant has to pay one-tenth of his salary.

**Mr. G. S. Bajpai :** I have already explained in regard to terms not only of this member of the staff, but of others, that these were sanctioned by the Lac Cess Committee at a time when the terms were not subject to the approval of the Governor General in Council. I really cannot say what exactly were the reasons which influenced the Committee to make these concessions.

**Mr. Gaya Prasad Singh :** What is your answer to (c) ? Is it proposed to advertise for the post in India ? What do you say to that ?

**Mr. G. S. Bajpai :** I said I had, on a previous occasion, given an undertaking that the desirability of advertising this post in India will be brought to the notice of the Indian Lac Cess Committee. A communication on that subject has already been addressed to the Lac Cess Committee. I understand that they are going to consider that matter in November when they meet.

#### RESEARCH SCHEME IN ENGLAND UNDER THE LAC CESS COMMITTEE.

662. **\*Mr. Gaya Prasad Singh :** Is it a fact that in addition to the Nankum Institute, which annually costs over Rs. 1,40,000, there is a Research Scheme in England under the Lac Cess Committee, at an approximate annual expenditure of about Rs. 50,000, besides the American Research Scheme financed by the Lac Cess Committee to the extent of Rs. 25,000 per annum ?

**Mr. G. S. Bajpai :** The English research scheme is estimated to cost about £12,000 spread over a period of three years. The American research scheme is costing Rs. 25,000 per annum and has been sanctioned for a period of three years also.

#### NON-APPOINTMENT OF AN INDIAN AS THE HEAD OF A DEPARTMENT IN THE LAC RESEARCH INSTITUTE.

663. **\*Mr. Gaya Prasad Singh :** (a) Is it a fact that the Lac Cess Committee appointed in 1930 a young B.Sc. from London, bearing a

recommendation from his professor that "though a little stolid, he will serve your purpose" ?

(b) Is it a fact that no Indian has ever been appointed as the head of any Department of the Institute (Bio-Chemistry, Entomology, and Physico-Chemistry) ?

**Mr. G. S. Bajpai :** (a) Mr. Aldis was slightly below 24 years of age at the time of his appointment. The London Selection Committee which recommended him "regarded him as quite a good type of candidate, possibly a little stolid but one likely to do sound work and to get on well with his colleagues". His professors gave him an excellent testimonial.

(b) Rai Bahadur Misra was the head of the Entomological Department of the Institute in 1926-27 and Mr Negi officiated in that capacity in 1932.

**Mr. B. V. Jadhav :** Will the Honourable Member tell the House whether his stolidity still continues or it has improved with time ?

**Mr. G. S. Bajpai :** Not having had the privilege of knowing that gentleman, I am not in a position to say how his stolidity has varied since he came to this country.

#### ENQUIRY INTO THE AFFAIRS OF THE LAC RESEARCH INSTITUTE.

664. \***Mr. Gaya Prasad Singh :** Do Government propose to hold an enquiry into the affairs of this Institute, with the help of non-officials, in order to devise means for the purpose of putting it on a proper and satisfactory footing ?

**Mr. G. S. Bajpai :** The attention of the Honourable Member is invited to the answers I gave to the supplementary questions asked in connection with question No. 383 on the 6th of this month.

#### PUBLIC EXECUTION OF TWO NOTORIOUS DACOITS OF LARKANA, SIND.

665. \***Mr. Gaya Prasad Singh :** Is it a fact that on the recommendation of the District Magistrate of Larkana, the Government of India have ordered that two notorious dacoits of the gang of Abdul Rahman, who have been sentenced to death, and whose petitions of mercy have been rejected, should be hanged on the 8th August, 1934, publicly at Shahdad Kot, Larkana District, Sind, in order to strike terror amongst the criminal people there ?

**The Honourable Sir Henry Craik :** No, Sir. The method of execution is a matter entirely within the discretion of the Local Government.

**Dr. Ziauddin Ahmad :** What is the meaning of "No" ? Is it a fact that they were hanged.

**The Honourable Sir Henry Craik :** I believe they were.

**Sir Abdur Rahim :** Do the Government of India approve of the action taken by the Local Government or the Magistrate in this matter ?

**The Honourable Sir Henry Craik :** That is asking me for an expression of opinion. The matter is one for the discretion of the Local Government.

**Sir Abdur Rahim :** Will the Government of India take action to discourage any such exhibitions on the part of Local Governments ?

**The Honourable Sir Henry Craik :** I do not see any reason for interfering with the discretion of the Local Government in this matter.

**Mr. Gaya Prasad Singh :** Do I understand you to say that the Government of India were not consulted in the matter of the hanging of these two prisoners publicly ?

**The Honourable Sir Henry Craik :** That is true.

**Seth Haji Abdoola Haroon :** Was this done by the Local Government or the Sind Government ? There are certain powers given to the Sind Commissioner. Is this his action or that of the Bombay Government ?

**The Honourable Sir Henry Craik :** The order was passed by the Bombay Government.

**Maulvi Muhammad Shafee Daoodi :** May we know who took the initiative in this matter ?

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

**Sir Abdur Rahim :** Did the Government of India have any communication with the Local Government on this subject at all either before or after this execution ?

**The Honourable Sir Henry Craik :** Just before the execution—I think on the day before—a certain number of Members of this House approached the Secretary of my Department, and, in consequence of that, a telegram was sent to the Bombay Government to the effect that the Bombay Government had no doubt considered the points made by the Members of the Assembly. The reply was practically that the Bombay Government had considered those points.

**Mr. Gaya Prasad Singh :** What was the purport of the telegram sent by the Government of India to the Local Government in connection with this execution ?

**The Honourable Sir Henry Craik :** The telegram stated that :

“ Certain Members of the Assembly had drawn attention to an announcement in the Press regarding the public execution of a dacoit in Sind and represented that it will be undesirable on general grounds and was likely to create communal feeling. If the report is true, we presume the Local Government had considered those points and can fully justify the action taken.”

**Mr. Gaya Prasad Singh :** Do Government propose to take steps to discourage this sort of public hanging in future, because it is a relic of barbarism ?

**The Honourable Sir Henry Craik :** I think the question should be addressed to the Bombay Government and the Bombay Legislative Council.

**Mr. Gaya Prasad Singh :** The Government of India have their power of direction, superintendence and control over local administrations and will they, in pursuance of those powers, take steps in future to discourage such things ?

**The Honourable Sir Henry Craik :** I will consider that suggestion.

**Dr. Ziauddin Ahmad :** Is this not the solitary example during this century in which persons have been publicly hanged in India ?

**The Honourable Sir Henry Craik :** I should think not, but I am not certain.

**Seth Haji Abdoola Haroon :** Is the Honourable Member aware that on account of this, there has been a great excitement in the Sadar Court District ?

**The Honourable Sir Henry Craik :** No, Sir, I am not aware of that.

**Dr. Ziauddin Ahmad :** Do not Government consider that public hanging, instead of having a deterrent effect, has just the opposite effect, and that the sympathy is always then extended to the dacoits ?

**The Honourable Sir Henry Craik :** I think that is a matter of opinion. The Bombay Government took a different view.

#### ALLEGATIONS AGAINST THE STAFF OF THE AMBALA CITY RAILWAY STATION.

666. **\*Mr. Gaya Prasad Singh :** (a) Are Government aware that Srimati Lekhwati Jain, a prominent member of the Punjab Legislative Council, went to the Ambala City Railway Station (North Western Railway) on the night of the 22nd July, 1934, and asked the booking clerk for three tickets to Lahore by the Kalka Express, which leaves Ambala City at about 12-40 A.M. ; and that the booking clerk asked her to wait for a few minutes as he said he was counting the cash ?

(b) Is it a fact that seeing the train approaching, she again asked the booking clerk after some time for the tickets, and that the booking clerk not only refused to give the tickets, but became "extremely angry", and "in quite an unbecoming manner", asked her to march out, and he was "grossly insolent, and his behaviour extremely threatening and provocative" ?

(c) Are Government aware that the lady thereafter went to the Assistant Station Master on duty, who not only declined to receive her complaint, but "became rude, and positively refused to do anything", and it was with difficulty that she could get into her train in time ?

(d) Are Government aware that Srimati Lekhwati Jain addressed the Traffic Superintendent of the Railway on the subject ? If so, what is the result of her complaint ?

(e) Is not Ambala City Station supposed to have 24 hours booking, and are Government aware, as stated in her complaint, that this is not the first instance of the "high-handedness, and unjustifiable behaviour" of the booking clerk and of the Assistant Station Master, and that "several respectable ladies and gentlemen of the town have previously been insulted by these two men" ?

(f) What action has been taken, or is proposed to be taken, in this matter ?

**Mr. P. B. Rau :** The incident referred to is being inquired into. I have asked the Agent to have the matter carefully investigated and to take such disciplinary action against those responsible as, after his investigation, the circumstances of the case may require.

**NOTICE SERVED ON MR. BAHAL SINGH NOT TO LEAVE DELHI, WITHOUT PERMISSION.**

**667. \*Mr. Gaya Prasad Singh :** (a) Is it a fact that Mr. Bahal Singh was served with a notice under Section 3 of the Punjab Criminal Law Amendment Act, 1932, not to leave Delhi, without the permission of the Deputy Superintendent of Police ? If so, when was this notice served on him ?

(b) How many times during the period that he has been confined to Delhi, was Mr. Bahal Singh permitted to go out of Delhi ?

(c) Is it a fact that on the 10th, and the 18th June last, he applied for permission to go to Indore and Bombay for a few days only, to fulfil a social engagement, and for business purposes, respectively, but permission was not granted to him ? If not, why not ?

**The Honourable Sir Henry Craik :** (a) Yes. A notice was first served on the 31st January, 1933. Another notice was served on the 3rd August, 1933, which was revised on the 21st February, 1934, and, again on the 22nd June, 1934.

(b) Twice.

(c) Yes. Government are not prepared to disclose the reasons for the refusal of permission to leave Delhi.

**DEDUCTION OF ONE HOUR'S RECESS ON FRIDAYS FROM THE OVERTIME OF MUSLIM EMPLOYEES IN THE GOVERNMENT OF INDIA PRESSES.**

**668. \*Mr. M. Maswood Ahmad :** Is it a fact that if Muslim employees in the Government of India Press work overtime on Fridays, one hour's recess, which all Government employees get, for Jumma prayers, is deducted from their overtime ? If so, do Government propose to stop such practice in future ?

**The Honourable Sir Frank Noyce :** The reply to the first part is in the affirmative. As regards the second part, there can obviously be no justification for paying for overtime unless the hours actually worked are in excess of those prescribed as the normal working hours.

**RECESS ON FRIDAYS TO MUSLIM EMPLOYEES IN THE EAST INDIAN RAILWAY WORKSHOP AT LUCKNOW.**

**669. \*Mr. M. Maswood Ahmad :** (a) It is a fact that for the last twenty years one hour's recess was given to all Muslim employees in the East Indian Railway Workshop at Lucknow on Fridays ?

(b) Is it a fact that since last year pay of the journeymen and chargemen is deducted from their pay for the time which is taken by them for Friday prayers ?

(c) Do Government propose to permit the journeymen clerk and chargemen to perform their prayers without any deductions being made from their pay ?

**Mr. P. B. Ban :** I have called for the information and will lay a reply on the table of the House in due course.



**DETENTION TILL LATE HOURS OF CLERKS OF THE CHIEF MEDICAL OFFICER'S OFFICE, NORTH WESTERN RAILWAY.**

670. \***Mr. M. Maswood Ahmad** : (a) Is it a fact that the clerks of the Chief Medical Officer's office, North Western Railway, were forced by the Superintendent of that office to sit daily up to 7 P.M. or so, and that this can be verified from the attendance registers of 1932 and 1933 ?

(b) Is it a fact that this is quite against Government orders and that clerks of headquarters office used to go at 4 P.M. or at 5 P.M. at the latest ?

(c) If the replies to the preceding parts be in the affirmative, will Government please state whether any compensatory allowance was given to the clerks of the Chief Medical Officer's office, North Western Railway, for over-time ? If not, will Government please state what action they intend to take against the Superintendent for detaining the clerks till late hours against Government orders ?

**Mr. P. R. Rau** : Government have no information. This is a matter of ordinary office discipline which is within the competence of the Agent, North Western Railway, to decide, and Government do not propose to interfere.

**THIRD DIVISION CLERKS IN CERTAIN BRANCHES OF THE ARMY HEADQUARTERS.**

671. \***Mr. N. R. Gunjal** : (a) Will Government kindly state whether there were any special orders of the Staff Selection Board in 1922 that clerks, who qualified as typists, should be treated as third division clerks and stopped at the efficiency bar of the second division, i.e., at Rs. 146, and subsequently reverted to the third division, unless they passed the test for the upper division ?

(b) If the answer to part (a) be in the affirmative why are clerks in the A. G.'s, Q. M. G.'s and M. G. O. Branches of the Army Headquarters allowed to continue in the second division contrary to Government instructions ?

(c) Is it a fact that clerks have been confirmed in the second division due to the non-existence of the third division in these various Branches, and placed over those who are equally qualified and are senior in service, besides having passed the Public Service Commission examination ? Is it a fact that some clerks with third division qualifications were placed in the second division in the M. G. O.'s Branch and are therefore getting Rs. 8 per annum promotion, whereas those who are senior shall have to complete their grade in 20 years as they get only Rs. 4 per annum ?

**Lieut.-Colonel A. F. R. Lumby** : (a) No, Sir.

(b) Does not arise.

(c) Certain second division clerks, who had only third division qualifications, were confirmed in the second division while serving in the Quartermaster General's Branch in the absence of a third division in that Branch, and were later transferred to the Master-General of the Ordnance Branch in which a third division had existed for some years. This accounts for the qualified second division clerks, who accepted third division appointments in the Master-General of the Ordnance's Branch, being junior to the unqualified second division clerks transferred from the Quartermaster General's Branch.

**CONFIRMATION OF CLERKS IN CERTAIN BRANCHES OF THE ARMY HEADQUARTERS.**

672. **\*Mr. N. R. Gunjal :** (a) Will Government kindly state if the concurrence and approval of the Public Service Commission has been taken in the cases where third division clerks were confirmed in the second and the first divisions in the A. G.'s, Q. M. G.'s and M. G. O.'s Branches ? If not, why not ?

(b) Will Government kindly state if the clerks of the M. G. O. and other Branches can apply to the Public Service Commission for promotions likewise in the first or the second division ? If not, why not ?

(c) If the answer to part (b) be in the negative, do Government propose to promote those third division qualified clerks of the M. G. O. Branch to the second, without their having to undergo further Public Service Commission tests ? If not, what is the reason ?

**Lieut.-Colonel A. F. B. Lumby :** (a) No third division clerk has been promoted to the first division. As regards promotion to the second division, the reply is in the affirmative so far as the Quartermaster General's Branch is concerned. There has been no case of the kind in the Adjutant General's Branch. As regards the Master General of the Ordnance's Branch, three third division clerks have been promoted to the second division in the quota of vacancies reserved for departmental promotion.

(b) and (c). Clerks are not required to apply to the Public Service Commission for promotion. The Heads of offices are competent to promote third division clerks, whether qualified or unqualified, to the second division in the vacancies set apart for departmental promotions, provided, of course, that they are efficient.

**REVERSION OF CERTAIN SECOND DIVISION CLERKS IN CERTAIN BRANCHES OF THE ARMY HEADQUARTERS.**

673. **\*Mr. N. R. Gunjal :** (a) Is it a fact that clerks who were duly qualified for the second division in the Q. M. G. and D. M. S. Offices have been declared supernumerary and been reverted to the third division, whereas clerks who qualified as typists and the third division have been allowed to continue in the second division and even promoted to the first in the M. G. O. and A. D. O. S. (P.) Offices ? If so, do Government propose to give these vacancies to the supernumerary men ? If not, why not ?

(b) In order to avoid such irregularities and injustice, do Government propose to refer all such cases of the Army Headquarters for scrutiny by the Public Service Commission ? If not, why not ?

**Lieut.-Colonel A. F. B. Lumby :** (a) As a measure of retrenchment certain supernumerary second division clerks were, in 1933, given the option of retiring under the retrenchment terms or of accepting appointments in the third division. They accepted the latter alternative.

As regards the concluding portion of the question, the attention of the Honourable Member is drawn to the reply to part (a) of Mr. Bhuput Sing's unstarred question No. 366, dated the 16th April, 1934, which was laid on the table on the 19th July, 1934.

None of these men are now supernumerary.

(b) No, Sir. Government do not admit that any irregularity or injustice has occurred.

**LIGHTING AND SANITARY ARRANGEMENTS IN THE SHARDHANAND BASTI, DELHI.**

674. \***Rao Bahadur M. C. Bajah** : (a) Will Government kindly refer to the reply of the Secretary, Department of Education, Health and Lands to question No. 1690, dated the 14th December, 1933 stating that the Municipal Committee, Delhi, will provide all necessary lighting and sanitary arrangements in the Shardhanand Basti, Delhi, as funds become available ?

(b) Is it a fact that a sum of R. 1,00,000 has been provided in the budget of the Municipal Committee, Delhi, for providing sanitary, lighting and water-supply arrangements in the backward areas including Shardhanand Basti, during the current financial year ?

(c) Is it a fact that in spite of the statement of the Secretary, Department of Education, Health and Lands, *vide* part (a) above, the Municipal Committee, Delhi is not doing anything towards providing the facilities referred to above in the Shardhanand Basti because, according to the Municipal Committee, Delhi, the area lies within the jurisdiction of the Local Government, and not that of the Municipal Committee, Delhi ?

(d) Is it not clear from the following extract from the Government's reply to question No. 1690, dated the 14th December, 1932, that the area occupied by the Shardhanand Basti lies within the jurisdiction of the Municipal Committee, Delhi :

" It is regretted that owing to financial stringency this area has not been provided with the necessary lighting and sanitary arrangements, but the Delhi Municipality, within whose jurisdiction it lies, has had the matter under consideration for some time past and will, it is hoped, remove these difficulties as funds become available " ?

If so, why does not the Municipal Committee take any action for removing the long standing grievances of the residents of the Shardhanand Basti, when they have got plenty of funds to do so ?

(e) Are Government prepared to see that facilities regarding water supply, lighting, and drainage are provided in the Shardhanand Basti without delay, now that funds are available in the Municipal Budget ?

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

(c) No. The Municipality has earmarked Rs. 6,274 for the drainage of this Basti.

(d) The Basti in question lies within the jurisdiction of the Delhi Municipal Committee. The funds at the disposal of the Committee, are however, not sufficient to enable it to carry out at present all the improvements required in this and other localities.

(e) The matter is primarily one of Municipal administration, but Government will look into it.

**LIGHTING AND SANITARY ARRANGEMENTS IN THE SHARDHANAND BASTI, DELHI.**

675. \***Rao Bahadur M. C. Bajah** : (a) Has the attention of Government been drawn to a letter appearing in the *National Call*, of the 2nd August, 1934, complaining, among other things, that the Municipal Com-

mittee, Delhi, takes no action to prevent the open area of the Shardhanand Basti, in front of the Paharganj Municipal dispensary, from being fouled by people of the adjoining localities, although the matter has been brought to the notice of the Municipal Committee, Delhi, several times ?

(b) Do Government propose to see that necessary action is taken by the Municipal Committee, Delhi, immediately to prevent this unhealthy practice ?

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

(b) The Municipal Committee, Delhi, has already instituted negotiations to acquire a site for the construction of a public latrine in that locality.

#### REMOVAL OF SLUMS IN HARPHUL BASTI, DELHI.

676. \* **Rao Bahadur M. C. Rajah :** (a) Is it a fact that the Deputy Commissioner, Delhi, assured a deputation that waited on him on the 16th January, 1934, regarding Harphul Basti slums that he would try his best to acquire the land of that Basti within three months ? If so, has the Basti been acquired so far or not ? If not, when will it be acquired ?

(b) Did the Deputy Commissioner issue a statement intimating the position of the proceeding at the end of three months, i.e., on the 16th April, 1934 ?

(c) Do Government propose to see that a statement explaining the present position of the proceedings is issued, and that land is acquired without delay in order that the people may be able to leave the slums which are not fit for human habitation ?

**Mr. G. S. Bajpai :** (a) No. The Deputy Commissioner did not mention any time limit within which the land acquisition proceedings regarding Harphul Basti would be completed. The statement to this effect which appeared in the Press was erroneous. The Basti has not yet been acquired.

(b) No.

(c) The announcement of the award has been delayed by the unfortunate illness of the Nazul Officer whose successor has had to check and revise a great volume of evidence. The local authorities hope to complete the proceedings very shortly.

#### VACANCIES IN THE TRAINING RESERVE OF THE WOMEN'S MEDICAL SERVICE FOR INDIA.

677. \* **Mr. S. G. Jog :** Is it a fact that the Central Dufferin Fund Officer has not invited applications for vacancies in the Training Reserve of the Women's Medical Service for India in the years 1933 and 1934 ? If applications have been invited, what are the names of the newspapers and their dates, in which these vacancies were advertised ?

(b) How many applications, in response to the advertisements, were received during the years 1933 and 1934, and how many lady doctor graduates (with their names and qualifications, academic or otherwise) have been admitted to the Training Reserve by the Executive Committee ?

**Mr. G. S. Bajpai :** The answer to the first part of (a) of the question is in the negative. A statement containing the information asked for in the rest of the question is laid on the table.

**Statement.**

(a) Applications for vacancies in the Training Reserve of the Women's Medical Service for India were invited both in 1933 and 1934. Vacancies were advertised in 1933 in the "Statesman" of the 3rd, 5th and 7th September, the "Madras Mail" of the 5th, 7th and 9th September, and the "Times of India" of the 4th, 6th and 8th September. In 1934, the advertisements were published in the "Statesman" of the 10th June, the "Madras Mail" of the 4th June, and the "Times of India" of the 8th June.

(b) Eighteen applications were received in 1933 and the same number in 1934. The undermentioned graduates were admitted into the Training Reserve :—

*in 1933.*

Dr. Edith Smith, M.B.B.S., (Punjab).

Dr. Pandit, M.B.B.S., (Bombay).

Dr. Hope Lazarus, M.B.B.S., (Madras), L.R.C.P. & S.(Edin.) L.M.(Rot.), was a temporary member.

*in 1934.*

Dr. Chacko, M.M.B.S., (Madras).

Dr. Mahadevan, M.B.B.S., (Madras).

Appointments to later vacancies have not yet been made.

### REGULATION RELATING TO THE TRAINING RESERVE OF THE INDIAN WOMEN'S MEDICAL SERVICE.

678. \***Mr. S. G. Jog** : (a) Is it a fact that the regulation relating to the Training Reserve of the Indian Women's Medical Service provides that Indian Woman Graduates in Medicine of the Indian Universities should be *unmarried persons or widows* ?

(b) Is that rule applicable to lady doctors of the non-Asiatic domicile also ?

(c) How many medical women were admitted to the training reserve and how many were deputed to the United Kingdom for acquiring British Medical qualifications ?

**Mr. G. S. Bajpai** : The information has been called for and will be laid on the table in due course.

### RESIDENT MEDICAL OFFICERS OF THE WOMEN'S HOSPITALS IN INDIA.

679. \***Mr. S. G. Jog** : Is it a fact that the posts of Resident Medical officers of the Women's Hospitals in India are not open to the Indian lady doctors graduates from the Indian Universities ? If so, why ?

**Mr. G. S. Bajpai** : The answer to the first part is in the negative. At least three such posts are held by Indian women graduates of Indian Universities today. The question in the second part does not arise.

### LADY DOCTORS DEPUTED TO THE UNITED KINGDOM FOR TRAINING.

680. \***Mr. S. G. Jog** : Will Government please lay on the table a complete list of the lady doctors who have been deputed to the United Kingdom for training from year to year and what amounts have been contributed to their training in the United Kingdom ?

**Mr. G. S. Bajpai** : A statement containing the information asked for by the Honourable Member for the years 1928 to 1934 is laid on the table.

*List of lady doctors who have been deputed to the United Kingdom for training during the period 1928—1934.*

Year in which deputed to the United Kingdom for post-graduate study.	Name.	Diploma or Course of study for which deputed.	Amount contributed for training.
1928 .. ..	Dr. D. P. Bali ..	M. R. C. S., L. R. C. P., (Lond).	Rs. 3,778
1928 .. ..	Dr. C. Wiseman ..	Do. ..	3,700
1929 .. ..	Dr. Lakshmi Devi ..	Do. ..	4,406
1930 .. ..	Dr. Brooks ..	Do. ..	4,172
1930 .. ..	Dr. S. Matthew ..	Do. ..	4,064
1930 .. ..	Dr. Rekhi ..	Diploma in Radiology	NZ. (Dr. Rekhi was trained at the expense of the Rockefeller Foundation.)
1931 .. ..	Dr. U. D'Monte ..	M.R. C. S., L. R. C. P.	4,038
1931 .. ..	Dr. Shrikhande ..	Diploma in Bacteriology.	4,016
1931 .. ..	Dr. Jiwan Lata ..	Special duty in maternity and child welfare.	4,024
1932 .. ..	Dr. Patil ..	Diploma in Bacteriology.	4,020
1932 .. ..	Dr. Senjit ..	Diploma in Ophthalmology and M.R.C.S., L. R. C. P.	4,016
1933 .. ..	Dr. Reuben ..	F. R. C. S. (Ed.) ..	3,400
1933 .. ..	Dr. Alankaram ..	M. R. C. S., L. R. C. P.	3,550
1934 .. ..	Dr. D. P. Bali ..	Diploma in Radiology	10,800

**LADY DOCTORS RECRUITED IN INDIA AND FROM ENGLAND DIRECT.**

681. \* **Mr. S. G. Jog :** (a) How many lady doctors of the non-Asiatic domicile have been recruited in India and from England direct during the last five years for Women's Medical Service for India in the senior grade, and how many have since resigned on account of marriage or otherwise ?

(b) Is it a fact that an Indian Medical Woman deputed to the United Kingdom for being trained for British Medical

qualifications, with scholarship, has got herself married there and her period of study was extended, over an ordinary one, by the C. M. O., Women's Medical Service ?

(c) Will Government please state the reasons for their leaving out of the Women's Medical Service the lady doctors who have acquired British Medical qualifications at the State expense, such as, Dr. Lakshmi Devi, Dr. Bali, and others ?

(d) Was Dr. Sanjit married in England, while prosecuting her studies there ?

**Mr. G. S. Bajpai :** (a) A statement containing the information asked for by the Honourable Member is laid on the table.

(b) Yes. She was allowed to extend her period of study beyond the allotted year at her own expense.

