

## TABLE OF CONTENTS

	PAGES.
Agenda for the third session of 1932 .. .. .	1-26
<i>Tuesday, the 22nd November 1932.</i>	
New Members sworn .. .. .	29
Nomination of Chairmen of Council .. .. .	29
Governor-General's assent to Acts .. .. .	29-30
Letter of acknowledgment from Shrimant M. R. Sardesai .. .. .	30
Business of the House .. .. .	30
Starred Questions and Answers .. .. .	30-36
Address by His Excellency the Governor to the Members of the Legislative Council .. .. .	36-40
Starred Questions and Answers .. .. .	41-53
Special Powers Bill .. .. .	54-58
<i>Wednesday, the 23rd November 1932.</i>	
Starred Questions and Answers .. .. .	91-103
Unstarred Question and Answer .. .. .	104
Special Powers Bill .. .. .	104-157
<i>Thursday, the 24th November 1932.</i>	
Unstarred Questions and Answers .. .. .	160-174
Special Powers Bill .. .. .	174-229
<i>Friday, the 25th November 1932.</i>	
Special Powers Bill .. .. .	232-288
<i>Saturday, the 26th November 1932.</i>	
Special Powers Bill .. .. .	291-330
<i>Monday, the 28th November 1932.</i>	
Starred Questions and Answers .. .. .	333-336
Unstarred Questions and Answers .. .. .	336-340
Special Powers Bill .. .. .	340-387
<i>Tuesday, the 29th November 1932.</i>	
Starred Questions and Answers .. .. .	390-400
Unstarred Question and Answer .. .. .	400
Special Powers Bill .. .. .	401-450
<i>Wednesday, the 30th November 1932.</i>	
Starred Questions and Answers .. .. .	453-460
Village Panchayats Bill—Extension of time for Select Committee's Report. .. .. .	461
Special Powers Bill .. .. .	461-506
<i>Thursday, the 1st December 1932.</i>	
Special Powers Bill .. .. .	509-512
Correction of Division List .. .. .	512-513
Special Powers Bill .. .. .	513-565

## TABLE OF CONTENTS

Friday, the 2nd December 1932.

	Pages.
Starred Questions and Answers .. .. .	568-574
Unstarred Questions and Answers .. .. .	574-575
	and
	575A-575Q
Special Powers Bill .. .	576-642

Saturday, the 3rd December 1932.

Special Powers Bill .. .. .	645-656
Demands for Supplementary grants—	
Opening of a new dispensary at Dadu in Sind .. .. .	656
Improvements to the Sukkur Begari Bund .. .. .	656-657
Combined brigade and regulator over the Aral Manchar near Sehwan ..	657
Employment of Ramoshis for patrolling the Artillery Maidan, Karachi	657
Resolution <i>re</i> Amendment of Rules under Cotton Transport Act ..	657-659
Motion <i>re</i> Appreciation of the Honourable Mr. W. F. Hudson's services ..	660-671
Prorogation of Council .. .. .	671
 APPENDICES .. .. .	 672-689

## APPENDIX I.

## BILL No. XXVII OF 1932.

*A Bill to confer special powers on Government and its officers for the purpose of maintaining law and order.*

(As published in the "Bombay Government Gazette"  
of the 2nd November 1932.)

WHEREAS it is expedient to confer special powers upon Government and its officers for the purpose of maintaining law and order; and whereas the previous sanction of the Governor-General required by sub-section 5 & 6 (2) of section 80A of the Government of India Act has been obtained for <sup>Geo. V,</sup> the passing of this Act; It is hereby enacted as follows:—  
c. 61.

## CHAPTER I.

## PRELIMINARY.

1. *Short title, commencement, extent and operation.*—(1) This Act may be called the Bombay Special Powers Act, 1932.

(2) It shall remain in force for a period of three years.

(3) This Chapter extends to the whole of the Presidency of Bombay and the Governor in Council may by notification in the *Bombay Government Gazette* extend all or any of the remaining provisions of this Act to such district or area as may be specified in the notification.

(4) This Chapter shall come into force at once and the Governor in Council may by notification in the *Bombay Government Gazette* direct that all or any of the remaining provisions of this Act shall come into force in any district or area to which they have been extended on such date as may be appointed in the notification.

2. *Definitions.*—In this Act, unless there is anything repugnant in the subject or context,—

(1) "The Code" means the Code of Criminal Procedure, 1898; and <sup>V of</sup>

(2) "District Magistrate" means, in the case of the City of Bombay, <sup>1898.</sup> the Commissioner of Police.

## CHAPTER II.

## SPECIAL POWERS.

3. *Power to arrest and detain suspected persons.*—(1) Any officer of Government authorised in this behalf by general or special order of the

[Appendix 1—*contd.*]

Governor in Council may, if satisfied that there are reasonable grounds for believing that any person has acted, is acting, or is about to act, in a manner prejudicial to the public safety or peace, himself arrest such person without warrant, or may direct the arrest without warrant of such person, and in making such arrest any means that may be necessary may be used.

(2) An arrest made by or on the direction of any officer under this section shall be reported forthwith to the Governor in Council by the officer so making or so directing the arrest, as the case may be, and such officer may, by order in writing, commit any person so arrested to such custody as the Governor in Council may, by general or special order, specify in this behalf ;

Provided that no person shall, unless the Governor in Council by special order otherwise directs, be so detained in custody for a period exceeding fifteen days ;

Provided further that no person shall be so detained in custody for a period exceeding two months.

4. *Power to control suspected persons.*—(1) The Governor in Council, if satisfied that there are reasonable grounds for believing that any person has acted, is acting, or is about to act, in a manner prejudicial to the public safety or peace or in furtherance of a movement prejudicial to the public safety or peace, may, by order in writing, give any one or more of the following directions, namely, that such person—

(a) shall not enter, reside or remain in any area specified in the order ;

(b) shall reside or remain in any area specified in the order ;

(c) shall remove himself from, and shall not return to, any area specified in the order ;

(d) shall conduct himself in such manner, abstain from such acts, or take such order with any property in his possession or under his control, as may be specified in the order.

(2) An order made under sub-section (1) shall not, unless the Governor in Council by special order otherwise directs, remain in force for more than one month from the making thereof.

(3) An order made under sub-section (1) shall be served on the person to whom it relates in the manner provided in the Code for service of a summons.

5. *Power to prohibit or limit access to certain places.*—The District Magistrate may, by order in writing, prohibit or limit, in such way as he may think necessary for the public advantage, access to any building or place in the possession or under the control of Government or of any railway administration or local authority, or to any building or place in the occupation, whether permanent or otherwise, of His Majesty's Naval, Military or Air Forces or of any police force, or to any place in the vicinity of any such building or place.

6. *Power to prohibit or regulate traffic.*—The District Magistrate may, by order in writing, prohibit or regulate, in such way as he may think

[Appendix 1—*contd.*]

necessary for the public advantage, traffic over any road, pathway, bridge, waterway or ferry.

7. *Power to regulate means of transport.*—(1) The District Magistrate may, by order in writing, require any person to make, in such form and within such time and to such authority as may be specified in the order, a return of any vehicles or means of transport owned by him or in his possession or under his control.

(2) The District Magistrate, if, in his opinion, it is necessary for the public advantage, may, by order in writing, require any person owning or having in his possession or under his control any vehicle or means of transport to take such order therewith for such period as may be specified in the order.

8. *Power to control posts and telegraphs.*—The District Magistrate, if, in his opinion, it is necessary for the public advantage, may, in consultation with the chief postal authority in the district, control the operation of any post, telegraph, telephone or wireless office or station, and, in particular, may intercept any postal article or telegraphic, telephonic or wireless message in the course of transmission, may ascertain its contents and may prohibit its further transmission.

9. *Power to regulate the use of railways and vessels.*—The District Magistrate may—

(a) require accommodation to be provided on any railway train or any vessel for any passengers or goods, and, for this purpose, exclude from such train or vessel any passengers or goods which it is already carrying or about to carry;

(b) require that any specified persons or classes of persons or persons proposing to travel to specified destinations, or any specified goods or classes of goods or goods consigned to specified destinations, shall not be carried on any railway or vessel;

(c) exclude or eject any passenger from any train or vessel;

(d) stop, or prohibit the stopping of, trains or vessels at any station; or

(e) in consultation with the local railway authorities, require special trains to be provided for the conveyance of troops, police or other persons.

10. *Power to secure reports of public meetings.*—The District Magistrate may, by order in writing, depute one or more police officers not below the rank of head constable, or other persons, to attend any public meeting for the purpose of causing a report to be made of the proceedings, and may, by such order, authorise the persons so deputed to take with them an escort of police officers.