(c) The Woman's Medical Service is controlled by the Countess of Dufferin's Fund, an aided association, and not by Government. Lady Doctors, acquiring British medical qualifications at public expense have not been excluded from this service. On the contrary, every member of the Training Reserve, on obtaining a British medical qualification, has been admitted to that Service with the exception of one for whom a post was not available at the time, but who obtained a post under a Provincial Government. Dr. Bali is still in the Service. Dr. Lakshmi Devi resigned the service at her own desire on her marriage.

(d) Yes.

*List of lady doctors of non-Asiatic domicile who have been recruited to the Women's Medical Service in India and from England direct since 1928 (excluding those who are no longer in the Service).*

Dr. Torrance, M.D., Ch. H. (Glas)	Recruited in India.
Dr. Proctor-Sims, L.R.C.P., M.R.C.S. (Lond.)	Do.
Dr. Callender, M.A., (Cantab.) M.B.B.S. (Lond.), L.R.C.P., M.R.C.S.	Recruited from England for general work.
Dr. Orkney M.B., Ch.B. (St. Andrews) D. P. H. (Manchester) Specialist.	Recruited from England.
Dr. J. Thomson, L.R.C.P., M.R.C.S., M.B.B.S. (Lond.) M.D. (Lond.)	Recruited in India.
Dr. H. Herbert, M.B.B.S., M.R.C.S., L.R.C.P., (Lond.)	Do.
Dr. M. Neal, M.R.C.S. (Lond.), L.R.C.P. (Lond.) M.B.B.S. (Lond.) M.D. (Lond.)	Recruited from England.
Dr. P. Epps, M.D. (Lond.), M.R.C.P. (Lond.)	Recruited from England for special post at Lady Hardinge Medical College, Delhi.
Dr. M. Melan, B.A., M.B. Ch.B., M.A.O. (Ireland), D. T. M. H. (Lond.) D. P. K. (Lond.), F. R. C. S. I.	Recruited in India.

Six officers of non-Asiatic domicile have resigned during the last five years—three on account of marriage, two for health reasons, and one on account of urgent private affairs.

**INDIAN DOCTOR APPOINTED ON THE EXECUTIVE COMMITTEE OR SELECTION BOARD OF THE CENTRAL DUFFERIN FUND.**

682. \***Mr. S. G. Jog** : Has any doctor of Indian race been appointed on the Executive Committee or Selection Board of the Central Dufferin Fund ? If not, why not ?

**Mr. G. S. Bajpai** : The information has been called for and will be laid on the table in due course.

**Mr. S. G. Jog** : Sir, a supplementary question arises out of all these questions, though the Honourable Member has laid a consolidated statement in reply to all these questions. However, my supplementary question is this : Is it not a fact that this Dufferin Fund has been raised chiefly from contributions paid by the Princes and the peoples of India ?

**Mr. G. S. Bajpai** : That particular fact is correct, Sir.

**Mr. S. G. Jog** : Sir, is it not the main object of this Fund to give encouragement to Indian ladies to go in for medical studies ?

**Mr. G. S. Bajpai** : I do not think the main object of the Fund was to favour any particular race for carrying out a particular work. The main object of the Fund was to provide medical aid for Indian women by women ; and if my Honourable friend will look at the present composition of the service, he will find that, since Indian women possessing the proper medical qualifications have begun to come forward, this service has been substantially Indianised.

**Mr. S. G. Jog** : May I know whether the Honourable Member is in a position to say what is the relative position of Indian ladies and ladies of non-Asiatic domicile ?

**Mr. G. S. Bajpai** : Certainly—Twenty-four, I think, of Indian domicile and nineteen of non-Asiatic domicile.

**Mr. Vidya Sagar Pandya** : What are the corresponding salaries of the two classes ?

**Mr. G. S. Bajpai** : The salaries are one and the same, subject, of course, to such variations as the time factor may necessitate.

**Dr. Ziauddin Ahmad** : Is it not a fact that the patient always goes to the best doctor irrespective of his caste and creed ?

**Mr. G. S. Bajpai** : I hope so, Sir, for his sake. (Laughter.)

**NON-RECOVERY OF RAILWAY MONEY FROM MESSRS. TEPLITZ AERATED WATERS COMPANY, CONTRACTORS, ON THE NORTH WESTERN RAILWAY.**

683. \***Dr. Ziauddin Ahmad** : (a) Is it a fact that Messrs. Teplitz Aerated Waters Company secured the contract for the supply of ice and aerated waters in the Northern Section of the North Western Railway from Lahore to Peshawar ?

(b) Is it a fact that the said company also had ice contract of the Military Hospital at Murree Indus ?

(c) Is it a fact that the company carried ice to Murree Indus on Railway passes ?

(d) Is it a fact that the Divisional Superintendent, Rawalpindi, made out a case, claiming Rs. 2,700 from the said company ?



(e) Is it a fact that the file was lost at the Agent's office and no money was recovered ?

(f) Is it a fact that Mr. Hail, the then Deputy Chief Commercial Manager carried on the preliminary investigation ?

(g) Do Government propose to make enquiries and call for necessary papers ?

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

(c) Yes, as Mari Indus was within the area for which the Company were given the contract.

(d) The Divisional Superintendent, Rawalpindi, has reported to the Agent, North Western Railway, that there are no records in his office regarding this claim.

(e) to (g). The Agent, North Western Railway, reports that the complete papers on the subject in his office are not now traceable. It appears, however, that a complaint against the firm was received in 1931 apparently from a discharged employee and that the matter was examined by the Chief Commercial Manager who accepted the explanation then given by the firm.

#### MINTO PROFESSORSHIP IN THE CALCUTTA UNIVERSITY.

684. **\*Dr. Ziauddin Ahmad :** (a) Is it a fact that the Government of India have endowed a Minto Professorship in the Calcutta University ?

(b) What is the salary of the Professor ?

(c) Is it a fact that Government levied ten per cent. cut in the salary of the Professors simultaneously with the ten per cent. cut in the salaries of the Government officials ?

(d) Is it a fact that Government restored the cut by five per cent. ?

(e) Was the salary of the Minto Professor also restored by five per cent. ? If not, why not ?

**Mr. G. S. Bajpai :** (a) to (c). An annual grant of Rs. 13,000 made from Central Revenues to Calcutta University included a sum of Rs. 12,000 for the pay of Minto Professor of Economics. The whole grant has been subject to the emergency cut of ten per cent. since 1932-33.

(d) and (e). The emergency cut has been restored by five per cent. in so far as the salaries of Government servants is concerned. The normal cut in the case of grants made from Central Revenues to educational institutions is ten per cent., and that in the present financial conditions it has not been possible to restore it. I would add that even the reduced grant is adequate to cover restoration of five per cent. in the cut of ten per cent. in the Professor's salary.

**Dr. Ziauddin Ahmad :** May I ask, Sir, why in this particular case the grant was not made to an educational institution, but was made to a special post ?

**Mr. G. S. Bajpai :** I have already said that even the amount of the present grant is adequate for the purpose of reducing the cut in the Professor's salary from ten per cent. to five per cent. What happens is this that the University utilises the balance for publications.

**Dr. Ziauddin Ahmad :** If the grant is restored next year, will the grant to the Professor be also restored ?

**Mr. G. S. Bajpai :** I am not in a position to forecast what will happen to this particular grant next year.

**CHARGEMEN IN THE ORDNANCE FACTORIES OF INDIA.**

**685. \*Mr. K. P. Thampan :** Will Government be pleased to state :

(a) the total strength of men below the rank of chargemen in all the ordnance factories of India ; and

(b) whether they are prepared to allow a yearly deputation of ordnance factory workers to meet the Army Secretary with a view to discuss their conditions of service, just as is allowed to the All-India Railwaymen's Federation ?

**Lieut.-Colonel A. F. R. Lumby :** (a) Apart from the clerical and menial establishment, the strength on the 1st April, 1933, was about 12,000.

(b) No, in view of the fact that there is no All-India Labour Organisation for Ordnance Factories corresponding to the All-India Railwaymen's Federation.

**GRANT OF PRIVILEGE LEAVE TO THE STAFF IN THE ORDNANCE FACTORIES IN INDIA.**

**686. \*Mr. K. P. Thampan :** Will Government be pleased to state :

(a) whether they are aware that the monthly paid men of the ordnance factories in India do not get their privilege leave of one month with full pay unless they find a substitute ; and

(b) whether they propose to cancel that condition and grant privilege leave as is done in all industrial concerns ?

**Lieut.-Colonel A. F. R. Lumby :** (a) This is the rule in the case of monthly paid men on the temporary establishment, but in practice a substitute is not always required.

(b) No. The condition is laid down in Article 242 (a), Civil Service Regulations, and is of general application.

**CONFIRMATION OF STAFF IN THE ORDNANCE FACTORIES IN INDIA.**

**687. \*Mr. K. P. Thampan :** Will Government be pleased to state :

(a) whether they are aware that in the ordnance factories of India people, who have put in 25 years of service, are still considered temporary ; and

(b) whether they propose to confirm all the men who have put in three years' service or more ; if not, why not ?

**Lieut.-Colonel A. F. R. Lumby :** (a) Yes.

(b) No. The system of keeping labour on temporary establishment is not peculiar to Ordnance Factories. It also obtains on the Railways and in other Government establishments.

**CONTRIBUTION TO THE PROVIDENT FUND IN THE ORDNANCE FACTORIES  
IN INDIA.**

688. \*Mr. K. P. Thampan : (a) Will Government be pleased to state what is the extent of their contribution to the Provident Fund in the ordnance factories of India ? Is it less than that of State Railways ? If so, what is the difference ?

(b) Are Government aware that this lower contribution has been a source of great dissatisfaction in the minds of the employees and has formed the subject of resolutions at successive Conferences of the Cordite Factory Labour Union at Aruvankadu ?

(c) Do Government propose to direct that their contribution to the Provident Fund in the ordnance factories should be similar to that of State Railways ?

Lieut.-Colonel A. F. R. Lumby : (a) 50 per cent. of the subscriber's contribution in the case of the Workmen's Provident Fund. The Government contribution in the case of the State Railway Provident Fund is 100 per cent.

(b) Government have seen the Labour Union's resolutions on the subject passed at their annual conferences between 1931 to 1934.

(c) No.

**INTRODUCTION OF A SCHEME OF GRATUITY IN THE ORDNANCE FACTORIES  
IN INDIA.**

689. \*Mr. K. P. Thampan : Will Government be pleased to state :

(a) whether it is a fact that no scheme of gratuity has yet been introduced in the ordnance factories of India ; and

(b) whether they propose to take any action in the matter ?

Lieut.-Colonel A. F. R. Lumby : (a) and (b). A scheme of gratuities paid from the Fine Fund has been in existence for years. There is, however, no regular scheme whereby gratuities are paid from general revenues. The question of paying gratuities from general revenues is under consideration.

**PRIVILEGES IN THE MATTER OF PAY, ALLOWANCES, ETC., TO TRAVELLING  
TICKET EXAMINERS ON THE NORTH WESTERN RAILWAY.**

690. \*Pandit Satyendra Nath Sen : (a) Are Government aware that one Mr. Bishan Singh, S. T. E., North Western Railway, at present working in the Delhi Division, was working as a Travelling Ticket Examiner on the Kalka-Simla Railway on mileage allowance system ?

(b) Are Government aware that this Travelling Ticket Examiner (Mr. Bishan Singh), when appointed to work as a S. T. E. in the Delhi Division, was given his pay plus average mileage allowance, i.e., 75 per cent. of his pay besides the daily allowance admissible under the rules and was thus in receipt of Rs. 80 as pay plus Rs. 60 as an average allowance, aggregating Rs. 140 plus daily allowance earned by him ?

(c) Are Government also aware that this Mr. Bishan Singh, on his reversion as a Travelling Ticket Examiner from S. T. E.'s job,

was given his substantive pay of Travelling Ticket Examiner, i.e., Rs. 90 or so, after the usual adjustment of his annual increments ?

(d) Are Government further aware that on the abolition of the Travelling Ticket Examiner's cadre this Mr. Bishan Singh instead of getting his substantive pay of a Travelling Ticket Examiner, which was Rs. 100 or so, has been allowed to enjoy the benefit of his pay of S. T. E. which was fixed at Rs. 140 plus the consolidated allowance ?

(e) What is the scale of pay in which the said Mr. Bishan Singh is now fixed up by the North-Western Railway administration and on what basis was this particular and separate scale for only one S. T. E. created by the Agent ?

(f) Will Government be pleased to state why the other old Travelling Ticket Examiners are denied the same privileges, as regards pay and allowances, as are enjoyed by Mr. Bishan Singh ?

(g) Do Government propose to extend the same rates of pay and allowances to other S. T. Es. who have been appointed on the abolition of the old cadre of the Travelling Ticket Examiner ? If not, why not ?

**Mr. P. B. Rau :** I am calling for information and will lay a reply on the table of the House in due course.

#### EMPLOYMENT OF INDIANS IN THE CYPHER BUREAU OF THE FOREIGN AND POLITICAL DEPARTMENT.

691. **\*Mr. Gaya Prasad Singh :** Will Government kindly state how many Indians are employed in the Cypher Bureau of the Foreign and Political Department ?

**Mr. H. A. F. Metcalfe :** There are no Indians employed in the Central Cypher Bureau in the Foreign and Political Department at present.

**Mr. Gaya Prasad Singh :** Is it not a fact that in the Standing Finance Committee and also on the floor of the House assurances were repeatedly given by the Government during the last few years that earnest efforts would be made to appoint Indians in this Cypher Bureau ?

**Mr. H. A. F. Metcalfe :** That, Sir, is quite true, and efforts are being made which, I hope, will shortly be successful.

**Mr. Gaya Prasad Singh :** May I ask, Sir, whether this very assurance which the Honourable Member has just given was given probably by himself or by his predecessor many years ago—as many as five years ago—almost in the same terms ?

**Mr. H. A. F. Metcalfe :** I am not in a position to say what happened five or six years ago, but I know that this undertaking was given as recently as last September, and I am glad to say that substantial steps have now been taken towards achieving the end which we all desire.

**Mr. Vidya Sagar Pandya :** May I know how many Anglo-Indians are employed in the Cypher Bureau ?

**Mr. Gaya Prasad Singh :** All are Anglo-Indians and Europeans in the Cypher Bureau.

**Mr. Vidya Sagar Pandya :** I wish to know from the Government Member how many Anglo-Indians are employed in the Cypher Bureau ?

**Mr. H. A. F. Metcalfe :** I could not give the Honourable Member the exact figure, but there are certainly some Anglo-Indians.

### INVESTIGATION OF THE CASE OF THE BRITISH INDIAN PORTS IN THE GULF OF CAMBAY.

692. \*Nawab Naharsingji Ishwarsingji : (a) Will Government be pleased to state whether they want to check the loss of customs revenue caused by the development of the ports of the Kathiawar Maritime States ?

(b) Did Government study the question of the working of the British Indian ports in the Gulf of Cambay before ? If so, what are the *pros* and *cons* about these British Indian ports ?

(c) What are the reasons for permitting the transhipment of goods from foreign ports of Porebunder and Jafrabad to these British Indian ports without charging the duty, that is, why no duty is charged at our ports on goods arriving from these foreign ports ?

(d) Is it a fact that the fixed amount of two lacs of duty to be allowed to the foreign ports of Kathiawar is fixed for land transport only ? If so, why are Porebunder and Jafrabad allowed sea-import of goods at our ports, and is it a fact that even the *two lacs limit* is not adhered to inasmuch as they are allowed to an extent of a big sum of several lacs on this free duty sea-importation of goods to our ports ? Will Government please state the reasons for giving such special concessions to these States, incurring thereby a big loss to Government customs revenue and as a consequence taxing indirectly the British Indian taxpayer ?

(e) Will Government be pleased to state whether they intend to appoint a committee to investigate thoroughly the case of the British Indian ports in the Gulf of Cambay and collect such evidence as may be forthcoming ?

**The Honourable Sir James Grigg :** (a) to (e). The whole question of the loss of Customs revenue caused by the development of the Ports of the Kathiawar Maritime States is engaging the attention of Government, but it would not be in the public interest to make any statement on the matter at the present time.

### STAFF DISCHARGED IN THE DINAPORE AND THE MORADABAD DIVISIONS OF THE EAST INDIAN RAILWAY.

693. \*Pandit Satyendra Nath Sen : (a) Are Government aware that a number of discharges were made in the Dinapore and the Moradabad Divisions of the East Indian Railway during the last two years ? If so, are Government prepared to appoint a committee of enquiry to go into the cases ?

(b) Are Government aware that in 1932 a discharged official (Travelling Ticket Examiner) was re-instated as the result of an enquiry made by Mr. K. M. Hassan, Deputy Director of Establishment, and another was re-appointed after an enquiry by the Labour Commission ?

**Mr. P. R. Rau :** (a) Unfortunately discharges have occasionally to be made in every Department and Division of a Railway in the interests of efficiency. Government do not consider that there are any special circumstances in these two Divisions to make a special enquiry necessary.

(b) Government have not been able to trace either of the cases referred to. If the Honourable Member is referring to the recommendations of Court of Enquiry constituted in 1932 under the Trade Disputes Act, he will find the information in the report of the Court and the Government communiqué thereon, copies of which are in the Library of the House.

**Dr. Ziauddin Ahmad :** In view of the fact that so many questions have been asked about the maltreatment of subordinates in the Moradabad Division, is it not the duty of the Government to look into the matter ?

**Mr. P. R. Rau :** No, Sir. The fact that many questions are asked does not necessarily mean that there has been maladministration.

**Mr. Goya Prasad Singh :** That is the value of our questions !

**Sir Cowasji Jehangir :** Does that mean that because complaints are made from this side of the House, the Honourable Member is not going to take any steps in this particular case ?

**Mr. P. R. Rau :** Not at all. Government did take steps. My Honourable friend was not in the House when I gave replies to this very question some days ago. Government did make enquiries and found that no intervention on their part was necessary.

**Dr. Ziauddin Ahmad :** In view of the fact that no complaint has been made about the other five Divisions of the East Indian Railway and that all the complaints are concentrated mostly to one particular Division, is it not really the duty of the Government to see how far those complaints are correct and to find out whether there is really something wrong in the administration of that particular Division ?

**Mr. P. R. Rau :** As I have already explained, Government did make enquiries in certain cases and got reports from the Administration, and, after examining them, they found that their intervention was not called for.

**Sir Abdur Rahim :** Did they find, as a matter of fact, that these complaints were groundless ?

**Mr. P. R. Rau :** Yes, Sir.

**Dr. Ziauddin Ahmad :** Did the Railway Board examine each complaint themselves or entrusted this work to an officer of the Board ?

**Mr. P. R. Rau :** I cannot say that each of these complaints was examined, but a large number of them were reported on by the Agent of the East Indian Railway and were examined by the Board.

#### NON-PAYMENT OF GRATUITY TO TWO PERSONS OF THE DINAPORE DIVISION.

694. **\*Pandit Satyendra Nath Sen :** (a) Is it a fact that Mr. S. C. Bose, Head Ticket Collector, Dinapore Division, who resigned his post some time in 1933 and Mr. K. Lall, Guard, Dinapore Division, discharged in March, 1933, have not been given their gratuity in spite of repeated demands ? Is it also a fact that they have served for more than 16 years ?

(b) If the answer to part (a) be in the affirmative, will Government state if they are prepared to pay the two gentlemen their gratuity, and, if so, when ?

**Mr. P. B. Rau :** I have called for certain information and will lay a reply on the table of the House in due course.

**Pandit Satyendra Nath Sen :** May I know, Sir, under what conditions gratuities are granted ?

**Mr. P. B. Rau :** I would refer my Honourable friend to the Gratuity Rules.

#### ALLEGED RACIAL ARROGANCE IN SOUTH AFRICA.

695. **\*Mr. Bhuput Sing :** (a) Will Government be pleased to state whether their attention has been drawn to the article published in the *Forward* of the 9th June, under the heading "Racial Arrogance in South Africa—Sickening White Propaganda", taken from the *Sun* of Bombay, and the comments of the said daily thereupon ?

(b) If the answer to part (a) be in the affirmative, will Government kindly state whether their Agent in South Africa has taken any steps to stop such pernicious propaganda in the country ? If so, what ?

(c) Are Government aware of the repercussions which such outbursts may give rise to in India ?

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

(b) No special importance attaches to the speech. As the Honourable Member is no doubt aware since the appointment of the first Agent in South Africa, the general attitude of Europeans towards Indians in social matters has greatly improved, thanks to the efforts of the Right Honourable V. S. Srinivasa Sastri and his successors, and there is no reason to apprehend that the process of improvement will not continue.

#### REDUCTION OF THIRD CLASS FARE ON THE EAST INDIAN RAILWAY.

696. **\*Mr. Bhuput Sing :** (a) Will Government be pleased to state whether they propose to reduce the third class fare on the East Indian Railway, in view of the fact that there has been no appreciable fall or rise in earnings on account of such an experiment carried out on the North Western Railway ?

(b) Are Government aware that the third class fares on the East Indian Railway are comparatively higher than those on the Bengal Nagpur Railway and other company-managed railways ?

**Mr. P. B. Rau :** (a) As I explained to the House on the 13th August, 1934, in reply to Mr. Ghuznavi's question No. 524, Government prefer to await the results of the experiment on the North Western Railway before considering a general reduction of third class fares on other railways. The experiment on the North Western Railway has not been in force for a period sufficient to draw any conclusions therefrom.

(b) No, on the contrary, the third class fares on the East Indian Railway are lower than those on all other principal Company-managed Railways, except the Bengal and North Western Railway.

**Dr. Ziauddin Ahmad :** May I ask, Sir, how long the Government will take with this experiment ?

**Mr. P. B. Rau :** It is intended to have the experiment in force for a year.

**RUNNING OF THROUGH TRAINS FROM HOWRAH TO KALKA BY LOOP LINE.**

697. \***Mr. Bhuput Sing** : (a) Will Government be pleased to state whether there was any proposal to run through trains from Howrah to Kalka by loop and B. A. K. lines ? If not, what were the difficulties in the way of such a proposal ?

(b) Are Government prepared to place the connected papers regarding this proposal on the table of this House ?

**Mr. P. E. Rau** : (a) I would refer the Honourable Member to the information I laid on the table of the House on the 23rd November, 1933, in reply to his question No. 147 asked on the 20th September, 1933.

(b) I do not know what papers my Honourable friend refers to, but what Government have on the subject contain no information beyond that referred to in my reply to part (a) of this question.

**EXTENSION OF TELEPHONE LINES AND REDUCTION IN TELEPHONE CHARGES.**

698. \***Mr. Bhuput Sing** : (a) Will Government be pleased to state whether there is any proposal for extension of telephone lines over the whole of India in order to connect all the important cities with one another ?

(b) What is the total estimated cost of carrying out this proposal ?

(c) Is there any proposal of reducing the telephone charges in order to popularise the connections by making the same cheaper ?

**The Honourable Sir Frank Noyce** : (a) No comprehensive scheme for the extension of telephone lines throughout India in order to connect all important cities has been prepared. Schemes for telephone connections between two or more cities are prepared and carried out if the financial results are anticipated to be favourable and as funds become available.

(b) As there is no single comprehensive proposal, no estimate of cost can be given.

(c) Yes. I place on the table a copy of the Director-General's General Circular which gives full details of the reductions in telephone charges which come into force from the 16th September, 1934.

**INDIAN POSTS AND TELEGRAPHS DEPARTMENT.**

**DIRECTOR-GENERAL'S GENERAL CIRCULAR No. 16.**

*Monday, 30th July, 1934.*

(Spare copies to be distributed to all departmental telephone Exchanges.)

***Revised Scales of Charges for Telephones.***

With effect from the 16th September, 1934 in the case of all new installations and with effect from the 16th September, 1934, or the termination of the current periods for which rent has been paid, whichever is later, in the case of existing installations and in supersession of all previous orders on the subject, the following revised scales of charges will be introduced for Departmental Manual and Automatic Exchanges, extension telephones, bells and switches, private branch automatic exchanges, private branch manual exchanges, private



automatic exchanges, private manual exchanges, private telephones and non-exchange lines, subject to the conditions and restrictions set forth below, viz.—

#### I.—Definitions.

A private exchange is an exchange provided exclusively for the use of a business firm, municipality, Government Department or similar body and is installed and maintained by the Indian Posts and Telegraphs Department in rent-free premises provided by that body. If the exchange is connected by trunk lines or junction lines to a Government telephone system, it is known as a private branch exchange. Operators for private manual exchanges are provided by the hiring authority.

In exceptional cases firms or persons other than the hiring authority may be given connections to a private exchange or private branch exchange.

A sub-exchange is an exchange installed for Departmental convenience within the limits of a free junction area and connected to the main exchange or other exchanges within the area by means of free junction lines.

#### II.—Installation Fee.

In all cases in which any telephone is installed or re-opened an installation charge of Rs. 10/- will be levied.

#### III.—Departmental Manual and Automatic Exchanges.

(1) The following is the scale of charges for connections to a Departmental Manual or Automatic Exchange—

(a) For all exchanges excepting those specified in clause (b) below :—

Radial distance from Exchange.	Rates payable in advance.	
	Monthly subject to a discount of 10% for prompt payment [vide Para. XI (1) (f)].	Annually.
	Rs.	Rs.
Within one mile .. .. .	18	168
Within two miles .. .. .	19	180
Within three miles .. .. .	20	192

(b) For the following Exchanges :—

Delhi, Simla, Mashobra, Rawalpindi, Lahore, Lahore Cantonment, Amritsar, Peshawar, Ghaziabad, Bombay,\* Poona, Ahmedabad,\*  
 \*Government.  
 Drigh Road, Quetta, Nagpur, Cawnpore, Lucknow, Patna,  
 Dinapore, Gulzarbagh, Loyabad, Sindih, Jharra, Regent, Storeyard,  
 Barrackpore, Calcutta West, Rangoon\*.

Radial distance from Exchange.	Rates payable in advance.	
	Monthly subject to a discount of 10% for prompt payment [vide Para. XI (1) (f)].	Annually
	Rs.	Rs.
Within three miles .. .. .	20	192

(c) The following special rate provided the connection is within half a mile of the exchange is applicable only to new exchanges which are not connected to the Telephone Trunk System, and to existing exchanges in which the present basic annual rate is rupees one hundred and fifty. From the date of connecting such an exchange to the Trunk System this special rate will not apply to new connections or to existing installations which are subsequently disconnected for breach of any rule, given up, or sought to be transferred to another person.

Radial distance from Exchange.	Rates payable in advance.	
	Monthly subject to a discount of 10% for prompt payment [vide Para. XI (1) (f)].	Annually.
	Rs.	Rs.
Within half a mile .. .. .	17	156

(d) For lines in excess of three miles special rates based on the capital cost will ordinarily be quoted. But if existing wires or cable conductors can be utilised with only inexpensive changes, the rates given in paragraphs (e) and (f) below will apply.

(e) All Departmental Manual and Automatic Exchanges—

Radial distance from Exchange.	Rates payable in advance.	
	Monthly subject to a discount of 10% for prompt payment [vide Para. XI (1) (f)].	Annually.
	Rs.	Rs.
Within three and a half miles .. .. .	23	216
Within four miles .. .. .	26	240

(f) For a connection in excess of four miles radial distance from the exchange the charge is as for four miles plus the following extra charge :—

Radial distance from Exchange.	Rates payable in advance.	
	Monthly subject to a discount of 10% for prompt payment [vide Para. XI (1) (f)].	Annually.
	Rs.	Rs.
For every half mile over four miles .. .. .	4	36

(2) The above monthly rates are subject to a discount of ten per cent. for prompt payment [vide para. XI (1) (f)].

(3) The decision of the Divisional Engineer, Telegraphs, is final as to the radial distance of a connection from the exchange.

(4) Automatic Exchanges will be installed only when the maintenance by technically trained staff can be arranged for at reasonable cost and Heads of Circles have authority to refuse to instal automatic plant where this condition is not satisfied or for any other reason, such as the necessity for manually operated trunk positions.

(5) Special rates may be charged for any exchange connection where the flat rate is insufficient to meet the capital cost of carrying out the work or inexpensive localities.

(6) The rates for connections to a sub-exchange are the same as for the main exchange, distances being measured radially from the sub-exchange.

#### IV.—Extensions and Non-Exchange Lines.

(1) The following are the charges payable in advance for telephone extensions, switches, extra bells, and additional wiring. The same rates apply to non-exchange telephone connections but in this case the hiring contract must ordinarily be signed for at least one year and rent paid annually in advance, and no refunds will be allowed. As an exceptional case, if the connection can be given by utilising existing wires or cable conductors with only inexpensive changes non-exchange connections may be charged for at monthly rates under the rules applicable to departmental exchange lines.

(a) For a telephone extension with switch without intercommunication facilities (including 110 yards of internal loop wiring)—

<i>Monthly.</i>	<i>Annual.</i>
4-0-0	36-0-0

(b) For a telephone extension with switch with intercommunication facilities (including 110 yards of internal loop wiring)—

<i>Monthly.</i>	<i>Annual.</i>
6-8-0	60-0-0

(c) For an extra bell—(with 55 yards of internal loop wiring).

<i>Monthly.</i>	<i>Annual.</i>
1-8-0	12-0-0

(d) For a Plug and two sockets (with 55 yards of internal loop wiring)—

<i>Monthly.</i>	<i>Annual.</i>
1-8-0	12-0-0

(e) For every additional 55 yards or part thereof of internal loop wiring—

<i>Monthly.</i>	<i>Annual.</i>
1-8-0	12-0-0

(f) For every half mile of external loop wire or fraction thereof up to two miles—

<i>Monthly.</i>	<i>Annual.</i>
3-0-0	24-0-0

(g) For every half mile of external loop wiring after the first two miles—

<i>Monthly.</i>	<i>Annual.</i>
4-0-0	36-0-0

(h) For a short length of external loop for the purpose of bells, etc., within the same compound up to one-quarter of a mile—

<i>Monthly.</i>	<i>Annual.</i>
1-8-0	12-0-0

(i) For a complete telephone (including internal loop wiring of 110 yards)—

<i>Monthly.</i>	<i>Annual.</i>
4-0-0	36-0-0

(2) The above monthly rates are subject to a discount of ten per cent. for prompt payment [vide para. XI (1) (f)].

(3) All distances are to be actual and are ordinarily to be measured by the shortest practicable route. The decision of the Divisional Engineer, Telegraphs, being final in the matter.

(4) Special rates may be charged in all cases in which the flat rate of charge is insufficient to meet the capital cost involved in carrying out the work or in expensive localities.

(5) For lines in excess of three miles special rates based on the capital cost will ordinarily be quoted unless existing wires or conductors can be utilised with only inexpensive changes. For lines under three miles in length no guarantee is necessary provided that the initial amount of rent paid for the line is equal to at least half the cost of providing it.

(6) In the case of Non-exchange connections Divisional Engineers, Telegraphs, may, at their discretion, quote the above rates or the rate for single wire earth return circuits specified in paragraph VIII below. Ordinarily earth return circuits will not be permitted in town areas.

*V.—Private Exchanges.*

(1) The following are the rates payable in advance for connections to Private Exchanges :—

*(a) Private Automatic Exchanges—*

For an internal connection.	For an external connection up to two miles
Rs. 108 per annum.	Rs. 156 per annum.

*(b) Private Manual Exchanges—*

For an internal connection.	For an external connection up to two miles
Rs. 72 per annum.	Rs. 120 per annum.

*(c) Private Branch Automatic Exchanges—*

No. of connections.	Obligatory junctions.	Rate for an internal connection.	Rate for an external connection up to two miles if specially sanctioned.
1—4	1	108 per annum.	156 per annum.
5—8	2	108 " "	156 " "
9—16	4	108 " "	156 " "
17—26	4	144 " "	192 " "
27—35	5	144 " "	192 " "
36—44	6	144 " "	192 " "

## (d) Private Branch Manual Exchanges—

No. of connections.	Obligatory junctions.	Rate for an internal connection.	Rate for an external connection up to two miles if specially sanctioned.
1—4	1	72 per annum.	120 per annum.
5—8	2	72 " "	120 " "
9—16	4	72 " "	120 " "
17—26	4	108 " "	156 " "
27—35	5	108 " "	156 " "
36—44	6	108 " "	156 " "

(e) The charge for an external connection to a private exchange or a private branch exchange exceeding two miles in length is the same charge as for an external connection shown above *plus* the following additional charge :—

Every additional half mile . . . . . Rs. 36 per annum.

(2) The above distances are the actual length of the line by the shortest practicable route, the decision of the Divisional Engineer, Telegraphs, being final in the matter.

(3) In cases in which the above rates are considered to be insufficient to cover the expenditure involved, the rental for the portion of the line in excess of three miles may be charged for on the basis of the capital cost.

(4) In the case of a Private Branch Exchange, no external connections outside the compound will ordinarily be permitted but Heads of Circles have full powers to make exceptions to this rule in particular cases.

(5) No extensions, internal or external, are ordinarily admissible on connections to private branch exchanges, but Divisional Engineers, Telegraphs, may use their discretion in relaxing this restriction if circumstances require it. The rates for extension telephones, bells and switches, etc., are the same as those specified in paragraph IV above but monthly rates are not applicable.

(6) Private and Private Branch Exchanges will only be supplied on a guarantee of a specified minimum number of connections, including junctions, for a minimum period of five years. Additional connections may be rented for one year at a time.

(7) Private automatic exchanges will be opened only when the maintenance by technically trained staff can be arranged for at reasonable cost and Heads of Circles have authority to refuse to instal automatic plant where this condition is not satisfied or for any other reason.

(8) In the case of Private Branch Exchanges the number of obligatory junctions shown under paragraphs V (c) and (d) above must be rented for the guaranteed period at annual rates and thereafter can be altered in accordance with the number of connections on the exchange. Rent for these junction lines will be charged at the rate for departmental connections to the exchange to which they are joined. Heads of Circles are permitted to reduce the number of obligatory junction lines to be rented should special circumstances exist which render insistence on the rule unnecessary in the interest of an efficient service or make it unduly onerous to the hiring authority. Heads of Circles have full powers to require the hiring authority to rent additional junction lines should it be deemed necessary for traffic considerations.

(9) Junction lines between Private Exchanges are not ordinarily permitted, but the Director-General may at his discretion permit them in exceptional circumstances. Rent for a junction line between two Private Exchanges is the sum of the charges for an internal connection in each exchange plus Rs. 48 per annum up to two miles in length and Rs. 36 per annum for subsequent half mile of actual length by the shortest practicable route.

(10) These rules do not apply to Private Exchanges or Private Branch Exchanges supplied to the Irrigation and Railway Departments for which special rules are at present applicable, but they shall apply in every respect as regards the junction lines to such exchanges.

(11) An installation fee of Rs. 10 per line including junction will be made for installing a private exchange.

*VI.—Casual Telephone Connections.*

The following charges may be made for casual telephone connections provided they can be provided at no appreciable cost :—

- (1) Within a radial distance of three miles from an exchange. Rs. 2 per day subject to a minimum of Rs. 10 and a maximum of Rs. 30 for a month.
- (2) Beyond a radial distance of three miles from an exchange. As for a connection within a radial distance of three miles plus Rs. 5 for each additional mile or portion thereof.

All payments must be made strictly in advance. No refunds will be admissible on casual telephone connections.

VII.—Tap connections required as a purely temporary measure by the hiring authority on an exchange connection or guaranteed trunk line or non-exchange line may be charged for at the rates applicable to casual telephone connections provided that the expenditure incurred in giving the connection does not exceed 75 per cent. of the rent demanded.

*VIII.—Earth Return Lines.*

For single wire earth return circuits the rent should be charged on a capital cost basis.

*IX.—Shifting Charges.*

The following are the scales of charges for shifting private exchanges, telephone connections, extensions, bells, etc. :—

- (a) For a shift from one position to another in the same room—No charge.
- (b) For an internal shift in the same building :—

Rs. 10 for each telephone or extension telephone and Rs. 5 for each extra bell or plug point.

In the case of private exchanges the charge will be Rs. 10 per line including junctions connected to the exchange.

- (c) For an external shift of any kind a new hiring contract is required, as for a new connection, entailing the payment of the prescribed installation charge.

*X.—Existing Installations.*

In cases in which the annual rates prescribed under these rules are greater than the rates in force at present, subscribers may be permitted to retain their existing installations on payment of rent at the existing rates and under the existing conditions until such time as the installation is disconnected for breach of any rule, given up, or sought to be transferred to another person.

*XI.—Payment of Bills and Refunds.*

*(1) Departmental connections.*

- (a) A telephone connection to a Departmental Exchange will be supplied on an initial payment of two months rent in advance with discount as in paragraph (f)

below and an installation fee of Rs. 10 for each telephone installed. The installation fee is not subject to discount.

(b) The hiring authority will be required to sign a hiring contract, in the case of connections to a Departmental Exchange, for a minimum period varying between three and a half months and four and a half months in accordance with the actual date on which the connection is opened. The hiring contract will come into force on the date of application and will continue until the 15th day of the fourth month following the month in which the connection is completed.

(c) The uniform date for the commencement of monthly or annual rental periods will be the 16th of a month and the due date for payment of rental charges will be the day preceding the rental period, i.e., the 15th. All rental charges are payable in advance.

(d) Bills will be issued on the 28th of the month preceding the due date. In all cases on the first occasion of issuing a bill the broken period, if any, will be charged for at monthly rates.

(e) Bills will specify the amounts payable at the monthly as well as the yearly rates—and on receipt of a bill it will be open to the hirer to pay for a month or for a year, provided that such payment comes into effect from the commencement of the next rental period. Provided further that if the hirer decides in favour of and pays the yearly rate on receipt of the first bill the annual rate for the first year will be reduced by the amount of the installation fee and credit will be allowed for the deposit of two months' rent made by him in advance. The initial broken period must be paid for at monthly rates.

(f) The monthly rates will be subject to a discount of ten per cent. calculated to the nearest rupee, sums of eight annas and below being ignored, if the bill is paid on or before the 7th of the month in which the payment is due or in cases where payments are effected by book transfer, the amount is adjusted in the accounts of the month in which the bill is presented. No extension of this date will be allowed in the event of non-receipt of bills, or on account of Sundays or Public Holidays intervening or for any other reason.

(g) After the expiry of the initial guaranteed period, the hiring contract will remain in force until determined with effect from the end of a rental period, i.e., the 15th of any month, by either party giving to the other seven days notice in writing.

If the telephone is disconnected for default in payment of rent (and no notice of termination has been received from the subscriber), the subscriber will be liable for payment of rent at the rates prescribed for the casual telephone connections in the case of the main telephones and at monthly rates without discount in respect of the other items included in paragraph IV.

(h) The contract may, after determination, be extended for short periods of less than a month at the rates prescribed from time to time for casual telephone connections in the case of the main telephones and at monthly rates without discount in respect of the other items included in paragraph IV.

(i) Except in the case of non-exchange connections, for which no refunds are admissible, if a subscriber who has paid rent at annual rates desires to give up his connection after the expiry of the initial guaranteed period, a refund may be granted for any complete monthly periods which remain unexpired. In arriving at the amount of such refund the number of complete monthly rental periods the connection was in use will be charged for at monthly rates less ten per cent. calculated as in paragraph (f) above, a broken period being counted as one month and the balance, if any, of the annual rate paid will be refunded.

(j) If rent is not paid by the subscriber in accordance with the procedure prescribed on or before the due date, he will be disconnected and the connection will only be restored provided he pays the amount of rent due from him together with an installation fee of Rs. 5 within a period of seven days from the date of disconnection. If payment of the rent due together with the fee of Rs. 5 is not made within seven days of the date of disconnection, the subscriber will be required to execute a fresh agreement and to make all the payments as specified in the hiring contract for a new connection including the installation fee of Rs. 10.

(2) *Private and Private Branch Exchanges.*

(a) All charges for connections to Private Exchanges are on an annual basis and must be paid in advance. Connections may be given up for any number of complete calendar months after the expiry of the guarantee or, if not included in the guarantee, after the expiry of one year, and they will be billed for at annual rates plus twenty per cent. for the number of months retained, the balance paid, if any, being refunded.

(b) In the case of Private Exchanges and Private Branch Exchanges rentals are payable annually in advance and the existing procedure regarding hiring contracts and the collection of rent from hiring authorities will remain unchanged, but the installation charge of Rs. 10 will be levied in all cases in which any new telephone is installed or re-opened.

(c) Pies shall be omitted in every item of telephone rent bills.

*XII.—Exception to Rules.*

These rules do not apply to Aden.

G. V. BEWOOR,

*Director-General of Posts and Telegraphs.*

**Mr. S. G. Jog :** May I ask, Sir, whether any departmental inquiry has been held as to the places to which extension is possible ?

**The Honourable Sir Frank Noyce :** The Department is in close touch with the situation and has very accurate information as to the likely advantage which will arise from fresh telephonic connections between important cities.

**Mr. S. G. Jog :** Is it a fact that there are a number of States in India having very important cities, and are the Government prepared to consider the question of connecting all these cities in the States with telephone

**The Honourable Sir Frank Noyce :** I can only say that they are prepared to go ahead as rapidly as financial conditions permit.

UNSTARRED QUESTIONS AND ANSWERS.

DEMOTED STAFF OF THE GOVERNMENT OF INDIA DEPARTMENTS.

68. **Kumar Gupteshwar Prasad Singh :** (a) Will Government please lay on the table a statement showing :

- (i) the number of the employees in each Department of the Government of India at Simla, who were demoted on account of the economy campaign ;
- (ii) the number of demoted employees who have been restored since their reversion ;
- (iii) the names of the demoted men, awaiting restoration with their present and previous pay and loss in emoluments sustained by each of them ?

(b) Are Government prepared to issue orders for their immediate restoration ?

**The Honourable Sir Henry Craik :** (a) I place on the table a statement containing the information asked for.

(b) Government have already issued orders that men relegated to a lower division as a matter of retrenchment should be restored to their original division as soon as possible.



Name of department.	No. of men who were relegated to a division lower than the one in which they were previously employed either substantively in permanent posts or against vacancies in such posts in which they would have been confirmed but for the ban on confirmation imposed by the F. D. Resolution No. D. 1523/Ex. I./31, dated the 9th July 1931.				No. of men who have been restored to their original position.		No. of men who have yet to be restored to their original posts.	
	From 1st Division to		From 2nd Division to 3rd Division.	From 3rd Division to		From 2nd Division to 1st Division.	No. in the 2nd Division.	No. in the 3rd Division.
	2nd Division.	3rd Division.		1st Division.	2nd Division.			
Army .. .. .	..	..	1	..	..	..		1†
Finance .. .. .	2	..		..	..	2		
Education, Health and Lands.	..	1*	5†	..	4			
Home .. .. .								
Legislative .. .. .								
Commerce .. .. .								
Industries and Labour								
Imperial Council of Agricultural Research.								
Legislative Assembly ..								
Foreign and Political ..								
Military Finance .. ..								
Railway .. .. .								

‡This Clerk's previous pay was Rs. 188. His present substantive pay is Rs. 170 but he has suffered no loss in emoluments because since his relegation to the III Division he has continued to officiate in a higher grade.

**RULES RELATING TO THE INDIAN TERRITORIAL AND AUXILIARY FORCES.**

**69. Mr. Muhammad Ashar Ali :** Will Government please place in the Library of this House an up-to-date corrected copy of the rules relating to the Indian Territorial and Auxiliary Forces ?

**Lieut.-Colonel A. F. R. Lumby :** Arrangements have been made to place in the Library of the House, an up-to-date copy of the Regulations for the Indian Territorial Force and of the Regulations for the Auxiliary Force (India).

**CONSTRUCTION OF A BRIDGE ON THE CHITTAGONG-LAKSHAM BRANCH OF THE ASSAM-BENGAL RAILWAY.**

**70. Mr. S. C. Mitra :** (a) Will Government please state whether the attention of the Assam Bengal Railway authorities has been drawn to the desirability of constructing a railway bridge between mile-posts 67 and 68 on Chittagong-Laksham Branch of that Railway ?

(b) Are Government aware that about 50 villages have been flooded during this rainy season and the paddy crops have been destroyed due to insufficient water out-lets in this part of the Railway line ?

(c) Is it a fact that there is only one large bridge within 66 miles of the Railway line from Chittagong for out-let of rain water from the Tipperah hills and the villages under the Choudha Gram Police Station ?

(d) Is it a fact that the Railway line in the said area is being washed away by flood water and the Railway authorities are keeping ballasts of stones to repair the road, instead of constructing a bridge for the passing out of the vast accumulated flood water ?

(e) Is it a fact that the President of the Gunabati Union Board, Tipperah, and all influential inhabitants of the locality prayed to the Assam Bengal Railway authorities to save the poor villagers, year after year, from the floods by constructing one or two big bridges for the drainage of water from the Tipperah hills ?

(f) Are Government prepared to make an enquiry about the grievances of the people of the locality for a bridge ?

**Mr. P. R. Rau :** I am making enquiries from the Railway Administration and will place a reply on the table in due course.

**GRACE TIME FOR ATTENDING OFFICE TO THE EMPLOYEES OF THE GOVERNMENT OF INDIA PRESS, SIMLA.**

**71. Mr. M. Maswood Ahmad :** (a) Is it a fact that the Government of India Press, Simla, is situated about two to three miles away from the city ? Is it also a fact that, notwithstanding the handicaps and troubles which the employees have to suffer in reaching the Press, a lot of inconvenience is felt and much time is wasted in bringing and taking work to the various Government offices situated in Simla ?

(b) Is it a fact that the long standing convention of ten minutes' grace has been abolished and it is now imperative that every employee must be in the Press at or before 9 A.M. ?

(c) If the reply to the preceding part is in the affirmative, do Government propose either to shift the Press to some central locality in the

vicinity of other Government of India offices and near the city, or to give to every Press employee a residential quarter, or to give to the employees forty-five minutes' grace for reaching such a far off place in the morning ?

**The Honourable Sir Frank Noyce :** (a) As regards the first part of this clause of the question, the attention of the Honourable Member is invited to the reply given by me on the 22nd December, 1933, to part (a) of unstarred question No. 381 by Mr. S. G. Jog. The answer to the second part is in the negative.

(b) The period of grace has been withdrawn and employees are now required to attend the Press punctually.

(c) Government do not propose to take action of the nature suggested.

#### RESIDENTIAL ARRANGEMENT FOR THE RELIEVING STAFF ON THE EAST INDIAN RAILWAY.

**72. Mr. M. Maswood Ahmad :** (a) Will Government be pleased to state what residential arrangement they have made on the East Indian Railway for the relieving staff working on the line in place of the staff who might be sick or absent from duty due to any cause ?

(b) Will Government be pleased to state the number of relieving lodges built on the East Indian Railway after the imposition of duty regulation by which the use of relieving hands has become more frequent than before this regulation was enforced ?

(c) Will Government be pleased to state the average attendance of relieving staff on the East Indian Railway per year per station after the introduction of duty regulation and before that ?

(d) Will Government be pleased to state where the off-duty relieving hands live at those small stations on the East Indian Railway where there is no accommodation ?

(e) Will Government be pleased to state whether or not the off-duty relieving hands on the East Indian Railway can occupy the rest-houses, waiting rooms, guard running rooms, etc. ?

(f) Will Government be pleased to state whether it has ever been brought to their notice that relieving staff on the East Indian Railway occupy offices of the stations for their cooking and sleeping purposes ?

(g) Will Government be pleased to state whether on the East Indian Railway it is permissible to use Government offices, where important public work is transacted, as residential quarters ?

(h) Will Government be pleased to state whether facilities are given to the relieving staff on the East Indian Railway for visiting their families when working on the line for a period of over one week ?

(i) Will Government be pleased to state the number of days for which a relieving hand on the East Indian Railway can be kept away from his headquarters ?

(j) Will Government be pleased to state whether a relieving hand on the East Indian Railway, having no place to live in at the station of the temporary appointment, can absent himself during the rest period or return to his headquarters for having rest and requirements of life ?

**Mr. P. R. Rao :** I shall obtain the information wherever it is readily available and shall place a reply on the table in due course.

### ALLOWANCES TO THE RELIEVING STAFF AND THE RUNNING STAFF ON THE EAST INDIAN RAILWAY.

**73. Mr. M. Maswood Ahmad :** (a) What allowances are given to the relieving staff of the East Indian Railway and to the running staff, such as guards, and on what basis are such allowances calculated ?

(b) How many kinds of allowances can the relieving staff and the running staff on the East Indian Railway earn concurrently ?

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

### FACILITIES FOR THE GUARDS ON THE EAST INDIAN RAILWAY REGARDING THEIR STOPPAGE AT OUT-STATIONS.

**74. Mr. M. Maswood Ahmad :** What facilities are provided for the guards on the East Indian Railway regarding their stoppage at out-stations after working trains ?

**Mr. P. R. Rau :** I understand that running rooms are generally provided at out-stations on all the State-managed Railways.

### RETURN TO HIS HEADQUARTERS OF A SICK PERSON SERVING ON THE EAST INDIAN RAILWAY.

**75. Mr. M. Maswood Ahmad :** Is a sick person serving on the East Indian Railway returned to his headquarters, or is he conveyed to a hospital or left at the very station where he fell ill ?

**Mr. P. R. Rau :** The decision will depend on the circumstances of the case.

### REST TO THE RELIEVING STAFF ON THE EAST INDIAN RAILWAY.

**76. Mr. M. Maswood Ahmad :** (a) What is the maximum period for relieving duty after which a railway employee on the East Indian Railway can get a permanent station ?

(b) Is there any age limit for the relieving staff on the East Indian Railway ?

(c) In accordance with the duty regulation imposed by the railway, what period of rest is given to the relieving staff in a week ?

**Mr. P. R. Rau :** (a) No maximum period has been fixed.

(b) The same age limit applies as to the rest of the staff.

(c) Staff whose work is of a continuous nature are allowed rest under the Hours of Employment Regulations of not less than 24 consecutive hours each week.

### APPOINTMENT OF MUSLIM ASSISTANT SURGEONS ON THE NORTH WESTERN RAILWAY.

**77. Mr. M. Maswood Ahmad :** (a) Is it a fact that some Assistant Surgeons are to be appointed on the North Western Railway shortly ?

(b) Is it a fact that the number of Muslim Assistant Surgeons on State railways is quite meagre ?

(c) If the reply to the preceding parts be in the affirmative, are Government prepared to reserve recruitment of Assistant Surgeons not only on the North Western Railway, but on all other State railways, for Muslims only for some time ?

(d) If the reply to part (c) be in the negative, will Government be pleased to state the steps they propose to take to remove the shortage of Muslims in the past ?

(e) Was it admitted in reply to question 37 (a) put in this House in September, 1933, that the number of Muslims in the superior service of the Medical Department was three only out of thirty-nine ?

(f) Will Government be pleased to state the number of years in which Muslims will get their due share ?

(g) Will Government be pleased to state whether Mr. Krishnaswami has got any hand in the appointment of the Assistant Surgeons whose appointments are under consideration ?

**Mr. P. B. Rau :** (a), (c) and (d). Government have no information. These appointments are within the competence of the Agent, North Western Railway, to make. I can, however, assure my Honourable friend that in making these appointments the policy recently laid down by Government will be strictly followed.

(b) The total number of Muslim Assistant Surgeons on all the State-managed Railways on the 30th September, 1933, was seven, but my Honourable friend must remember, that till recently some of these Railways were borrowing this class of officers from the Local Governments or the Military Department.

(e) Yes.

(f) I am unable to prophesy.

(g) No. Appointments are made through Selection Boards.

#### HEAD CLERKS IN THE AGENT'S OFFICE, NORTH WESTERN RAILWAY.

78. **Mr. M. Maswood Ahmad :** Has the attention of Government been drawn to the article published under the Caption " Superfluous Posts " in the *Pilot*, dated Amritsar, the 14th January, 1934, regarding the appointment of some head clerks in the Agent's office, North Western Railway ? If so, will Government please state what action has been taken on the same ?

**Mr. P. B. Rau :** The reply to the first part of the question is in the affirmative. As regards the latter part, I have sent a copy of the question to the Agent, North Western Railway, for his information and such action as he may consider necessary.

#### REDUCTION OF THE STATUS OF THE POST OF THE HEAD CLERK, MEDICAL BRANCH, NORTH WESTERN RAILWAY.

79. **Mr. M. Maswood Ahmad :** (a) Is it a fact that now on the amalgamation of the Chief Medical and Health Officer's office, North Western Railway, with the Headquarters office, North Western Railway, most of the work which was formerly done by the Medical Section of the Chief Medical and Health Officer's Office, has been transferred to other

Branches of the Headquarters office, *viz.*, to Works, Operating, General, and Rules Branches ?

(b) If the reply to part (a) above be in the affirmative, will Government please state whether they are considering the question of reducing the status of the post of the Head Clerk, Medical Branch, in these days of financial stringency, and if so, from what date ?