*Explanation.*—For the purposes of this section a public meeting is any meeting which is open to the public or to any class or portion of the public, and a meeting may be a public meeting notwithstanding that it is held in a private place and notwithstanding that admission thereto is restricted by ticket or otherwise.

[Appendix 1—contd.]

11. *Power to issue search-warrants.*—The power to issue search-warrants conferred by section 98 of the Code shall be deemed to include a power to issue warrants authorising—

(a) the search of any place in which any Magistrate mentioned in that section has reason to believe that any offence under this Act or any act prejudicial to the public safety or peace has been, is being or is about to be committed, or that preparation for the commission of any such offence or act is being made ;

(b) the seizure in or on any place searched under clause (a) of anything which the officer executing the warrant has reason to believe is being used, or is intended to be used, for any purpose mentioned in that clause ;

and the provisions of the Code shall, so far as may be, apply to searches made under the authority of any warrant issued, and to the disposal of any property seized, under this section.

12. *General power of search.*—Any authority on which any power is conferred by or under this Chapter may, by general or special order, authorise any person to enter and search any place the search of which such authority has reason to believe to be necessary for the purpose of—

(a) ascertaining whether it is necessary or expedient to exercise such power ; or

(b) ascertaining whether any order given, direction made, or condition prescribed in the exercise of such power has been duly complied with ; or

(c) generally, giving effect to such power or securing compliance with, or giving effect to, any order given, direction made or condition prescribed in the exercise of such power.

13. *Power to give effect to orders if disobeyed.*—(1) If any person disobeys or neglects to comply with an order made, direction given, or condition prescribed, in accordance with the provisions of this Chapter, the authority which made the order, gave the direction or prescribed the condition may take or cause to be taken such action as it thinks necessary to give effect thereto.

(2) No claim for compensation may be lodged for loss or damage caused in any case where action has been taken under sub-section (1).

14. *Penalty for disobeying order under section 4.*—Whoever disobeys or neglects to comply with any order made or direction given in accordance with the provisions of section 4 shall be punishable with imprisonment which may extend to two years, or with fine, or with both.

15. *Penalty for disobeying other orders under this Chapter.*—Subject to the provisions of section 14, whoever disobeys or neglects to comply with any order made, direction given, or condition prescribed in accordance with the provisions of this Chapter or impedes the lawful exercise of any power referred to in this Chapter shall be punishable with imprisonment which may extend to six months, or with fine, or with both.

[Appendix 1—contd.]

**16. Delegation of powers.**—(1) The Governor in Council may invest the District Magistrate with the powers of the Governor in Council under sub-section (1) of section 4.

(2) The Governor in Council may invest any Sub-divisional Magistrate, or any police officer not below the rank of Deputy Superintendent, with any of the powers of a District Magistrate under this Chapter.

(3) The District Magistrate may, by order in writing, authorise any officer to exercise any of the powers of the District Magistrate under this Chapter in a specified area or in connection with a specified emergency.

### CHAPTER III.

#### SPECIAL PROVISIONS AGAINST ILLEGAL REFUSAL OF THE PAYMENT OF CERTAIN LIABILITIES.

**17. Power to declare notified areas and notified liabilities.**—(1) The Governor in Council may, by notification in the *Bombay Government Gazette*, declare that any district or area shall be a notified area for the purposes of this Chapter.

(2) The Governor in Council may further, by the same or by subsequent notification, declare that in such notified area land-revenue or any sum recoverable as arrears of land-revenue, or any tax, rate, cess or other due or amount payable to Government or to any local authority, or rent of agricultural land, or anything recoverable as arrears of or along with such rent, shall be a notified liability.

**18. Punishment for unlawful instigation to the non-payment of notified liability.**—Whoever, by words either spoken or written, or by signs or by visible representations, or otherwise, instigates, expressly or by implication, any person or class of persons not to pay or to defer payment of any notified liability,

and whoever does any act, with intent or knowing it to be likely that any words, signs or visible representations containing such instigation shall thereby be communicated directly or indirectly to any person or class of persons, in any manner whatsoever,

shall be punishable with imprisonment which may extend to six months, or with fine, or with both,

**19. Punishment for wilful failure or refusal to pay arrears of notified liability.**—(1) Whoever wilfully fails or refuses to pay any arrears of a notified liability shall be punishable with imprisonment which may extend to one year or with fine or with both.

(2) In prosecutions under this section unless the contrary is proved it shall be presumed that failure or refusal to pay arrears of a notified liability is wilful.

*Explanation.*—A failure or refusal to pay the arrears of a notified liability on account of poverty is not wilful within the meaning of this section.

[Appendix 1—contd.]

20. *Special rule of procedure.*—No Court shall take cognizance of any offence punishable under section 19 except upon a complaint in writing made either by the Collector or by an Assistant or Deputy Collector authorised by general or special order in writing by the Collector in this behalf and no Court shall take cognizance of any offence punishable under any other provision of this Chapter except upon a report in writing of facts which constitute such offence made by a police officer not below the rank of sub-inspector.

21. *Power to collect an arrear of a notified liability as an arrear of land-revenue.*—(1) Any person to whom an arrear of a notified liability is due may apply in writing to the Collector to realise it, and the Collector may, after satisfying himself that the amount claimed is due, proceed to recover it as an arrear of land-revenue, in accordance with the law applicable to the recovery of arrears of land-revenue in the area concerned.

(2) Nothing in this section shall prevent any person to whom an arrear of a notified liability is due from recovering it in accordance with the law applicable to the recovery of such arrear.

(3) Any person from whom an amount has been recovered under this section in excess of the amount due from him may recover such excess in accordance with law from the person on whose behalf the Collector has realised it.

## CHAPTER IV.

### SUPPLEMENTAL.

22. *Jurisdiction.*—No Court other than a court of a Presidency Magistrate or a Magistrate of the First Class shall take cognizance of or try any offence under this Act.

23. *Offences under the Act to be cognizable and non-bailable.*—Notwithstanding anything contained in the Code, any offence punishable under this Act shall be cognizable and non-bailable.

24. *Procedure for trial of offences.*—Notwithstanding anything contained in the Code, a Presidency Magistrate or a Magistrate of the First class, in the trial of an offence under this Act, may, in his discretion follow the procedure for the summary trial of cases in which an appeal lies, laid down in Chapter XXII of the Code.

25. *Power of court to disallow adjournments.*—In the trial of an offence under this Act, a court shall not be bound to adjourn the trial for any purpose unless such adjournment is, in the opinion of the Court, necessary in the interests of justice.

26. *Power of magistrate to pass a sentence of fine.*—The provisions of section 32 of the Code shall not operate to limit the power of a Presidency Magistrate or a Magistrate of the First Class to pass a sentence of fine of any amount for an offence under this Act, and the provisions of the Code shall be deemed to have been amended accordingly.



[Appendix 1—*contd.*]

27. *Powers of courts to deal with refractory accused.*—(1) Where any accused, in a trial of an offence under this Act, has, by his voluntary act, rendered himself incapable of appearing before the Court, or resists his production before it or behaves before it in a persistently disorderly manner, the Court may, at any stage of the trial, by order in writing made after such inquiry as it may think fit, dispense with the attendance of such accused for such period as it may think fit, and proceed with the trial in his absence.

(2) Where a plea is required in answer to a charge from an accused whose attendance has been dispensed with under sub-section (1), such accused shall be deemed not to plead guilty.

(3) An order under sub-section (1) dispensing with the attendance of an accused shall not affect his right of being represented by a pleader at any stage of the trial, or of being present in person if he has become capable of appearing, or appears in court and undertakes to behave in an orderly manner.

(4) Notwithstanding anything contained in the Codes, no finding sentence or order passed in a trial of an offence under this Act shall be held to be illegal by reason of any omission or irregularity whatsoever arising from the absence of any or all of the accused whose attendance has then been dispensed with under sub-section (1).

28. *Special rule of evidence.*—Notwithstanding anything contained in the Indian Evidence Act, 1872, when the statement of any person has been recorded by any Magistrate, such statement may be admitted in evidence in any trial of an offence under this Act if such person is dead or cannot be found or is incapable of giving evidence, and the court is of opinion that such death, disappearance or incapacity has been caused in the interests of the accused. <sup>I of 1872.</sup>

29. *Application of ordinary law.*—The provisions of the Code or of any other law for the time being in force, in so far as they may be applicable and in so far as they are not inconsistent with the provisions of this Act, shall apply to all matters connected with, arising from or consequent upon a trial of any offence under this Act.

30. *Jurisdiction barred.*—Except as provided in this Act, no proceeding or order taken or made or purporting to be taken or made or deemed to have been so taken or made under this Act, shall be called in question by any court, and no civil or criminal proceeding shall be instituted against any person for anything done or in good faith intended to be done under this Act or against any person for any loss or damage caused to or in respect of any property whereof possession has been taken under this Act.

31. *Operation of other penal laws not barred.*—Nothing contained in this Act shall be deemed to prevent any person from being prosecuted under any other law for any act or omission which constitutes an offence punishable under this Act.

[Appendix 1—*contd.*]

X of  
1932. **32. *Validity of things done under Ordinance.***—Anything done or deemed to have been done in pursuance of any provision of the Special Powers Ordinance, 1932, shall, where the corresponding provisions of this Act have come into force before the expiry of the said Ordinance, be deemed to have been done in pursuance of the corresponding provision of this Act and shall have effect, and the provisions of this Act shall have effect accordingly.

X of  
1932. **33. *Right to appeal and pending appeals in cases relating to offences under Ordinance.***—This Act shall operate to confer a right of appeal against a conviction under the provisions of the Special Powers Ordinance, 1932, in all cases where an appeal would have lain under any provision of the said Ordinance, and every appeal pending at the time of the expiry of the said Ordinance and every appeal made in pursuance of the provisions of this section shall be heard and decided by the appellate authority by which it would have been heard and decided under the said Ordinance.

X of  
1932. **34. *Continuation of pending trials for offences under Ordinance.***—Any person accused of the commission of an offence punishable under the provisions of the Special Powers Ordinance, 1932, notwithstanding the expiry of the said Ordinance, may, where the corresponding provisions of this Act shall have come into force, be tried and punished as if such offence were an offence punishable under or by reason of the corresponding provisions of this Act, and as if this Act had been in force at the time of such commission; and any trial of any such offence begun but not completed at the expiry of the Special Powers Ordinance, X of  
1932. 1932, may be continued and completed as if it had begun after the passing of this Act.

#### STATEMENT OF OBJECTS AND REASONS.

The scheme of the Bill is to provide Government with all necessary powers in reserve to deal with the Civil Disobedience Movement. The passing of the Bill into law will only of itself bring the first Chapter of the Bill into operation leaving it to the Governor in Council by subsequent notification to extend to and to bring into force in any district or area in the Presidency, such of the provisions of the Act as are in the opinion of Government necessary.

2. *Chapter I* (clauses 1 and 2) is a preliminary chapter and contains provisions relating to the extent, commencement and operation of the Act and the interpretation or definition clause. Sub-clause (2) of clause 1 provides that the Act shall remain in force for a period of three years. Sub-clause (3) is the extent and sub-clause (4) is the operation clause. They provide that Chapter I shall extend to the whole of the Presidency and shall come into force at once. Government have power to extend or to bring into operation all or any of the remaining provisions to or in such district or area as Government think fit.

[Appendix 1—*contd.*]

3. *Chapter II* (clauses 3 to 16) of the present Bill purports to re-enact sections 3, 4, 6, 7, 8, 11, 12, 13, 14, 15, 16, 17, 18 and 22 of the Special Powers Ordinance.

4. *Chapter III* (clauses 17 to 21) of the present Bill repeats the provisions of Chapter V (sections 54 to 57) of the Special Powers Ordinance. Clause 19 is a new provision and is designed to punish refusal to pay land revenue on political grounds. It also provides that in prosecutions under the section, until the contrary is proved, the presumption will be that the offence has been committed. An explanation has been added that a failure or refusal to pay the arrears of a notified liability on the ground of the poverty of the accused will not be deemed an offence. In clause 20 it is provided that an offence under clause 19 will be triable only upon a written complaint of the Collector, or his assistant or deputy authorised by him while other offences under the Chapter will be triable on a report of a police officer not below the rank of a Sub-Inspector.

5. Chapter IV of the Bill is headed "Supplemental" and contains provisions some of which are important. Clause 22 provides that no court inferior to that of a Presidency Magistrate or First Class Magistrate can try an offence under the provisions of the Act. The clauses of the Bill which create offences and provide for penalties are Nos. 14, 15, 18 and 19. Clause 14 provides for a penalty of two years' imprisonment, clauses 15 and 18 for six months, and clause 19 for one year. Offences punishable under clauses 15 and 18 for which the penalty provided is less than a year would have been triable by any magistrate, i.e. even by a second or third class magistrate. (See Schedule II to the Criminal Procedure Code). Clause 22 however provides that offences under the Act can only be tried by a Presidency Magistrate or Magistrate of the First Class and in view of the power to try such offences in a summary way now proposed to be given to such magistrates, it is not thought desirable that any but Presidency Magistrates or Magistrates of the First Class, should be empowered to take cognizance of or try offences under this special enactment. Clause 26, also provides that an offence under this Act is punishable with a fine of any amount. Having regard to the nature of offences under the provisions of this Act, clause 23 provides that they will be cognizable and non-bailable. This clause is similar to section 74 of the Special Powers Ordinance.

6. Clause 24 of the Bill provides that a court trying an offence under this Act can in its discretion follow the procedure prescribed in Chapter XXII of the Criminal Procedure Code, for summary trials of cases in which an appeal lies. This will enable the court to decide cases arising under the Act speedily. Section 44 of the Special Powers Ordinance gave somewhat similar powers to summary courts.

7. Clause 25 leaves it to the discretion of courts to grant adjournments. It empowers a court to disallow an adjournment, if the court is of opinion that it is an abuse of the process of the court.

[Appendix 1—*contd.*]

8. *Clause 26* empowers a magistrate trying a case for an offence under the Act to inflict a fine of any amount.

9. *Clause 27*.—This clause corresponds to section 49 of the Special Powers Ordinance. This provision will enable courts to proceed with the trial in the absence of a refractory accused.

10. *Clause 28*.—This clause corresponds to section 50 of the Special Powers Ordinance. It will enable courts to adduce in evidence statements of the accused recorded under section 164, Criminal Procedure Code. This clause amplifies the provisions of section 32, Indian Evidence Act.

11. *Clause 29*.—This clause repeats the provisions of section 53 of the Special Powers Ordinance. It makes clear that the provisions of the Criminal Procedure Code, as modified by the Act, will apply to trials of offences under this Act.

12. *Clause 30*.—This clause re-enacts the provisions of section 78 of the Special Powers Ordinance. It not only enacts the common law rule that a public officer is not liable to any civil or criminal proceedings for any act done in good faith in pursuance of the statute, but also lays down definitely that no proceeding taken or order passed under the provisions of the Act will be called in question in any court, civil or criminal. This provision will prevent orders passed under such provisions as clause 3 or 4 from being challenged in any court, except when the legality of those orders comes into question in a proceeding instituted for their breach.

13. *Clause 31*.—This clause corresponds to section 79 of the Special Powers Ordinance.

14. *Clause 32*.—This is a validating section and corresponds to subsection (1) of section 80 of the Special Powers Ordinance. It is necessary to validate all orders passed and acts done under the Ordinance, if such orders and acts are to continue in operation. Executive orders passed under such provisions as section 4 must be validated in order that they shall not expire along with the Ordinance, but this validating section will only operate where the provisions of the Act corresponding to the provisions of the Ordinance under which the orders to be validated were passed, have been extended and brought into force by notification by the Local Government.

15. *Clause 33*.—This clause confers a right of appeal in cases in which an appeal would have lain under the provisions of the Special Powers Ordinance. Section 40 of the Ordinance provides that appeals against convictions passed by Special Magistrates will lie in some cases to the Sessions Judge and in some cases direct to the High Court. Similarly section 46 of the Ordinance contains a provision for appeals against convictions passed by Summary Courts. Clause 33 of the Bill is intended to provide for those cases in which the Ordinance will expire, before an appeal has actually been made against a conviction recorded under the Ordinance. It is provided that an appeal can be made to the Sessions Judge or the High Court as it could have been made under sections 40

[Appendix 1—concl.]

and 46 of the Ordinance as it is not thought desirable that the right of appeal given to an accused person under the Ordinance should be limited by the expiry of the Ordinance. For instance, an appeal from a sentence exceeding 4 years imposed by a Special Magistrate lies under section 40 of the Ordinance not to the Sessions Judge but to the High Court. This clause is designed to preserve this right of appeal in the case of a person convicted before the expiry of the Ordinance. Clause 33 will apply to all trials by Special Magistrates and Summary Courts under the Ordinance.

16. *Clause 34.*—This clause provides that (1) trials commenced under the Special Powers Ordinance will be continued under the provisions of the Act and (2) offences under the provisions of the Ordinance corresponding to those of the Act will be deemed to be under the provisions of the Act and prosecutions can be commenced or continued in respect of them under the Act. In the absence of any such provision, all such prosecutions and trials will lapse.