**Mr. P. R. Rau :** I have called for information and will lay a reply on the table of the House in due course.

#### REDUCTION OF THE POST OF SUPERINTENDENT, MEDICAL BRANCH, NORTH WESTERN RAILWAY.

**80. Mr. M. Maswood Ahmad :** (a) Is it a fact that the re-organisation of the Medical Department on the North Western Railway is almost complete now ?

(b) Is it also a fact that on the amalgamation of the Chief Medical Officer's office, North Western Railway, with the Headquarters office, North Western Railway, most of the important and voluminous work has been transferred to Personnel, Confidential, Works, General, Rules, Pass and Operating Branches, etc., on the Headquarters office ?

(c) If the reply to the preceding parts is in the affirmative, will Government please state why the post of Superintendent, Medical Branch, has not been brought under reduction in these days of financial stringency ? Is it a fact that on other State Railways only a Head Clerk or Chief Clerk is in charge of an independent Chief Medical Officer's office ?

**Mr. P. R. Rau :** I have called for information and will lay a reply on the table of the House in due course.

#### RESIDENTIAL ARRANGEMENT FOR THE RELIEVING STAFF ON THE NORTH WESTERN RAILWAY.

**81. Mr. M. Maswood Ahmad :** (a) Will Government be pleased to state what residential arrangement they have made on the North Western Railway for the relieving staff working on the line in place of the staff who might be sick or absent from duty to any cause ?

(b) Will Government be pleased to state the number of relieving lodges built on the North Western Railway after the imposition of duty regulation by which the use of relieving hands has become more frequent than before this regulation was enforced ?

(c) Will Government be pleased to state the average attendance of relieving staff on the North Western Railway per year per station after the introduction of duty regulation and before that ?

(d) Will Government be pleased to state where the off duty relieving hands live at those small stations on the North Western Railway where there is no accommodation ?

(e) Will Government be pleased to state whether or not the off-duty relieving hands on the North Western Railway can occupy the rest-houses, waiting rooms, guard running rooms, etc. ?

(f) Will Government be pleased to state whether it has ever been brought to their notice that relieving staff on the North Western Railway occupy offices of the stations for their cooking and sleeping purposes ?

(g) Will Government be pleased to state whether on the North Western Railway it is permissible to use Government offices, where important public work is transacted, as residential quarters ?

(h) Will Government be pleased to state whether facilities are given to the relieving staff on the North Western Railway for visiting their families when working on the line for a period of over one week ?

(i) Will Government be pleased to state the number of days for which a relieving hand on the North Western Railway can be kept away from his headquarters ?

(j) Will Government be pleased to state whether a relieving hand on the North Western Railway, having no place to live in at the station of the temporary appointment, can absent himself during the rest period or return to his headquarters for having rest and requirements of life ?

**Mr. P. R. Rau :** I shall obtain the information wherever it is readily available and shall place a reply on the table in due course.

#### ALLOWANCES TO THE RELIEVING STAFF AND THE RUNNING STAFF ON THE NORTH WESTERN RAILWAY.

82. **Mr. M. Maswood Ahmad :** (a) What allowances are given to the relieving staff of the North Western Railway and to the running staff, such as guards, and on what basis are such allowances calculated ?

(b) How many kinds of allowances can the relieving staff and the running staff on the North Western Railway earn concurrently ?

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

#### FACILITIES TO THE GUARDS ON THE NORTH WESTERN RAILWAY REGARDING THEIR STOPPAGE AT OUT-STATIONS.

83. **Mr. M. Maswood Ahmad :** (a) What facilities are provided for the guards on the North Western Railway regarding their stoppage at out-stations after working trains ?

(b) What is the maximum period of rest on State-managed Railways allowed to the relieving staff and guards returned to their headquarters from the line and before the commencement of their next duty ?

(c) Is the period of travelling in trains in going to or returning from duty or attending Divisional Office considered as duty or otherwise ?

(d) When a relieving hand becomes sick at a station where there is no Railway Hospital and relieving lodge, what arrangements are usually made for the protection of such sick person from weather and for his diet and medicines ?

(e) Is the sick person serving on the North Western Railway returned to his headquarters, or is he conveyed to a hospital or left at the very station where he fell ill ?

**Mr. P. R. Rau :** (a) I understand running rooms are generally provided at stations where guards change.

(b) No. Running staff have not so far been brought under the Hours of Employment Regulations.

(c) The period of travelling is considered as duty on the North Western Railway except for attendance in divisional office in personal matters.

(d) and (e). The relieving staff, reporting sick while on relieving duty at out-stations, are attended to by the railway doctor in charge of section. If the duration of sickness is estimated less than ten days the staff reporting sick are retained by the railway doctor under his treatment, otherwise, they are sent to the Medical Officer in charge of their headquarters station, as soon as they are fit to travel. Free diet is supplied to those relieving staff who are admitted as in-door patients in railway hospitals provided pay or leave salary does not exceed Rs. 30 per mensem.

#### REST TO THE RELIEVING STAFF ON THE NORTH WESTERN RAILWAY.

84. **Mr. M. Maswood Ahmad :** (a) What is the maximum period for relieving duty after which a railway employee on the North Western Railway can get a permanent station ?

(b) Is there any age limit for the relieving staff on the North Western Railway ?

(c) In accordance with the duty regulation imposed by the railway, what period of rest is given to the relieving staff in a week ?

(d) Do the relieving staff work long hours and thus take rest at their own expense, or separate staff work on duty changing days to allow them to take rest ?

(e) How much extra staff is appointed to give effect to the duty regulation ?

(f) Are the relieving staff allowed freely to enjoy their weekly rest anywhere away from their working stations and are they supplied free passes to visit their families on rest days ?

**Mr. P. R. Bau :** (a) No limit has been fixed to the period of relieving duty. The relieving staff are posted to permanent stations in their turn.

(b) The same age limit applies as to the rest of the staff.

(c) and (d). The relieving staff, when working on relieving duty, take up the duty rosters of, and, therefore, enjoy the same rest as, the persons in whose places they are working.

(e) Approximately 1,700. This extra staff was appointed to give effect to the Hours of Employment Regulations.

(f) Yes, if permission to leave the station is applied for and passes are applied for and are due.

#### GRIEVANCES OF THE TELEPHONE OPERATORS.

85. **Mr. S. G. Jag :** (a) Will Government be pleased to state whether their attention has been invited to a letter under the heading "Telephone Operators : Government's indifference to their grievances", published in the *Amrita Bazar Patrika* of the 5th June, 1934 ? If so, will Government be pleased to state what action has been taken to mete out justice to the telephone operators ?



(b) Will Government be pleased to state when the telephone operators submitted a memorial to His Excellency the Viceroy and Governor General in Council, and after what period Government intimated their decision to those concerned ?

(c) Is it a fact that of all the Departments of Government, it is only the posts of telephone operators in the Posts and Telegraphs Department which are pensionable without gratuity or provident fund ?

(d) Is it a fact that the subordinate employees in the Railways enjoy provident fund and gratuity benefits ? If so, how is it that the post of telephone operators, who are under the Imperial Government, are debarred from pensionary, provident fund and gratuity benefits ?

**The Honourable Sir Frank Noyce :** (a) Government have seen the letter. The question of improving the general condition of service of telephone operators is under consideration. As regards the question of their pensions, the Honourable Member is referred to the reply to parts (n) and (o) of his starred question No. 966, which was laid on the table of the House on the 8th December, 1933.

(b) The memorials were submitted in February and March, 1933, and were received from the Heads of Circles with their reports on different dates during the period from March to July, 1933. The decision was intimated to the Heads of Circles for communication to the petitioners in January, 1934, i.e., after a period of about six months.

(c) I presume that "pensionable" in this part of the Honourable Member's question is a mistake for "non-pensionable". If this presumption is correct, the reply is in the negative.

(d) The reply to the first part is in the affirmative. As regards the second part, the Honourable Member is referred to the reply to part (a) of the question.

#### HOLIDAYS FOR THE TELEPHONE OPERATORS.

86. **Mr. S. G. Jog :** Is it a fact that telephone operators do not enjoy any holidays throughout the whole year, not even King's Birthday ? If so, do Government contemplate granting any compensatory allowance to the telephone operators on that account ?

**The Honourable Sir Frank Noyce :** As regards the first part of the question, the facts are substantially as stated by the Honourable Member. As regards the second part, the question of the grant of holidays to telephone operators is under consideration.

#### UNSUITABILITY OF THE HINDU REFRESHMENT ROOM AT THE CAWNPORE CENTRAL STATION FOR ORTHODOX HINDUS.

87. **Lala Rameshwar Prasad Bagla :** (a) Will Government please state if they have received any representation as to the unsuitability of Hindu Restaurant at the Cawnpore Central Station for orthodox Hindus ? If so, from whom ?

(b) If the answer to part (a) be in the affirmative, will Government please state if they are prepared to consider the desirability of establishing a restaurant at the Cawnpore Central Station suitable for the taste of orthodox Hindus ?

**Mr. P. E. Rau :** (a) No.

(b) Does not arise.

**ABSENCE OF FANS OVER THE PLATFORMS AT THE CAWNPORE CENTRAL STATION.**

**88. Lala Rameshwar Prasad Bagla :** (a) Are Government aware that, owing to great rush of passengers at the Cawnpore Central Station and for the absence of fans over the platforms, the passengers are greatly inconvenienced during summer ?

(b) Will Government please state if they are prepared to consider the desirability of installing fans over the platforms of the Cawnpore Central Station, as at Calcutta, so as to make the stay on platforms comfortable ?

**Mr. P. B. Ban :** (a) and (b). I understand that the question of the necessity of electric fans on the platform at the Cawnpore Railway Station was discussed at a meeting of the East Indian Railway's Advisory Committee at Cawnpore in September, 1933 ; and that, the Agent stated that the installation of fans would not give commensurate benefit to passengers for the capital outlay and the recurring charges. He was, however, prepared to provide two fans experimentally in the concourse. Government do not consider that their interference in the matter is called for.

**ANGLO-INDIAN SHED APPRENTICES ON THE EAST INDIAN RAILWAY.**

**89. Pandit Satyendra Nath Sen :** (a) Will Government be pleased to state whether it is a fact that nearly 50 Anglo-Indian Shed apprentices in the various running sheds on the East Indian Railway are kept on the maximum pay of apprenticeship after completing their scheduled course of training and also nearly ten apprentice Train Examiners on the various Divisions of the East Indian Railway have been enjoying the same privileges ?

(b) Is it a fact that in the Howrah Division this practice is not enforced ?

(c) If the answer to the preceding parts be in the affirmative, will Government please state the reasons for such differential treatment under one and the same administration ?

(d) If the answer to parts (a) and (b) be in the negative, are Government prepared to consider their case sympathetically ?

(e) Is it a fact that some of them have been appointed as menials though they had passed from the Asansol and the Jamalpore Technical Schools satisfactorily and meritoriously ? If so, do Government propose to give them the same privileges which they were enjoying during their apprenticeship ?

(f) Is it also a fact that the *ex-Shop* trained apprentices of the various shops of the East Indian Railway are going to be appointed in the operative department, though they belonged to the Mechanical department, thus ignoring the legitimate claims of the operating departmental apprentices who were waiting to be absorbed in vacancies as active workers ? If so, do Government propose to remove the latter's grievances by instructing the Agent of the East Indian Railway, accordingly ?

(g) If the answer to part (f) be in the negative, will Government please state why the following *ex-Shop* trained apprentices were

appointed in the Operating department at the end of August, 1933, in the Howrah Division only :

1. K. P. Mukherji. 2. A. N. Mitra. 3. T. A. H. Cahoon.
4. G. B. Allnut. 5. A. N. Chatterjee and others.

(h) Is it also a fact that as per Agent, East Indian Railway's Resolution No. 127 of 1930-31, the apprentice Train Examiners are to be provided after completion of their course if vacancies exist ?

(i) Will Government please enlighten this House on this subject and state why the apprentice Train Examiners of Howrah Division were not absorbed in the existing vacancies, although they had been waiting then as active workers after completion of their course ? Why were these *ex-Shop* trained apprentices appointed in contravention of the Agent's resolution referred to above ?

**Mr. P. B. Rau :** I have called for the information and will lay a reply on the table of the House in due course.

#### TIME OF ATTENDANCE IN THE OFFICES OF THE TELEGRAPH STOREYARD, ALIPORE, CALCUTTA.

**90. Mr. Bhuput Sing :** (a) Are Government aware that the usual time of attendance in the offices of the Telegraph Storeyard, Alipore, Calcutta, is 10-30 A.M. ?

(b) Is it a fact that some of the officers there have made attendance compulsory between 10 and 10-15 A.M. in some of the Branches ? If so, will Government be pleased to state the reasons for this variation of the office hours in the different Branches of the same office ?

(c) Are Government aware that in some of the offices in the said Telegraph Storeyard, the usual closing hour is 2 P.M. on Saturdays and 4-30 P.M. on other week days ?

(d) Are Government aware that in some branches of the office they are not closed till about 4 to 4-30 P.M. on Saturdays and 6 or 6-30 P.M. on other week days ? If so, will Government be pleased to state the reasons for this differential treatment ?

(e) Have Government issued any circular to the effect that with the stopping of last Saturday holidays, the half holidays on Saturdays should also be stopped in the said offices ? If not, are Government aware that in some branches of the office it has been stopped ?

(f) Are Government aware that the closing of the said offices at late hours in the night causes a great deal of inconvenience to the men who have to walk more than a mile in order to catch the buses or tram cars ?

(g) Do Government propose to remove these discriminations in the treatment of officers in different branches and make a uniform rule for all offices ?

**The Honourable Sir Frank Noyce :** Information has been called for, and a reply will be placed on the table of the House in due course.

**HOLIDAYS IN THE OFFICES OF THE TELEGRAPH STOREYARD, ALIPORE, CALCUTTA.**

**91. Mr. Bhuput Sing :** (a) Are Government aware that in some of the offices of the Telegraph Storeyard, Alipore, Calcutta the clerks are not allowed :

- (i) all the holidays under the Negotiable Instruments Act ; and
- (ii) all other gazetted holidays ?

If not, do they propose to enquire into the matter ? If not, why not ?

(b) Is it a fact that there is a standing circular of the Director General of Posts and Telegraphs that the list of holidays prepared by the Local Government shall be followed in all cases ? If so, why is that order ignored in the said offices of the Telegraph Storeyard ?

(c) Are Government aware that the Hindu clerks are not allowed to enjoy all the holidays prescribed for the respective Hindu festivals, while the Muhammadans are allowed full facilities of getting all their religious festivals ?

(d) Are Government aware that clerks in these offices are not allowed the full term of holidays prescribed for the Pujahs, Christmas and the Easter holidays ?

(e) Is it a fact that all the clerks of these offices are compelled to attend on all the days during the above holidays without any compensatory leave being granted to them ? If so, why ?

**The Honourable Sir Frank Noyce :** Information has been called for, and a reply will be placed on the table of the House in due course.

**NON-CONFIRMATION OF CERTAIN CLERKS IN THE OFFICES OF THE TELEGRAPH STOREYARD, ALIPORE, CALCUTTA.**

**92. Mr. Bhuput Sing :** (a) Is it a fact that in some of the offices of the Telegraph Storeyard, Alipore, Calcutta, there are clerks who have been serving on temporary appointments for seven or eight years without being made permanent ? If so, will Government be pleased to mention the number of such clerks ?

(b) Will Government be pleased to state why these clerks have not yet been made permanent ?

(c) Is it a fact that during these periods they are not allowed any increment ? If so, do Government propose to amend the rules regarding increment, so that any man shall be granted increments after two or three years' continuous temporary service ?

**The Honourable Sir Frank Noyce :** (a) to (c). Information has been called for and a reply will be placed on the table of the House in due course.

**ANNUAL REPORT OF THE ARCHÆOLOGICAL DEPARTMENT.**

**93. Khan Bahadur Haji Wajihuddin :** (a) Is it a fact that no Annual Report of the Archæological Department has been written and published by the present Director General of Archæology in India during his tenure of office ?

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

**Mr. G. S. Bajpai :** (a) He has edited the Annual Report of the Archæological Department for 1929-30 which is in the press, and is expected to issue before the end of the year. He has also made considerable progress with the Report for 1930-31 and expects to have revised the first proof copy of that report before his retirement.

(b) Does not arise.

PUBLICATIONS ISSUED BY THE ARCHÆOLOGICAL DEPARTMENT.

94. **Khan Bahadur Haji Wajihuddin :** Will Government be pleased to place on the table a statement showing the various books and other publications, including annual reports, and the names of authors and dates of publications which were issued during the last three years by the Archæological Department?

**Mr. G. S. Bajpai :** A statement is laid on the table.

*Statement of Publications issued by the Archæological Department during the last three years (1st April, 1931 to 31st March, 1934).*

Serial No.	Title of Publication.	Name of author.	Date of publication.
	I.— <i>Publications resulting from Sir John Marshall's Special Duty.</i>		
1	Mohenjo-Daro and the Indus Civilization, Volumes I—III.	Sir John Marshall	March, 1932.
	II.— <i>New Imperial Series of the Archæological Survey of India.</i>		
2	Volume LI. List of Ancient Monuments Protected under Act VII of 1904 in the Province of Bihar and Orissa.	Mr. Muhammad Hamid Kuraishi, officiating Superintendent, Archæological Survey, Northern Circle, Agra.	April, 1932.
3	Volume LLV. Somanath and other Mediaeval Temples of Kathiawar.	Mr. Henry Cousens (Late Superintendent, Archæological Survey).	June, 1932.
4	Volume XLVIII. Mediaeval Temples of the Dakhan.	Mr. Henry Cousens (Late Superintendent, Archæological Survey).	January, 1933.
5	Volume XLVII. Easter Indian School of Mediaeval Sculpture.	Mr. R. D. Banerji (Late Superintendent, Archæological Survey).	September, 1933.
6	Volume LIII. South Indian Inscriptions (Texts). Volume VII. Miscellaneous Inscriptions from Tamil, Malayalam, Telugu and Kennada countries.	Mr. K. V. Subramanya Aiyer (Editor) (Superintendent for Epigraphy).	January, 1934.

Serial No.	Title of Publication.	Name of author.	Date of publication.
7	Volume XLIII. Bahabali Manuscript, Part III. The Text rearranged.	Mr. G. R. Kaye (Editor)	February, 1934.
	III.— <i>Annual Reports of the Archaeological Survey of India.</i>		
8	Annual Report of the Archaeological Survey of India for 1927-28.	Mr. H. Hargreaves (late Director General of Archaeology) (Editor).	September, 1931.
9	Annual Report of the Archaeological Survey of India for 1928-29.	Mr. H. Hargreaves (late Director General of Archaeology) (Editor).	June, 1933.
	IV.— <i>Annual Reports on South Indian Epigraphy.</i>		
10	Annual Report on South Indian Epigraphy for the year ending 31st March, 1929.	Mr. V. S. Viswanatha (late Assistant Superintendent for Epigraphy, Southern Circle).	November, 1931.
11	Annual Report on South Indian Epigraphy for the year ending 31st March, 1930.	Mr. K. V. Subramanya Aiyer (late Superintendent for Epigraphy).	December, 1932.
12	Annual Report on South Indian Epigraphy for the year ending 31st March, 1931.	Mr. K. V. Subramanya Aiyer (late Superintendent for Epigraphy).	March, 1934.
	V.— <i>Memoirs of the Archaeological Survey of India.</i>		
13	No. 43. An Archaeological tour in Gedrosia.	Sir Aurel Stein	July, 1931.
14	No. 23. The Haihayas of Tripuri and their Monuments.	Mr. R. D. Banerji (late Superintendent Archaeological Survey).	January, 1932.
15	No. 24. Rock Paintings and other antiquities of Prehistoric and later times.	Rai Sahib Manoranjan Ghosh (Curator, Patna Museum).	March, 1932.
16	No. 45. Bibliography of Indo-Muslim History excluding Provincial Monarchies.	Khan Bahadur Maulvi Zafar Hasan, Deputy Director General, Archaeology.	October, 1932.
	VI.— <i>Guide Books and Catalogues.</i>		
17	Archaeological Notes on Pagan, revised edition.	Mr. Taw Sein Ko (late Superintendent of Archaeological Survey).	April, 1931.
18	Guide to the Buddhist Ruins of Saranath, 5th revised edition.	Rai Bahadur Daya Ram Sahni, Director General, Archaeology.	December, 1933.
19	Archaeological Notes on Mandalay, revised edition.	Mr. Taw Sein Ko (late Superintendent of Archaeological Survey).	August, 1931.

Serial No.	Title of Publication.	Name of author.	Date of publication.
20	Guide to Mandalay Palace ..	Mons Chas. Duroiselle (late Superintendent, Archaeological Survey).	August, 1931.
21	Guide to the Buildings and Gardens of Delhi Fort, 4th revised edition.	Mr. G. Sanderson (late Superintendent, Archaeological Survey).	July, 1932.
22	Guide to Hampi Ruins, 3rd revised edition.	Mr. A. H. Longhurst (late Superintendent, Archaeological Survey).	September, 1933.
23	List of the Archaeological Photonegatives of the North-West Frontier Province, Baluchistan, Kashmir and the Punjab (Mohammadan and British Monuments) stored in the Archaeological Survey, Frontier Circle, Lahore, corrected upto 31st March 1930.	Mr. J. F. Blakiston ..	May, 1931.
24	Catalogue of Paintings recovered from Tun Huang by Sir Aurel Stein.	Mr. Arthur Walay ..	January, 1932.
25	Catalogue of Wall-Paintings from Ancient Shrines in Central Asia and Sistan recovered by Sir Aurel Stein.	Mr. F. H. Andrews ..	May, 1933.
26	List of Archaeological Photonegatives of the late office of the Northern Circle, Hindu and Buddhist Monuments, Baluchistan, Punjab and United Provinces, stored in the Frontier Circle, Lahore, and Northern Circle, Agra, corrected upto 31st March 1932.	Mr. J. F. Blakiston, Superintendent, Archaeological Survey, Frontier Circle.	October, 1933.
27	List of Archaeological Photonegatives of the Bombay Presidency, including Sind and Indian States stored in the Western Circle, Poona. Corrected upto 31st March, 1932.	Dr. M. Nazim ..	November, 1933.
VII.— <i>Epigraphia Indica</i> .			
28	Epigraphia Indica, Volume XX, Part I.	Dr. Hira Nanda Sastri (Editor)	July, 1931.
29	Epigraphia Indica, Volume XX, Part II.	Ditto ..	May, 1931.
30	Epigraphia Indica, Volume XX, Part III.	Ditto ..	November, 1931.
31	Epigraphia Indica, Volume XX, Part IV.	Ditto ..	November, 1931.

Serial No.	Title of Publication.	Name of author.	Date of publication.
32	Epigraphia Indica, Volume XX, Part V.	Dr. Hira Nand Sastri ..	March, 1932.
33	Epigraphia Indica, Volume XX, Part VI.	Ditto ..	December, 1932.
34	Epigraphia Indica, Volume XX, Part VII.	Ditto ..	March, 1933.
35	Epigraphia Indica, Volume XXI, Part I.	Ditto ..	April, 1933.
36	Epigraphia Indica, Volume XX, Part VIII.	Ditto ..	September, 1933.
37	Epigraphia Indica, Volume XXI, Part II.	Ditto ..	December, 1933.
38	Epigraphia Indica, Volume XXI, Part III.	Mr. K. N. Dikshit (Editor) Superintendent, Archaeological Survey.	February, 1934.
	VIII.— <i>Epigraphia Indo-Moslemica.</i>		
39	Epigraphia Indo-Moslemica for 1927-28.	G. Yazdani (Editor), Government Epigraphist for Muslim Inscriptions.	August, 1931.
40	Epigraphia Indo-Moslemica for 1929-30.	Ditto ..	October, 1932.

#### TRANSFERS OF INSPECTORS OF STATION ACCOUNTS ON THE NORTH WESTERN RAILWAY.

95. **Bhagat Chandi Mal Gola :** (a) Is it a fact that there are Inspectors of Station Accounts attached to the North Western Railway, who have been posted on one Section or at one Station for more than the prescribed period ?

(b) Are the Railway Board now prepared to issue necessary instructions to the Chief Accounts Officer to effect the transfer of such men ?

**Mr. P. R. Rau :** (a) Possibly Government are not aware that any period has been prescribed.

(b) No, Government leave these matters to the discretion of the Chief Accounts Officer.

#### MESSAGE FROM THE COUNCIL OF STATE.

**Secretary of the Assembly :** Sir, the following Message has been 12 Noon. received from the Council of State :

"I am directed to inform you that the Council of State has, at its meeting held on the 18th August, 1934, agreed without any amendments to the Bill to extend the operation of the Bengal Criminal Law Amendment (Supplementary) Act, 1932, which was passed by the Legislative Assembly at its meeting held on the 6th August, 1934."



## THE INDIAN PETROLEUM BILL.

**The Honourable Sir Frank Noyce** (Member for Industries and Labour) : Sir, I beg to move :

“ That the Bill to consolidate and amend the law relating to the import, transport, storage, production and refinement of petroleum and other inflammable substances, as reported by the Select Committee, be taken into consideration.”