17. It is not intended to constitute courts of Special Magistrates or Summary Courts after the expiry of the Ordinance, but to leave offences punishable under the provisions of the Act to be tried by the ordinary courts in accordance with the provisions of the Act.

(Signed) W. F. HUDSON.

28th October 1932.

## APPENDIX 2.

### STATEMENT OF DEMAND FOR A SUPPLEMENTARY GRANT.

**Transferred 1.** The Honourable Sirdar Sir RUSTOM J. VAKIL.

*Opening of a new dispensary at Dadu in Dadu District, Sind.*

The new District of Dadu has been established since October 1931 and Dadu town is the head-quarters. There is a considerable staff of Government servants, for whom no adequate facilities for medical aid exist, at present. The population of the town is expected to increase when the Civil Court from Sehvan is transferred there. There is a sub-jail also at Dadu and the number of prisoners is on the increase on account of the place being now the head-quarters of a district. It is, therefore, necessary to make suitable arrangements for the performance of medico-legal work and post-mortem examinations and treatment of Government servants and the public generally. For this work a whole-time Government Medical Officer is necessary. Upto now this work was done by the Medical Officer of the North-Western Railway Dispensary but the Railway administration has decided to terminate the arrangement. The nearest Local Board Dispensary at Johi is at a distance of 10 miles from Dadu and there is no other suitable dispensary to which the civil medical work could be entrusted. A new Municipality and a District Local Board will be established at Dadu in due course but the Collector states that neither of these bodies will, when formed, be able to establish their own dispensary.

## [Appendix 2—contd.]

In view of the existing financial stringency Government have no thought it necessary to create a post of Civil Surgeon for the District in the Bombay Medical Service Class I. It has, therefore, been decided by them to open a small Government Dispensary at Dadu with a Bombay Medical Service Officer in charge who will also be the Medical Officer for the District on the same basis as at Nawabshah and Mirpurkhas.

Orders have been issued for the conversion of the existing sub-divisional Public Works Department office at Dadu into a head-quarters dispensary with accommodation for in-patients, at an estimated cost of Rs. 4,300 (including the cost of a temporary mortuary). This cost the Surgeon-General has agreed to meet out of his discretionary grant for minor works. Fittings, furniture and equipment required for the dispensary will be purchased from the Barrage Dispensary at Sukkur which has been closed at an estimated cost not exceeding Rs. 3,000 and here also the Surgeon-General has agreed to meet the cost from the current year's sanctioned grant under "32—Medical—Mofussil hospitals and dispensaries—Contingencies—Other Supplies and Services." Thus no additional grant is required for meeting the initial cost of the dispensary.

The Legislative Council is requested to sanction the grant for the following recurring expenditure with effect from the date in the current year from which the dispensary will be opened :—

	Annual expenditure, First year.
	Rs.
<i>Officer—</i>	
Pay of the Medical Officer of the rank of Bombay Medical Service, Class II—scale of pay 200—40/3—400—50—450 .. .. .	2,400
Special pay for administrative charge of the district at Rs. 50 per mensem .. .. .	600
Total, Pay of Officer ..	3,000
<i>Establishment—</i>	
1 Compounder—scale of pay 22—5/2—75 ..	300
1 Dresser at Rs. 18 per mensem .. ..	216
1 Ward servant at Rs. 18 per mensem .. ..	216
1 Bhisti at Rs. 15 per mensem .. ..	180
1 Sweeper at Rs. 14 per mensem .. ..	168
Total, Pay of Establishment ..	1,080
<i>Contingencies—</i>	
Diets .. .. .	240
Medicines .. .. .	684
Other Contingencies .. .. .	300
Total, Contingencies ..	1,224

*N.B.*—The pay for the establishment being unrevised pay is subject to a deduction of 2 annas in the rupee.

[Appendix 2—concl'd.]

The above recurring expenditure during the current year will be met by the reappropriation of funds from savings in the sanctioned grants under "32-Medical" but as the expenditure relates to a new service the sanction of the Legislative Council is requested to the demand for a grant of a token sum of Rs. 10.

The Collector of Dadu has been requested to ask the District Local Board and Municipality of Dadu, when they are constituted, to contribute towards the cost of the dispensary.

Hospital fees will be levied at this dispensary as at all other Government and aided hospitals and dispensaries and the receipts will be credited to Government revenues.

*Demand voted and now increased.*

32-Medical—Transferred.

Rs. 44,48,000 + Rs. 10.

FINANCE DEPARTMENT :

Bombay Castle, 21st November 1932.

### APPENDIX 3.

#### STATEMENT OF DEMAND FOR A SUPPLEMENTARY GRANT.

**Reserved 2.** The Honourable Mr. W. F. HULSON.

*Improvements to the Sukkur Begari Bund.*

There have been serious floods in the last few years on account of frequent breaches in the Sukkur Begari Bund and the loss caused to Government as well as the people has been tremendous. It is, therefore, absolutely necessary thoroughly to overhaul and strengthen this bund in order to afford protection to the country from flood damage. The work considered immediately essential and now proposed to be carried out is estimated to cost Rs. 4,68,000 and will consist of the following items :—

	Estimated cost. Rs.
(1) Bund length from Sukkur to Chak (13½ miles approximately)—	
Construction of a diaphragm wall for a length of 800 feet in mile 2/2 .. .. .	5,477

## [Appendix 3—contd.]

	Estimate cost. Rs.
<p>It is essential and economical to put in a diaphragm wall for a length of 800 feet in mile 2/2. This short length is a definite danger spot and has been the cause of grave anxiety during the past three years and especially in the current year when special additional staff had to be employed to watch it day and night and where a serious breach was only narrowly averted. A breach here would have been very serious indeed as Sukkur town would have been threatened with disaster.</p>	
(2) Length of Sukkur Begari Bund from Choi to mile 23/4—	
(a) Raising Trenching Bund .. .. .	24,000
<p>It is really necessary to raise this length and bring the bund up to proper Indus River Commission Section, but as a measure of temporary economy it is now proposed to raise the <i>Trenching Bund</i> only. This will cost approximately Rs. 24,000.</p>	
(b) Constructing a manguli round breach that occurred this year in mile 29/2 .. .. .	9,251
(3) <i>Satabani Loop</i> —	
(a) Diaphragm wall in lengths mile 0/7 to 1/2 and 3/5 to 3/7 .. .. .	24,972
<p>The soil in these lengths is hopelessly treacherous and the problem of permanent safety must be faced now. This will cost, as estimated in detail, Rs. 24,972.</p>	
(b) Raising Trenching Bund .. .. .	12,500
<p>The <i>Satabani loop</i> requires also to be raised and brought to proper Indus River Commission Bund Section. The detailed estimated cost is Rs. 30,264 but as a measure of economy it is proposed to raise only the <i>Trenching Bund</i> now at a cost of Rs. 12,500.</p>	
(4) Diaphragm wall in mile 0/7 to 3/6 in Adurtakio Loop	91,573
<p>A diaphragm wall is essential in the whole of this length (0/7 to 3/6) as the soil is particularly treacherous and the length has been a source of grave anxiety and danger for the past four abkalanis.</p>	
(5) <i>Arain Loop</i> —	
(a) Diaphragm wall in mile 0/0 to 4/7 .. .. .	1,63,118
<p>This diaphragm is essential for the same reasons as those given for item (4) above.</p>	
<p>By the diaphragming of this length it will be possible to connect up with the diaphragm wall in 1913 Loop constructed in 1931. This diaphragm was eminently</p>	



[Appendix 3—contd.]

satisfactory and the minimum staff was maintained. There was not a single leak in this treated length, despite the fact that in previous years it was the worst length and gave grave anxiety.

(b) Raising Trenching Bund .. .. . 12,500

The Arain Loop requires also to be raised and brought up to proper Indus River Commission Bund section. The detailed estimated cost is Rs. 25,404 but as a measure of economy it is proposed to raise only the Trenching Bund at a cost of Rs. 12,500.

(6) Sarfu Loop—

Filling in breaches and cuts that occurred this year .. 2,782

(7) Strengthening banks of Sind Feeder and Rajib Canal. 47,000

(8) Reconstruction of certain bund sluices .. .. . 50,000

A number of sluices are in bad condition and urgently require to be reconstructed.

(9) Special mats as a prevention against wave-wash .. 25,000

A length of 12 miles from the beginning of Arain Loop is subjected to severe wave-wash in the absence of protective jungle. The damage in the past from wave-wash has been very considerable and costly. It is proposed to have specially prepared mats of approved design in stock before next abkalanı to overcome the difficulty in the cheapest possible manner. These mats are expected to have a life of three years.

Grand total .. 4,68,173

or 4,68,000

in round figures.

It is confidently expected that if the proposed improvements are carried out, great economy will be effected in the future annual cost of maintenance of the Bund.

The scheme is classified under the head "15-Other Revenue Expenditure financed from ordinary revenues". If the work is put in hand at once and it is given on contract to be completed definitely before the next abkalanı, a saving of about 20 per cent. on the estimated cost (Rs.4,68,000) is probable. It is proposed to spend Rs. 1,25,000 on the work in the current financial year and the balance in the next year. Endeavour will be made to meet as much portion of the amount required in the current financial year by reappropriation from savings in the voted grant under the heads "XIII" and "15" and if it is found necessary

[Appendix 3—concl.]

later on to supplement the voted grant, the necessary demand for supplementary grant will be presented to the Legislative Council at the next February-March session. As, however, the expenditure in question relates to a new service, the sanction of the Legislative Council is requested in the meanwhile to the demand for a grant of a token sum of Rs. 10.

*Demand voted and now increased.*

XIII—Deduct Working Expenses, 15-Other Revenue Expenditure financed from ordinary revenues, and Refunds of Revenue under the heads "XIII" and "XIV-Reserved".

Rs. 64,01,030 + Rs. 10.

FINANCE DEPARTMENT:

Bombay Castle, 21st November 1932.

#### APPENDIX 4.

#### STATEMENT OF DEMAND FOR A SUPPLEMENTARY GRANT.

**Transferred 3.** The Honourable Sirdar Sir RUSTOM J. VAKIL.

*Combined bridge and regulator over the Aral Manchar near Sehwan.*

The District Local Board road bridge over the Aral Canal in the Larkana District, which was very old and in a dilapidated condition, was further damaged during the floods of 1924 and required to be replaced by a new one. The District Local Board, Larkana, being unable to provide the large amount required for constructing a new bridge, spent about Rs. 3,000 on repairs on an undertaking being given by the local Public Works Department officers that close to the old bridge a combined regulator and bridge was almost certain to be built at the expense of the Lloyd Barrage and Canals Construction Project. The old bridge was kept serviceable for some years, but finally its condition became so bad that it was condemned as beyond repair. The question of constructing a new bridge therefore required immediate attention, as without it the whole Sehwan taluka would be disconnected from its headquarters.

The list of works connected with the Manchar Drainage Scheme, which was to be financed from funds under the Irrigation head "55", included provision for two regulators over the Aral Manchar. Detailed investigation by the local officers however showed that one regulator would meet all requirements. While the question of a suitable site for a regulator was being examined, the District Local Board, Larkana,

[Appendix 4—contd.]

was asked whether it would bear the difference in cost between a plain regulator and a combined bridge and regulator, if constructed at the site of the old bridge. The District Local Board accepted the suggestion and undertook to contribute its share. The whole work was estimated to cost Rs. 1,44,081 out of which a sum of Rs. 16,737 represented the cost of the bridge, i.e. the amount to be contributed by the District Local Board. The work was completed in 1931-32. Owing however to depletion of its finances the District Local Board has been unable to pay the share of cost which it undertook to bear and requested that the money should be provided by Government. The Chief Engineer in Sind and the Commissioner in Sind agreed that, as the road on which the bridge was situated was an inter-provincial road, Government should pay for the bridge. As the bridge is on the Kotri-Dadu-Shikarpur-Baluchistan Road (West Road) which is one of the schemes approved by the Government of India as eligible for being financed from the petrol tax fund, their approval was requested to debit to that source, the cost amounting to Rs. 16,737. The Government of India have now accorded their approval to the proposal of this Government and the amount required, viz. Rs. 16,737 will be made available from the savings in the current year's provision for petrol tax works under the head "41, Civil Works—Provincial". As the expenditure on the work is of the nature of a new service, the sanction of the Legislative Council is requested to the demand for the grant of a token sum of Rs. 10. On receipt of the sanction of the Legislative Council the expenditure will be written back from the major head "55" and debited to the petrol tax fund.

*Demand voted and now increased.*

41, Civil Works—Provincial (Partly Reserved and Partly Transferred).

Rs. 1,31,64,020 + Rs. 10.

FINANCE DEPARTMENT :

Bombay Castle, 22nd November 1932.

---

#### APPENDIX 5.

#### STATEMENT OF DEMAND FOR A SUPPLEMENTARY GRANT.

**Reserved 4.** The Honourable Sir GHULAM HUSSAIN HIDAYATALLAH.

*Employment of ramoshis for patrolling the Artillery Maidan,  
Karachi.*

The development of lands on the Artillery Maidan, Karachi, has engaged the attention of Government for some years past. Recently the Karachi Estate Board, which has been specially charged with the

[Appendix 5—*contd.*]

maintenance of these lands, received complaints from the military authorities, the Municipality and the people in the neighbourhood that the Maidan was in a very insanitary condition owing to people committing nuisances there. The Executive Engineer, Karachi Buildings Division, thereupon provided wire-fencing along a portion of the Maidan and put up notice boards warning the public not to commit nuisance on the area, but this step proved unsuccessful. It was not found possible to spare any policemen to watch the area. As the only alternative Government accepted the Commissioner's recommendation to appoint two ramoshis each on Rs. 19 per mensem *plus* house rent allowance at Rs. 4 per mensem *plus* clothing and miscellaneous charges at Rs. 3 per mensem. The total expenditure during the current year is expected to amount to Rs. 364. As no provision has been made for this expenditure in the current year's budget under the minor head "Acquisition of properties in connection with the development of the Artillery Maidan" under the major head "60-A," a grant is required to cover it. The sanction of the Legislative Council is accordingly requested for this expenditure.

*Demand voted and now increased.*

60-A, Other Provincial Works not charged to Revenue (Reserved).

*Nil* + Rs. 364.

FINANCE DEPARTMENT :

Bombay Castle, 30th November 1932.

## INDEX

		PAGES.
<b>A</b>		
<b>Abdul Latif Haji Hajrat Khan, Khan Bahadur—</b>		
Special Powers Bill .. .. .		284-85, 360
<b>Acts—</b>		
Acts assented to by the Governor-General .. .. .		29-30
<b>Agenda</b> .. .. .		1-26
<b>Angadi, Rao Bahadur S. N.—</b> ✓		
Special Powers Bill .. .. .		222-28, 329
<b>Appendices</b> .. .. .		672-89
<b>Arbuthnot, Mr. C. W. E.—</b>		
Oath of office .. .. .		29
<b>Asavale, Rao Bahadur R. S.—</b>		
Bills—Special Powers Bill .. 424, 426, 449-50, 465-66, 493, 528-29, 580,		621, 630
Questions .. .. .		30, 390-92, 453-54
<b>B</b>		
<b>Bakhale, Mr. R. R.—</b>		
Bills—Special Powers Bill .. .. .		174-88
Questions .. .. .		31
<b>Baloch, Mr. Haji Mir Mahomed—</b>		
Bills—Special Powers Bill .. .. .		244-48, 563
Questions .. .. .		336, 575A
<b>Bangi, Mr. A. K. J.—</b>		
Questions .. .. .		160
<b>Bhutto, Sir Shah Nawaz—</b>		
Special Powers Bill .. .. .		241-44
<b>Bills—</b>		
Special Powers Bill (No. XXVII of 1932)—		
First reading .. .. .	54-88, 104-57, 174-229, 232-88, 291-330	
Second reading .. .. .	340-50	
Bill read clause by clause .. 350-87, 401-50, 461-506, 509-64, 576-642,		645
Third reading .. .. .	645-56	
Village Panchayats Bill (No. XXI of 1932)—		
Extension of time for select committee's report .. .. .		461
<b>Bole, Rao Bahadur S. K.—</b>		
Motion <i>re</i> Appreciation of Honourable Mr. Hudson's services .. .. .		667
Questions .. .. .		32, 391, 568-69
<b>Brander, Mr. J. P.—</b>		
Oath of office .. .. .		29
<b>Business of the House, course of,</b> .. .. .		30, 56-65

INDEX

C

	PAGES.
Chairmen of Council— Nomination of .. .. .	29
Chikodi, Mr. P. R.— Special Powers Bill	354, 407-08, 409, 597, 609, 615-16
Chitale, Rao Bahadur G. K.— Special Powers Bill	60-71, 245-46, 371-72, 410-12, 430-31, 474-76, 486-87, 541-43, 583-84, 589-90, 625, 626, 639-40, 651-53
Clayton, Mr. H. B.— Special Powers Bill	425-26
Collaco, Dr. J. A.— Special Powers Bill	86-88, 563, 564
Council session, prorogation of,	671