Sir, I do not think that any long speech is required from me in support of this motion. The changes in the Bill which have been made by the Select Committee are somewhat numerous, but not more than was to be expected in a Bill dealing with a highly technical subject which was circulated for opinion after it had been introduced in this House. The most important, and, I venture to think, the most valuable change which has been made in the Bill is in clause 12. In the Bill as originally introduced petroleum which was the property or in the possession of any duly authorised officer acting in the execution of the Act was exempted. Objection was taken to this clause by my Honourable friend, Mr. Gaya Prasad Singh, in the course of the discussion on the motion to refer the Bill to a Select Committee. It has now been altered, I trust, to his satisfaction and the clause now runs that nothing in Chapter I shall apply to any petroleum exempted by the Governor General in Council by notification in the Gazette of India in this behalf. This means that all ordinary petroleum which is the property of or in the possession of Government will be treated in exactly the same way as if it was the property of or in possession of private owners. The only Government petroleum which will be exempted is petroleum which is required for testing purposes. The real value of the altered clause, however, lies elsewhere and is to be found in the power of exemption that it will give to certain turpentine to which it may not be necessary or desirable to apply the provisions of this Bill. Under the altered clause, it will also be possible to deal suitably with another point which has been raised in the discussion in the Select Committee and elsewhere. The Select Committee decided not to reduce the flashing point of petroleum, to which Chapter I will apply, from 200 degrees Fahrenheit to 150 degrees. I quite admit that it is perhaps taking a somewhat conservative view but it was the view which has been strongly held too by two recent Chief Inspectors of Explosives, Dr. Sheldon and Dr. Robson, who had very great experience in these matters. If I may say so, I think the Select Committee were fully justified in following the opinion of the experts in these matters and in retaining the higher figure. But as I have already said, I am quite prepared to admit that the view the Select Committee has taken is a somewhat conservative view and I consider it desirable that the rules which are framed under the new Act in regard to transport and storage of fuel oils should be framed in close consultation with and with due regard to the interests of the industry. I am, therefore, very ready to give a categorical assurance that we shall do our best so to frame the rules in consultation with the industry so as to ensure that no reasonable obstacles are placed in the way of securing the necessary facilities for the transport and storage of fuel oil as opposed to the import of these oils. This was the most important change made by the Select Committee, and I need only refer very briefly to the other changes. Clause 5 has been altered so as to exclude the production of oil in Burma which is already regulated by a local Act, the Burma Oil Fields Act of 1918. That Act is working satisfactorily.

ly and there seems no necessity to include in the Bill before the House matters which are already regulated by rules under it. The use of small power plants is extending rapidly, and it was, therefore, thought desirable to place as few obstacles as possible in the way of possession by owners of such plants of petroleum they require for running their engine. As was to be expected from a Select Committee of which my Honourable friend, Mr. Lalchand Navalrai, was a Member, the punishment by imprisonment originally provided in clause 29 has been omitted. But it has been thought desirable to provide for an enhanced fine for repetition of offences under this clause in view of the danger to human life and the safety involved in such offences. This is all, I think, I need say about the changes which have been made by the Select Committee.

I owe the House an apology for the fact that a few small amendments to the Bill stand in the name of the Joint Secretary of my Department. Those amendments are merely brought forward to give effect to certain changes which were consequential changes and which were actually approved by the Select Committee, but which, for some reason or other, I am not sure whether it was the fault of my Department or of the Legislative Department or of the printer, have been overlooked in printing the Bill. As I have said, I owe the House an apology for bringing them forward. I venture to contend in conclusion that the Bill as amended places the law relating to the import, transport, storage, production and refinement of petroleum and other inflammable substances on a very much more satisfactory basis than it is at present and I have no hesitation in commending my motion for the consideration of the House. (Applause.)

**Mr. President** (The Honourable Sir Shanmukham Chetty) : Motion moved :

“ That the Bill to consolidate and amend the law relating to the import, transport, storage, production and refinement of petroleum and other inflammable substances, as reported by the Select Committee, be taken into consideration.”

**Mr. Gaya Prasad Singh** (Muzaffarpur *cum* Champaran : Non-Muhammadan) : Sir, this is a non-contentious measure, and, whatever little points of difference there were in the Bill, as it was originally introduced, it has come out from the Select Committee as a most acceptable measure. Reference has been made to the objection which I took to clause 12 of the Bill which has been amended by the Select Committee. Now, clause 12 of the Bill as it was originally introduced runs as follows :

“ Nothing in this Chapter shall apply to petroleum which is the property of or is in the possession of Government or of any duly authorised officer acting in the execution of this Act.”

This, I contended, was a very wide power which is vested in the clause, namely, to exclude from the purview of this Bill petroleum which is the property of the Government or in possession of any Government officer. I quite realise that difficulties may arise in giving effect to this proposal inasmuch as investigating officers may be hampered in the discharge of their duties who may have to deal with and to take into custody petroleum under the provisions of this Act. Now this clause has been amended accordingly, and the clause as it has been amended reads as follows :

“ That Governor General in Council may, by notification in the Gazette of India, exempt any petroleum specified in the notification from all or any of the provisions of this Chapter.”

[Mr. Gaya Prasad Singh.]

I venture to feel that this new clause is more wide than the clause which stood in the original Bill. I have no doubt that Government will not issue any notification exempting Government petroleum from the purview of this Act. I should have liked clause 12 to be amended somewhat on these lines, namely :

“ Nothing in this chapter shall apply to petroleum which is in the possession of any duly authorised officer of Government acting in the execution of this Act.”

That would have restricted the operation of this provision only to the case of those Government officers, who, in the exercise of their duties, have to handle petroleum and keep it in custody for the time being. However, I have full confidence that petroleum which is in the possession of Government or which is the property of Government will not be sought to be exempted under this clause of the Bill.

There is only one other point, Sir, to which I should make a reference, but before I do so, I will refer to the note on this particular clause 12 in the report. The report says :

“ We have recast this clause. We do not propose to exempt Government petroleum from the provisions of Chapter I, but we recognise that a power of exemption is necessary to provide for such cases as the possession of petroleum for testing purposes, and in order possibly to exclude certain turpentine.”

Now, I should have liked the substance of this note to be embodied in the form of a sub-clause in clause 12. But, however, as I have stated, I do not take any formal objection to this new clause, and I have tabled no amendment on it. I will now only refer to clause 24 to which reference has been made by a Member of the Select Committee. This clause says :

“ (b) where the offender is convicted of importing, transporting or storing petroleum exceeding the quantity he is permitted to import, transport or store, as the case may be, the whole of the petroleum in respect of which the offence was committed,

shall, together with the receptacles in which it is contained, be confiscated.”

I do not exactly understand the significance of “ the whole of the petroleum ”. Suppose, for instance, the dealer is authorised under the terms of this Act or under the terms of his licence to store a particular quantity of petroleum, say, 200 gallons. Before the whole of the stock runs out he orders a fresh supply of 200 gallons. Suppose this supply comes to him when about 10 or 15 gallons of the old stock remains in his shop. What is to be done in this case ? At that particular moment when he receives the new supply, he will have in his possession 200 gallons *plus* 10 or 15 gallons which is left of the old stock. Is it intended, in clause 24, to forfeit the whole of this stock which is with him, that is, the new 200 gallons *plus* the 10 or 15 gallons of the old stock which is left with him ? If that is so, it will work hardship in his case. At small stations where possibly there is only one dealer in petroleum, it is necessary that he should get his supply before the whole of the old stock is exhausted ; and consequently, if this clause is strictly enforced it will entail undoubted hardship upon him. I do not know whether I have understood the significance or the implication of this clause correctly ; if I have not, I shall be glad if my Honourable friend will correct me on this point. But if my interpretation is correct, I think Government will realise that it will work some hardship, specially in small mufassil places where there may be only one or two dealers. Now, if there is only one dealer, and if he waits for a fresh supply till the whole stock of the old

petroleum is exhausted, probably there might be no stock of petroleum left in his shop and in the whole station where he supplies thereby putting the public to inconvenience. Therefore, I should like to have from the Honourable Member a clear statement of the case. With these few words, I support the motion that the Bill be taken into consideration.

**Mr. L. C. Buss** (Nominated Non-Official) : Sir, I should like, first of all, to congratulate the Honourable Sir Frank Noyce on the evolution of a very satisfactory Bill, and one, which I think, will be found in practice to give to Government all necessary powers of control, to the public all the protection which is humanly possible, and to the petroleum industry reasonable facilities for carrying on their business without unnecessary and vexatious restrictions. In many respects Government have met the wishes of the public and the industry expressed to them as a result of circulating the draft Bill. They have rejected one important recommendation to which Sir Frank Noyce has already referred, and to which I shall refer later in more detail. But, generally speaking, they have been very sympathetic to the suggestions put before them, and, I venture to say, that it is difficult to take exception to the Bill as now drafted. Although Sir Frank Noyce recently remarked that this is a burning question, it is not, I submit, in any way a controversial measure. I have said that I consider the Bill a very satisfactory measure, but I should like to emphasise that in the case of the Petroleum Bill, more, I think, than in the case of other Bills, the rules which will be framed as a result of the Bill are of very vital importance, of more vital importance than the Bill itself ; and I hope the Honourable Member in charge will be able to assure the House that when suggestions are made to Government as a result of circulating the draft rules, they will give the same consideration to those suggestions as they have given in the case of the Bill. I have mentioned that one important suggestion was not accepted. I refer of course to the reduction of the flashing-point limit in clause 11 from 200 degrees to 150 degrees Fahrenheit. I do not hold a brief for the entire petroleum industry in India, but I speak for a large and important part of it, and I think, I can safely say that the whole industry are of my way of thinking in this matter, namely, that oil of this high flashing-point, i.e., fuel oil, cannot, by any stretch of imagination, be regarded as a danger to the public during transport and storage. I was anxious to persuade Sir Frank Noyce to exempt this oil entirely from the operation of the Bill, but I understood from him that there were difficulties about this, and I accepted his point of view. I do, however, press, and press most strongly, for its exemption entirely from the transport and storage rules. In support of my contention, I have been studying the Chief Inspector of Explosives' reports for the past 12 years. I have not gone further than that because I have not been able to secure the earlier reports. In those 12 reports, I have only been able to trace two occasions on which accidents have occurred owing to the use of fuel oil. I say "use", because I wish to emphasise that neither of these accidents took place during the storage or transport of fuel oil. With your permission, Sir, I will quote from the Chief Inspector of Explosives' Report about these two accidents. The first took place in 1923 and the report is as follows :

"An Indian was standing directly in front of a steam boiler furnace where fuel oil was being used when a blow-back occurred at the furnace. The man's clothes caught fire and he was burnt so severely that he died the next day."

[Mr. L. C. Buss.]

The second accident took place in the following year, 1924, and this is a report of it :

“ An Indian opened a valve on the gasline supplying the boilers with fuel, to clear it of water and gas. There was a strong wind blowing towards the boiler and the condensate spray was carried towards the boiler where it ignited, severely burning the man, who eventually died of burns.”

The second case seems to me more like an accident due to the use of gas, but as it is recorded under the heading of Fuel Oil, I accept it as such. My point is that neither accident took place during transport or storage and that nothing in the rules could have been of any avail to prevent these two accidents, both of which occurred during the firing of boilers, and we are left with the excellent record of not a single accident having taken place in this way, during the past twelve years at any rate. I think that this should prove my contention conclusively. It may, of course, be argued that this remarkable immunity from accident is due to the operation of the rules under the Act ; but if that is the case, it might equally well be argued that the rules should also have prevented accidents arising from the handling of other petroleum products, such as crude oil, petrol and kerosene, especially as the rules in their case are much more stringent. But we have over a hundred accidents as a result of the handling of these more dangerous products during the same period. It is usually when the rules are broken that accidents occur, and, I am sure, that in the case of fuel oil there must have been very numerous occasions on which it has been handled ignorantly or negligently, but no accidents have taken place. If my case is not yet sufficiently strong, I should like to recall the events which took place at Madras on the 22nd September, 1914. The German Cruiser, Emden, steamed past Madras and bombarded the oil installations there. I was present on that occasion myself, and after spending the night in helping to remove our petrol stocks from the vicinity of the two blazing kerosene tanks, I took the opportunity, next morning, to examine the full extent of the damage done. We found that another tank containing fuel oil had, like the kerosene tanks, been pierced by shells ; but although the sides and roof of the tank were riddled with holes from the exploding shells and the tank compound was deluged with scattered oil, there had been no fire ; and I think this is an extraordinary and convincing proof that this oil is not dangerous.

I hope, Sir, that I have been able to persuade Sir Frank Noyce that my view on this matter is reasonable and I support the Bill.

**The Honourable Sir Frank Noyce :** Sir, I much appreciate what has fallen from my Honourable friends, Mr. Gaya Prasad Singh and Mr. Buss. Mr. Gaya Prasad Singh is still not very satisfied with clause 12 as it has been redrafted. I can only repeat what I said just now, and that is that we do not propose to make any distinction between Government petroleum and other petroleum except to the very small extent mentioned in my opening remarks, namely, where the petroleum is required for testing purposes.

**Mr. Gaya Prasad Singh :** I am satisfied.

**The Honourable Sir Frank Noyce :** I am grateful to the Honourable Member. He also raised a point in regard to clause 24 which lays down that the convicting magistrate may direct that the whole of the petroleum

in respect of which an offence has been committed may be confiscated. I think that clause follows the usual lines in regard to powers of confiscation. The power of confiscation in customs and excise matters is, I think I am right in saying, given in respect of the whole of any article in regard to which any offence has been committed. The difficulty here is in distinguishing between the various parts of the petroleum. Suppose you have 200 gallons of petroleum and the offence has been committed in respect of five gallons of that, it would be very difficult to say which five gallons should be confiscated; but the real point is—and I think that is the real answer to my Honourable friend, Mr. Gaya Prasad Singh—that the powers of confiscation are not compulsory: they are only permissive: the convicting magistrate may or may not direct the petroleum to be confiscated. In any case, where an offence is purely technical, I do not think for a moment that in such a case the convicting magistrate would direct that the whole of the petroleum should be confiscated....

**Mr. Gaya Prasad Singh :** But it says :

“ The whole of the petroleum shall, together with the receptacles in which it is contained, be confiscated.”

It is not “ may ”, but it is “ shall ”. It makes it obligatory on the magistrate.

**The Honourable Sir Frank Noyce :** I do not think my Honourable friend—who is a far better lawyer than I am—has read the first portion where it says “ the convicting magistrate may direct, etc., etc.” We have to presume that he will exercise his discretion with common sense.

As regards the two points raised by my Honourable friend, Mr. Buss, I can only repeat the categorical assurance that I gave him in regard to the first of them, namely, that in framing the rules under the new Act, we shall consult the interests of the trade and shall give the most careful consideration to any point that they put forward—as indeed we always do in these matters. I do not think that the record of Government in administering Acts of this kind, which involve control of some important product, is at all unsatisfactory. As regards the second point, I am sorry I cannot at the moment give him such a definite categorical assurance. I can only assure him that the points he has raised with regard to the transport and storage of heavy oils will receive our most careful, and, I would add, our most sympathetic consideration and that we will certainly go as far as we can in the direction of exempting these oils from what he doubtless considers vexatious restrictions. I cannot say at the moment, that we shall be able to go the whole way with him, but I do say that, we will endeavour to go as far as we can.

**Mr. President (The Honourable Sir Shanmukham Chetty) :** The question is :

“ That the Bill to consolidate and amend the law relating to the import, transport, storage, production and refinement of petroleum and other inflammable substances, as reported by the Select Committee, be taken into consideration.”

The motion was adopted.

Clauses 2 to 12 were added to the Bill.

**Mr. President (The Honourable Sir Shanmukham Chetty) :** The question is :

“ That clause 13 stand part of the Bill.”

**Mr. E. W. Perry** (Government of India : Nominated Official) : Sir, I move :

“ That in sub-clause (1) of clause 13 of the Bill, for the words ‘ or refined ’ the words ‘ refined or blended ’ be substituted.”

Sir, these four amendments which stand in my name merely carry out the decisions of the Select Committee. I may say that I am responsible for these blemishes in the Report. The fact is that we had very little time to check the Report before it was placed before the House. We wished to give the Members as long a time as possible to peruse it before it was taken into consideration, and we took the risk of these mistakes advisedly and postponed the final scrutiny of the Report until after the Report was placed before the House.

**Mr. President** (The Honourable Sir Shanmukham Chetty) : The question is :

“ That in sub-clause (1) of clause 13 of the Bill, for the words ‘ or refined ’ the words ‘ refined or blended ’ be substituted.”

The motion was adopted.

**Mr. President** (The Honourable Sir Shanmukham Chetty) : The question is :

“ That clause 13, as amended, stand part of the Bill.”

The motion was adopted.

Clause 13, as amended, was added to the Bill.

**Mr. President** (The Honourable Sir Shanmukham Chetty) : The question is :

“ That clause 14, as amended, stand part of the Bill.”

**Mr. E. W. Perry** : Sir, I move :

“ That in sub-clause (1) of clause 14 of the Bill, for the words ‘ or refined ’ the words ‘ refined or blended ’ be substituted.”

**Mr. President** (The Honourable Sir Shanmukham Chetty) : The question is :

“ That in sub-clause (1) of clause 14 of the Bill, for the words ‘ or refined ’ the words ‘ refined or blended ’ be substituted.”

The motion was adopted.

**Mr. President** (The Honourable Sir Shanmukham Chetty) : The question is :

“ That clause 14, as amended, stand part of the Bill.”

The motion was adopted.

Clause 14, as amended, was added to the Bill.

Clauses 15 to 22 were added to the Bill.

**Mr. President** (The Honourable Sir Shanmukham Chetty) : The question is :

“ That clause 23 stand part of the Bill.”

**Mr. E. W. Perry** : Sir, I move :

“ That in clause (d) of sub-clause (1) of clause 23 of the Bill, for the words ‘ in charge ’ the words ‘ in control or in charge ’ be substituted.”

**Mr. President** (The Honourable Sir Shanmukham Chetty) : The question is :

“ That in clause (d) of sub-clause (1) of clause 23 of the Bill, for the words ‘ in charge ’ the words ‘ in control or in charge ’ be substituted.”

The motion was adopted.

**Mr. President** (The Honourable Sir Shanmukham Chetty) : The question is :

“ That clause 23, as amended, stand part of the Bill.”

The motion was adopted.

Clause 23, as amended, was added to the Bill.

Clauses 24 to 28 were added to the Bill.

**Mr. President** (The Honourable Sir Shanmukham Chetty) : The question is :

“ That clause 29 stand part of the Bill.”

**Mr. E. W. Perry** : Sir, I move :

“ That in clause (a) of sub-clause (1) of clause 29 of the Bill, for the words ‘ or refinement ’ the words ‘ refining or blending ’ be substituted.”

**Mr. President** (The Honourable Sir Shanmukham Chetty) : The question is :

“ That in clause (a) of sub-clause (1) of clause 29 of the Bill, for the words ‘ or refinement ’ the words ‘ refining or blending ’ be substituted.”

The motion was adopted.

**Mr. President** (The Honourable Sir Shanmukham Chetty) : The question is :

“ That clause 29, as amended, stand part of the Bill.”

The motion was adopted.

Clause 29, as amended, was added to the Bill.

Clauses 30, 31 and 32 were added to the Bill.

The Schedule was added to the Bill.

Clause 1 was added to the Bill.

The Title and the Preamble were added to the Bill.

**The Honourable Sir Frank Noyce** : Sir, I move :

“ That the Bill, as amended, be passed.”

**Mr. President** (The Honourable Sir Shanmukham Chetty) : The question is :

“ That the Bill, as amended, be passed.”

The motion was adopted.

## THE INDIAN RUBBER CONTROL BILL.

**Mr. G. S. Bajpai** (Secretary, Department of Education, Health and Lands) : Sir, I beg to move :

“ That the Bill to provide for the control of the export from and import into India of rubber and for the control of the extension of the cultivation of rubber in British India be taken into consideration.”



[Mr. G. S. Bajpai.]

The measure before the House, Sir, has, both as regards its scope and its content, much that is in common with the Bill to control the export and cultivation of tea which was adopted by the House last year, and I hope, Sir, that the measure of good fortune which attended that measure in regard to the promptness of its passage will also attend the Bill which I am moving consideration of today. I think, Sir, that the interests of clarity would best be served if I were to classify my remarks in regard to this Bill under three heads, first, the origin of the Bill, secondly the scope of the Bill, and thirdly its content. As regards the origin, Sir, the position is that since 1929, there has been a steady excess of production over the rubber actually absorbed by the consuming markets of the world. The result has been a steady deterioration in prices. Prices fell because of this phenomenon from year to year; they showed no disposition whatsoever to revert to what might be called an economic level. Therefore, Sir, it was to remedy this unhealthy situation that initiative was taken first by the Rubber Growers' Association of London, who speak on behalf of producing interests throughout the British Empire, to enter into negotiations for the restriction of exports and of the cultivation of rubber, with the representatives of producers in the Netherlands, East Indies, which is the next largest producing unit in the world. These were followed up by negotiations which ensued between these two parties with representatives of producers in French Indo-China, and subsequently the Governments of Sarawak and Siam joined these negotiations. To make a long story short, in April last, the Government of India were informed that the producing interests had actually come to an agreement, of which the object was to restrict the export of rubber and also to limit the planting and re-planting of rubber, and that in order to implement these two agreements, legislative action would have to be taken by the Governments of the different countries. That, Sir, was communicated, as I have said, to the Government of India at the end of April, and the Government then took steps to ascertain whether it would be in the interest of India to participate in this agreement. They communicated with the Governments of Madras and Burma, which are the two principal producing units of British India, and, through the Agents to the Governor General concerned, with the Governments of Travancore, Cochin and Mysore. They wished, Sir, to be satisfied in regard to three points: first, as to the measure of support which was coming forward for this scheme of restriction from the producing interests concerned, secondly, as to the equity of the quota allocated to India for export, and the arrangement on which the export quota was to be distributed amongst the various producing States. The third point, Sir, on which they sought satisfaction, was the effect of this scheme of restriction upon the supplies for local markets.

Now, Sir, as regards the first point, namely, the measure of support forthcoming for this scheme from producing interests, the position that unfolded itself to the Government of India was as follows. Every registered or known owner of an estate in South India, that is to say the British Indian portion of it, was in favour of this scheme. So far as the States of Travancore and Cochin were concerned, they said that they were prepared to co-operate in giving effect to the international agreement. Then, as regards Burma, the position was that, owing to the existence of a very large number of estates of an area of ten acres or less, it was

impossible to institute a referendum there, but the larger producing interests in Burma were also in favour of this scheme. That, Sir, was the position as regards the attitude of the producers themselves. The second point, as I have already said, on which the Government of India sought satisfaction was the equity of the allocation of the quota actually made to India. At the time no representation was made to the Government of India suggesting that the quotas actually allotted to India were not satisfactory to India. Since then, representations on that point have been received and I shall have something further to say on that point a little later on. As regards the basis of distribution of export quotas amongst estates, the arrangement proposed appeared to the Government of India to be satisfactory. The third point was the effect on local supplies. Well, as a matter of fact, the supply of rubber from the local market is not adequate to the demand. Therefore, this point did not actually enter into the consideration of the problem. In view of the position as thus ascertained, the Government of India communicated to the Secretary of State their willingness to enter into the agreement, but they made two reservations, namely, that, in so far as legislative action was necessary to implement the agreement, the approval of the Legislative Assembly would be necessary, and further, that, in so far as the provisions of the agreement apply to the Indian States, the co-operation of the Indian States must be secured.

Now, Sir, the next step was the signing of the agreement, for which purpose, Sir Bhupendra Nath Mitra, our High Commissioner in London, was selected to act on behalf of the Government of India.

Before I pass on to the scope of the Bill, I might say what I have to say in regard to the allocation of quotas to India. The position as regards that is that, since the agreement was signed, it has been brought to the notice of the Government of India that the basis upon which these quotas were fixed was inaccurate. For example, the 1932 statistics of the production of rubber in India show an area of roughly 46,000 acres as under rubber in the State of Travancore. The Licensing Committee which has been set up for South India, as a result of the investigations, which it has made up-to-date, has found that actually in Travancore 80,000 acres is under rubber. That, Sir, represents a difference of something like 60 per cent. In regard to the other producing units in India, perhaps the discrepancy is not so great, at any rate, the information supplied to us does not show that the discrepancy is as great, but in regard to Travancore it is substantial, and the Government of India, therefore, came to the conclusion that it may be that when these investigations are completed they would have to make representations to the International Control Committee in London and point out that, inasmuch as the quota allotted to India has been based on inaccurate statistics, therefore an endeavour should be made to revise the quota in favour of India. Now, Sir, my Honourable friends will observe from clause 13 of the Bill that, whereas for the first year—it is too late to do anything for the first year—we have adopted the quota which was actually introduced in the agreement, as regards the subsequent years of the agreement which, in the first instance, is to last up to the end of 1938, it is left to the Governor General in Council to determine the export quota for India. I really would not like to prophesy us to what would actually happen, but it is undoubted now that there is a *prima facie* case for a revision of the quota allotted to India, and it will be the endeavour of the Government of India,

[Mr. G. S. Bajpai.]

when all the material is forthcoming, to see that the quota is revised so as to make it more equitable to India than it is under the agreement as it stands at present.

In regard to the scope of the Bill, there is not very much really that should be said or that need be said. As I have already stated, the object of this agreement is to regulate exports to the economic demand; that necessitates a certain amount of control as regards exports, and that is what the Bill provides. Equally it is no use restricting exports knowing the position, as the Governments concerned and the producing interests concerned do in regard to production,—it is no use that exports should be restricted and no corresponding action taken in regard to the increase of area under rubber. Therefore, the Bill provides for a strict limitation both of planting and re-planting of rubber.

In regard to the content of the Bill, I think that, apart from those provisions which relate to the regulation of export and the regulation of planting and re-planting, the bulk of the Bill is taken up with the prescription of machinery for giving effect to the provisions of the agreement. Now, Sir, as in the case of the Tea Control Act, we have, and I think rightly, decided to entrust the actual administration of the agreement and the Bill to the representatives of the industry itself, subject, of course, to such powers of supervision being retained by Government as are necessary in order to ensure that the agreement and the Bill are administered with equitable regard to all the interests concerned. Honourable Members will observe that licensing committees have been set up for India and Burma separately. The reason for that is that the geographical separation of Burma from India necessitates a certain amount of devolution, and further, the existence of a very large number of small producing estates in Burma necessitates a certain structural differentiation between the machinery that we set up for South India and the machinery that is being set up for Burma.

I do not think that it is necessary for me to detain the House much longer over an explanation of the detailed provisions of the Bill.

One reason why India should join the agreement, I have hinted at already, namely, that an international agreement in order to be effective must be complete. The defection of any one country is only apt as it were to multiply defections and thus defeat the very purpose of an agreement of this kind. But there is another reason why, I think, India should view this arrangement with favour. As Honourable Members are aware, the largest producing group for rubber in the world, that is to say, the Federated and the Unfederated Malay States, recruit their labour from India. And the House is also aware that the adversity of the rubber industry involved a considerable fall in the wage rates which are paid to Indian estate labourers in the Federated and Unfederated Malay States. We hope that the improvement and stabilisation of the rubber industry, which is expected to result from this Agreement, would enable us to try and have the wage levels for Indian labour in Malaya restored. I am quite certain that the agreement, which already has had the effect of considerably improving the prices for rubber, will also, if it is continued, have the effect of stabilising those prices. Certain figures may be of interest to the House. For example, in January, 1934, the rubber price at Singapore was three annas eight pies a pound, and, in July, it was five annas 11 pies a pound. That registers an increase of roughly 66 per cent. in

price. Now, Sir, so far as Ceylon is concerned, this improvement in prices has already had the effect of bringing about a restoration of the standard wage rates to the figures at which they stood two years ago before the depression became acute. We are hoping that if this improvement is stabilized in the world markets generally, we shall be able to get similar steps taken in regard to the Indian labour in Malaya. That, Sir, is all that I have to say at this stage. Sir, I move for the consideration of the Bill.