D

Davis, Mr. G.— Special Powers Bill	232-241, 353-54, 358, 371, 404, 420-21, 430, 437, 468, 487, 504, 512, 521, 527-28, 556, 567, 564, 576, 595, 596, 597, 598, 602, 613, 626, 628, 632, 634-35, 636
Desai, Rao Saheb B. G.— Questions .. .. .	91, 569
Desai, Mr. H. R.— Questions .. .. .	333-34
Dhurandhar, Mr. J. R.— Bills—Special Powers Bill	654-55
Oath of office .. .. .	29
Division on— Special Powers Bill	320-21, 330, 344, 349, 356, 362-63, 374, 383, 418-19, 423-24, 438-39, 440, 466, 476-77, 489-90, 499-500, 505, 506, 521-22, 549-50, 561, 641-42, 655-56
Dixit, Dr. M. K.— Special Powers Bill	268-76, 351-52, 409-10, 419, 432, 442, 444, 445-46, 469, 488, 492, 518-19, 534-35, 545-46, 551, 560, 577, 582, 583, 588, 622
D'Souza, Dr. J. Alban— Special Powers Bill	78-81

G

Gangoll, Mr. G. S.— Bills—Special Powers Bill	299-308, 340-41, 350-51, 356-58, 362, 367, 381, 408, 421-22, 427, 429, 437-38, 441, 462-63, 467, 477, 478, 482, 483, 484-85, 488-89, 496-97, 500, 513, 514, 516, 519, 529, 530, 536, 537, 539, 554, 555, 557, 561, 562, 576, 584-85, 593, 594, 602, 603-05, 612, 613, 614, 615, 632, 633
Questions .. .. .	32-35, 91-94, 334, 392-95, 454-55, 575B-575D
Gennings, Mr. J. F.— Oath of office .. .. .	29

G—contd.

PAGES.

<b>Ghulam Hussain, the Honourable Sir—</b>		
Bills—Special Powers Bill	188-93, 297, 299, 341, 375, 376, 382, 415, 442, 525, 619,	637
Motion re Appreciation of Honourable Mr. Hudson's services	..	664
Supplementary grants—		
Artillery Maidan, Karachi, employment of Ramoshis for patrolling	..	657
<b>Ghulam Nabi Shah, Khan Bahadur—</b>		
Questions	.. .. .	160-61
<b>Gilder, Dr. M. D.</b>		
Special Powers Bill	.. .. .	195-97, 496
<b>Gokhale, Mr. L. R.—</b>		
Bills—Special Powers Bill	197-210, 354-55, 358-60, 365, 366, 378-79, 380-81, 404,	
	413-14, 415-16, 425, 429-30, 434-36, 437, 444-45, 478,	
	482, 578-81, 588-89, 605-07, 614, 616-17, 630	
Motion re Appreciation of Honourable Mr. Hudson's services	..	660-61
Questions	.. .. .	161-62, 337, 395-96, 569-71
<b>Gover Rora, Mr.—</b>		
Questions	.. .. .	41, 162-63, 575D-575F
<b>Governor, His Excellency the, Address by, to the Council</b>	.. .. .	36-40
<b>Greaves, Mr. J. B.—</b>		
Oath of office	.. .. .	29
H		
<b>Hampton, Mr. H. V.—</b>		
Oath of office	.. .. .	29
<b>Hudson, the Honourable Mr. W. F.—</b>		
Bills—Special Powers Bill	54-59, 60, 63, 64, 66, 71, 73, 74, 81, 82, 86, 88, 107, 116,	
	117, 137, 149, 150, 251-52, 296, 304, 305, 313-19, 323,	
	324-29, 340, 342-43, 344-45, 349, 350, 351, 355-56,	
	360-61, 362, 365, 366, 368-69, 372, 373, 381-82, 402-03,	
	404, 405, 412-13, 416, 418, 424-25, 426-27, 428, 431,	
	433, 435, 437, 439-40, 441, 442, 443, 444, 446, 447-48,	
	449, 461-62, 463-65, 467, 469, 470, 472, 473-74, 476, 477,	
	481, 482, 484, 489, 494, 497-99, 502-03, 504, 505, 511,	
	512, 513, 514, 515, 516, 517, 518, 519, 520-21, 529, 530,	
	531, 532, 535-36, 537, 538-39, 540, 541, 543-44, 547-48,	
	549, 550, 551-52, 553, 554-55, 556, 557-58, 559-60,	
	562-63, 564, 576, 579, 581-82, 583, 587, 590-91, 592,	
	594, 596, 599, 600, 601, 602, 603, 605, 606, 607, 610,	
	611-12, 614, 615, 619-20, 621, 623, 624, 626, 627, 628,	
	629, 630-31, 632, 633, 645-46	
Motion re Appreciation of his services	.. .. .	669-71
Supplementary grants—		
Sukkur Begari Bund, improvements to,	.. .. .	656-57
<b>Humphrey, Mr. J.—</b>		
Motion re Appreciation of Honourable Mr. Hudson's services	..	665
Questions	.. .. .	575F
<b>Jan Mahomed Khan, Khan Bahadur—</b>		
Questions	.. .. .	167-68

J—contd.

	PAGES.
<b>Jog, Mr. V. N.—</b>	
Bills—Special Powers Bill	253-60, 352-53, 365, 366-67, 369, 372-73, 402, 403, 404, 406-07, 416-18, 426, 427, 428, 429, 443, 448-49, 450, 468-69, 470, 478-80, 490, 494-95, 500-01, 503, 509-10, 520, 522-28, 557, 558, 559, 564, 577-78, 582-83, 585, 610, 611, 613, 621, 622-25, 626, 627, 628
Motion <i>re</i> Appreciation of Honourable Mr. Hudson's services	662
<b>Jones, Major W. Ellis—</b>	
Special Powers Bill	291

## K

<b>Kadri, Mr. J. S.—</b>	
Bills—Special Powers Bill	381, 618-19
Questions	94, 168, 338, 455-57
<b>Kalbhori, Mr. G. M.—</b>	
Questions	95
<b>Kale, Rao Bahadur R. R.—</b>	
Bills—Special Powers Bill	104-117, 313, 319, 329, 341-42, 343, 351, 369-70, 383-86, 405, 416, 432-33, 437, 440, 443, 446-47, 449, 470-72, 474, 487-88, 491-92, 497, 499, 501-02, 503, 504, 516-18, 520, 532-33, 534, 537, 544-45, 548-49, 555-56, 558, 594-95, 596-97, 598, 600, 618, 628-29, 631, 633-34, 635-37, 640-41, 649-50
Motion <i>re</i> Appreciation of Honourable Mr. Hudson's services	666
Questions	457-58
<b>Kamat, Mr. B. S.—</b>	
Special Powers Bill	291-99, 608-09, 653-54
<b>Kambli, the Honourable Dewan Bahadur S. T.—</b>	
Resolution <i>re</i> Cotton Transport Act, Amendment of Rules under,	657-59

<b>Karbhari, Mr. M. M.—</b>	
Special Powers Bill	82-86, 367-68, 376-77, 431-32, 480-81, 502, 607-08
<b>Kuhro, Khan Bahadur M. A.—</b>	
Questions	338-39
<b>Kulkarni, Rao Sahab P. D.—</b>	
Bills—Special Powers Bill	308-13, 342, 343, 447, 480, 553
Questions	43, 96, 574-75

## M

<b>Master, Mr. A.—</b>	
Bills—Special Powers Bill	215-19, 621, 622
Oath of office	29
<b>Maxwell, Mr. R. M.—</b>	
Bills—Special Powers Bill	363-64
Oath of office	29
<b>Mitha, Mr. Mahomed Suleman Cassum—</b>	
Special Powers Bill	267-68, 586
<b>More, Mr. J. G.—</b>	
Bills—Special Powers Bill	151-57, 320, 321, 323, 355, 370-71, 375-76, 382, 420, 430, 446, 470, 473, 476, 485-86, 490, 503-04, 510-11, 533-34, 550, 552, 554, 594, 600-01, 609, 610
Questions	44
Motion <i>re</i> Appreciation of Honourable Mr. Hudson's services	660-71



INDEX

V

N

	PAGES.
<b>Navie, Mr. N. E.—</b>	
Bills—Special Powers Bill .. .. .	346-47, 602, 605
Motion re Appreciation of Honourable Mr. Hudson's services ..	666-67
Questions .. .. .	575F
<b>Nawab Shah Rookh Shah Yar Jung Bahadur—</b>	
Bills—Special Powers Bill .. .. .	117-18
Oath of office .. .. .	29