**Mr. President** (The Honourable Sir Shanmukham Chetty) : Motion moved :

"That the Bill to provide for the control of the export from and import into India of rubber and for the control of the extension of the cultivation of rubber in British India be taken into consideration."

**Mr K. P. Thampan** (West Coast and Nilgiris : Non-Muhammadian Rural) : Sir, I agree with the principles involved in this Bill and have great pleasure in supporting it. While doing so, I crave your indulgence to make a few observations. But, Sir, at the very outset, I may say, that I am not a rubber planter, nor am I interested in any way in rubber plantations. I do not even hold a rupee worth of shares in any plantation. I am only speaking on behalf of a few indigenous Indian planters who are not members of any organisation like the South Indian United Planters Association, and, for advocating whose cause, I do not find any one in the House.

Sir, you will find that in the Madras Presidency, *i.e.*, in British India proper, the only place where rubber is grown is Malabar. It is in Malabar alone that there are any plantations. On the borders of Coimbatore and Salem there were a few acres, but they have been altogether neglected recently, and if we speak about rubber cultivation in South India, it is only with reference to the plantations in Malabar. The position of the Indian planters is this. They are not a rich class. They have not got the necessary funds to spend on the plantations. Just before the tapping season begins, they approach some European exporters to advance money for their expenses and they contract with them to supply a certain quantity of rubber and also fix the price. They cannot sell their products at the maximum benefit in this country or export them outside. Since the slump began, the European exporters, who are themselves managers of some of the rubber plantations, naturally care more for their own plantations and have not been advancing loans as they were doing before, with the result that practically all the Indian plantations have now been ruined. They are not working the plantations and have altogether neglected them. If you refer to the Rubber Statistics of 1932, which is a Government publication, you will find that, out of a total acreage of 11,407 acres in Malabar, only 450 acres have been tapped, and, if I am not mistaken, all these 450 acres belong to European planters. If you will refer to the statistics for the whole of India, you will find that in the year 1929, the production was 28 million pounds of rubber, while, in the year 1932, it was only 6.3 millions. The stock held in the hands of the planters in the month of December, 1929, was nearly six million pounds, while in the year 1932, it was only 31½ thousands. You will see the enormous difference between the production and stock held in the year 1929 and in the year 1932. I presume that since 1932 things have further deteriorated. It is unfortunate, the figures for the two years, 1933 and 1934, are not yet available.

[Mr. K. P. Thampan.]

The Honourable the Secretary for Education, who is in charge of this Bill, referred to the circumstances under which the international scheme was brought about. Sir, the complaints against the international scheme, so far as I know, are four. In the first place, the total acreage of plantations in South India has not been taken into consideration. The Honourable Member, Mr. Bajpai, himself, referred to the case of Travancore, but, I am certain, the total acreage in British India also has not been rightly appraised. The land system in Malabar is peculiar. The *jenmi* is the absolute owner of the land, and most of the forests are in the hands of *jenmis*. The returns for the plantations on these private forests are not properly sent and the Government do not concern themselves about these. Therefore, I am certain, that the total acreage of rubber plantations in Malabar could not have been taken into consideration. Another point is that undue preference and favouritism have been shown to other countries. I will refer to that in detail a little later. The third complaint is that the export from Alleppey in Travancore has been altogether ignored and not been taken into consideration at all. This has been admitted by the Government. The total export from Alleppey, in the year 1929, was about 13 hundred tons. That ought to have been given credit for fixing the quota. The fourth complaint is that sufficient margin has not been given, as in the case of other countries, to the plantations that are yet to mature. The saplings or young and immature trees of 1929 would mature and be fit, for tapping by this time. Of course, I know, an *ex gratia* allowance of 12½ per cent. has been provided for that. But that is given to all countries and is hardly sufficient to meet the circumstances of the situation in India. These are the main grievances against the international scheme. With regard to the second complaint, namely, that undue preference has been shown to other countries, I wish to quote the figures showing their respective export for 1929 and the quotas that have been fixed for them. It is a pity that the official memorandum does not contain them, and I am indebted to a writer in the *Madras Mail* for these figures. In the year 1929, India exported 6,850 tons, and you will find that the quota for India is the same. Siam exported in 1929, 5,100 tons, but for the year 1934 a quota of 15,000 tons has been given to it. That is three times the export of 1929. Borneo exported only 7,400 tons, while it is given 12,000, that is nearly double. Then, Sir, in regard to Sarawak, I find the export for the year 1929 was only 11,300 tons, while the quota for this year is 24,000. That is more than double. Then, again, take Indo-China. The export was only 10,100 tons, while the quota for that country is 30,000. That is about three times. You will find that, unfortunately for India alone, the quota for 1934 is the same as the export of 1929, less the exports from Alleppey. There ought to be an explanation and it is up to the Government to set it right. That, Sir, is the position.

Then, you should also bear in mind the conditions that were prevailing in the year 1929 in all these countries and compare them to ours. I have already referred to the unfortunate plight in which our planters work in South India. As regards Malaya, you must remember, what was known as the Stephenson scheme, was in operation there, with the result that a large quantity of surplus rubber was left in their hands, and, in 1929, Malaya put into the market for export all the surplus that was in their hands as soon as the Stephenson scheme was cancelled in 1928. Though an abnormally large quantity of rubber was exported, under these circumstances which was obviously above

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her capacity to export ordinarily, by Malaya, a quota has been given for that country based on that export. That was really unfair. Then, again, take Indo-China. To Indo-China the French Government used to give a subsidy and it was on that account that they were producing a large quantity of rubber. This aspect of the question was not considered by the International Committee in fixing the quota for Indo-China. Then, there is one more aspect which ought to have been given due consideration. Certain countries used to have what you call the indentured system of labour; that is, the planters were bound for the fixed period of the contract to maintain those labourers for the area whether their plantations were tapped or not. It was that obligation to maintain these labourers that made those countries produce and export large quantities, but, I am told, those special conditions under which those countries exported large quantities of rubber have not been taken into consideration in fixing their quotas. I think, that is a legitimate ground of complaint, and ought to be looked into by the International Committee as well as by the Government of India. My Honourable friend, Mr. Bajpai, referred to sub-clause (3) of clause 13 of the Bill, providing that it is the Governor General in Council that shall decide the quota for 1935 and afterwards. But, for that, Sir, I would have opposed this Bill altogether. That removes what I would call the most dangerous portion of the international scheme. I hope Government will work that clause in a generous spirit and avoid all discontent. I appeal to the Government to make an exhaustive inquiry into the conditions of rubber plantation in South India, including the States, and that, without prejudice to the small Indian planter, they will fix the quota every year. Of course the quota for 1934 is fixed; we have got only four months to run, and it does not matter whether there is a slight increase or a slight decrease for this year. I am anxious that for the coming years India must have her legitimate share; otherwise the scheme will be of no use to this country. Sir, I feel it my duty to appeal, with all the strength in my command, that Government will also safeguard the interests of the small planters who have not got any course open to them to represent their grievances in the matter.

Before I conclude, I may say that, I have got to make one or two minor observations with reference to the merits of the Bill. I do not wish to take up the time of the House by dealing with them now. I have tabled the necessary amendments, and, when the time comes for moving them, I shall deal with them. Sir, I have great pleasure in supporting the motion before this House. (Applause.)

**Mr. G. S. Bajpai :** Sir, I do not really think that it is necessary for me to say very much. My Honourable friend has put forward four complaints as regards the allocation of the quota to this country. I explained in my original expository remarks that at the time when the agreement was under consideration first, the interests concerned did not bring these defects to light nor did they suggest any special....

**Mr. K. P. Thampan :** May I interrupt my Honourable friend? Did the Government of India or anybody give sufficient publicity to all these things? Nothing was done. How then can the ignorant planter understand all these complications?

**Mr. G. S. Bajpai :** I think my Honourable friend will appreciate the fact that if there is any deficiency in any arrangement which primarily concerns the producer, it is the business of the producer, who I presume is in touch with the conditions of the market, to find out...

**Mr. K. P. Thampan** : I maintain that it is the business of the State—so long as they receive assessments from the producers.

**Mr. G. S. Bajpai** : It is not the business of the State ; my Honourable friend seems to be particularly sore as regards assessments in Madras, but I submit that that is not the point which we are considering now. I was going to say that the position, as far as I can make out, seems to have been this—that the statistics of production, which should form part of the data upon which the quota was based, were, as it now turns out from the investigations carried out by the Licensing Board, appear to have been substantially erroneous. I have already given the House the assurance that in the later investigations which are now going to be made, if it is established to the satisfaction of the Government that redress is necessary, Government will do everything that lies in their power to secure redress for India. As regards the minor matters to which my Honourable friend has referred, I shall deal with them when the time comes.

**Diwan Bahadur A. Ramaswami Mudaliar** (Madras City : Non-Muhammadian Urban) : On what basis was this quota fixed by the International Committee—because my Honourable friend told us something about how the International Committee proceeded in the matter ? I expected my Honourable friend, Mr. James, to explain the position to the House, but I ask this as my friend has not chosen to speak.

**Mr. G. S. Bajpai** : I gather that the quota was fixed by the International Committee on the basis both of output and of export, practically beginning with the year 1928.

**Mr. President** (The Honourable Sir Shanmukham Chetty) : Who supplied those figures ?

**Mr. G. S. Bajpai** : There were two organizations with which the Rubber Growers' Association in London were in touch throughout these negotiations—one was the *ad hoc* committee of the Association of Planters in Burma and the other was an *ad hoc* committee of the South Indian Planters' Association.

**Diwan Bahadur A. Ramaswami Mudaliar** : Did Government give any publicity to this fact—that these negotiations were going on in London—to the planting community in general, apart from the members of these organizations ?

**Mr. G. S. Bajpai** : Sir, Government had the fact of the progress of these negotiations brought to their own notice for the first time in January, 1934, when a deputation consisting of my Honourable friend, Mr. James and another gentleman from Madras, waited upon the Honourable the Commerce Member. At that time it was said that the negotiations were confidential and Government naturally trusted the Association concerned to complete the necessary preliminaries before any producers' agreement was entered into in England ; Government were seized of the necessity of action by themselves only after the producers' agreement had been completed.

**Mr. President** (The Honourable Sir Shanmukham Chetty) : The question is :

“ That the Bill to provide for the control of the export from and import into India of rubber and for the control of the extension of the cultivation of rubber in British India be taken into consideration.”

The motion was adopted.

Clause 2 was added to the Bill.

**Mr. President** (The Honourable Sir Shanmukham Chetty) : The question is :

“ That clause 3 stand part of the Bill.”

**Mr. K. P. Thampan** : Sir, I beg to move :

“ That to sub-clause (2) (b) of clause 3 of the Bill, the words ‘ from among the planters that are not members of the United Planters’ Association of South India ’ be added at the end.”

Sir, if my amendment is adopted, the clause will read like this :

“ One member to be nominated by the Government of Madras from among the planters that are not members of the United Planters’ Association of South India.”

Sir, as the clause now stands, it is open to the Government of Madras to appoint anybody they choose. Knowing as I do the Madras Government, they are sure to nominate the Director of Agriculture straightaway. As I said a little while ago, there are a very large number of planters who are not represented in the South Indian Planters’ Association. I understand from my Honourable friend, Mr. James, that one-third of the total acreage in Malabar belongs to that category of planters. I do not know what their number is, but from the statistics you will find that there are 40 such estates in Malabar. Out of these 40, I do not think more than five or six belong to the European planters and the rest are owned by Indian planters who do not even know the benefit of any kind of corporate or team work. I am anxious that the interests of these planters should be safeguarded. According to the terms of the clause, provision is made for the nomination of two members from Travancore, one will be from Cochin and the other will be nominated by the United Planters’ Association of Southern India. The only class which is not represented on this Committee is the small planter who is not a member of the United Planters’ Association of Southern India, and my suggestion is that the Government of Madras, in nominating a member, should confine themselves to this class of persons. A planter who is not a member of the South Indian Planters’ Association ought to be nominated. I want, Sir, that this should be statutorily provided, otherwise there is no chance of the Madras Government doing it. It might be said, that I am making an invidious distinction, but, in the circumstances of the case, such a distinction has got to be made in order to find out a proper remedy. Sir, it is only those who are intimately acquainted with this class of people that know the hardship they have to undergo. I am very anxious that they should be represented on this Committee, and I appeal to the House as well as the Government to see their way to accede to my request.

**Mr. President** (The Honourable Sir Shanmukham Chetty) : Amendment moved :

“ That to sub-clause (2) (b) of clause 3 of the Bill, the words ‘ from among the planters that are not members of the United Planters’ Association of South India ’ be added at the end.”

**Raja Sir Vasudeva Rajah** (Madras : Landholders) : Sir, I rise to support the amendment.

**Mr. F. E. James** (Madras : European) : Sir, I am myself obliged to oppose this particular amendment on two grounds. My first ground is that I find it difficult, and it has not hitherto been the practice, to tie



[Mr. F. E. James.]

down the nomination of a Local Government to a particular class of persons. My second objection is that the United Planters' Association of Southern India is an organisation which consists of Indian as well as European planters. It also consists of holders of large and small estates. It might well be that amongst its membership you may have a most suitable Indian planter who is a small owner; and, therefore, it seems to me to be a little hard that he should be excluded from any possibility of selection by the Government of Madras. In opposing formally this motion, I would like to make it perfectly clear that we do desire—and I hope that the Government of India will make that point clear in their communication to the Government of Madras—that the nomination of the Government of Madras should be used for the purpose of representing on the Committee the very class of persons whom my Honourable friend, Mr. Thampan, has in mind. We do desire that they should be represented, as they are actually on the existing Licensing Committee. My Honourable friend, Mr. Thampan, may rest assured that the interests of the small Indian planters are very strongly represented and their views are most specifically presented. Therefore, though I am entirely with him in spirit, I must object formally to the amendment which he has moved. If Government are willing, I suggest that they should ask the Government of Madras to use their nomination for the purpose of securing representation from the class of planters which my Honourable friend, Mr. Thampan, has in view.

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

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

**Mr. Uppi Sahab Bahadur** (West Coast and Nilgiris : Muhammadan) : Sir, I beg to support the amendment. So far as the United Planters' Association of South India is concerned, I do not know whether there is any Member from Malabar to represent the rubber interest of the small rubber estate owners. There are a number of them, and the Government of India propose to leave it to the Madras Government to nominate one from among them. I cannot agree with the reasons given out by my Honourable friend, Mr. James. I do not know the reason why we should not by Statute ask the Madras Government to give representation to such small owners of rubber estates in Malabar. All these things have been done at least so far as Malabar is concerned without consulting the private rubber estate owners. So, I submit, they will have to be represented at least in the Committee. With these words, I support the amendment.

**Mr. G. S. Bajpai** : Sir, I have a good deal of sympathy with the object of the amendment moved by my Honourable friend, Mr. Thampan, and, I think, the class for which he has spoken is a very deserving class and I am quite prepared to pass on his suggestion, with the support of the Government of India, for consideration by the Local Government. But, I regret that I am not able to accept the amendment; because, Sir, as you will observe from sub-clause (2) (b) of clause 3, the idea is that the nomi-

nation shall be made by the Local Government. The Local Government are in the best position to assess the comparative claims of the different interests. My Honourable friend has put forward the claims of one interest. I do not know the local conditions, I do not know whether there are any other interests or not, and I do not think that we would be justified in limiting the discretion of the Local Government in the manner in which my Honourable friend wishes it to be done. That is the reason why I fear I must formally oppose the amendment, though, as I have already said, I view with sympathy the object of the amendment.

**Mr. K. P. Thampan :** I am glad to find that my Honourable friend has accepted the principle of the amendment, if I may say so. I may assure my Honourable friend that there are no other interests, and unless a statutory provision is made, I am afraid the Madras Government may not do justice to these small owners. I, therefore, wish....

**Mr. President** (The Honourable Sir Shanmukham Chetty) : The Honourable Member cannot have a right of reply. He cannot make a speech. He can say whether he withdraws his amendment or presses it.

**Mr. K. P. Thampan :** Sir, I press my amendment.

**Mr. President** (The Honourable Sir Shanmukham Chetty) : The question is :

“ That to sub-clause (2) (b) of clause 3 of the Bill, the words ‘ from among the planters that are not members of the United Planters’ Association of South India ’ be added at the end.”

The motion was negatived.

**Mr. President** (The Honourable Sir Shanmukham Chetty) : The question is :

“ That clause 3 stand part of the Bill.”

The motion was adopted.

Clause 3 was added to the Bill.

Clauses 4 to 25 were added to the Bill.

**Mr. President** (The Honourable Sir Shanmukham Chetty) : The question is :

“ That clause 26 stand part of the Bill.”

**Mr. K. P. Thampan :** It is no use moving any further amendment. I do not move my amendment.\*

**Mr. President** (The Honourable Sir Shanmukham Chetty) : The question is :

“ That clause 26 stand part of the Bill.”

The motion was adopted.

Clause 26 was added to the Bill.

Clauses 27 to 44 were added to the Bill.

Clause 1 was added to the Bill.

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\*\*\* That in clause 26 of the Bill, after the word ‘ person ’ the words ‘ with intent to cultivate rubber ’ be inserted.”

The Title and the Preamble were added to the Bill.

**Mr. G. S. Bajpai :** Sir I beg to move :

“ That the Bill be passed.”

**Mr. President** (The Honourable Sir Shanmukham Chetty) : Motion moved :

“ That the Bill be passed.”

**Mr. F. E. James :** Sir, I should, first of all, like to thank the Government for having undertaken this legislation. As in the case of the tea industry, this is another example of an industry trying to put its house in order on an international scale and asking the respective Governments of the territories concerned to implement, by legislation, an international agreement of producers. Now, Sir, there are one or two observations that I should like to make. First of all I would like to refer to the questions which my Honourable friend, Diwan Bahadur Ramaswami Mudaliar, raised during the course of the discussion, that is, as to the basis on which the export quota was calculated and the steps that were taken to make the proposals of the international agreement known to the producers in this country. First of all, as far as the basic quota was concerned, the international basis was the average exports of 1929 to 1932 *plus* allowances for immature areas. Now, on a strict calculation of the figures covering this period (which included a year wherein the exports from India were the maximum that they have ever been), we arrived at the following figures for India, including Burma :

					Tons.
1934					10,600
1935					13,000
1936	..	..	..	..	15,300
1937	..	..	..	..	16,400
1938	..	..	..	..	16,700

But, owing to special considerations which were given to Southern India and Burma *ex-gratia*, allowances were added to this figure and the final international basis for the Indian quota worked out at figures which varied between 2,000 tons and 1,600 tons a year more than the figures on which the original calculation was made. The present figures, therefore, are :

					Tons.
1934	..	..	..	..	12,000
1935	..	..	..	..	15,000
1936	..	..	..	..	17,000
1937	..	..	..	..	18,000
1938	..	..	..	..	18,500

I wish to remind the House, and through the House I wish to remind the producers, particularly of Southern India, that in the case of India the *ex-gratia* allowances work out at quite a considerable proportion of the original basic quota arrived at on a calculation of the average figure for the exports of 1929 to 1932.

Now, Sir, as to the way in which these proposals were laid before the industry. There was, at an early date of the negotiations this year,

appointed in South India, after consultation with the Governments of Travancore and Cochin, what was called an *ad hoc* Committee which consisted of representatives of the planting community in all the areas concerned. Two Indian gentlemen from Travancore, who were members of that Committee, represented the smaller producers of the industry. This Committee had the proposals before it, and circulated these proposals to all known estates and to all known owners of estates with a request that by a certain date they would signify their opinion on these proposals. They also said that, if within a certain date, they did not receive any reply, they would take that silence as assent. What was the result? As far as the Madras Presidency is concerned, practically 100 per cent. replied giving their assent. As far as Travancore and Cochin are concerned, the overwhelming majority of the producers agreed,—and when I say “overwhelming majority” I estimate it at a figure of not less than 90 per cent. of the then known acreage. As far as Coorg is concerned again, we had practically 100 per cent. replies in favour of the scheme. Therefore, I think we can claim that the producers as a whole gave their assent to these proposals. Now, Sir, when that has been said, I am bound to admit that there is considerable dissatisfaction in South India on the part of both European and Indian planters in regard to the figures on which these original calculations were made. My Honourable friend, Mr. Thampan, referred to that in his speech. The figures were taken from the Government of India Statistics for 1932. My friend, Mr. Thampan, has pointed out that these statistics, as far as exports are concerned, omitted the exports from Alleppey. The average exports from Alleppey, in the four years in question, amounted to 1,109 tons; and, therefore, if Alleppey had been included, and if that basis had been used as the basis for calculating the basic quota irrespective of the *ex-gratia* allowances, I calculate that the average exports from Indian ports would be 9,579 tons per annum. It may be said that the difference in the figures is not a large one, and, as a matter of fact, that that difference is fully covered by the *ex-gratia* allowances. But, I am quite prepared to admit that even if that is the case, it does not do away with the argument of those who feel that they are getting less than justice; because if these figures had originally been included, the *ex-gratia* allowance would probably have been added to the revised total. The other complaint which the producers in Southern India have is that, as far as acreage is concerned, the figures in the Government Statistics of 1932 are by no means accurate. That is due to a variety of reasons. I do not wish to go into all that. But in the case of some of them it may be that the statistics were out-of-date. In other cases the reason is that the statistics were based upon the figures of land leased out for the purpose of rubber cultivation, whereas during the boom year, particularly in Travancore, a large amount of land, which was not originally leased out for rubber cultivation, was turned into rubber land in order to take advantage of what they hoped would be a boom which would last for many years. Therefore, a great deal of this rubber land is not included in the Travancore statistics. My own information is that the figures of total acreage in South India will not be very far off one lakh of acres. But the House will realise that it is difficult to obtain accurate figures in a short time. Therefore, I can only say that we must await the arrival of the correct figures (which cannot be obtained until mid-September), before going forward to the International Committee through the Government of India with a claim for revision of the basic quota as far as South India is concerned. The

[Mr. F. E. James.]

Licensing Committee has received all kinds of preposterous claims. They have received claims on the part of estates which now no longer exist ; they have received claims on the part of small estates which are absolutely unapproachable, because jungles have overgrown them for many years ; and they have received claims on the part of estates, which, more than seven years ago, were entirely burnt out and turned into cultivation for other purposes. Therefore, Honourable Members will realise that this inquiry must take time. But, provided the door is left open for the approach to be made to the International Committee, through the Government of India, then, I think, the Bill, as it stands, satisfies the needs of the present.

Now, Sir, I would point out that there are a certain number of people who have been using this occasion to make wildly extravagant statements, and through this House I would like to appeal to them to realise what the consequences would be if any step were taken which in fact would jeopardise the International Agreement. My Honourable friend, the sponsor of this Bill, referred to fall in the prices of rubber during recent years, when estate after estate was being closed down, staff was being dismissed, labour was unemployed and even the most wealthy estates were only being kept up on a strict maintenance basis. Now, if this International Agreement were not implemented, either by the Government of India or by the Governments of Travancore and Cochin, there would be a very real danger of the whole scheme being laid aside, and of the industry returning to the naked and ruthless competition of the past which would result in the weakest going to the wall, and in rubber South India and probably Burma going out of existence altogether. Therefore, I do suggest that those who are making at the present moment in some quarters exaggerated claims and exaggerated statements should pause a while before they advocate any method or any step which would have the effect of breaking down this International Agreement. I have only to read one or two figures to show the difference in the position of the rubber industry in India this year as compared with last year as a result of even an anticipation of this agreement. In the months of April and June, 1932, the exports from India were 805,778 pounds with a total value of just over two lakhs. 1933—8,44,000 lbs. with a value of Rs. 2½ lakhs : for the year 1934, which includes only one month of the control scheme, the export was already three million odd lbs. with a total value of Rs. 7½ lakhs—for the four months after the 1st of April. My Honourable friend, Mr. Thampan, mentioned two or three points with which I am in very great sympathy ; but on one matter he was a little inaccurate.....

**Mr. K. P. Thampan :** The sympathy will not take any concrete shape !

**Mr. F. E. James :** He stated that as far as the total acreage was concerned in Malabar, it was not fully taken into consideration. As a matter of fact, our figures go to show that as far as Malabar is concerned, and the Madras Presidency generally, the original figures were almost accurate and there has only been a small addition, after exhaustive inquiries, to the original figures, on which we made our calculations. The great trouble is in Travancore and to a less extent in Cochin ; but I am glad to say that, as far as British India is concerned, our statistics seem to be fairly accurate. He also made reference to the fact that other countries seemed to get more out of the agreement than India. I do not

want to go into the details of quotas of other countries : I would only just make two observations. The first is that in an international agreement of this kind, there is bound to be a large amount of give and take, and you cannot absolutely standardise, when you are dealing with other countries, a particular form of agreement or calculation. The second is that the alternative to agreement was disagreement. If certain countries have been treated more favourably than India, surely, as far as India is concerned, the question we have to ask ourselves is this : is the agreement going to do anything for the industry in our country ? As far as the rubber industry in India is concerned, there is no doubt that the agreement, even as it stands without any modification whatsoever, has entirely revolutionised the position of the industry both in South India and in Burma. But having said all that, I would join my Honourable friend, Mr. Thampan, in asking the Government of India to give the fullest consideration to the representations which will no doubt be made by the Travancore Government and by the Cochin Government and by the producers in both those States in regard to the quota figures for South India. It is a very difficult thing to alter an International Agreement once it has been arrived at after months of negotiation. But I do not believe, as some have said, that the door is absolutely closed ; and if our own representative on the International Committee is supplied with the case for the producers in South India, I am quite sure, that with his authority, as representing the Government of India, with the knowledge that he will have, and with the support of the industry behind him, he will be able to make an impression upon his colleagues on that committee. If we can feel satisfied, and I am sure we can after this Bill has been modified in the direction in which my Honourable friend, Mr. Bajpai, mentioned in his speech, leaving the door open to an alteration of the quota, that the Government of India will support a reconsideration of the claim of South India to some modification, I am quite sure that that will go a long way to satisfy those who feel discontented at the present moment. Once more I should like to thank the Honourable Member, for the trouble which the Government have taken to help the producers and to implement the scheme of international control of production in this matter in this country. I trust that the industry, as I believe it will, will benefit not only the producer, but also the revenues of the country.

**Diwan Bahadur A. Ramaswami Mudaliar :** Sir, I should like to offer a very few remarks at this stage of the consideration of the Bill. I am aware of the fact that a scheme of this kind is ultimately for the benefit of the industry concerned, and nobody can doubt that the position of the rubber growers would be infinitely worse if some kind of control was not exercised and if some sort of quota was not fixed ; but the position that some of us have taken in this matter is simply this : that fortunately or unfortunately the transactions of the Conference which was held in London were either not known or not adequately appreciated by many rubber growers in this country, both European and Indian. My Honourable friend, Mr. Bajpai, has said, and my friend, Mr. James, has reinforced the statement, that all known planters or known growers of rubber were communicated with regarding this scheme, and their approval was taken. In fact, Mr. James went so far as to say that 100 per cent. approval came from rubber growers so far as South India was concerned.....

**Mr. F. E. James :** I said as far as the Madras Presidency is concerned 100 per cent. as far as Travancore and Cochin is concerned, an overwhelming majority which I placed at about 90 per cent.

**Diwan Bahadur A. Ramaswami Mudaliar :** I accept that statement, but anyhow we have the fact that we have placed before us representations from various rubber growers and planters who have now realised, probably under a better appreciation of the circumstances and a better knowledge of the scheme and all that it implies, that the quotas fixed for this country—for South India, Travancore and Cochin—do not do justice to them. That is the point which I should like to impress on the Government at this stage of the proceedings. I am not one of those who believe that because ten per cent. or five per cent. of the persons interested stand out from this scheme, therefore, the large majority should not be considered and no attempt should be made at regulating these things : there will always be a few cantankerous individuals who will stand out against any attempt to form this sort of agreement ; but that is not the position with which we are concerned. This Bill regulates the quota only for the seven months of this year. It leaves the question open as to whether that quota should be followed up in the next year on the same basis or whether the Government of India should revise their terms. I think what has fallen from Mr. Bajpai and Mr. James amply demonstrates the fact that, at any rate the Government of India have had a case made out for the revision of their quota, and that with that case they should go before the International Conference. I do not know under what terms of this agreement, which has just been placed on the table of the House, the Inter-Governmental agreement—the Government of India can do it. I should like to have from my Honourable friend, the Secretary, a statement as to under what particular clause it will still be open, in order to accept a portion of this agreement, to come before this Governmental Conference and ask for a revision so far as the remaining years are concerned. If I were to reiterate some of the objections that have already been raised by my friend, Mr. Thampan. I trust this House will excuse me, but the importance of the subject and the anxiety of the interests involved over this subject is my excuse for placing these facts before the House.

In the first place, as has so often been pointed out in the course of this debate, it is now well established that the area under cultivation has been largely under-estimated. My friend, Mr. James, suggested that it would be a 1,00,000 acres. My information is that it is nearly 1,50,000 acres : if that is an exaggeration, I am willing to concede it ; but it is nothing like the acreage which the delegates had in view when they came to this agreement at the Inter-Governmental Conference in London. If that is so, one basis at least of these negotiations, and a basis which formed the main consideration in fixing the quotas, goes ; and, therefore, we have to substitute some other basis. I would ask my Honourable friend, Mr. Bajpai, what were the considerations that influenced the Conference in arriving at the quotas, whether it was based on acreage production, or whether it was on the basis of export trade. My Honourable friend suggested that both these things were taken into consideration. As I have shown, the acreage of production was based on Governmental records, in British India and Indian States, which were notoriously inaccurate. Therefore, so far at least as one basis was concerned, there is at any rate a strong case for revision of this agreement so far as the Government of India are concerned.

Now, take again the basis of exports. My friend, Mr. Thampan, has already pointed out,—and that fact again was attempted to be met by both the Government spokesman and Mr. James when they stated that the export from Alleppey was left out of consideration,—1,300 tons was not a small amount when the total export trade of this country is taken into consideration,—on that basis also there is a case made out for the revision of this agreement. Then, again, Sir, this is one of the instances in which India is treated apart from Burma so far as this agreement is concerned. So far as rubber control is concerned, Burma is already separated from India. I do not know why it was done, and why Burma has had a separate quota granted to it. There is a point in this. If the Burmese quota had been fixed on the same basis as the Indian quota, there would not have been much reason to complain, but it seems to us and to some of those who grow rubber in Southern India that the Burmese quota has been more favourably fixed than the Indian quota, if not in the initial stage in the present year, at any rate in the coming years so far as Inter-Governmental Conferences were concerned.

Taking the export figures alone, I should like to state that the exports from Burma were almost about 2,000 tons less than the exports from India. I have got the figures here. If we include the exports from Alleppey, India sent,—I am now speaking of India, apart from Burma,—

In 1926-27	..	6,688 tons,	whereas	Burma	sent	5,200 tons
„ 1927-28	.. ..	7,230	Do.	Do.	Do.	5,491 „
„ 1928-29	..	7,896	Do.	Do.	Do.	5,217 „
„ 1929-30	..	7,336	Do.	Do.	Do.	5,510 „
„ 1930-31	.. ..	6,953	Do.	Do.	Do.	4,824 „

During the quinquennium period, India sent 36,103 tons, whereas Burma sent 26,242 tons. From this the House will see that the exports from Burma have been consistently 2,000 tons less than those from India,—a difference of 10,000 tons, or, as I said, an average of 2,000 tons less. Now, for the next five years, so far as Burma is concerned, the basic quotas allotted to these two countries are as follows :

	India.	Burma.
In 1934, for the seven months, the quota given to India is .. ..	6,850	5,150
In 1935, India is given ..	8,250	6,750
In 1936 .. ..	9,000	8,000
In 1937 .. ..	9,000	9,000
In 1938 .. ..	9,250	9,250

Now, Sir, I should like to know why this progressive improvement in the quota, so far as Burma is concerned, because it does not correspond to the progressive improvement in the quotas so far as India is concerned, and taking the full five years you will find that while India has a quota of 42,350 tons, Burma has a quota of 38,150 tons, or a difference of less than 5,000 tons, whereas, in the previous quinquennium, Burma was at a disadvantage of 10,000 tons at least so far as India was concerned. Sir, I was saying that I accept the position that acreage should be taken into consideration. Now, according to my friend, Mr. James, himself, there are



[Diwan Bahadur A. Ramaswami Mudaliar.]

at least 100,000 acres in India proper including Travancore and Cochin States, and we get a quota of 6,850 tons. If you turn to the agreement and turn to Ceylon, you will find that the quota given to Ceylon is about 77,500 tons,—more than 12 times the quota given to India, but the acreage in Ceylon, I understand, is only four lakhs of acres, about four times the acreage of India. I ask, again, those delegates who were parties to this agreement, on what basis they accepted the position that Ceylon which has an acreage of about four lakhs should get twelve times the quota to start with and increasingly larger proportion later on, whereas India should get such a small quota. Now, what is the complaint of some of these industries? In the first place, the quota is so inadequately low that it does a great deal of injustice to them. In the second place, as my friend, Mr. Thampan, has already pointed out, the exports are not reliable, or at any rate, they are not a fair index of the measure of quota that ought to be allotted to each of these countries. My friend has already referred to the fact that in some countries exports were stimulated by grant of allowances by the Governments, by some inducement by the State, and other conditions were also prevalent in some of these various States which made them send larger exports than we did. Now, the acreage of cultivation would have been a far more satisfactory feature. That would have been common to all countries, and if the acreage alone had been taken into consideration, all the accidental circumstances that came to help a certain country to send a larger export in a particular year than other countries would have been avoided. As a matter of fact, the four years that have been taken as an average for this country are unfortunately not a proper period. It might have suited the Federated Malay States to take the four particular years, but it did not suit India, and if you take this average and take all countries on the same basis, you obviously come across an injustice which must necessarily be done to some country or other. In just the previous year which we have escaped, out of these four average years, if you take the exports from India, you will find a million and 62 lakhs pounds were exported from South India in 1928-29. Unfortunately, for our average, just the very next year had been taken, so that if even five years, instead of four years, had been taken, our exports would have been much higher, and we would have had a larger quota. . . .

**Mr. F. E. James :** May I interrupt my Honourable friend for a minute? Actually the years are the calendar years,—1929, 1930, 1931, 1932, and in the year 1929, India's export was the highest figure reached before or since. So my friend will have to take the calendar year into account.

**Diwan Bahadur A. Ramaswami Mudaliar :** I accept that statement, Sir. My information was that for the fiscal year 1928-29, the imports were the highest—it may be for the calendar year they were the highest. Now, Sir, there is the fact that we in this country who are producers of raw produce are Indians,—I am talking now quite frankly,—and we are suffering from a peculiar handicap with reference to practically every other raw product that we produce. We are not exporters ourselves. We do not know the continental markets; we do not know the United Kingdom market. In a few cases it so happens that the producer himself is also the exporter, but in a number of cases, at any rate in Southern India,—I do not know anything about the conditions in Bombay where big magnates

rule over the commercial world,—but so far as Southern India is concerned, we, who are the producers, must depend upon foreign firms, British or non-British, for the export of all our goods. It is so with regard to groundnut, which is very largely cultivated in Southern India, it is so with reference to tea and coffee. We have to send tea to exporting houses, which are foreign houses, like Volkart Brothers, Rally Brothers, and many other names I can mention,—they are all foreign firms, and they alone have connections with the foreign importer, and through them alone raw produce can be sent. Now, what with regard to rubber ? On the basis of the actual cultivation which is now going on, the Government of India, under a clause of this Bill, are going to fix quotas. My friend, Mr. Thampan, has already referred to the injustice which will happen if the quota is to be on the basis of the actual cultivation now going on. My friend, Mr. James, somewhat quite indignantly pointed out that those, who have given up cultivation during the last few years and put forward extravagant claims, should not have their case considered and would do more harm than good to themselves if they put forward this claim. Now, what is the actual position ? These people were not able to have any place at all in a narrowing and restricting export market. When the export market restricted itself, when it grew too narrow, then those European firms, who were producers and who were also exporters, took advantage of the position and tried to send in what little they could of their own produce. It is, of course, human, it is natural,—I have no complaint against them, because when they could not obtain enough markets for their own produce, they were not going to look round and try to get hold of Indian planters producing rubber to take it as part of their quota also and send it to the restricted market which was available to them. Therefore, for that reason and for that reason alone, during the past few years, many an Indian planter, who had invested his money in a rubber estate and who had spent lakhs or what little wealth he had over it, was obliged practically to close down that estate for the time being. What are you going to do under this Bill ? There is no *moksham*, as we call it in our language in South India, there is no salvation. Mr. Bajpai does not hold out any hope and he has told us that not only now, but for the next five years, and very probably if things continue in the same state as they are now, the restriction will be continued for another period of five years, he cannot think of having any income from his rubber estate, he must close down, turn his attention to the cultivation of some other product. That is the aspect which I want Government to bear in mind. I see that the quotas for each individual estate is to be prescribed by Government, prescribed by rules made by the Government. On what basis are you going to prescribe those quotas ? My Honourable friend may take us into confidence even at this stage and tell us what sort of rules Government have in mind which they will frame so that particular quotas may be allowed to estates. Is it on the basis of acreage ? Then, acreage for what year, acreage for what period ? Is any average to be taken for a certain number of years, or is the figure to be taken for 1932 or 1933 ? Is any consideration going to be given at all for the acreage of cultivation before the period of depression and before the great slump in rubber prices began to occur in 1928 ? That is the anxiety which many an Indian planter feels and it is from that point of view that my Honourable friend, Mr. Thampan, introduced an amendment which at the first blush looked as a racial amendment and which my Honourable friend, Mr. Bajpai, was not able to accept. But I venture to submit that it is not a racial amendment, but it is an amend-

[Diwan Bahadur A. Ramaswami Mudaliar.]

ment to safeguard the interests of a class of men who may or may not be safeguarded by the organisations which are already in existence.

I have not a word to say about the United Planters' Association of South India. It has done and is doing good work and its representative has tried to safeguard the interests of both members, Indian and European. But there are a class of people who are, perhaps owing to faults of their own, outside this organisation, and it seems to me that, because they are outside this organisation, their interests ought not to be ignored altogether. May I remind my Honourable friend of a provision in the Indian Tea Control Act where it is specifically provided that such representation may be had. There is nothing abnormal in the suggestion which my Honourable friend, Mr. Thampan, put forward. Under the Indian Tea Control Act, there is similarly an Indian Tea Licensing Committee,—the Bill was passed by this House the other day,—and, according to the provisions of this measure, for instance, two members are to be nominated by the Local Government of Assam to represent the tea estates owned by Indians in Assam, one for the Assam valley and the other for the Surma valley. Then, take my own Province. One member is to be nominated by the Local Government of Madras to represent tea estates owned in Southern India by Indians. There is an association of tea planters, both European and Indian, and yet under this Act, the Indian Tea Control Act, it was thought wise and prudent by this House and by the Government and by my Honourable friend, Mr. Bajpai, who championed this Bill in the House, that a provision should exist in the Act whereby an Indian tea planter should be nominated by the Local Government. We have passed that clause now ; it is too late to reopen it, but I venture to convey to Mr. Bajpai and to the Government of India, and through them, if I may, to my own Government in Madras, that they would be well advised to recognise the interests of this set of people who have no representation elsewhere and not to be worried over the idea that it would be racial discrimination if an Indian rubber planter, who is outside the United Planters' Association of South India, is nominated under the provisions of this Bill.

I do not want to take up more time of the House, but I felt it my duty to place before this House and before the Government some of the alarms which are felt by many a rubber grower in South India and in Travancore and in Cochin, both European and Indian—I should like once more to emphasise it, because I have had representations from both sets of cultivators as to how this Act will work and particularly how this system of quotas will work. They want, in the first place, that the quota for India as a whole should be revised at the earliest stage, that is, after the seven months are over, and that representations must be made by the Government of India through such channels as are open to them to this international organisation to revise the quota and fix a more equitable quota so far as India is concerned and in the next place, when the most important and most difficult duty of framing rules for the allotment of quotas to individual planters is taken into consideration, they want that those rules should be so framed that their condition, present and past, should be taken into consideration and that they secured justice to all planters alike. When there is only a small quota to be divided and there is necessarily a scramble, there is bound to be bad feeling and there is bound to be a sense of injustice in every

quarter, I admit, but make that sense of injustice as small as possible and confined to as few as possible and so frame your rules that everybody will feel that justice has been done to all.

There is one small point which has been brought to my notice. I see that the Controller of the Indian Rubber Licensing Committee, writing to a very respectable planter whose name I do not think I need divulge in this House, says :

“ In order to obtain the license to export rubber, it is necessary for the owner to send me a copy of the invoice showing the price of the rubber ready for shipment as well as the invoice number.....and made out in triplicate.”

I want to know whether, in the fixation of quotas and when the actual export license has to be given, the actual invoices of the orders are to be produced, or whether this quota will be fixed, so that the producers may produce it and send it to any exporting firm in this country. I trust that it will only be the latter course and that no actual order need be shown to this Committee which in its turn will have to take that into consideration. This is a very curious Bill. This will be operative after two other Governments have passed similar Bills, the Travancore and Cochin Governments. I know that the question of quota has been raised in a very acute form in the Travancore Sri Mulam Assembly and that the Travancore Government have promised to consider it. The rules and regulations which have to be made and the appeals which have to be provided for against this Committee's decisions—they will have to come up before three Governments. In the co-ordination of the effort of all these three Governments lies the workability or the practicability of this Bill. On all these points, for instance, in the case of appeals with reference to any decision of the Committee as regards plantations or re-plantations, how far they can be allowed, and in various other matters referred to in this Bill, if the Government of India take one view and the Travancore Government take another view and the Cochin Government take a different view, it would be impossible to work this scheme. I do not know whether I have made myself clear. The Committee is to consist of three representatives from the Indian States and two from British India. It is quite conceivable that the three representatives from Indian States may overrule the decision of the two representatives from British India. Under the various sections where they have been given the power to issue certificates for plantations and re-plantations up to 10 per cent. or 20 per cent., and so on,—the appeal, so far as the Committee in a Travancore plantation is concerned, will be to the Travancore Government. The appeal from a British India plantation will be to the Madras Government and the appeal, so far as a Cochin plantation is concerned, will be to the Cochin Government. Unless there is, apart from the broad basis of agreement, an agreement also as to the details, the circumstances under which these appeals will be received and favourably considered by these three Governments, unless, as I say, there is a close co-ordination of effort and a close co-ordination of ideas on this subject on the part of all the three Governments, it seems to me that this will be a very difficult Bill to work in practice. Therefore, I would suggest to the Government that their task is not finished by merely getting the Cochin and Travancore Governments' consent to the passage of this Bill, but their task will continue throughout,—in drafting their regulations, in drafting their quota allotments and in every other matter, so that the Act may become a workable Act. Sir, I have nothing further to say.

**Mr. W. J. C. Richards** (Burma : European) : Sir, I am glad to find that such criticism, as has been made of this Bill, has been largely on matters of detail, and that there is no question about what this International Agreement attempts to do for the benefit of the rubber industry. It is the result of co-operation between rubber growers in all countries and in which many conflicting views were recognised and met. Dealing first with the details, I will answer, as far as I can, the points that have been brought forward. It is a pity, on this discussion, which affects a not unimportant section of the agricultural community of this great country, a distinction has been made between the big planter and the small planter. Planters' organisations throughout India and Burma consist of members owning from 3,000 acres down to five acres. In Burma, there are 1,500 small planters whose holding do not exceed ten acres. The subscription to the Planters' Association is a quarter of an anna per acre, so they can get all the protection and assistance which the Association can afford for the very small sum of 2½ annas annually. Even if the interests of the Planters' Associations do not run side by side with the small planters who are outside the association, I affirm that their interests are identical, and, in defending and taking care of themselves, the Planters' Association are obliged to take care of others.

There seems to be some confusion as to the basis upon which the quotas have been arranged. The basic exportable quota for the first year is the average of the exports for four years. My Honourable friend, Diwan Bahadur Ramaswami Mudaliar, introduced a comparison between India and Burma and sought to show that Burma had been treated more liberally than India. He will find on a re-examination of the figures that with the exception of exports from Alleppey, which, I understand from Mr. James, have been omitted, the basis on which the quota of India and Burma have been fixed is exactly the same. There is another mistake which has crept in, and that is that exports from the Andaman Islands were not included. As my friend Mr. James, said, give and take is the only way in which arrangements of this kind can be worked. Although the Andamans is the concern of the Government of India, the Burma Licensing Committee has accepted responsibility for the requirements of the Andamans and licenses will be given from the Burma quota. That is the spirit which permeates this International Agreement, the spirit which extends outside this country and goes through all the countries which are parties to it.

Regarding the acreages, they are based on a little blue book I saw in the hands of my friend, Mr. Thampan, this morning. It is called Indian Rubber Statistics, and, as far as I remember, in the introduction it is stated that these statistics are compiled from the figures which have been supplied by planters themselves. In dealing with the matter before Lunch, my Honourable friend, Mr. Bajpai, stated that the planters themselves have supplied these figures and they are responsible for them. That I do not challenge, but for the guidance of Government, in future, I would suggest they revise their method of collecting these statistics. They send requests to all rubber planters, among whom are a number of poor and perhaps ignorant people, for particulars of production last year, stocks in hand, the number of labourers employed, and so on. It comes along in an envelope marked O. H. M. S. and inside is a buff coloured paper which the planter immediately tears, thinking it is a tax-paper which it so much

resembles. As a result, the figures in the blue book do not include the acreage of a certain number of small estates. I believe the omission is more serious in Burma than in India, but, in looking through the annual additions to the 1934 basic quota for immature areas, I find that, of all the countries which are parties to this agreement, the proportionate increase in the quotas is greater in India and Burma than anywhere else. Whatever omissions have been made have undoubtedly been provided for and it is impossible to resist the opinion that India and Burma were not without friends when the basic quotas were decided.

**Diwan Bahadur A. Ramaswami Mudaliar :** Can you explain why if India starts on a greater export allowance, it should end on equality with Burma ?

**Mr. W. J. C. Richards :** It is because the immature areas in Burma are greater than in India.

**Mr. K. P. Thampan :** Who said so ?

**Mr. W. J. C. Richards :** I say so, and the statistics when corrected will prove it.

**Mr. K. P. Thampan :** I say the contrary. I am right and you are wrong.

**Mr. W. J. C. Richards :** Mr. Thampan this morning used that word with which we are so familiar—grievance. I cannot agree that anybody in this country has got a grievance in respect of this Bill. Since it became fairly clear that this International Agreement would be achieved, the price of rubber has improved from 2d to 7½d a pound. That is the kind of grievance an unsympathetic Government may inflict upon its subjects without any voice being heard in protest.

[At this stage, Mr. President (The Honourable Sir Shanmukham Chetty) vacated the Chair which was then occupied by Mr. Deputy President (Mr. Abdul Matin Chaudhury).]

No proposal for the rehabilitation of any section of the world's unbalanced economic structure has been so generally commended. Surely we will not let it be said that India proved obstinate. I think, it would be the height of folly, if India took up a position which tended to upset what has already been achieved. May I remind the House that on the International Rubber Regulation Committee there are a number of representatives of consumers as well as of producers. This regulation is one which is calculated to benefit producers and consumers alone. In the past, manufacturers, who use rubber for their raw material, have encountered immense difficulties and suffered heavy losses owing to violent fluctuations in the price of rubber. Consumers are not going to allow this International Agreement to be upset, simply because a small number of people in India want to get more than what is fairly due to them. In such a case, it is not unreasonable to suppose that consumers would consider whether they would buy rubber from India and Burma.

Not only is this agreement a matter of importance to planters, but it is one of considerable general interest at a time when the regulation of out-put and the restriction of exports is put forward as the remedy for many of the economic ills from which the world is at present suffering. This is essentially an agricultural Bill, and, as it is sponsored by the Gov-

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ernment it encourage one to hope that before the Session is over, an announcement will be made from the Government Benches that arrangements have been made for protecting that greater branch of agriculture in this country, namely, paddy and rice, before its position becomes vulnerable again at the end of the year. There are about 4,000 small planters engaged in the rubber industry in Burma and India and for three years up till the time it was reasonably certain that this International Agreement would be signed, these small planters were in dire distress. Although the records of the period of low prices show that in bad times the working costs of big and small estates can be forced down for a time to any low levels, they also show that the hardships imposed by very low prices forced the small cultivators out of production. They were unable to make a living on their plantations, they were faced with the loss of their capital. They lost hope, abandoned their plantations, and went elsewhere in search of a precarious living. This Bill gives reasonable hope that the small planter, for a number of years, will be able to live on the fruits of his labour, and it encourages the investor to think that for a time, at any rate for the duration of this agreement, he will have a reasonable return on his money. It is a Bill which I feel certain will be accepted by this Assembly to enable India and Burma to take their place in the biggest scheme of co-operation between producers and consumers which has so far been formulated to restore equilibrium of supply and demand in any important world commodity. (Applause.)

**Mr. B. Das** (Orissa Division : Non-Muhammadan) : Sir, I would not have risen to speak, but I am afraid I must make an accusation against the Honourable the Secretary of the Department of Education for his laying this International Agreement on the table just before the Third Reading of the Bill. Sir, this is a serious charge, that Government appears to have something to conceal and they do not supply such a document earlier, so that Honourable Members of the House may not read the same and criticise it. The only point that I rise to speak upon is the constitutional aspect ; that is, the underlying principle of this so-called International Agreement. Sir, if these are what International Agreements come to, then I wish there should be no more International Agreements inspired, as in this case, by a few planters of South India and Burma. Sir, I cannot understand how a servant of the Government of India, the High Commissioner for India, could have dissected India into two parts, India and Burma, and, in the end, he came to adopt the theory that India must be bisected and Burma and India can grow rubber in equal quantities. Sir, as all of us are aware, the Burma-European representatives were at one time most anxious that Burma should be separated, but Mr. Harper, the representative of Burma Europeans before the Joint Committee, after giving his evidence, found out the real truth and the Burma Europeans are not anxious for separation now. For my part, I have spoken at Congress meetings, outside this Chamber and in this Chamber. Let Burma be separated, but not at the cost of India. And, here, the representative of the Government of India has gone to the extent of accepting an international document wherein he places Burma and India as being two territories, two independent countries. Sir, this is an unpardonable thing, but we cannot expect anything better from the Government as they are at present constituted. Let them separate Burma, let them say whatever

they like, but let them take note of the present constitutional position and not raise such a mischievous issue in such a way.....

**Mr. G. S. Bajpai :** May I draw my Honourable friend's attention to the fact that the agreement has been signed on behalf of India—not separately on behalf of India and Burma ?

**Mr. B. Das :** My Honourable friend thinks that I have had only twenty minutes to read the document and I have not read the whole document. I have seen that Sir Bhupendra Mitra did sign on behalf of India which includes Burma, but, I say, Sir Bhupendra Mitra committed the crime of separating India and Burma when Burma is not yet separated. (Laughter.) The High Commissioner for India, of course, acted under the instructions presumably of the Government of India. Then, Sir, Sir B. N. Mitra did make certain reservations, "subject to reservations annexed about the Indian States". He said :

"The accession of the Government of India is subject to the agreement and co-operation of the rubber-producing Indian States in India, in whose area, the Government of India have no power to maintain or enforce the restrictions."

Sir, I was not present to hear the speech of my Honourable friend. Mr. Bajpai, but he mentioned, as I understand from my Honourable friend, Mr. Thampan, that the States of Travancore and Cochin had agreed to give effect to this restriction. I do not know how the Government of India were able to persuade the States of Travancore and Cochin in this matter, because, I know the Government of India are so lethargic in other matters, for instance, they have not been able to persuade the Indian States to accept and ratify other International Conventions that emanated from Geneva, and which are more humanising and which will do greater good to greater number of people in those States. But, Sir, if the States have done it, they have done harm to their own people, and, Sir, though it is of some interest to the South Indian planter, which is represented by my Honourable friend, Mr. James, here, to the poor Indian planter whose spokesmen here are my Honourable friends, Mr. Thampan and Diwan Bahadur Ramaswami Mudaliar, Sir, this is an injustice. For my part, the Government of India ought not to have brought forward such a Bill. Sir, when the Ottawa Agreement came, everybody thought that a new heaven had come for the industries, but, thereafter, my friends the tea planters at once went into International Agreements for restricting their production ! Sir, if everything was to be restricted, what was the necessity of these Imperial Conferences to bring so-called preference to India ? If my friends, the tea planters of Assam, could pride themselves upon the Ottawa Agreement, why did they enter into this agreement over restriction of production thereafter ? And this restriction of rubber cultivation is another instance—and there may be many instances of many things in the archives of the different Departments of the Government of India which may not see the light of day till this Session is over, but which they probably intend to give out more and more in the near future. Sir, for all these reasons I oppose the main principle of this Bill, and I oppose the vicious idea that Burma should be mentioned as a territory and as a country, whereas Burma is only one of the nine Provinces of India and ought not to get more than one-ninth preference in any matter.