P

<b>Patel, Khan Bahadur A. E.—</b>	
Questions .. .. .	168-69, 575, 575G
<b>Patel, Mr. C. N.—</b>	
Bills—Special Powers Bill .. .. .	72-78, 352, 371, 374, 375, 515-16
Questions .. .. .	575Q
<b>Patil, Dewan Bahadur D. R.—</b>	
Bills—Special Powers Bill .. .. .	148-51, 320, 401-02, 433, 473, 493-94, 616, 617
Motion re Appreciation of Honourable Mr. Hudson's services ..	661-62
<b>Patil, Mr. N. N.—</b>	
Questions .. .. .	46, 96, 400, 571
<b>Patil, Rao Sahab V. S.—</b>	
Special Powers Bill .. .. .	291
<b>Petit, Mr. J. B.—</b>	
Bills—Special Powers Bill .. .. .	118-26, 347-49, 363, 364, 404, 427-28, 515, 530-31, 537, 538, 546-47, 559, 562, 587, 591-93, 620, 621, 647-49, 651
Motion re Appreciation of Honourable Mr. Hudson's services ..	663-64
Questions .. .. .	97
<b>Pradhan, Rao Bahadur G. V.—</b>	
Bills—Special Powers Bill .. .. .	260-267, 472-73, 478, 482, 483-84
Questions .. .. .	47, 99
<b>Prater, Mr. S. H.—</b>	
Special Powers Bill .. .. .	219-22
<b>President, the Honourable the—</b>	
Motion re Appreciation of Honourable Mr. Hudson's services ..	668-69
Rulings of—	
Bills—	
Amendments—	
All amendments which refer to the period of a Bill are amendments of principle .. .. .	59
Although the preamble is put to the House at the second reading, an alteration or amendment of it must be taken as an amendment of principle .. .. .	59
Amendments for the deletion of a whole clause can be allowed, if they are amendments of principle, at the first reading. If they are not amendments of principle but of detail, then, at the second reading, an amendment to delete a whole clause is out of order .. .. .	60 (See also pp. 302-303 and 509)
An amendment, even though it be in effect a negation of a clause, is in order. When moving amendments on matters of detail, an amendment to delete a whole clause is not allowed, but an amendment to alter a clause to any extent is allowed .. .. .	621-22
No time-limit is prescribed to speeches on amendments to Bills. In discussing an amendment, every member has to limit himself to the scope of the amendment and the President will pull him up if he goes outside the scope .. .. .	253
Unparliamentary expressions—	
The word "treachery" is unparliamentary and should not therefore be used .. .. .	615-16

## President, the Honourable the—contd.

## Rulings of—contd.

## Votes—

Canvassing of votes can be carried on by argument and persuasion; and no dragging a member from one lobby to another is permissible .. .. .	321
Miscellaneous—	
Quoting from a newspaper is not permitted .. .. .	79
Although section 72 of the Government of India Act vests emergency powers in the Governor-General, the Provincial Legislature is not precluded from legislating for emergency conditions by regular legislation. A change in the preamble does not affect the question .. .. .	647-48

## Q

## Question re :—

Abdars and Canal Assistants from Government Training College and Private College, Hyderabad; appointments in Government service ..	338-39
Ahmedabad and Surat districts, holidays in civil courts of, ..	338
Ankleshwar: Wakf property in Survey No. 307 .. .. .	575-G
Arms licences in Bombay City .. .. .	460
Assistant Prothonotary, Original Side, Bombay High Court, appointment of, .. .. .	333-34
Bassein municipality: Nominated member, publication of name of, mistake in, .. .. .	573
Bhiwandi People's Co-operative Bank: Arbitration cases .. .. .	572
B. J. Medical School, Poona: fees for repeaters and regulars .. .. .	395
Bombay—	
City: Licences for arms and ammunition .. .. .	460
Presidency Magistrates: Number of working days; Retrenchment Committee's recommendation re Government decision on, .. .. .	99
Riots: Murder of Hindus—	
At Junction of Duncan Road and Sandhurst Road .. .. .	96
In Bhandari Street and Cross Lane by Mahomedans .. .. .	46
Small Cause Court: Number of working days for Judges: Retrenchment Committee's recommendation re Government decision on, .. .. .	99
Toddy shops in, new sites for, .. .. .	52
Canal assistants and Abdars from Government Training College and Private College, Hyderabad: appointment in Government service ..	338-39
Chotirmal Dassumal, convict, beating of, .. .. .	99
Church of England Zenana Mission School, closing of, owing to reduced grants .. .. .	163
Co-operative credit societies—	
And banks: classification .. .. .	395
Unsatisfactory management: measures for improvement .. .. .	570
Court of Wards: management of minor V. S. B. Honnakeri's estate .. .. .	575-B
Dawoodi Bohra community: application of Mussalman Wakf Act .. .. .	575-Q
Desai, Mr. H. A.: Reversion from Deputy Educational Inspectorship to teaching line .. .. .	168
Dharsod rule 10-A under Land Revenue Code Rules: application to Inam villages .. .. .	337
Dharwar Civil Hospital: neglect of duty by medical officer .. .. .	396
Director of Public Instruction's office—	
Superintendents and Personal Assistants in, abolition of posts of, .. .. .	96
Superior staff in, reorganisation of, .. .. .	574
District Local Boards, road grants to, rates of, .. .. .	50
East India Cotton Association, rights of members of, .. .. .	569
Educational—	
Department: Inspectors reverted as teachers .. .. .	168
Service: retrenchment in subordinate and provincial ranks .. .. .	575-H
Engineers for local bodies in Sind and Presidency .. .. .	41
Excise Superintendents' duties: transfer to Collectors .. .. .	571, 575-Q
Girls' schools, grants-in-aid to, revision of policy re .. .. .	163
Grazing fees levied from gardeners in Kanara .. .. .	454
Gujarati Text Book Committee Members, names of, .. .. .	101

## Question re :—contd.

High Court, Bombay: Assistant Prothonotary on Original Side, appointment of, .. .. .	338-39
History teaching in Government high schools in districts .. .. .	47
Holidays in civil courts of Ahmedabad and Surat districts .. .. .	338
Hyderabad—	
Abdars and canal assistants from Government training and private College: appointment in Government service .. .. .	338-39
Central Prison—	
Chotirmal Dassumal, convict, beating of, .. .. .	99
Political prisoners in, complaints re beating of, .. .. .	48
Superintendent's conduct .. .. .	49
Inam villages: Dharsod rule 10-A under Land Revenue Code, application in, .. .. .	337
Kalche village: land revenue arrears, recovery of, .. .. .	392
Kalyan municipality: interference of Collector of Thana in suit filed by municipality against some members of Non-Brahmin party .. .. .	397
Kanara District—	
Gardeners and grazing fees .. .. .	454
Temples in, cash allowances to, .. .. .	32
Karachi—	
Girls' schools in, reduction of grants-in-aid to, .. .. .	162
Town planning scheme No. II: Garden quarter .. .. .	575-D
Karnatak Division Educational Department clerks transferred to Educational offices in Poona, inconveniences of, .. .. .	160
Kolaba District School Board—	
Grants to schools at Dhauransai, Nidi and Pen .. .. .	391
Official staff, constitution of, .. .. .	400
Land revenue arrears: recovery in Kalche village .. .. .	392
Lloyd Barrage—	
And Public Works Department Administration, amalgamation of, recruitment of 50 per cent. Mussalman at time of, .. .. .	160
Construction of Sub-divisional officer's offices and stores at the Left and Right ends .. .. .	336
Land Revenue recoveries in Siddapur Taluka, coercive measures for, .. .. .	33
Local bodies in Sind and Presidency, engineers for, appointment of, 41, 167, 170, 173	
Mahad Swadeshi League, issue of notices under the Ordinance by District Magistrate on organisers of, .. .. .	161
Malegaon Municipality's request for transfer of Assistant Surgeon A. B. Sardehgande .. .. .	458
Mamlatdars' courts, provision of pleaders' rooms and witness sheds in, Military service: concession to local Government's servants, extension of, .. .. .	575-C
Municipalities as local authorities, reason for constitution of, under Primary Education Act .. .. .	169
Murud: Durga Devi's annual festival, performance of, .. .. .	30
Nasik—	457
District—	
Local Board—	
Excise cess, share of, .. .. .	52
Kasari-Bolthan Ghat road, grants for, representation re .. .. .	51
Village water supply, grants for, .. .. .	51
Primary education of Hindus in, .. .. .	103
School Board: Urdu schools .. .. .	400
Government High School—	
Admission to students, refusal of, .. .. .	49
Arabic teachers and classes, discontinuance of, .. .. .	99
Newspapers, subsidy by Government to, particulars re .. .. .	97
Paranjpye, Dr. criticism of Ministers' policy re primary education .. .. .	390, 453
Peshwa Daftar: Preparation of Handbook: Assistance of Bharat Itihas Sanshodhak Mandal .. .. .	43
Political Prisoners—	
" C " class, clothing supplied to, .. .. .	31
Removal—	
From Sabarmati to Nasik Jail .. .. .	31
To Andamans .. .. .	31

## Question re :—contd.

## Poona—

Abdul Wahed School, Government grant to, .. ..	104
Anglo-Urdu High School, History teaching in, .. ..	47
District : Co-operative credit societies in liquidation during 1921-31. .. ..	569
Pratap, Mr. M. L., of Papdi, Bassein, land grant to, .. ..	339-40

## Primary—

## Education—

Act : Municipalities as local authorities, reasons for constitution of, .. ..	30
Dr. Paranjpye's criticism of Ministers' policy .. ..	390, 453
School teachers under Government control, resignation of, .. ..	91
Punjatal Ambalal Bhavsar, primary school teacher, transfer and retransfer of, .. ..	94
Batnagiri District—	
Inam villages, Inamdars' right of sale or mortgage of, .. ..	172
Lands in, assessment on, .. ..	171

## Retrenchment—

Committee's recommendations and Government decision re—

## Bombay—

Presidency Magistrates, number of working days for, .. ..	99
Small Cause Court, number of working days for Judges of, .. ..	99

## In—

Government Departments .. ..	334
Revenue Department, Thana District : partiality towards Brahmin servants .. ..	399
Subordinate Educational Service and Bombay Educational Service. .. ..	575-H

## Revenue—

Courts, provision of pleaders' rooms and witness sheds in, .. ..	575-C
Qualifying examination, study leave for, .. ..	575-F
Road Development Fund : expenditure on roads .. ..	575-F
Roadside trees, cost of planting and maintenance of, .. ..	95
Sanskrit pathshalas in Presidency .. ..	392
Sardeshpande, Mr. A. B., Assistant Surgeon at Malegaon : Municipality's request for transfer .. ..	458
Satara Government High School : proposed abolition .. ..	459
Secretariat staff, Muslim representation in, paucity of, .. ..	575
Sholapur District Local Board by-election : adjournment of scrutiny of votes by mamlatdar .. ..	44

## Siddapur Taluka—

## Land revenue recoveries—

## Attachment—

And sale of foodstuffs and cattle and digging of houses for, .. ..	35
Of cooking utensils, etc. .. ..	93
Coercive measures for, .. ..	33
Digging of houses and attachment of property for, .. ..	34
Extra police and revenue staff for, .. ..	92
Removal of idols for, .. ..	94
Non-payment of taxes, arrests and convictions for, .. ..	91

## Sind—

Lands, pre-Barrage and post-Barrage : duties per cusec .. ..	161
Salt and Excise Department : transfers of menials .. ..	47
Sindhia : appointment as Deputy and Under-Secretaries .. ..	575-A
Surat and Ahmedabad districts, holidays in civil courts of, .. ..	338
Temples in Kanara district, cash allowances to, .. ..	32
Tenancy Bill, introduction of, .. ..	32
Thana District : retrenchment in Revenue Department, and partiality towards Brahmin servants .. ..	399
Toddy licences : tree-foot booths, location of, .. ..	52

## Urdu—

Schools in Nasik District .. ..	400
Training schools,—	
Ahmedabad and Poona : Admissions .. ..	455
Annual examination papers, difference in, .. ..	168
Vanjari community : Inclusion in Maratha and Allied castes for election to Bombay Legislative Council .. ..	568
Wadhmal Tekchand, political prisoner, release of, from Hyderabad jail. .. ..	334-38

## INDEX

ix

	Q— <i>contd.</i>	PAGES.
<b>Question re :—<i>contd.</i></b>		
<b>Wakf—</b>		
Act : application to Dawoodi Bohra community .. ..	.. ..	575-Q
Property in Survey No. 307, situate in Ankleahwar .. ..	.. ..	575-G
<b>R</b>		
<b>Rafuddin Ahmad, Moulvi Sir—</b>		
<b>Bills—</b>		
Special Powers Bill 210-15, 361-62, 436-37, 583, 586, 634, 650-51, 653, 654		654
Motion re Appreciation of Hon. Mr. Hudson's Services .. ..	.. ..	665-66
<b>Rahimtoola, Mr. Hoosenally M.—</b>		
Questions .. ..	.. ..	99
<b>Resolution re :—</b>		
Cotton Transport Act, Amendment of Rules under, .. ..	.. ..	657-59
<b>Roose, Mr. F. O. J.—</b>		
Oath of office .. ..	.. ..	29
<b>S</b>		
<b>Sardesai, Shrimant M. R.—</b>		
Letter acknowledging condolence resolution re his father's death, .. ..	.. ..	30
<b>Serval, Mr. A. E.—</b>		
Oath of office .. ..	.. ..	29
<b>Shaikh Abdul Aziz, Mr.—</b>		
Questions .. ..	.. ..	396-97, 458-59
<b>Shaikh Abdul Majid, Mr.—</b>		
Questions .. ..	.. ..	47
<b>Shankarrao Jayaramrao Zunnarrao, Mr.—</b>		
Questions .. ..	.. ..	339-40, 397-400, 573-74
<b>Shinde, Mr. R. B.—</b>		
Questions .. ..	.. ..	459-60
<b>Solanki, Dr. P. G.—</b>		
<b>Bills—</b>		
Special Powers Bill .. ..	.. ..	278-84
Motion re Appreciation of Hon. Mr. Hudson's services .. ..	.. ..	667-68
<b>Spence, Sir Reginald—</b>		
<b>Bills—</b>		
Special Powers Bill .. ..	.. ..	295, 377, 581
Motion re Appreciation of Hon. Mr. Hudson's services .. ..	.. ..	662-63
Questions .. ..	.. ..	169-70
<b>Supplementary Grants—</b>		
Aral-Manchar (near Sehwan)—Combined Bridge and Regulator over, .. ..	.. ..	657
Dadu (Sind), new dispensary at, .. ..	.. ..	656
Karachi, Artillery Maidan—Ramoshia for patrolling .. ..	.. ..	657
Sukkur Begari Bund, Improvements to, .. ..	.. ..	656-57
<b>Surva, Mr. A. H.—</b>		
<b>Bills—</b>		
Special Powers Bill .. ..	248-50, 521, 540-41, 551, 631-32, 646-47	
Questions .. ..	.. ..	170-71, 575-Q

<b>Sarva, Mr. V. A.—</b>	
Bills—	
Special Powers Bill .. .. .	386-37, 497
Questions .. .. .	171-73
<b>Syed Munawar, Mr.—</b>	
Questions .. .. .	104
<b>Taraporewala, Mr. V. F.—</b>	
Bills—	
Special Powers Bill .. .. .	126-148, 377-78, 380, 408-09, 637-39, 640, 641, 647
Oath of office .. .. .	29
<b>Thakor of Karwada, Sardar Bhasabai Bahadur—</b>	
Bills—	
Special Powers Bill .. .. .	276-78, 564, 580, 598, 599-600, 617-18
Village Panchayat Bill .. .. .	461
Motion re Appreciation of Hon. Mr. Hudson's services .. .. .	664
<b>Tolani, Mr. S. S.—</b>	
Questions .. .. .	48-49, 99, 334-36
<b>Vaishampayan, Dr. V. G.—</b>	
Special Powers Bill .. .. .	285-87, 425
<b>Vakil, Mr. Pestanshah N.—</b>	
Bills—	
Special Powers Bill .. .. .	379-80
Motion re Appreciation of Hon. Mr. Hudson's services .. .. .	661
Questions .. .. .	101
<b>Vakil, the Hon. Sirdar Sir Rustom J.—</b>	
Bills—	
Village Panchayats Bill .. .. .	461
Supplementary Grants—	
Combined bridge and regulator over the Aral-Manchar near Sehwan .. .. .	657
Opening of a dispensary at Dadu (Sind) .. .. .	656
<b>Vandekar, Rao Bahadur B. V.—</b>	
Questions .. .. .	49-52, 103, 400
<b>Wadke, Mr. B. P.—</b>	
Questions .. .. .	52, 173, 460
<b>Winterbotham, Mr. G. L.—</b>	
Special Powers Bill .. .. .	193-95, 579, 586