**Mr. G. S. Bajpai :** Sir, when I moved that this Bill be passed, I certainly was not expecting that a storm would suddenly blow up at



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this rather belated stage of our discussions. However, when my Honourable friend, Mr. B. Das, played his characteristic part of the stormy petrel of this House, it is not at all to be wondered at that this has happened. Sir, I do not propose myself to emulate either the heat or the passion of the speaker who spoke last or to digress from the main points which, according to my hearing of the debate, actually emerge in the course of this stage of the discussion ; but, before I proceed to these three or four points, I should like to express my regret to the House that copies of the International Agreement should not have been in the hands of Honourable Members earlier. Sir, the explanation of that is simple. I was, as a matter of fact, in joint partnership, and a minor partner, in regard to this Bill, with the Honourable the Leader of the House, he being responsible as it were for the sections dealing with export quotas and so on, and my personal responsibility being limited to the very minor portion dealing with the restriction of cultivation. It was only when I heard that the Honourable the Leader of the House might not, for reasons of indisposition, be able to be present in the House today that I assumed the responsibility for it and, actually, on Friday morning, I suggested to the Commerce Department that if the agreement had not been already circulated, it should be circulated. Again, Sir, I express regret that this elementary precaution was not taken earlier, but I do hope that, inasmuch as the Bill, which gives effect to the agreement practically *verbatim*, has been in the hands of Honourable Members for some days, the delay in the distribution of the agreement has not materially handicapped Honourable Members in the appreciation of this problem.

Now, Sir, I deal, first of all, with the main question which has been raised, namely, the question of the equity or otherwise of the quota which has been allocated to India. My Honourable friend, Mr. James, explained the genesis of the figures which are embodied in the agreement. He said that these figures had been arrived at on the basis of exports during a period of years beginning with 1929. Now, Sir, I said in the course of my opening remarks—and I repeat that statement—that, in my opinion, the acreage of the rubber in the different countries or, at any rate, so far as India is concerned, in India should have been taken into account when this particular question was considered. And, again,—and this is also my personal opinion—the fact that substantial discrepancy has been disclosed between the figures which were present before the Committee at the time when they considered this and the figures which have been divulged since the investigation of the Committee in South India began would, *prima facie*, be a case for representations to the International Committee. (Applause.) My Honourable friends will admit that immediately, or now, we cannot go and make those representations, for the simple reason that the evidence upon which we intend to base those representations is not yet complete ; but when that evidence is complete, my Honourable friend may take it from me that Government will take into account the evidence which is newly brought to light and all other relevant factors, and then, as I have already said, take such action as they can to ensure that India's treatment is equitable treatment.

Now, Sir, my Honourable friend asked which particular clause of the agreement would enable the Committee to take up this matter.

If he will turn to sub-clause (j) of Article 15 of the Agreement, he will find that the Committee is entitled, *inter alia*, to make such other recommendations to Governments, relevant to the subject-matter of this Agreement, as may seem desirable. It is at the bottom of page 6 of the text of the Agreement which has been circulated to Honourable Members, I believe, today. Now, Sir, that is, to my mind, the relevant provision of the Agreement in so far as initiative by the International Committee is concerned. But I would also draw my Honourable friend's attention to the fact that the Government of India have accepted this Agreement subject, *inter alia*, to the reservation that the co-operation of the Indian States, which are producing units, is forthcoming. Now, I explained in the course of my opening remarks today that Travancore, an Indian State, happens to be the area where the discrepancy is the largest. I need not point the inference. It would be quite clear to the House that if Travancore feels that it is not being fairly treated, it is free to make representations to the Government of India and we can utilise their representations to persuade the other Governments concerned, if our case is a strong one, to reconsider the matter. Now, Sir, the second point which my Honourable friend, Diwan Bahadur Ramaswami Mudaliar, had made was as to the method by which the quotas are to be allocated amongst individual States. In that connection, I want to draw the attention of the Honourable Members to the Government of India (Commerce Department) Resolution No. 39, dated the 26th of May, 1934, and, at the risk of detaining the House with a dull recital of that Resolution, I would venture to tell my Honourable friend what that Resolution contains. Paragraph 8 of the Resolution says :

"The quota for each estate shall be based on the 'crop basis of the estate', that is, the accepted maximum production of that estate in any one of the six years, 1928, 1929, 1930, 1931, 1932 and 1933, with the addition of an allowance for young rubber or untapped mature rubber or rubber for which authenticated figures of yield are not available on the scale set forth in the Schedule annexed hereto."

I do not think it is necessary for me to go through the Schedule, but I can tell my Honourable friends that the Schedule makes a fairly generous allowance in this behalf. Then, again, in regard to each particular area, we get on further and find that paragraph 9 of the Resolution says :

"The quota of each estate shall bear the same ratio to the crop basis of that estate as the permissible exportable amount bears to the total of the crop bases of all rubber estates in India (excluding Burma)."

So that, so far as that particular question is concerned, we have actually gone beyond the basis used by the negotiators of the International Agreement in regard to the allocation of export quotas. They began with 1929 and ended with 1932, whereas we have actually gone back to 1928. Now, my Honourable friend, Diwan Bahadur Ramaswami Mudaliar, used a rather significant phrase. In the course of his speech he referred to a narrowing and contracting market. Now, Sir, it is inherent in a scheme of this kind that there should be a restriction of exports which, in other words, means a restriction of the market for the purpose of raising prices. I think he will agree with me that in a restricted market like that, the smaller producers, as it were, cannot expect to get more than what might be called fairly

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generous treatment. In other words, those who, by reason of the depression, had been exporting little in the earlier years should not take advantage or could not logically take advantage of a restricted market in order to export more than they had ever exported before. But, at the same time, I recognise that inasmuch as they happened to be working at what you might call below the subsistence line, they need more generous treatment than those who were well established financially before. That was the principle on which the Government of India proceeded in regard to the Tea Restriction Act and that, again, is the principle which the Government of India intend to observe in regard to this particular measure. Sir, the third point which my Honourable friend, Diwan Bahadur Ramaswami Mudaliar, made, was in regard to the representation of Indian planters in South India. He drew my attention to the provisions of the Tea Control Act in this respect. If I may say so, the objection which I took to my Honourable friend, Mr. Thampan's amendment, was not on the ground that it was a racial amendment. I never said that. On the contrary, I said at once, that the smaller interests for whom he was speaking deserved consideration and, if it was possible, their representation on the Committee should be arranged. The point that I took was a constitutional one, namely, that the Bill left it to the Local Government to provide for nomination and we should not limit their discretion. Now, I need not remind my Honourable friend that last Session, when I was asking this House, in deference to the wishes expressed by certain non-official Members of the House, that the Governor General in Council shall be given powers of supervision in regard to rules framed by Local Governments in regard to sugar-cane, my Honourable friend, being the champion that he is of provincial rights, rose in his seat and said: "You shall do nothing of the kind." I was naturally reluctant to bring the Government phalanx either for or against the amendment and he managed to take the majority of non-official Members into the Opposition, thus defeating the amendment. Surely, in respecting the powers of the Local Governments I was acting in conformity with the principles of which he is such a stout champion. In the circumstances, I submit that that is hardly an object of reproach so far as my attitude in regard to that matter is concerned. But let me repeat what I said when I was dealing with Mr. Thampan's amendment. I said that the cause for which he has been speaking and the interests for which he has been speaking are deserving interest and we propose to convey to the Government of Madras the suggestion that has been made and the expression of our hope that, when they make the nomination, these interests will be given very careful and, let us hope, very sympathetic consideration.

Now, Sir, the last point which my Honourable friend, Mr. Mudaliar, made, was in regard to co-ordination. He drew attention to the constitutionally somewhat heterogeneous position of the Licensing Committees and said:

"How is the Governor General in Council going to ensure that these people behave properly, and that the interests or the principles according to which they decide are not Indian States versus British India but the common interests of the industry as a whole?"

In regard to that, I would invite the attention of my Honourable friend to the power of control by the Governor General in Council in sub-clause (i) of clause 7 of the Bill which says :

“ All acts of the Committee ”,

—the saving clause is only in regard to applications for planting,—

“ All acts of the Committee shall be subject to the control of the Governor General in Council, who may cancel, suspend or modify as he thinks fit any such act.”

Well, I think, Sir, with that kind of sword of Damocles hanging over their heads, it is hardly likely that the Committee would go and run amuck. However, the point which my Honourable friend has made is an important point and the Government of India will see whether any thing further is necessary in order to ensure that the Committee act in a spirit, as he says, of harmony rather than of pure sectional interests, of one part of India or the other.

Now, Sir, although it is not strictly speaking germane to the discussion on this Bill, I do not think that I can let what has been said in regard to the separation of Burma pass without some comment. I think it has been suggested that there has been some sinister move both on the part of those who negotiated this agreement and on the part of the Government of India to anticipate the decision of the Joint Parliamentary Committee in regard to the separation of Burma. Sir, I personally have been associated with these negotiations for nearly four or five months, and, I can assure the House that certainly nothing was further from the mind of the Government of India than to anticipate in any way the decision in regard to the separation of Burma. As I tried to explain in the course of my remarks this morning, we were faced not with any act of Government but with an act of God, the geographical separation of Burma from India. You cannot run the administration of an Act which deals *inter alia* with the regulation of cultivation of rubber by a centralised committee for the whole of India including Burma with its headquarters, shall we say, in Calcutta or Madras. It cannot be done. That is the reason why we decided that there should be separate committees for Burma and for India. Again, I would say that if what I have said has not sufficiently convinced my Honourable friends, they may turn to sub-clause (i) of clause 7 which I have quoted, namely, that the power of revision, supervision and control rests with the Governor General in Council as effectively and as fully in regard to the committee which operates in Burma as it does in regard to the committee which is operating in India. That, to my mind, is a complete negation of the suggestion that we have in any way been anticipating the decision with regard to the separation of Burma.

I think I have endeavoured to deal with all the points which have been made in the course of this discussion, and, on the whole, I think I am justified in saying that the House accepts the principle of the Bill and recognises that it is a measure which in modern economic conditions is calculated to further the interests of the industry concerned. I hope that in the realisation of the validity of that principle, the House will pass this Bill. (Applause.)

**Mr. Deputy President (Mr. Abdul Matin Chaudhury) :** The question is :

“ That the Bill to provide for the control of the export from and import into India of rubber and for the control of the extension of the cultivation of rubber in British India, be passed.”

The motion was adopted.

### THE INDIAN INCOME-TAX (AMENDMENT) BILL.

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

“ That the Bill further to amend the Indian Income-tax Act, 1922, for a certain purpose, be taken into consideration.”

Sir, this is a very technical matter but I shall try and make the purpose of the Bill clear to the House in a very few words. I would have been a little more confident of my ability to do so if I had been allowed to have a black-board and the use of a few “x”'s and “y”'s. However, I will do my best without such extraneous aids. The necessity for the Bill arises from a flaw in the drafting of the Dominion Income Tax relief section in the Indian Income-tax Act. The basis of the scheme for the relief of double Income-tax within the Empire is that double taxed concerns or individuals shall be relieved of the lower of the two rates of tax and that the two taxing authorities should give relief which in the aggregate should amount to the lower of the two rates of tax. Now, Great Britain guaranteed, whatever the rate of tax in the Dominion, always to give half her own rate of tax. In the Indian Income-tax Act, it was provided that India should give the difference between the Indian rate and half the English rate, or half the Indian rate whichever was lower. Now, that was all very well so long as the Indian rate was practically throughout its range lower than the English rate. But with the reduction of the English standard rate from five shillings to 4s. 6d. over quite a considerable range of the Indian Income-tax, the Indian rate is now higher than the English rate. Let me just interpolate here by saying that, although I said it was over a considerable range of Indian Income-tax, that range applies almost entirely to companies. It can apply to very few cases of individuals, and, I think, for my present purpose, we can leave out of account the question of individuals altogether. Now, if the amount of relief given by India is the lesser of the two amounts, one of which is the full Indian rate less half the English rate and the other half the Indian rate, in present circumstances and over the range which I have indicated half the Indian rate is the operative amount. Therefore, the total relief given by Great Britain and India together is half the sum of the two rates. Now, half the sum of the two rates must always be greater than the lower of the two rates. That means that India is giving more relief than is required to carry out the intentions of the original scheme which is to give relief from the lower of the two rates and not from half the sum of the two rates. I am not too confident that I have succeeded in making this clear to the House.

**Diwan Bahadur A. Ramaswami Mudaliar (Madras City : Non-Muhammadian Urban) :** Will the Honourable Member use “x” and “y” ?

**The Honourable Sir James Grigg :** Yes, I shall do so. Let the British rate be "x" and Indian rate be "y". Great Britain always contracts to give relief amounting to  $x/2$ . The present Indian Income-tax provides that there shall be given as complimentary relief either  $y \cdot x/2$  or  $y/2$  whichever is less. For our present purpose  $y/2$  is always less. Therefore, the total relief given by both countries is :  $\frac{x+y}{2}$ , and  $\frac{x+y}{2}$  must be greater than the lower of the two rates.

The only other thing I wish to add is that this flaw in the drafting of the Indian Income-tax Act was brought to light as a consequence of the reduction of the British standard rate. The amount that it means to the revenue of India is about eight lakhs, and clearly eight lakhs is a sum which one cannot forego in the present circumstances. It is, as I said at the start, only our intention to remedy the existing flaw. It is not a Bill of pains and penalties. We merely provide that doubly taxed concerns shall in no circumstances pay less than if they were entirely operating in India and entirely subject to the Indian fiscal machine.

Sir, that is all that I have got to say. If any other questions arise  
4 P.M. I will do my best to deal with them at a later stage, but I think I have sufficiently explained the general purpose of the Bill.

**Mr. Deputy President (Mr. Abdul Matin Chaudhury) :** Motion moved :

"That the Bill further to amend the Indian Income-tax Act, 1922, for a certain purpose, be taken into consideration."

**Sir Gomasji Jehangir (Bombay City : Non-Muhammadan Urban) :** May I ask the Honourable Member just one question ? He referred to individuals. I take it from him that this change in the Act will in practice not affect individuals at all.

**The Honourable Sir James Grigg :** No, Sir ; I said it would affect very few individuals and I cannot say with certainty that there will be no individuals whom it will affect, because, I believe, there is a certain range of individual incomes in India at the very top of the scale,—I think incomes above 20 lakhs a year, which I imagine are pretty rare—which might be affected by the Bill.

**Sir Gomasji Jehangir :** But the income-tax on incomes of 20 lakhs a year is higher in England today than it is in India.

**The Honourable Sir James Grigg :** My information is to the contrary, that in the case of individual incomes of more than 20 lakhs, the Indian income-tax is at present higher than the English income-tax after the recent reduction of the standard rate.

**Sir Gomasji Jehangir :** Including the super-tax ?

**The Honourable Sir James Grigg :** Yes, Sir.

**Mr. F. E. James (Madras : European) :** Sir, this is an extremely simple Bill which the Honourable the Finance Member has explained with commendable clarity ! As far as I understand it the position is this : that now that in certain cases the rate in the United Kingdom is less than the rate in India owing to the recent reduction of the tax in the United Kingdom, a person or company in such cases may actually, on obtaining relief in India under this provision, pay at a rate which is less than the highest rate in either country. I understand also that Government claim that

[Mr. F. E. James.]

while section 49 in the Income-tax Act as it stands safeguards a person against having to pay at a rate greater than the highest rate in either country, it was never intended that he should have such relief at any time as would enable him to pay at a rate lower than the highest in either country.

**The Honourable Sir James Grigg :** I might interrupt the Honourable Member for a minute, only because his use of the words "highest rate" is a little ambiguous. The highest rate in Great Britain and in England is 10 or 11 annas in the rupee. If he substitutes for "highest rate", "the higher of the two rates", then his statement is correct. I imagine that is what he means.

**Mr. F. E. James :** I accept the correction ; it is not only more accurate but it is better grammar. In other words, a person who has obtained refunds both in the United Kingdom and in India should not, in the view of Government, be placed in a better position than the person who is being taxed singly at the higher rate. I gather that is the position. Now, Sir, the Honourable the Finance Member did not explain one matter which I cannot but help bringing to his notice. His explanation is that this position has been arrived at since 1st April this year on account of the fact that the finances of the British Government have been so well-managed in recent years that they are able to reduce their income-tax rates. Now, the Honourable the Finance Member was very careful to conceal this very important fact, that had it not been for the surcharge on income-tax in this country, even today these rates would not have been higher than the rates in the United Kingdom. And although on principle we cannot object to this particular Bill, we should not be human nor should we be consistent with the policy we have laid down in Budget Session after Budget Session, if we did not take this opportunity of calling the attention of the Finance Member to the urgent necessity of doing away with the surcharges altogether. I hesitate, since this morning certain questions passed between the Finance Member and my Honourable friend, Mr. Neogy, to quote his predecessor in office ; but, I am constrained to call his attention to a paragraph in his speech on the Budget on the 27th February, 1934.

**The Honourable Sir James Grigg :** I have read it.

**Mr. F. E. James :** I have no doubt my Honourable friend has read it, but it contains several hundred paragraphs, and perhaps it would be better to draw his attention to this particular paragraph once more :

" In our proposals we are providing fairly for all the needs that can be foreseen. We seem to have touched the bottom, and if the tendencies which have recently been apparent continue, there is a good hope "

—and I would ask the Finance Member to mark these words—

" that there will be a margin next year large enough not only for the restoration of the cuts in pay but for the relaxation of other burdens."

I think I shall be receiving the support of every section of the House when I say that our interpretation of the meaning of the words "relaxation of other burdens" is, first, the removal of the surcharges on income-tax, and second, the removal of the surcharges on customs duties. I am not asking my Honourable friend to anticipate his Budget Speech of next year, but I am asking him to remember that if we accept with good grace this Bill which means that companies will not be entitled to refunds on the

scale which they hoped to be entitled to this year, we do so in the hope that next year he will be able to take some step towards the realisation of the hope which was expressed by his predecessor.

I will make only one other observation to strengthen my point. He has spoken in his speech of an error in drafting clause 49 of the Income-tax Act. I am not quite so sure as to whether it was really an error in drafting. At the time when the clause was put in the Act and at the time the clause was drafted, not only was there never in the contemplation of anyone that the rates of income-tax in this country would, in any instance, be greater than the rates of income-tax in the United Kingdom, but there was mild surprise expressed by a commentator on the Act, in those days, that the rate in India was actually a little more than half the rate in the United Kingdom ! Therefore, I suggest, that this clause was not drafted badly, but was simply drafted on the assumption that we should never have to pay in this country at a rate of income-tax which the inhabitants of the United Kingdom have to bear. However, Sir, now that I have "said my piece" and I have called the attention of the Finance Member to the real cause of this Bill, which is the imposition of the surcharges, I hope he will do everything he can, at the time of the next Budget, to bring in a popular measure including the abolition of the surcharge on income-tax, the restoration of the cuts, and a reduction of the surcharges on revenue duties, which, I know, is an object which he has greatly at heart.

**Sir Cowasji Jehangir :** Sir, I should like to congratulate Mr. James and the Members of the European Group on the way they have received this Bill and supported it, for it is a well-known fact that this Bill affects European firms much more than it affects Indian firms. I will go so far as to say that most probably it affects 99 per cent of English firms and one per cent. of Indian firms. And although to them an eight lakhs increase may be a trifling amount (*Mr. F. E. James* : "No, no."), we still congratulate them on the way they have received this Bill. But it does make one reflect when Government find it necessary to introduce a Bill due to the income-tax in this country being higher than the income-tax in England, even if it be for one single class of persons or companies. What have we come to ? We, a poor country like India, with teeming millions of people who are said to be half-fed, we today are paying a higher income-tax than the richest country in the world. That is a point on which Government should also reflect, and since the Honourable the Finance Member comes fresh from the richest country in the world, perhaps he will help us in trying to convey to his countrymen in England a correct appreciation of the way in which we are taxed. I have been told in England, over and over again, that India is taxed very lightly so far as income-tax is concerned as compared to England. I do not know how often we were told during the last four or five years how lucky we were as compared to England. May I ask the Finance Member when he sends his confidential communications to his Government of which he is a servant, to convey to them the glad news that England is today paying less income-tax on companies than India is, and correct the impression in the minds of many well-informed Englishmen that we are very lightly taxed ; and, may I echo the hope expressed by Mr. James that a time may come and that too very soon when the example set by the Chancellor of the Exchequer in England will be followed by our Indian Government with the approval of the Secretary



[Sir Cowasji Jehangir.]

of State, and that he will be able to announce very soon a little less burden on the suffering millions of this country ; and may I ask him to remember that today, people who earn only Rs. 84½ a month are paying income-tax which they have not done for years and years. It is time that those people got a substantial relief and the first thing that the Government of India ought to do should be to give relief to the lower middle classes whom they have taxed—I will not say mercilessly, but most unexpectedly—at a time of depression and at a time when they feel the depression more than anybody else.

**Dr. Ziauddin Ahmad** (United Provinces Southern Divisions : Muhammadan Rural) : Sir, I have been at pains to understand the meaning of the two simple clauses in this Bill, and, I think, I am now in a position to do so after the explanation given by the Honourable the Finance Member. I dare say, I have not got the same facility, as my friend has got, but I felt the need of a blackboard and chalk just as much as my friend did. I have tried to find out a formula. In the British Finance Act of 1920, it is said that the rate at which the relief is to be given shall be one-half of the appropriate rate of the United Kingdom tax. Suppose the appropriate rate is “ U ”—I shall put U for the United Kingdom and “ I ” for Indian income-tax. He is then entitled to have relief only to half that amount, that is  $U/2$  : if he comes to India, then he can get relief equal to “ I ” minus  $U/2$ . That is the existing Act. But the amendment proposed is this : he will get relief equivalent to half divided by U, that is, half the United Kingdom rate.

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

But there is a case which I hope he will remember : he has assumed all the time that the Indian rate is greater than the United Kingdom rate. What will happen if the Indian rate becomes less than the United Kingdom rate ? Then the rebate to be given becomes *minus*, that is, something will have to be refunded—the equivalent of “ I ” minus  $U/2$  : and if “ I ” is less than  $U/2$ , then, instead of giving them rebate, you will have to take some more money from them. Instead of assistance, you will have to fine the assessee.

**The Honourable Sir James Grigg** : Sir, may I at once correct a misapprehension which appeared in the, shall I say, faintly acid remarks of Sir Cowasji Jehangir ? He referred to the Government of which I am a servant. As regards that, he seemed to be under the misapprehension that I am still a servant of the English Government. I am not. I am a servant of the Indian Government.

**Sir Cowasji Jehangir** : No ; the constitutional position is otherwise.

**The Honourable Sir James Grigg** : That is irrelevant : I am a servant of the Government of India and not of the English Government ; and, so long as I am here, I shall continue to serve the Government of India and not the Government of the United Kingdom. (Cheers.) The rest of his remarks on the terrible weight of taxation in India I can more appropriately deal with when I come to the remarks of my Honourable friend, Mr. James ; and, may I at once express my gratitude to Mr. James for the spirit in which he has accepted this extremely unpleasant piece of

legislation, because as Sir Cowasji Jehangir has pointed out, practically the whole of the damage of this proposed legislation will fall on English concerns operating in India ? When he went on to refer to my predecessor and referred to the little contretemps which occurred this morning, he gave me an opportunity to clear up a little the position which I may have in some doubt this morning in my interchanges with Mr. Neogy. As far as the opinions of my predecessor are concerned, I regard myself as fully at liberty to differ from him. As far as he gave pledges, subject to the exception of the slight slip up for which I apologised this morning, I regard myself as bound by them.

**Mr. K. O. Neogy** (Dacca Division : Non-Muhammadan Rural) : Do I understand my Honourable friend to say that he sticks to the opinions expressed by his predecessor ?

**The Honourable Sir James Grigg** : No, no, I stick to my own opinions. So far as the pledges of my predecessor are concerned, errors and omissions excepted, I intend fully to carry them out. Mr. James read the concluding paragraph of my predecessor's last Budget speech in which he expressed certain opinions. I am not yet in a position to say whether I agree with those opinions. His may be an optimistic forecast as to the condition of Indian finances, which I am not yet in a position either to deny or to affirm, but either in that same Budget speech or in a previous one, my predecessor gave the most categorical pledge, which was that when sufficient money was available, the surplus should be devoted first to the restoration of the pay, and secondly to the removal of the surcharge on income-tax. Now, that is quite a categorical pledge. It may be a very embarrassing one as time goes on, but I regard myself as being bound by his pledge, but, as I have said already, not by his opinions.

**Sir Cowasji Jehangir** : Sir, I want to make a personal explanation. I said that the Honourable the Finance Member was a servant of the British Government. Constitutionally he is a servant of the British Government, just as much as every Honourable Member on the Opposite Benches is. Constitutionally he is not responsible to this House ; he is responsible to the Secretary of State, who is responsible to Parliament. We all trust and hope that when they are on the Government Benches, they will serve India just as much as the Secretary of State will, but that does not change the constitutional position that my friend is not a servant of India, he is a servant of the British Government and a servant of Parliament, and he is only responsible to them.

**Mr. F. E. James** : Why split hairs ?

**Mr. President** (The Honourable Sir Shanmukham Chetty) : The question is :-

“ That the Bill further to amend the Indian Income-tax Act, 1922, for a certain purpose, be taken into consideration.”

The motion was adopted.

Clause 2 was added to the Bill.

Clause 1 was added to the Bill.

The Title and the Preamble were added to the Bill.

**The Honourable Sir James Grigg** : Sir, I beg to move :

“ That the Bill be passed.”

[Sir James Grigg.]

After the illuminating discussion we have just had, I do not think it is necessary for me to go into any further technical details.

As regards what Sir Cowasji has just said, I am quite content to leave him to his disquisition on the constitutional position. I merely repeat that so long as I am a Member of the Government of India, I am a servant of India, and not of the British Government.

**Mr. K. C. Neogy :** May I point out to my Honourable friend that he has contradicted only one portion of my friend, Sir Cowasji's statement that he is a servant of the British Government. But what he stated in addition to that, I think, was a very serious allegation, and that is, that he was in confidential communication with that Government.

**The Honourable Sir James Grigg :** That allegation does not seem to be worth denying.

**Mr. President** (The Honourable Sir Shanmukham Chetty) : The question is :

“ That the Bill further to amend the Indian Income-tax Act, 1922, for a certain purpose, be passed.”

The motion was adopted.

The Assembly then adjourned till Eleven of the Clock on Tuesday, the 21st August, 1934.